



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA CITY OF THE DALLES PLANNING COMMISSION THURSDAY, JUNE 18, 2020 6:00 P.M.

VIA ZOOM

Join Zoom Meeting

<https://zoom.us/j/91968766251?pwd=UzZrSVEwRlIIZaUVlWk5CT1VjbVNWQT09>

Meeting ID: **919 6876 6251** Password: **119821**

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- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES – May 21, 2020
- V. PUBLIC COMMENT
- VI. QUASI-JUDICIAL PUBLIC HEARING

Appeal 030-20 of SUB 74-19, Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, and Damon Hult -- **Public Hearing continued from May 21, 2020.**

REQUEST: Appeal of the administrative approval on March 9, 2020, of Subdivision 74-19, Legacy Development Group, to divide one 6.92 acre parcel into 72 lots of varying size with a proposed community park.

VII. RESOLUTIONS

Resolution 593-20: Denial of APL 030-20 and affirming approval of SUB 74-19

VIII. STAFF COMMENTS

Next regularly scheduled meeting: July 2, 2020

IX. COMMISSIONER COMMENTS OR QUESTIONS

X. ADJOURNMENT



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MINUTES

CITY OF THE DALLES PLANNING COMMISSION

MEETING HELD VIA ZOOM
THURSDAY, MAY 21, 2020
6:00 P.M.

CALL TO ORDER

Chair Bybee called the meeting to order at 6:03 p.m.

ROLL CALL

Commissioners Present: Brent Bybee, Cody Cornett (joined meeting at 6:05 p.m.), Bruce Lavier, Mark Poppoff and Jeff Stiles

Commissioners Absent:

Staff Present: Director Steve Harris, City Attorney Diana McDougle, Co-Counsel Kristen Campbell, Senior Planner Dawn Marie Hert, City Engineer Dale McCabe, Planner Joshua Chandler, City Clerk Izetta Grossman and Secretary Paula Webb

APPROVAL OF AGENDA

It was moved by Stiles and seconded by Lavier to approve the agenda as written. The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

PUBLIC COMMENT

None.

QUASI-JUDICIAL HEARING

Appeal 030-20 of SUB 74-19, Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, and Damon Hulit

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias which would prevent an impartial decision.

Bybee stated he is an Associate Planner with the Wasco County Planning Department. He has had no involvement on the county level with this application.

Commissioner Cornett stated he is a licensed realtor in the state of Oregon. Earlier in the year Cornett spoke with Cameron Curtis about the project; he has no connection with property sales.

City Attorney McDougle had no objections to their participation.

Chair Bybee opened the public hearing at 6:14 p.m.

City Attorney McDougle assured the appellants and public that staff did not object to public testimony at this meeting. She stated staff requested a continuance of the public hearing to allow staff to compile additional evidence relevant to this hearing. Additional time was needed to review the traffic impact study.

Commission consensus was to receive public testimony at this meeting and continue the hearing to June 18, 2020.

Planner Chandler provided an overview of the project and zoning history.

Chair Bybee invited testimony.

Steve Morasch, Landerholm Law Firm, 805 Broadway Street, Suite 1000, Vancouver, Washington

Mr. Morasch stated he is the attorney representing the appellants. He will present at the next meeting after review of additional materials submitted.

Steve Murray, 2645 E. 11th Street, The Dalles

Mr. Murray stated his primary concern was traffic. He felt the information provided fell short of a thorough traffic study which should have been conducted over a longer period of time at differing times of day.

Karen Murray, 2645 E. 11th Street, The Dalles

Mrs. Murray stated this meeting limits people who may be uncomfortable with this format. She said a physical meeting was necessary to allow people to comment and ask questions. None of the neighbors she spoke with are in favor; this is very traumatic for the neighborhood. She felt other areas would be better suited to high density.

Chair Bybee stated this meeting format was the only way available for staff to conduct meetings within statutory deadlines. Phone numbers were provided to allow comment from people not connected to the digital world.

McDougle shared her understanding of the frustrations involved. The Governor's "Keep Oregon Working" executive order requires municipalities to hold remote meetings as long as the "Stay Home, Save Lives" order is in effect. Currently, "Stay Home, Save Lives" is in effect until July 6. The City is required to comply with the Governor's orders as well as statutory requirements. The meeting cannot be postponed until such time as a physical meeting can take place.

Rena Mauldin, 2732 E. 12th Street, The Dalles

Ms. Mauldin was concerned with the speed and volume of traffic now present on E. 12th Street. Sixty-nine 69 new homes would significantly increase traffic; a more thorough traffic study was needed. She was thrilled with the inclusion of two lots for park space.

Gary Gingrich, 2835 E. 10th Street, The Dalles

Mr. Gingrich stated he appreciated the professionalism of all parties in this situation. His perception was that everyone was trying to do their job properly and professionally.

Gingrich stated COVID had changed everything for everyone, and anticipated it would change community planning going forward. Population density is the issue. We are a small community imposing a population density ruling designed state-wide and probably on a national level. We are on the cusp of population density sounding a lot different than it did a year ago, before what

happened in New York. There is a public awareness, and a public move, to seek areas to live with less density, to work remotely. Gingrich said he wondered if this might be a good time to reconsider, at this point when things are undecided and unclear, whether we want to move toward imposing a permanent but previous solution on this property.

Joseette Schultens, 2637 E. 10th Street, The Dalles

Mrs. Schultens stated she has watched traffic increase over the past 36 years. Schultens agreed with Mr. Gingrich's statements, and shared her concerns about a blind hill where visibility is poor. She said staff should personally visit the site prior to approval. Schultens had heard that only some of the units would be for sale and wondered about the long range plan. She did not see the area as a place for high density housing.

Commissioners Stiles, Cornett, Poppoff and Lavier stated they have visited or are familiar with the property.

Mrs. Murray asked the Commission if they had read the comments. The Commissioners replied they had read the comments.

It was moved by Stiles to hold the record open and continue the public hearing until June 18, 2020. No vote was taken.

Commissioner Cornett requested parameters of the traffic study.

City Engineer McCabe said the guidelines and requirements for a traffic study are included in the City policy distributed to all developers and traffic engineers. The guidelines and requested information in the ITE Manual is established by the Institute of Traffic Engineers. The traffic study is usually held during the am peak period and pm peak period; generally the pm peak period has the highest volume of traffic. The ITE manual is used with data collected in the study to extrapolate the traffic generated by development. Results of the study are reviewed by the City and developer.

It was moved by Stiles and seconded by Lavier to hold the record open and continue the public hearing on June 18, 2020. The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

RESOLUTIONS

Resolution 590-20: Approval of ADJ 050-19, Michael and Christine Irish

It was moved by Lavier and seconded by Poppoff to approve Resolution 590-20, approval of Adjustment 050-19. The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

Resolution 592-20: Denial of MIP 371-20, Daniel Sanchez

It was moved by Lavier and seconded by Cornett to approve Resolution 592-20, denial of Minor Partition 371-20. The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

Resolution 593-20: Decision of APL 030-20, Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, and Damon Hulit

This resolution was postponed.

STAFF COMMENTS

Director Harris stated there were no public hearings scheduled for the June 4, 2020 meeting. Staff recommended cancellation of the meeting.

Commission consensus was to cancel the June 4, 2020 meeting.

COMMISSIONER COMMENTS OR QUESTIONS

None.

ADJOURNMENT

Chair Bybee adjourned the meeting at 7:09 p.m.

Respectfully Submitted
Paula Webb, Secretary
Community Development Department

Brent Bybee, Chair



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COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT Appeal No. 030-20 of SUB 74-19 - Legacy Development Group, LLC

Procedure Type: Quasi-Judicial

Assessor's Map: Township 1 North, 13 East, Section 1 C

Tax Lot: 201

Address: No Address Assignment

Zoning District: "RH" High Density Residential

Prepared by: Joshua Chandler, Planner
Diana McDougale, City Attorney

Date Prepared: May 11, 2020

Date Revised: June 5, 2020

Hearing Date: May 21, 2020, continued to June 18, 2020

SYNOPSIS: This staff report will include the following:

- Background of Appeal No. 030-20 (APL 030-20)
- Notification of APL 030-20
- Review Criteria of Subdivision No. 74-19 (SUB 74-19)
- Review Criteria of APL 030-20
- Arguments – Appellants' Attorney's March 18, 2020 correspondence
- Comments Received: APL 030-20 (as of May 11, 2020)
- Traffic Impact Study: Findings
- Commission Alternatives
- Conditions of Approval
- Attachments

BACKGROUND: On March 9, 2020, The Dalles Community Development Department (CDD) approved an Administrative Application for Subdivision No. 74-19 (SUB 74-19) for Legacy Development Group to divide one (1) parcel (6.92 acres) into seventy-three (73) parcels of varying sizes (72 dwelling parcels and 1 parcel dedicated as a "community park" for the development). A

copy of that Staff Report and the Notice of Decision have been included as attachments with this staff report (Appendixes I and III).

Dwelling parcels for the subdivision proposal range in size from 2,122 ft² to 6,095 ft², with a 5,654 ft² parcel size for the community park. As a Condition of Approval for SUB 74-19, the Applicant was required to submit a Traffic Impact Study (TIS) prior to the approval of the final plat. Since the initial approval on March 9, the Applicant has submitted a TIS which will be discussed in subsequent sections of this report. From preliminary findings found in this study, a modification of the initial site plan occurred, resulting in the overall number of dwelling parcels decreasing from 72 to 69, and the community park increases in size from 5,654 ft² to 11,724 ft².

The property which is the subject of this appeal is located in East The Dalles abutting East 10th Street to the north, E. 12th Street to the south, and Richmond Street to the east. The property is currently vacant and has no address. The Assessor's Map and Tax Lot number for the property is 1N 13E 1 C Tax Lot 201. Tax Lot 201 is the result of a Minor Partition No. 366-19 (MIP 366-19) approved on October 31, 2019, which created Tax Lot 201 (6.92 acres) and Tax Lot 200 (0.38 acre). Upon recording, Tax Lot 200 retained the existing Assessor's Map and Tax Lot number, street address (2845 E. 12th Street), and Account Number 8222. MIP 366-19 was submitted under previous ownership. The Comprehensive Plan and Zoning District Designation for the property is "RH" High Density Residential.

On March 19, 2020, a Notice of Appeal for Land Use Decision of SUB 74-19 was received by the CDD. A copy of the Notice of Appeal, along with associated documents, is also included as an attachment to this staff report.

At the May 21, 2020, Planning Commission hearing, the City of The Dalles Legal Department requested a continuation of the hearing to June 18, to address additional concerns raised by the Appellants' Attorney. The Appellants' Attorney did not object to the continuance. By unanimous vote, the Planning Commission granted the request for continuance to the June 18, 2020 Planning Commission meeting.

ZONING HISTORY: After receiving multiple comments and questions regarding the zoning designation of the subject parcel, Staff determined it was necessary to provide a brief history of this parcels High Density designation. Department Staff consulted with the Wasco County Planning Department for additional research, as well as former City of The Dalles Planning Consultant, Dan Meader, to verify the following information. Although this information has been provided, zoning history of an individual parcel is not criterion addressed when reviewing a subdivision application.

- In 1983, the City of The Dalles and Wasco County entered into an agreement for the joint management of The Dalles Urban Growth Boundary (UGB). This unique agreement, established the City's review of all land use decisions within the UGB.
- On October 5, 1992, The Dalles City Council approved the appointment of a 17 member Steering Committee for the revision of The Dalles Comprehensive Plan (TDCP). This committee held 21 meetings and workshops between October 1992 and December 1993 reviewing proposed amendments to TDCP, which included new zoning designations and boundaries.
- On March 7, 1994, Wasco County Planning Commission voted unanimously to recommend that the Wasco County Court adopt the proposed 1994 TDCP and Map.
- On March 28, and May 9, 1994 The Dalles City Council held public hearings to discuss the proposed amendments. On May 9, 1994, Council unanimously approved General Ordinance 94-1184.

- On May 18, 1994, Wasco County Court unanimously approved General Ordinance 94-1184. The new TDCP and Land Use Map, which replaced the former plan and map adopted in 1982, were put into effect on June 9, 1994.
- In 1997, the City of The Dalles and Wasco County updated the joint management agreement, as well as the Urban Growth Area and Boundary and The National Scenic Area-Urban Area and Boundary.
- On June 11, 1998, Chapter 10 of The Dalles Municipal Code (TDMC) was adopted, with no changes to the High Density Residential designation of the subject parcel, which is the zoning designation it currently holds today.

NOTIFICATION: A Notice of Public Hearing was published in The Dalles Chronicle on May 6, 2020. Pursuant to directives in the Governor’s Keep Oregon Working Executive Order No. 20-16, dated April 15, 2020, the meeting will be held through an online conferencing platform. Additionally, on May 7, 2020, notification of the public hearing was sent to the Applicants, Appellants, Appellants’ Attorney, all previous parties of record (SUB 74-19), property owners within 300 feet, as well as any affected governmental agency, department, or public district within whose boundaries the subject property lies. The property owner notification radius was increased from 100 ft. to 300 ft. for the appeal public hearing.

Responding to concerns regarding improper noticing to the airport sponsor and Department of Aviation, the City mailed the original Notice of Administrative Action to the Columbia Gorge Regional/The Dalles Municipal Airport Manager, the Oregon Department of Aviation, and the Washington Department of Aviation on May 29, 2020.

REVIEW CRITERIA (SUB 74-19):

I. City of The Dalles Municipal Code, Title 10 Land Use and Development

Section 10.3.010.040 General Provisions

A. Acceptance

FINDING #1: The subdivision application with 50% of the application fee was submitted to the CDD on July 26, 2019, which scheduled a Site Team meeting on August 8, 2019. On January 10, 2020, the Applicant submitted the remaining balance of the application fee as well as additional documents for review, effectively establishing the starting date for completion review. **Criterion met.**

B. Completeness

FINDING #2: The application was deemed complete on January 23, 2020. **Criterion met.**

Section 10.3.020.040 Administrative Actions

B. Decision Types.

FINDING #3: Pursuant to TDMC, subdivisions are processed as Administrative Actions unless elevated to a Quasi-Judicial Action. **Criterion met.**

C. Notice of Application

FINDING #4: A Notice of Administrative Action was mailed on January 24, 2020, to property owners within 100 ft., as well as any affected governmental agency, department, or public district within whose boundaries the subject property lies. Due to inconsistencies with property figures as a result of a recent minor partition application on the subject

property (MIP 366-19), as well as an error in the noticing by The Dalles Chronicle, CDD Staff re-noticed the application on January 31, 2020. The new 14-day comment deadline was then set for February 14, 2020, 21 days following the initial notice. At the time of the re-notice, CDD Staff included the original parcel number (tax lot 200) and property address (2845 E. 12th Street) as the Wasco County Assessor's Office had yet to assign a parcel number to the newly created parcels. **Criterion met.**

D. Time Limits

FINDING #5: The 45-day deadline from the date the application was deemed complete, January 24, 2020, is March 8, 2020. With the 45-day deadline occurring on a Sunday, this decision was made on the next business day, March 9, 2020. **Criterion met.**

E. Staff Report

FINDING #6: The original staff report dated March 9, 2020, (SUB 74-19) was updated to include responses specific to APL 030-20 and has been included as Appendix I for reference. This new staff report is dated May 11, 2020. **Criterion met.**

Section 10.5.020.020 Permitted Uses

A. Primary Uses Permitted Outright.

1. Residential use types:
 - a. Single-family.
2. Residential building types:
 - a. Single-family detached.
 - c. Duplex and single-family attached (zero lot line, 2 units)
 - d. Small lot single-family detached dwellings (3 to 8 unit clusters) and attached town houses (zero lot line, 3 to 8 unit clusters).

FINDING #7: The Applicant submitted a proposed “neighborhood layout” for the development, which features 11 single family detached dwellings with both attached and detached accessory dwelling units (ADUs), seven (7) single family attached units (townhouses, three (3) units), and 20 single family attached (zero lot line) structures. **Criterion met.**

B. Accessory Uses Permitted Outright

1. Accessory dwelling units

FINDING #8: The Applicant is proposing 11 ADUs as accessory uses to 11 single family detached dwellings. For reference in subsequent findings, Staff has provided that Section 10.5.020.090 (B) states that *permitted accessory dwellings shall not be counted in density calculations for proposed development.* For additional clarification, ADUs are not included in the overall dwelling count of “dwelling units per lot.” **Criterion met.**

Section 10.5.020.060 Development Standards

	Standards
<i>RH High Density Residential</i>	<i>One Dwelling Unit per Lot</i>
<i>Minimum Lot Area</i>	<i>1,500 ft² per dwelling unit, not to exceed 25 units per gross acre</i>

<i>Minimum Lot Width</i>	<i>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</i>
<i>Minimum Lot Depth</i>	<i>60 ft.</i>

FINDING #9: The Applicant submitted a request to divide one (1) parcel (6.92 acres) into 73 parcels of varying sizes (72 dwelling lots and 1 parcel dedicated as a “community park” for the development). The RH zone requires a minimum lot size of 1,500 ft²; minimum lot widths of 25 ft. for corner lots/lots with townhome end-units and 20 ft. for interior lots; and minimum depths of 60 ft. The Applicant is proposing lot sizes ranging between 2,122 ft² to 6,095 ft²; corner lots/lots with townhome end-units ranging between 24.16 ft. to 62 ft. and interior lots ranging from 22.96 ft. to 64.71 ft.; and lot depths 92.62 ft. to 94.20 ft. Staff determined from the neighborhood layout and “plat proposal”, that the parcel labeled “Lot 62” is less than the required 25 ft. for corner lots/lots with townhome end-units. Staff will include as a condition of approval that the Applicant modify the lot width of “Lot 62” to comply with the minimum lot width standards of the RH zoning district (25 ft. for corner lots/lots with townhome end-units), per Section 10.5.020.060. **Criterion met with conditions.**

Article 6.010 Landscaping Standards

FINDING #10: The Applicant is proposing 72 dwelling unit parcels with this subdivision application. Pursuant to Section 10.6.010.020 (B), single family dwellings are required to landscape the undeveloped portions of the front yard within the first six (6) months after occupancy; therefore, CDD Staff will not be reviewing landscaping requirements at this time. **Criterion not applicable.**

Article 6.030 Accessory Development

FINDING #11: The Applicant is proposing 11 ADUs as accessory uses to 11 single family detached dwellings. CDD Staff will address standards of Article 6.030 at the time of each ADU building permit. **Criterion not applicable.**

Article 6.050 Access Management

C. Corner Clearance.

FINDING #12: Pursuant to The Dalles Transportation System Plan (TSP) Functional Roadway Classification System, East 12th Street is classified as a “minor collector”, while both East 10th and Richmond Streets. are classified as “local streets”. Table 1 of Section 10.6.050.040 requires a minimum spacing between driveways and/or streets on minor collectors of 75 ft. to 150 ft., with no standards for local streets. Staff determined from the plat proposal that all proposed access points, streets and alleyways, will be no less than 75 ft. from existing intersections. Staff will include as a condition of approval that the minimum spacing requirements (75 ft.) of Section 10.6.050.040 be included as part of the final plat. **Criterion met with conditions.**

E. Emergency Access.

FINDING #13: During the August 8, 2019, Site Team meeting, representatives from Mid-Columbia Fire and Rescue provided information to the Applicant on requirements for fire apparatus roads throughout the development. At that time, the Fire Chief determined that E. 11th Street, when developed to City standards, will meet the requirement of a fire apparatus road; while the half-street right-of-way (ROW) dedication of Bradley Drive must be a minimum of 26 ft. in width to meet these requirements. Staff determined that the

Applicant has provided approximately 30 ft. of ROW for Bradley Drive; therefore, in compliance with fire apparatus requirements. Staff will include as a condition of approval that a minimum of 26 ft. of ROW for Bradley Drive be dedicated with this proposal. **Criterion met with conditions.**

Article 6.060 Driveway and Entrance Standards

FINDING #14: The Applicant has stated that the subdivision will provide alleyway access to all proposed lots and maintain all driveway and covered parking to the rear of each lot. From the plat proposal, Staff determined that two full east/west alleyways (dividing the E. 10th/11th Street blocks and 11th/12th Street blocks), as well as one north/south alley along both the E. 10th and 12th Street frontages are proposed with this development. No additional driveways or entrances are proposed at this time. **Criterion met.**

Chapter 10.7 Parking Standards

FINDING #15: Pursuant to Section 10.7.010.010 (A), off-street parking shall be provided for all development requiring a building permit. At this time, the Applicant is proposing a subdivision application only with no associated building permits. CDD Staff will address parking requirements at the time of each building permit. **Criterion not applicable.**

Chapter 10.8 Physical and Environmental Constraints

FINDING #16: The Applicant is not proposing any grading, filling, cutting, or other earth-moving activity at this time. All of these activities involving more than 50 yds³ must submit a Physical Constraints Permit, with more than 250 yds³ requiring an engineered set of plans. Both of these actions require the review and approval of the City Engineer. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.9.020.020 General Provisions

A. Applicability

FINDING #17: The submitted land division is in conformance with the requirements of the RH zoning district, as well as all other applicable provisions of Title 10 of TDMC. The Applicant is not requesting any modifications to the above mentioned criteria with this application. **Criterion met.**

B. Annexation

FINDING #18: The subject property is located outside the City Limits within the Urban Growth Boundary (UGB). Prior to the review of SUB 74-19, the previous owner was approved for MIP 366-19, which resulted in the creation of the subject parcel. As a condition of approval with MIP 366-19, a Consent to Annexation with a one (1) year waiver was required to be signed and recorded with Wasco County. The Wasco County Clerk's Office lists February 13, 2020, as the recording date of these documents. As a result, the subject property will be annexed into the City Limits at a date undetermined by City Council at this time. **Criterion met.**

C. Blocks

FINDING #19: TDMC states that local streets and minor collector block lengths shall be a minimum of 300 ft. and a maximum of 600 ft. From the plat proposal, Staff determined that the interior block of E. 11th Street is approximately 649 ft. in length, thus greater than the 600 ft. maximum. Staff will include as a condition of approval that the Applicant modify the plan proposal to comply with block length standards of Section 10.9.020.020 (C). As an alternative to this condition, the Applicant may request an exception to this standard by submitting proof that a reasonable standard of public safety exists as provided by a

licensed professional engineer specializing in traffic, pursuant to Section 10.6.050.050. **Criterion met with conditions.**

D. General Lot Requirements

1. Size and Shape

FINDING #20: See Finding #9. **Criterion met with conditions.**

2. Access

FINDING #21: The subject property has street frontage on three (3) sides: E. 10th Street (north), E. 12th Street (south), and Richmond Street (east). The Applicant is proposing to dedicate a full east/west ROW (E. 11th Street) and a half-street north/south ROW on the western boundary line (Bradley Drive). Additionally, the Applicant is proposing two (2) full east/west alleyways (dividing the E. 10th/11th Street blocks and 11th/12th Street blocks), as well as one (1) north/south alley along both the E. 10th and 12th Street frontages. **Criterion met.**

3. Access Points

FINDING #22: The Applicant has stated that the subdivision will provide alleyway access to all proposed lots and maintain all driveway and covered parking to the rear of each lot. From the plat proposal, Staff determined that two full east/west alleyways (dividing the E. 10th/11th Street blocks and E. 11th/12th Street blocks), as well as one north/south alley along both the E. 10th and 12th Street frontages are proposed with this development. Staff has included as a condition of approval that the proposed access points be recorded as part of the final plat. **Criterion met with conditions.**

4. Through Lots

FINDING #23: No through lots are proposed with this application. **Criterion not applicable.**

5. Lot Side Lines

FINDING #24: From the plat proposal, staff determined that all proposed lot lines are at right angles. **Criterion met.**

6. Lot Grading

FINDING #25: See Finding #16. **Criterion met with conditions.**

8. Redevelopment Plans

FINDING #26: TDCP calls for a range of 10 to 25 units per gross acre within the RH zone. Based on the total gross acreage of the subject property, 7.36 acres, the subject property could support 73 to 184 units. Seventy percent (70%) of the maximum Comprehensive Plan density of 184 units for the subject property is 128 units. The Applicant is proposing 73 parcels total (72 dwelling unit parcels and 1 parcel dedicated as a “community park” for the development), which is the minimum of TDCP density requirement for the RH zone. Staff was able to determine from the proposed lot sizes in the neighborhood plan that further partitioning of the single family detached dwelling lots (numbers 6, 15, 21, 31, 34, 40, 41, 44, 45, 60, and 63, as well as the “community park”) could accommodate 15 additional parcels if developed to the minimum lot size standards of 10.5.020.060. All other lots could not accommodate further partitioning. As noted in Finding #8, ADUs are not included in the overall dwelling count of “dwelling units per lot.” **Criterion met.**

Section 10.9.040.050 Construction Drawings and Specifications

FINDING #27: The Applicant submitted a neighborhood layout and plat proposal with lot sizes and configurations, utilities, and street designs for reference in reviewing this application. Engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.9.040.060 Final Subdivision Plat Review

FINDING #28: See Finding #27. **Criterion met with conditions.**

Section 10.10.040 Pedestrian Requirements

FINDING #29: Section 10.10.040 requires that all sidewalks on collector streets have a minimum width of 5 ft. and must extend through the site to the edge of adjacent properties. As mentioned in Finding #27, engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.10.050 Bicycle Requirements

A. Bike Lanes

FINDING #30: Pursuant to Section 10.10.050, on-street bike lanes are required on all new arterial and major collectors. As mentioned in Finding #30, The Dalles TSP Functional Roadway Classification System, classifies E. 12th Street as a minor collector and E. 10th Street as a local street; therefore, the Applicant is not required to provide bike lanes with this development. **Criterion not applicable.**

Section 10.10.060 Street Requirements

A. Traffic Impact Studies

FINDING #31: Due to this subdivision exceeding 16 parcels, the Applicant will be required to provide a TIS to the City Engineer for review. The City Engineer has provided parameters and requirements for this study to the Applicant. As of the date of the staff report, no TIS has been submitted, but the Applicant has stated it is currently being performed. Pursuant to Section 10.10.060 (A, 5), the City may require the construction of off-site improvements to *mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.* Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

B. Pass Through Traffic

FINDING #33: No pass-through ROWs are proposed with this development. **Criterion not applicable.**

C. Improved to Standards

FINDING #34: The Applicant will be required to improve the full frontage of the subject property of all existing ROWs abutting the subject property (E. 10th, E. 12th, and Richmond Streets.), as well as full-street improvements on E. 11th Street and half-street improvements on Bradley Drive. All improvements must be improved to City standards. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

D. Orderly Development

FINDING #35: See Finding #34. **Criterion met with conditions.**

E. Connectivity

FINDING #36: The Applicant is proposing to dedicate a full east/west ROW (E. 11th Street) and a half-street north/south ROW on the western boundary line (Bradley Drive) of the subject property. East 11th Street is consistent with the alignment of E. 11th Street west of the subject property, at Morton Street Bradley Drive is not continuing an existing ROW path, but its location on the western property line establishes block dimensions and promotes circulation of the proposed parcels within the existing neighborhood. **Criterion met.**

F. Street Names

FINDING #37: CDD Staff discussed the proposed half-street ROW dedication on the western property line (“Bradley Drive”) with the local Postmaster to ensure that no proposed street names will be duplicated or confused with names of existing streets. Due to the fact that Bradley Drive currently exists in Hood River, the Postmaster recommended that if Bradley remains the street name of choice, it should be accompanied by “Street” rather than “Drive”. The Postmaster also verified that future block numbers of the proposed ROW (1001 to 1299), will not conflict with the block numbers (3000s) associated with the Bradley Drive location in Hood River. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

G. Alleys

FINDING #38: See Finding #14. **Criterion met.**

H. Unusual Situations

FINDING #39: No unusual situations have been noted. **Criterion not applicable.**

J. Location, Grades, Alignment and Widths

FINDING #40: See Finding #36. **Criterion met.**

Section 10.10.070 Public Utility Extensions

FINDING #41: During the August 8, 2019, Site Team meeting, it was determined that there is currently no public water, sanitary sewer and storm drainage available to the subject parcel. As a result, the Applicant will be required to extend the main line for each of these utilities to and through the development and must provide services to each parcel. Design and installation of public utilities shall conform to City standards and must be reviewed and approved by the City Engineer. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.10.080 Public Improvement Procedures

FINDING #42: Pursuant to Section 10.10.080, public improvements installed in conjunction with development shall be constructed in accordance with all applicable City policies, standards, procedures, and ordinances. The developer shall warranty all public improvements against defect for one (1) year from the date of final acceptance by the City. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.10.100 Franchise Utility Installations

A. General

FINDING #43: During the August 8, 2019, Site Team meeting, representatives from NW Natural Gas and Northern Wasco PUD provided information to the Applicant regarding available utility options near the subject property. The Applicant did not provide information regarding the installation of franchise utilities with the preliminary utility plan. All proposed

franchise utilities will be required to be installed in accordance with each utility provider. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

F. Street Lighting

FINDING #44: Pursuant to Section 10.10.100 (F), the Applicant shall be responsible for street lighting along all public streets and/or intersections improved in conjunction with the proposed development. Design and installation of public utilities shall conform to City standards and must be reviewed and approved by the City Engineer. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.10.110 Land for Public Purposes

D. Dedication of Right-of-Way and Easements

FINDING #45: The Applicant is proposing to dedicate a full east/west ROW (E. 11th Street) and a half-street north/south (ROW) on the western boundary line (Bradley Drive) of the subject property. During the August 8, 2019, Site Team meeting, Staff discussed the need for E. 11th Street to provide a 54 ft. ROW width dedication, consistent to the "Neighborhood Street" standards of Section 10.10.060 of TDMC, and half-street ROW for Bradley Drive requiring a 25 ft. width dedication, consistent with the "Local Street" standards of the TSP (50 ft. minimum ROW width). The Applicant did not provide width dimensions for E. 11th Street; however, Staff determined from the plat proposal an approximate 54 ft. ROW width dimension. Due to the conflicting street classifications and dimensions in TDMC and the TSP, and pursuant to Section 10.10.110 (D), the widths of each dedication shall be determined by the City Engineer. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

E. Recording Dedications

FINDING #46: The Applicant will be required to deed record all ROW dedications proposed for this development. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

Section 10.10.120 Mail Facility Services

FINDING #48: As of the date of this Staff Report, the US Postal Service did not provide comment regarding this application. The Applicant will be required to contact the Postmaster to ensure that the proper mailboxes are provided for this Subdivision. Staff will include this criterion as a condition of approval. **Criterion met with conditions.**

REVIEW CRITERIA (APL 030-20):

I. City of The Dalles Municipal Code, Title 10 Land Use and Development

Section 10.3.020.080 Application Review Procedures

B. Right to Appeal Decisions

1. Any party of record to the particular action.

FINDING #49: The appeal of the Administrative Decision of March 9, 2020, was filed by Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, Damon Hulit and Roberta Kay Wymore-Hulit on March 19, 2020. All of the Appellants listed in the Appellants' Attorney's March 18, 2020, correspondence are parties of record, except Roberta Kay Wymore-Hulit. Wymore-Hulit did not submit comment, nor is listed in the County's record of notified properties. Damon Hulit did not submit comment; however, is listed in the County's record of notified properties. **Criterion met.**

C. *Filing Appeals*

1. *To file an appeal, an appellant must file a completed notice of appeal on a form prescribed by the Department. The standard appeal fee shall be required as part of the notice of appeal.*

FINDING #50: Notice of Appeal for Land Use Decision and fee was received by the Community Development Department on March 19, 2020. **Criterion met.**

2. *The notice of appeal and appeal fee must be received at the Community Development Department office no later than 5:00 PM on the tenth day following the date of mailing of the notice of decision. (See Section 1.110: Computation of Time for an explanation of how days are counted).*

FINDING #51: The Notice of Decision for SUB 74-19 is dated March 9, 2020; the Notice of Appeal for Land Use Decision was received by the Community Development Department on March 19, 2020. **Criterion met.**

D. *Notice of Appeal*

1. *Appellant's name and address, and a statement describing how the appellant qualifies as a party.*

FINDING #52: The Appellants' Notice of Appeal for Land Use Decision provides the names and addresses for each appellant, and states why the appellants qualify as parties entitled to file a notice of appeal. As mentioned, Staff determined that Roberta Kay Wymore-Hulit is not eligible to appeal. **Criterion met.**

2. *The date and a brief description of the decision being appealed.*

FINDING #53: The Appellants' Attorney's March 18, 2020, correspondence meets this requirement. **Criterion met.**

3. *The specific grounds why the decision should be reversed or modified, based on the applicable criteria or procedural error.*

FINDING #54: The Appellants' Attorney's March 18, 2020, correspondence meets this requirement. **Criterion met.**

4. *The standard appeal fee.*

FINDING #55: The fee to file an appeal on a land use decision was received by the Community Development Department on March 19, 2020. **Criterion met.**

E. *Jurisdictional Defects.*

1. *Any notice of appeal which is filed after the deadline set forth in paragraph (C)(2) of this section, or which is not accompanied by the required fee set forth in paragraph (D)(4) of this section, shall not be accepted for filing.*
2. *The failure to comply with any other provision of subsection C or D of this section shall constitute a jurisdictional defect. A jurisdictional defect means the appeal is invalid and no appeal hearing will be held. Determination of a jurisdictional defect shall be made by the Director, with the advice of the City Attorney, after the expiration of the 10-day appeal period described in paragraph (C)(2) of this section. The Director's determination may be subject to appeal to State Land Use Board of Appeals.*

FINDING #56: Five (5) of the six (6) appellants are parties of record and thus have standing to appeal; therefore, the appeal is not defective. **Criterion met.**

ARGUMENTS (APL 030-20): The following arguments dated March 18, 2020 were provided on March 19, 2020 as part of the Notice of Appeal for Land Use Decision by the Appellants' Attorney, Steve C. Morasch. In addition, on May 11, 2020 the Appellants' Attorney provided a rebuttal to the Staff Report; the rebuttal was received May 15, 2020. Responses to both the original arguments and rebuttals have been provided in association with the City of The Dalles Community Development and Legal Departments.

Argument #1; Airport Approach Zone: *"Article 5.120, Airport Approach Zones, applies to this application because the property is within 10,000 feet of the runway...the property is also within the 'Approach Surface' as that term is defined in Section 10.5.120.020. Since Article 5.120 applies, notice of the application was required to be provided to the airport sponsor and the Department of Aviation (See Section 10.5.120.030), findings based on evidence must be made under Section 10.5.120.040 and the anti-glare provisions of Section 10.5.120.060.B must be met. There is no evidence in the record or findings on any of these issues."*

Response to Appellants' Argument #1: Please see Appendix VIII, which is an excerpt from the FAA's Part 77 document which "establishes standards and notification requirements for objects affecting navigable airspace."¹ Specifically, Subparts B and C provide evidence that the provisions set forth in Article 5.120, Airport Approach Zones, do not apply to the land use application that is the subject of this appeal because the various heights of the structures proposed do not impede the area to be protected under Article 5.120, Airport Approach Zones.

Additionally, Appendix VIII notwithstanding, Article 5.120, *Airport Approach Zones*, is intended to protect the interests of the Columbia Gorge Regional Airport (the "Airport") as evidenced by the language in Article 5.120, which states, "[N]o development or operational characteristic will be allowed that would hinder the use of the airspace." Appellants do not have standing to raise Argument #1 because Appellants do not have an interest in the "hinder[ance] of the use of the airspace". This Ordinance provision was intended to protect against harm caused to the Airport, not the Appellants.

Appellant Rebuttal - Argument #1, May 15, 2020: *"Staff's response ignores airport safety, which is something of interest to everyone living within the vicinity of the airport. If glare from the proposed development causes an airplane to crash into Appellant's property, that is certainly an issue that would "adversely affect and aggrieve" Appellants, so standing under state law is met.*

It's unconscionable that staff would argue that airport safety is not one of the purposes of the City's regulations of development surrounding airports, or that those who live in the flightpath of an airport have no "standing" to raise an issue of airport safety. We request the Planning Commission reject staff's argument.

Further, the notice provisions of Section 10.5.120.030 of the city code apply in addition to the FAA regulations that staff cites in its response, so even if notice would not have been required under FAA regulations (an issue on which staff offered no findings or evidence, just a bare conclusion), notice was still required under city code.

Finally, the height issues staff raises under the FAA regulations have nothing to do with the anti-glare provisions of local code. Staff has not adequately addressed the glare provisions of Section 10.5.120.060.B."

Response to Appellants' Rebuttal - Argument #1, June 11, 2020: Staff collaborated with aviation experts and concluded that the subject property is not within the "approach surface" of the airport, specifically Runway 31. It was determined that the subject property is outside of the

¹ See <https://www.faa.gov/airports/central/engineering/part77/>

approach surface for Runway 31 because it is a visual approach runway which has a 5,000' approach surface distance. The subject property is located more than 7,000' from Runway 31. As a result, pursuant to Section 10.5.120.030, D of TDMC, notice to the airport sponsor and Department of Aviation was not required. Nevertheless, in an abundance of caution, and to foreclose the issues raised in the Appellants' Argument #1, on May 29, 2020, Staff noticed the Airport and the Department of Aviation in Oregon and Washington, regarding the land use application that is the subject of this appeal.

Argument #2; Landscape Review: *"Finding #10 improperly defers landscaping review until building permits for individual houses. Per Article 10.6.010, this requires that a landscape plan that complies with Section 10.6.010.030(B) to be reviewed at the time of development review of the subdivision. Section 10.610.020(B) authorizes installation of front yard landscaping for single-family dwellings to be deferred for six months after occupancy, but that section does not authorize review of the proposed landscaping to be deferred. Moreover, only the front yard landscaping installation may be deferred, not installation of landscaping in the side or rear yard, nor installation of landscaping of the proposed park."*

Response to Appellants' Argument #2: See Finding #10.

Appellant Rebuttal - Argument #2, May 15, 2020: *"The staff response is nonresponsive. City code requires review of the proposed landscaping at the time of approval. Landscaping installation of the front yards may be deferred but not review of the proposed landscaping plan showing compliance with the code. This requires the applicant to submit a plan for the landscaping (not just for front yards but for other landscaping such as the proposed park) and the City staff to review it for code compliance. Once the landscaping plans have been reviewed (both by staff and the interested public) and approved, then the actual installation of the front yard landscaping may be deferred."*

Response to Appellants' Rebuttal - Argument #2, June 11, 2020: The Appellants' Argument #2 suggests that individual landscaping plans be submitted for each of the residential dwelling parcels as well as the community park. Individual parcel site plans or building proposals are not reviewed at the time of a subdivision application review. The City will require that each of the parcels be reviewed individually through a ministerial application process reviewed by both the CDD and Public Works to ensure that each proposal complies with the requirements of TDMC. Review of each parcel to include but not limited to: landscaping, lot coverage, setbacks, parking, drive approaches and sidewalks, and available utilities. This review is further described in Section 10.6.010.030, B, which states "building permits shall not be issued until the approving authority has determined the landscape plans comply with both the purpose and specific requirements of this Article." In addition, structural review of all future dwellings will be administered by Wasco County Building Codes to ensure that each parcel complies with Oregon Residential Specialty Code.

Argument #3; Lot Size: *"In addition to landscaping, the applicant must provide plans showing that the lot sizes and configurations are adequate to meet the 60% maximum lot coverage standard (Section 10.05.020.060), as well as all setback, driveway walkway, landscaping and parking requirements."*

Response to Appellants' Argument #3: See Finding #9 and #20; also see Condition of Approval #1.

Appellant Rebuttal - Argument #3, May 15, 2020: *"The staff response is nonresponsive. Staff reiterates that the lots will meet the length and width and overall area standards, but there are no findings or evidence that the 60% lot coverage can be met with the proposed dwellings and ADUs, required onsite parking spaces, driveways, setbacks and landscaping."*

In order to approve the application, the applicant would need to submit plans showing that there is room on each lot to accommodate building envelopes for all proposed buildings, while meeting all setbacks and providing all required driveways, on-site parking landscaping. The burden is on the applicant to demonstrate that all criteria are met. How can the applicant demonstrate how all these standards can be met for each lot without submitting plans showing how each lot can provide for all proposed buildings, setbacks, required driveways and parking, while also providing the required landscaping and meeting the 60% lot coverage standard?

No such plans have been submitted. This is a serious defect, requiring denial of the application on this record. Absent plans showing how these code provisions can be met, the application cannot be approved. Under the relevant LUBA caselaw cited at the beginning of this letter, compliance with these standards cannot be deferred into the conditions without substantial evidence that the standards can be met and findings that the conditions are “reasonably certain to succeed.”

Response to Appellants’ Rebuttal - Argument #3, June 11, 2020: The Appellants’ Argument #3 suggests that individual site plans be submitted for each of the residential dwelling parcels, to ensure that all requirements of Section 10.5.020.060 are met. As clarification, Staff is not approving building placement of each individual lot at this time. The City will require that each of the parcels be reviewed individually through a ministerial application process reviewed by both the CDD and Public Works to ensure that the proposal complies with the requirements of TDMC. Review of each parcel to include but not limited to: landscaping, lot coverage, setbacks, parking, drive approaches and sidewalks, and available utilities. In addition, structural review of all future dwellings will be administered by Wasco County Building Codes to ensure that each parcel complies with Oregon Residential Specialty Code.

Since the May 21, 2020, Planning Commission meeting, the Applicant has provided a revised site plan and “Neighborhood Layout” plan, with scale bar, dimensions of parcels, ROWs, alleys, and building setbacks lines.

Argument #4; Tree Preservation: *“Further, the requirement of Section 10.6.010.030H requires preservation of significant trees. This was supposed to have been reviewed at the time of subdivision approval to ensure that the significant trees are preserved to the greatest extent practical and are not being inadvertently removed to make way for infrastructure supporting the subdivision. The Property contained an historic orchard that was removed about a year ago, in apparent preparation for development. The City should impose some type of tree mitigation requirement on the applicant to remedy this apparent violation of the tree preservation provisions of local code.”*

Response to Appellants’ Argument #4: Based upon information provided by the Wasco County Assessor’s Office, Wasco Title had notified the Assessor’s Office on December 19, 2019, stating that the previous property owner, John Geiger, had removed the orchard in 2018 and would not be replanting due to the sale of the parcel. On December 12, 2019, the Assessor’s Office disqualified the agricultural use, and the previous owner paid the disqualified amount on December 19, 2019. Additionally, the former orchard trees are not included in any historic inventories for the City of The Dalles.

Appellant Comments - Argument #4, May 15, 2020: “Appellant agrees that Argument #4 has now been adequately addressed.”

Argument #5; Connectivity: *“There are no findings or evidence on the ‘connectivity’ requirement of Section 10.6.050.030.B.”*

Response to Appellants’ Argument #5: See Finding #36.

Appellant Rebuttal - Argument #5, May 15, 2020: “Appellant agrees that this argument has been partially addressed with respect to vehicle circulation, but staff still hasn’t addressed pedestrian circulation. There is no north/south pedestrian circulation through the proposed development, notwithstanding the nearly 700 foot block length because the row of lots along the south side of E. 11th Street is a continuous row of lots with no mid-block alley or pedestrian path. Safe and convenient pedestrian access requires a mid-block pedestrian path along the south side of E. 11th Street.

The neighborhood park will be difficult to reach from lots on the southern end of the proposed subdivision due to the lack of north/south internal pedestrian circulation. Sidewalks along the full E. 12th Street, and a pedestrian path mid-block access to E 11th Street are needed to address this issue. Also, without a mid-block pedestrian path, pedestrians from outside the proposed development would need to walk all the way around the perimeter. The proposed development needs better internal pedestrian circulation.”

Response to Appellants’ Rebuttal - Argument #5, June 11, 2020: Since the initial approval of SUB 74-19, the proposed northern section of Bradley Street has been relocated, resulting in a full-street dedication rather than the half-street dedication originally proposed. This not only addressed safety concerns with a “blind hill” on E. 10th Street, but it also resolved Condition of Approval #6 which states: “The Applicant will be required to modify the overall subdivision layout to comply with the maximum block width standards (600 ft.) of Section 10.9.020.020 (C)...” as the block length between Bradley and Richmond Streets (north) has been reduced to 492.68’, originally 679.76’.

Although the relocation of Bradley Street has decreased the overall length of the newly proposed blocks within the subdivision, continuous street frontages with breaks (either street or alley) still exist with dimensions of ~663’ (E. 11th St, Lot #s 37-56) and ~493’ (E. 10th Street, Lot #s 6-20 and E. 11th Street Lots #s 21-36). Section 10.9.020.010, C, 2, a, requires that local streets and minor collectors must provide a permanent pedestrian/bicycle through pathway, established by ROW and at least 10 feet wide, near the middle of the blocks to provide a connection to the adjoining street on blocks greater than 450’. Staff will include as a condition of approval that a pedestrian path, no less than 10’ in width, be established through the northern block (bounded by E. 10th, 11th, Bradley, and Richmond Streets) and the southern block (bounded by E. 11th, 12th, Bradley, and Richmond Streets) to improve pedestrian connectivity within and through the development.

Argument #6: Off-Site Roads: “Section 10.6.050.040.B must be addressed for the roads in the subdivision as well as the off-site roads, which are substandard and unsafe due to grades and narrow roadways. Reviews by a licensed professional engineer is required during the land use process for review of the preliminary plat. This type of finding cannot be deferred until the final plat. The review must also address sight distance and safe stopping distance of...of all subdivision roads and off-site roads serving the subdivision...”

Response to Appellants’ Argument #6: See Finding #12 and Finding #13 – Review by a licensed engineer is appropriate where “vertical or horizontal curves are located within the City’s preferred access separation distance.” See Section 10.6.050.040 (B).

Appellant Rebuttal - Argument #6, May 15, 2020: “Staff’s response does not address whether the off-site roads serving the subdivision (including but not limited to Richmond Street, Fremont Street, and Old Dufur Road that provide access to Highway 197) have adequate sight distance and safe stopping distance (Table 2, as well as vision clearance requirements of Article 10.6.100). The draft traffic report does not address these issues either. Sight distance is analyzed only for the project access points, not any of the roads serving the subdivision and connecting it to Highway 197. Fremont and Old Dufur, in particular are narrow and in places winding and steep. Safety requires an analysis of the sight distances along these sections of roadway (and the safety

impacts of adding more traffic) before adding 69 new dwellings using these roads. The “draft” traffic report fails to address these issues. The only safety analysis in the record relates to crash reports at intersections, which tells us nothing about whether adding substantial additional traffic to roads without adequate sight distance will create a safety hazard along Fremont or Old Dufur.

Moreover, the City cannot rely on a “draft” traffic report based on an outdated plat map to make findings supporting approval of a subdivision. The traffic report must be a final stamped report based on the current design of the subdivision, and the Appellants are entitled to have an adequate opportunity to review and respond to the final stamped traffic report before a decision is made to approve the subdivision.”

Response to Appellants’ Rebuttal - Argument #6, June 11, 2020: The original draft of the TIS was submitted to City Staff on April 29, 2020. After initial review, Staff provided the Applicant with a list of modifications and additions to be further addressed. On May 18, 2020, prior to the May 21, Planning Commission hearing, the Applicant submitted a revised version of the TIS; however, Staff was unable to review and provide comment by the date of the hearing. On May 27, 2020, CDD Staff and the City Engineer discussed additional modifications and items that needed addressed with the Applicant and engineers for the TIS, DKS and Associates. On June 3, 2020, DKS distributed the completed TIS to the Applicant and CDD Staff for review. After further review, the City accepted the TIS on June 10, 2020. This final stamped document has been provided as an attachment (Appendix X) with this Staff Report.

The City of The Dalles Policy for Traffic Impact Studies (adopted in 2004) provides the guidelines and requirements for a TIS produced for use within the City of The Dalles. Prior to beginning the TIS, the City Engineer provided the Applicant with a copy of this document. The overall determination of study intersections is decided on by the Public Works Director and the City Engineer, and resembles practical usage of current roadway systems with direction of travel toward arterial and major collector streets. Due to the fact that the abutting intersections of the subject property are minor collector and local streets, the decision was made to study larger intersections outside of the immediate vicinity, which resulted in the study of all major collector study intersections. As detailed in the TIS, the intersection of Highway US 197 and Fremont Street was originally included in the list of study intersections, however, was ultimately removed. This intersection was removed as it is an Oregon Department of Transportation (ODOT) facility (US 197); therefore subject to ODOT’s Development Review Guidelines. The guidelines require that an analysis area must include intersections where the additional traffic created by the proposed development is greater than 10% of the current volume at the intersection. Using the estimated traffic generation counts of the subdivision, DKS was able to determine that the intersection would result in an increase of 4%, thus not required to be studied as part of the impact analysis, per ODOT. However, the City did require that the Fremont St. segment of the intersection be evaluated to determine the stacking and queue lengths as a result of the of the additional traffic generated by the development. Overall, the change would result in an intersection queue increase of 10’ between current conditions (2020) and future 2028 conditions.

Not only will all access to this development be required to meet American Association of State Highway and Transportation Officials (AASHTO) sight distance requirements, vision clearance areas shall be provided on all lots and parcels located at corner intersections of all streets, and at intersections of alleys with streets, to promote pedestrian, bicycle and vehicular safety, pursuant to 10.6.100.010 of TDMC. As stated in the TIS, the requirements of intersection sight distance are based on the speed of a roadway. All three abutting streets (E. 10th, 12th, and Richmond Streets) have speed limits of 25 mph, therefore, requiring a sight distance of 280’. Due to initial discussion regarding a vertical curve, or “blind hill” on E. 10th Street, the original location of Bradley Street was relocated to the crest of the vertical curve, maximizing the available sight distance. As

a result, the available sight distance at this access point exceeds the 280' requirement in both directions.

To further address the safety concerns of the vertical curve on E. 10th Street, Staff has included a condition that all parcels on E. 10th Street within 280' of the Bradley Street access point have deed recorded restrictions on access onto E. 10th Street. Although the TIS and project narrative state that there will be no direct access from individual parcels onto E. 10th Street due to driveway access from the alley, Staff determined this was an important safety measure in the event of any unforeseen modifications to the overall site plan of the subdivision.

Argument #7; Driveway Locations: *"The application does not show driveway locations so there are inadequate findings and a lack of evidence to show that Section 10.6.060.020 or 10.6.050.040 can be met."*

Response to Appellants' Argument #7: See Finding #12 – "...staff determined from the plat proposal that all proposed access points, streets and alleyways, will be no less than 75 ft. from existing intersections."; also see Condition of Approval #2.

Appellant Rebuttal - Argument #7, May 15, 2020: *"Staff's response addresses one issue but there is more than just 75 feet from intersections at issue under the driveway standards in Sections 10.6.060.020 and 10.6.050.040."*

There is still a lack of findings and substantial evidence on other issues under these sections, such as width of driveways, spacing between driveways, maneuvering within street, rear lot development, etc., and all of this must be met in conjunction with the 60% maximum lot coverage standard discussed in Argument #3, above."

Response to Appellants' Rebuttal - Argument #7, June 11, 2020: As stated in the original project narrative for the subdivision application, the subdivision will provide alleyway access to all proposed parcels and maintain all driveway and covered parking to the rear of each parcel. For clarification, there will be no driveway access directly off of E. 10th, 11th, 12th, Bradley, or Richmond Streets. Additionally, the TIS provides that there will be no direct access from individual parcels onto E. 10th, 12th, and Richmond Streets.

The Access Standards of 10.6.050.040 provide spacing requirements for all street classifications within the City, including minor collectors (E. 12th Street) and Local/Residential Streets (E. 10th, 11th, Bradley, or Richmond Streets); this section provides no access standards for alleys. However, the Driveway and Entrance Standards of 10.6.060.020 have number and width requirements for all street designations within the City, as well as alleys. Width requirements of 10.6.060.020, B, 1, are determined by parcel street frontage as follows: 0'-50' = 20' maximum width, only one driveway permitted; 51'-100' = 24' maximum width, two driveways at 15' each; and over 100' = 24' maximum width, two driveways at 24' each. Staff determined from the revised Site Plan (Exhibit #), that all but four parcels (Lot #s 15, 37, 57, 60) have street frontages less than 50'. The additional four parcels have street frontages between 51'-100'. Additionally TDMC requires that no drive approaches be built closer than 5' from any property line; however, shared driveways of up to 30' in width may be allowed in residential zones with the approval of the City Engineer. Drive approaches are reviewed through a ministerial application process reviewed by both the CDD and Public Works, most commonly at the time of a building permit, to determine if number, width, placement, and angle of the approach complies with the TDMC. No residential rear lots are being proposed with this proposal.

Argument #8; Grade Requirements for Sidewalks, TDMC and the ADA: *"The application lacks substantial evidence and findings that the grade requirements for sidewalks of Section 10.6.060.030 can and will be met. Additionally, the ADA also applies to cross walk grades and*

crossings. More importantly, ADA compliant curb ramps are required under ORS 801.220, ORS 447.310 and the DOJ 2010 ADA Standards for Accessible Design...

Response to Appellants' Argument #8: See Finding #27 and Finding #29.

Appellant Rebuttal - Argument #8, May 15, 2020: *"The grade of the sidewalks will follow the grade of the adjoining streets. As shown in the attached Google street view photos, the property is not flat, and therefore the grade of sidewalks and ADA compliant curb ramps must be addressed at the preliminary plat review to determine whether those grades can be met given the proposed street layout.*

There is no evidence in the record of the grades of the sidewalks along the proposed streets. Under the LUBA caselaw discussed at the beginning of this memo, findings on this issue cannot be deferred to conditions without preliminary plans being reviewed during the public notice and comment preliminary plat approval process showing that it is feasible to meet these standards, given the proposed street layout and the slopes of the land involved. The applicant is not required to provide final engineering or construction plans at the preliminary plat stage, but preliminary plans are required showing the street and sidewalk grades and how the grade standards for sidewalks and curb ramps can be met given the proposed street layout. The findings and evidence are inadequate to meet this criterion."

Response to Appellants' Rebuttal - Argument #8, June 11, 2020: The Appellants are correct in that sidewalks follow the longitudinal grade of adjoining streets (parallel); however, ADA grade compliance is determined on the cross-slope (perpendicular) grade of a sidewalk, as well as the grades of ramps, landing pads, and transitional areas, to name a few. Due to the overall length of the subject property (~680'), the Applicant will have an expansive opportunity to address all ADA standards that may not be afforded to an in-fill development project with existing street improvements of varying conditions and specifications. In June 2019, The Dalles City Council adopted the Americans with Disabilities Act Transition Plan as an amendment to the updated TSP of 2017. The responsibility for implementing the ADA Transition Plan is managed by the ADA Plan Coordinator for the City, a licensed engineer within the Public Works Department Engineering Services Division. Review of all drive approaches, sidewalks, curbs, curb ramps, etc. are reviewed and approved by this division of the City.

Argument #9; Parking: *"Section 10.7.060.010 requires two off street parking spaces per dwelling. Finding #15 improperly defers review of this requirement until building permits for the individual dwellings. At the preliminary plat stage there must be evidence and findings that the proposal can meet the requirement. There are no parking spaces shown in the application and given the small size of the lots and relatively large sizes of the proposed dwellings and ADUs, it is not at all clear that the two required off street parking spaces can be provided while still meeting the maximum lot coverage, walkway, driveway, setback and minimum landscaping requirements. Additional evidence and findings are required."*

Response to Appellants' Argument #9: Section 10.7.060.010 does not set forth any requirement that "there must be evidence and findings" at the proposal stage and appellants do not cite any authority for this proposition.

Appellant Rebuttal - Argument #9, May 15, 2020: *"Staff misinterprets the code and the LUBA caselaw. The LUBA caselaw discussed at the beginning of this letter (that was also discussed in the Appellant's notice of appeal) requires non-conclusory findings based on substantial evidence that all land use standards can be met. See Lowell v. Jackson County, 75 Or LUBA 251 (2017); Gould v. Deschutes County, 216 Or App 150, 161, 171 P3d 1017 (2007) (citing Meyer v. City of Portland, 67 Or App 274, 281-82, 678 P2d 741, rev den, 297 Or 82, 679 P2d 1367 (1984)). Johnson v. City of Gladstone, 65 Or LUBA 225 (2012).*

This LUBA caselaw requires non-conclusory findings based on substantial evidence that ALL land use standards can be met. That includes Section 10.7.060.010.”

Response to Appellants’ Rebuttal - Argument #9, Revision, June 11, 2020: Similar to the Appellants’ Arguments and Rebuttals #2 and #3, it appears the suggested requirement is for individual site plans to be submitted for each of the residential dwelling parcels to ensure that all requirements of Section 10.5.020.060 are met. The Appellants state that the small size of lots and relatively large sizes of dwellings and ADUs make it unclear that the two required off-street parking spaces can be provided for each parcel. TDMC does not have a definition of “small lots”, or whether a two-story, 1,800 square foot dwelling (the maximum square footage detailed on the Neighborhood Layout) is considered large. Staff was able to determine from the Neighborhood layout, that each of the proposed dwellings have at least a minimum 20’ rear yard (alley) setback, which is the minimum length of a driveway per TDMC. In addition, the argument fails to recognize the ability of off-street parking inside one of the proposed structures (attached garage, ADU with attached garage), as garages are calculated into off-street parking space counts.

The City will require that each of the parcels be reviewed individually through a ministerial application process reviewed by both the CDD and Public Works to ensure that the proposal complies with the requirements of TDMC. Review of each parcel to include but not limited to: landscaping, lot coverage, setbacks, parking, drive approaches and sidewalks, and available utilities.

Argument #10; Physical Constraints Permit: *“Section 10.8.020.010.A requires a Physical Constraints Permit for all development [in 7 specified circumstances]. Finding #16 improperly defers findings under these standards until review of the final plat. The construction of the subdivision infrastructure triggers review under these standards and findings based on substantial evidence must be made at the preliminary plat review stage of the application where the public can review and comment on the proposal. At a minimum, the City needs to be able to make findings that these requirements can be met before approving the preliminary plat. Due to the complete lack of evidence or findings, such a finding cannot be made.”*

Response to Appellants’ Argument #10: See Finding #16 – Appellants do not indicate which of the 7 specified circumstances apply; additionally, Applicant is not proposing any grading, filling, cutting or other earth-moving activity at this time (see Finding #16); also see Condition of Approval #4.

Appellant Rebuttal - Argument #10, May 15, 2020: *“Obviously there will be more than 50 cubic yards of grading to construct the proposed 69 lot subdivision and there is no evidence in the record to the contrary. 10.8.020.060.B states: “Planning Actions. Physical constraint permits which are part of either an administrative or quasi-judicial planning action shall be reviewed and decided by the approving authority per the appropriate provisions of either Section 10.3.020.040: Administrative Actions or Section 10.3.020.050: Quasi-Judicial Actions.” Thus, since the proposed subdivision is a quasi-judicial planning action being reviewed by the Planning Commission, the required Physical Constraints Permit must be reviewed through the same process. Condition #4 improperly defers the review of the Physical Constraints Permit to a future non-public engineering permit, which improperly deprives Appellants their right to review and comment on the application.”*

Response to Appellants’ Rebuttal - Argument #10, June 11, 2020: Section 10.9.040.050 states that “Construction drawings and specifications for public improvements are not required prior to subdivision application approval but are required prior to final subdivision plat review. This allows a developer to seek subdivision application approval prior to investing in public improvement engineering.” In the same way, a Physical Constraints Permit for a subdivision, which will include specifications for public improvements, are not required prior to subdivision

application approval. Section 10.8.020.010, B, does provide an Applicant the option for consolidated review of a Physical Constraints Permit and Subdivision Application, “Where the development is also subject to a site plan review, conditional use permit, subdivision, partition, planned development or other planning action, the physical constraints permit may, at the request of the applicant, be processed simultaneously with the planning action at no additional charge.” However, the Applicant has not requested consolidated review of any Physical Constraints Permits at this time.

Argument #11; Traffic Impact Study: *“Since the development includes more than 16 lots and will likely generate more than 400 daily trips, a transportation impact study is required. Section 10.10.060.A.1. Any trip counts done for such a traffic study would obviously need to be done during a time when there was not a coronavirus quarantine in effect. Section 10.10.060.A.5 states: ‘The City may deny, approve or approve a proposal with conditions necessary to meet operational and safety standards.’...It was therefore premature to approve the application before the applicant submitted the transportation impact study for review. There is a lack of evidence relating to the safety for drivers using the streets and roads serving the proposed subdivision when making trips to and from the proposed subdivision.”*

Response to Appellants’ Argument #11: See Finding #31; also see Condition of Approval #8.

Appellant Rebuttal - Argument #11, May 15, 2020: *“The traffic study that was submitted is only an unsigned draft, and therefore cannot be relied on in order to support the application. A final stamped traffic study is required.*

Further, the draft study was done with counts made during the winter a week after the holidays on January 9, 2020, which is an off-peak season since The Dalles is a summer tourist destination. Therefore the study counts need to be redone during the summer months. In addition, the traffic study must be conducted during a time when there is no COVID-19 stay at home order in effect.

Staff incorrectly misinterprets the code to allow the traffic study to be reviewed ONLY by engineering staff during final platting and engineering review, but the traffic study is an integral element of a preliminary plat review. An adequate final stamped traffic study is required to be submitted during the preliminary plat review process where interested members of the public can review and comment on it. It cannot be hidden from public review and comment by deferring review of the traffic study to final plat review.

On this record, the application must be denied due to a lack of evidence relating to the safety for drivers using the streets and roads serving the proposed subdivision when making trips to and from the proposed subdivision.”

Response to Appellants’ Rebuttal - Argument #11, June 11, 2020: See Response to Appellants’ Rebuttal - Argument #6, June 11, 2020.

Concerns from the public and Appellants were raised regarding accuracy of the traffic counts, due to the time of day and month at which the counts took place, with requests for the traffic counts to be performed in the summer months. Traffic counts for the TIS were collected on Thursday, January 9, 2020, between the hours of 4pm and 6pm. It was a typical workday with school in session, with no reported precipitation and a temperature high of 44° F. As suggested in the City of The Dalles Policy for Traffic Impact Studies, PM peak hours should be evaluated if a development does not include land uses with unique trip generation patterns, and is recognized in the Institution of Transportation Engineers (ITE) Trip Generation Manual as having a higher traffic volume than AM peak hours. The manual states that single family homes generate approximately 30% more traffic during the PM peak hours.

Complete methodology for conducting and interpreting a TIS is provided in The Dalles Policy for Traffic Impact Studies. One reason for determining traffic counts is to have a better understanding of the impact a new development will have on intersection operations. One of the commonly used performance measures is Level of Service (LOS), which is required of all TIS for the City of The Dalles. This is a rating system (A through F) based on average delay at an intersection; with A-C representing traffic flows without significant delay during peak hours, D and E are progressively worse, and F representing excessive delay with demand exceeding capacity, essentially a “fail”. The City requires a minimum of LOS D for all signalized and un-signalized intersections. Findings from the TIS determined that all of the study intersections are operating at an LOS between A and B, with future projections in 2023 and 2028 resulting in operations in the same range.

Although Staff and DKS agree that the time of day and month at which the counts took place were sufficient for the study, an additional “Sensitivity Analysis” was performed and included as Appendix G of the TIS. This hypothetical study was conducted to determine if a manual increase in collected traffic counts would result in the study intersections still meeting the City’s operating standard (LOS D). By increasing the volume percentage at each intersection, the Sensitivity Analysis was able to determine the level of increase as which an intersection would exceed City operating standards. Even when increased by 160%, all three study intersections would continue to operate with less delay than City standards. For reference, when adjusting for seasonal variations, traffic volumes should not be increased by more than 30%, per the ODOT Analysis Procedures Manual.

Argument #12; Off-Site Improvements; Requirement for Licensed Engineer: *“Section 10.10.060.A.5.b requires construction of off-site improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards...There is no analysis in the record from a licensed engineer relating to the impacts of all this new traffic on the substandard streets and roads serving the proposed subdivision.”*

Response to Appellants’ Argument #12: See Finding #41 – Review of improvements must conform to City standards and must be approved by the City Engineer as a condition of approval.

Appellant Rebuttal - Argument #12, May 15, 2020: *“For the same reasons discussed in Appellant’s Rebuttal under Argument #11, which are incorporated herein rather than being repeated, Section 10.10.060.A.5.b requires a traffic study. A traffic study is required in order to determine what the traffic impacts of the proposed subdivision will be, which in turn is required in order to determine what street and other infrastructure improvements are needed in order to mitigate those impacts. Under the relevant LUBA caselaw cited above, all of this must be reviewed during preliminary plat review and cannot be deferred into the final plat review where there is no public review and comment.*

Further, sidewalk improvements should be required along E. 12th Street all the way to Bradley Street to provide pedestrian connectivity. See Argument #5, above.

Finally, this review must be based on a final stamped traffic report, not an unsigned draft. The application cannot be approved until a final traffic report is submitted addressing all of these issues and the public has had a chance to review and comment on the final traffic report.”

Response to Appellants’ Rebuttal - Argument #12, June 11, 2020: See Response to Appellants’ Rebuttal - Argument #11, June 11, 2020.

Appellants’ Argument #12 states that sidewalk improvements should be required along E. 12th Street all the way to Bradley Street, however, specifics of that requirement were not included. Presumably, Appellants are suggesting that sidewalk improvements be required to the nearest existing sidewalks on E. 12th Street. Whether the Appellants are requesting one or both sides of

the street for sidewalk improvements is also not addressed in Appellants' rebuttal. Using City sidewalk inventory within GIS, Staff determined that the nearest existing sidewalk is located ~1,400' from Bradley Street; however, continuous sidewalks do not begin until the western side of E. 12th and Thompson Streets, ~2,800' from Bradley Street. Staff requires additional clarification regarding the level of improvements being sought by the Appellants. Staff notes that any improvements sought by the Appellants must meet the "essential nexus" and "rough proportionality" tests set forth in *Dolan v. City of Tigard* and *Nollan v. California Coastal Commission*.

As noted above, information on the specifics of the Appellants' request for sidewalk improvements along E. 12th Street all the way to Bradley Street is required before Staff can provide an accurate response. For reference, Staff is providing information regarding current conditions and a brief explanation of sidewalk improvement requirements for these conditions. The nearest sidewalk from Bradley Street is ~1,400' at 2603 E. 12th Street, and includes a group of standalone "sidewalk islands", disconnected from the existing sidewalk system at Thompson St, ~900' to the west. The 1,400' distance is 37% of the total street frontage required to be installed at the development (~3,543'). Staff questions if this location for the sidewalk extension is enough to satisfy the pedestrian connectivity concerns raised by the Appellants. If it is the intent of the Appellants to require that sidewalk improvements extend to Thompson Street, Staff has provided that this span is 2,800' from Bradley Street, or 75% of the total new street frontage required by the development; however, ~375' of sidewalk currently exists at the "sidewalk islands" previously mentioned.

Additionally, while Appellants' request suggests that sidewalk improvements should be required, the extent of these improvements are entirely dependent on the existing conditions on this stretch of ROW. Currently, the only curb line established on E. 12th Street is at the previously mentioned "sidewalk islands." Therefore, the Applicant would be required to survey and engineer the entire stretch of ROW for the requested improvements. This would involve truly defining the north and south edges of the E. 12th Street ROW, which is 60' in width, not the 20' to 24' of physical street pavement. As a result, 26' to 30' of existing ROW obstructions (fences, landscaping, sheds, walls, driveways, etc.) on all abutting properties would ultimately require removal to accommodate this sidewalk. These obstructions are quite visible along this section of E. 12th Street, with example of actual sidewalk locations abutting perceived front yard boundaries at the western property line of 2521/2523 E. 12th Street, clearly depicting the dead-end sidewalk that would be continued down the entire stretch of requested sidewalk improvements (Appendix XIV). After discussing this request with the City Engineer, additional requirements would include, but not be limited to, addressing storm water flow, paving the remaining 26'-30' of existing pavement to the edge of the new curb line, as well as the likelihood of installing retaining walls on parcels closer to Thompson Street. As mentioned, additional information will need to be submitted to fully address the request to extend sidewalks and sidewalk improvements along E. 12th Street all the way to Bradley Street.

Further, excluding the installations and associated improvements of the actual new street system, E. 11th and Bradley Streets, the development will be providing around ~3,543'² of new street frontages and improvements. In addition, ~198'³ of sidewalks along the entire street of frontage of the single-family dwelling parcel at 2845 E. 12th St. (under separate ownership) are required to be installed to the existing pavement edge, as off-site improvements deemed necessary for the development. Due to the installation of all ROW improvements, the City determined that the ~198' of sidewalks should be installed for pedestrian connectivity throughout the development. Staff has

² Length dimensions determined from site plan: $[(159.07' \times 2) + 227.12'] + [(492.68' \times 2) + (227.12' \times 2)] + [(452.11' \times 2) + (227.93' \times 2) + 197.57'] = 3,542.51'$

³ Length dimension of 2845 E. 12th Street (197.57'), the existing single-family dwelling at the southwest corner of the subject property

included as a condition of approval that sidewalks be installed along the frontage of 2845 E. 12th Street.

Finally, regarding the lack of improvements in the subject area; i.e., sidewalk connectivity, Staff notes that pursuant to Oregon House Bill 3479 from the 2013 Regular Session, the City is restricted from requiring street improvements on minor partitions (3 lots or less) and one and two family dwelling development. Therefore, improvements that were previously required of all partitions prior to the passing of House Bill 3479 are no longer required. The City of Portland Bureau of Transportation (“City of Portland”) and the City of Springfield Department of Development and Public Works (“City of Springfield”) opposed House Bill 3479. Specifically, in a letter dated April 10, 2013, the City of Portland stated that HB 3479 would “degrade the City’s ability for system capacity improvements related to growth.” See Appendix XII, page 1. Similarly, in a letter dated April 11, 2013, the City of Springfield stated that HB 3479 would “create serious problems for the orderly administration of System Development Charges.” See Appendix XIII, page 1.

Argument #13; Sidewalks Required Along Collector or Local Streets: *“Sidewalks meeting the standards of Section 10.040.A are required along collector and local streets. In addition, that section requires sidewalks along arterials. There is a lack of evidence relating to the safety for pedestrians walking along the streets and roads serving the proposed subdivision to and from the proposed subdivision.”*

Response to Appellants’ Argument #13: See Finding #29 – Engineered plans must be submitted to the City Engineer for final review and approval; also see Condition of Approval #9.

Appellant Rebuttal - Argument #13, May 15, 2020: *“Sidewalk improvements should be required along E. 12th Street all the way to Bradley Street to provide pedestrian connectivity. See Argument #5, above. In addition, there is still a lack of findings and evidence relating to the safety for pedestrians walking along the streets and roads serving the proposed subdivision to and from the proposed subdivision. The traffic report acknowledges a lack of sidewalks in the area but there is no analysis of whether it is safe for pedestrians to navigate these mostly rural roads without sidewalks.*

Final engineering and construction design of sidewalks can be deferred until final platting and engineering review, but the basic requirement that the overall grades of proposed sidewalks and curb ramps in the proposed subdivision, as well as the safety of pedestrians walking to and from the proposed subdivision on the surrounding roads is not an issue that can be deferred until final platting and engineering review. Issues such as whether the proposed pedestrian routes to and from the subdivision and within the subdivision can be made safe must be addressed during the public notice and comment preliminary plat review process.”

Response to Appellants’ Rebuttal - Argument #13, June 11, 2020: See Response to Appellants’ Rebuttal - Argument #12, June 11, 2020 and Response to Appellants’ Rebuttal - Argument #10, June 11, 2020.

Argument #14; Pedestrian Facilities: *“Section 10.10.040.B requires “safe and convenient” pedestrian facilities, which “means pedestrian facilities that are reasonably free from hazards which would interfere with or discourage pedestrian travel for short trips, that provide a direct route of travel between destinations, and that meet the travel needs of pedestrians considering destination and length of trip. There is a complete lack of evidence supporting this criterion, both for internal pedestrian connections, but also for the streets and roads that serve the proposed subdivision.”*

Response to Appellants' Argument #14: See Finding #29 – Engineered plans must be submitted to the City Engineer for final review and approval; also see Conditions of Approval #9 and #11.

Appellant Rebuttal - Argument #14, May 15, 2020: *“As discussed in the Applicant’s Response under Argument #13, above, there is still a lack of findings and evidence relating to the safety for pedestrians walking along the streets and roads serving the proposed subdivision as well as to and from the proposed subdivision. Final engineering and construction design of sidewalks can be deferred until final platting and engineering review, but the basic requirement that the locations and overall grades of proposed sidewalks, as well as the safety of pedestrians walking to and from the proposed subdivision is not an issue that can be deferred until final platting and engineering review. Issues such as whether the proposed pedestrian routes to and from the subdivision and within the subdivision can be made safe must be addressed during the public notice and comment preliminary plat review process. Until these issues are adequately addressed the application must be denied.”*

Response to Appellants' Rebuttal - Argument #14, June 11, 2020: See Response to Appellants' Rebuttal - Argument #12, Revision, June 11, 2020 and Response to Appellants' Rebuttal - Argument #10, Revision, June 11, 2020.

Argument #15; Bike Lanes: *“There is a lack of evidence and findings that bike lanes both in the proposed subdivision or on the surrounding streets and roads serving the proposed subdivision meet the criteria of Section 10.10.050.”*

Response to Appellants' Argument #15: See Finding #30 – Section 10.10.050 requires on-street bike lanes for “new arterial and major collector streets...”; Criterion not applicable.

Appellant Comments - Argument #15, May 15, 2020: *“Appellant agrees that Argument #15 has now been addressed.”*

Argument #16; Stormwater: *“There is also inadequate evidence that Section 10.10.070 is met particularly in relation to stormwater.”*

Response to Appellants' Argument #16: See Findings #41, #42, and #43 – “Design and installation of public utilities shall conform to City standards and must be reviewed and approved by the City Engineer” as condition of approval; also see Condition of Approval #13.

Appellant Rebuttal - Argument #16, May 15, 2020: *“The problem with staff’s proposed findings and conditions is that the basic findings that the public facilities can be made adequate to serve the proposed subdivision cannot be deferred into the final platting process. Additionally, all required utilities for the proposed subdivision should be placed underground. The preliminary utility plans that were submitted with the application do not include all utilities and have not been updated to reflect the changes to the preliminary plat, including the relocation of Bradley Street and the community park.”*

Appellants have the right to review complete and updated preliminary utility plans during the public notice and comment process.

There must be findings based on substantial evidence that the public facilities serving the proposed subdivision are adequate or can be made adequate. There is a complete lack of findings and evidence on these issues. Therefore the application must be denied.”

Response to Appellants' Rebuttal - Argument #16, June 11, 2020: A pre-application meeting (Site Team) was held on August 8, 2019, with the development team, and representatives from the City, County, Mid-Columbia Fire and Rescue, NW Natural Gas, Northern Wasco County PUD (NWCPUD), and QLife. With the oversight from professionals and engineers from each of the agencies involved, the information provided to the Applicant at this stage was used to guide the

development of the subdivision with utility requirements and engineering standards for the level of service increase this development will incur. Each of these agencies will require that any modifications made to their existing lines be reviewed, inspected, and approved in accordance with established standards and regulations. As discussed in previous findings and conditions, complete City utilities will be required to each of the parcels in the subdivision. This will require that the developer extend the main lines of water, sewer, and storm sewer to the subject property to accommodate the development. Pursuant to City standards, each of these lines will be located underground.

Argument #17; Franchise Utilities: *“Further, Section 10.10.100.A.1 requires: ‘Where a land division is proposed, the developer shall provide franchise utilities to the development site.’ These include natural gas and cable TV. There is insufficient evidence in the record that such utilities, or indeed any utilities can be provided to the site. In addition to natural gas, telephone and cable TV, the applicant must submit evidence of adequacy of water, sanitary sewer, storm sewer to the property...”*

Response to Appellants’ Argument #17: See Findings #41, #42, and #43; also see Condition of Approval #13.

Appellant Rebuttal - Argument #17, May 15, 2020: *“Again, the problem with staff’s proposed findings and conditions is that the basic findings that the public facilities can be made adequate to serve the proposed subdivision cannot be deferred into the final platting process. There must be findings based on substantial evidence that the public facilities serving the proposed subdivision are adequate or can be made adequate. There is a complete lack of findings and evidence on these issues. Therefore the application must be denied.”*

Response to Appellants’ Rebuttal - Argument #17, June 11, 2020: As mentioned in the previous response, the original proposal for the development was discussed in detail at Site Team on August 8, 2019, with the development team and representatives from the City, County, Mid-Columbia Fire and Rescue, NW Natural Gas, NWCPUD, and QLife. With the oversight from professionals and engineers from each of the agencies involved, the information provided to the Applicant at this stage was used to guide the development of the subdivision with utility requirements and engineering standards for the level of service increase this development will incur. Each of these agencies will require that any modifications made to their existing lines be reviewed, inspected, and approved in accordance with established standards and regulations. As discussed in previous findings and conditions, complete City utilities will be required to each of the parcels in the subdivision.

NWCPUD provided comment on the location of overhead power at the intersection of East 10th Street as well as Richmond and East 12th Streets. All frontages will be required to record a 10’ public utility easement for future undergrounding. NW Natural located a gas line within 150’ of the subject property; therefore, a main line extension will be required to accommodate the development.

Argument #18; Findings are Conclusory and not Supported by Substantial Evidence: *“Findings that criteria are met may not be conclusory and must be supported by substantial evidence in the record Lowell v. Jackson County, 75 OR LUBA 251 (2017). In establishing that a request for land use approval complies with applicable approval standards, a local government may find that the approval standards can be met through conditions only if there is substantial evidence in the record to support a finding that any needed technical solutions that may be required to comply with the standard are ‘possible, likely and reasonably certain to succeed.’” Gould v. Deschutes County, 216 OR App 150, 161, 171 P3d 1017 (2007) (citing Meyer v. City of Portland, 67 OR App 274, 281-82, 678 P2d 741 (1984).*

Response to Appellants' Argument #18: Appellants' repeated assertion that the City's findings and evidence are inadequate is resolved through the City's requirement that engineered plans be submitted to the City Engineer for final review and approval, including the submission of a finalized Traffic Impact Study. However, because Appellants do not provide an analysis of Argument #18 as applied to any specific condition(s) of approval, it is impracticable to respond to the legal precedent cited in Argument #18.

No Appellant Rebuttal provided.

COMMENTS (APL 030-20): No comments concerning Appeal No. 030-20 were received by the time the original APL 030-20 Staff Report was published; however, comments were received prior to the May 21, 2020 Planning Commission hearing. These comments were provided as public record. Due to the continuation of the Planning Commission hearing, the record will remain open and allow for additional comments to be received until the June 18, 2020 Planning Commission hearing.

Staff has provided a list of each of these comments, and have included them as an attachment to this Staff Report:

- Wasco County Planning Department
- Steve C. Morasch
- Steve Stroud, no address provided
- Brian Grubbs, no address provided
- Kay Havig – 3015 E. 12th St. | TD, OR 97058
- Timothy L. Sipe – 1105 Morton St. | TD, OR 97058
- Harley and Nancy Fork – 2925 and 2921 E. 10th St. | TD, OR 97058
- Denise Dietrich Bokum – 2735 E. 12th St | TD, OR 97058
- Kelsey Fork and Seth Rogan – 2921 E. 10th St | TD, OR 97058
- Steve Murray, no address provided
- Karen Gartland Murray - 2645 E. 11th St. | TD, OR 97058
- Robert and Jozetta Schultens – 2637 E. 10th St. | TD, OR 97058
- Dan Meader, Senior Planner: Tenneson Engineering Corporation – 3775 Crates Wy. | TD, OR 97058
- Anne Radford, no address provided
- Aryn Rasmussen, Airport Manager: Columbia Gorge Regional Airport, no address provided (email correspondence between Rasmussen and Chandler)
- Seth Thompson, Aviation Planner: Oregon Department of Aviation, 3040 25th Street, SE | Salem, OR 97032 (email correspondence between Rasmussen and Thompson)
- Seth Thompson, Aviation Planner: Oregon Department of Aviation, 3040 25th Street, SE | Salem, OR 97032
- T.S. "Max" Platts, Aviation Planner: WSDOT Aviation Division, no address provided (email correspondence between Rasmussen and Platts)

TRAFFIC IMPACT STUDY – FINDINGS: Pursuant to the Conditions of Approval set forth in the Notice of Decision for SUB 74-19, the Applicant was required to submit a TIS for the proposed subdivision, with methodology in accordance with standard engineering practices. The original draft of the TIS was submitted to City Staff on April 29, 2020. After initial review, Staff provided the Applicant with a list of modifications and additions requested to be further addressed. On May 18, 2020, prior to the May 21, Planning Commission hearing, the Applicant submitted a revised version of the TIS; however, Staff was unable to review and provide comment by the date of the hearing. On May 27, 2020, CDD Staff and the City Engineer discussed additional modifications

and items that needed addressed with the Applicant and engineers for the TIS, DKS and Associates. On June 3, 2020, DKS distributed the completed TIS to the Applicant and CDD Staff for review. After further review, the City accepted the TIS on June 10, 2020. This final stamped document has been provided as an attachment (Appendix X) with this Staff Report.

Upon initial review, City Staff created a list of requested modifications to be included in the TIS, which included: land use classifications and terms consistent with TDMC, clear designations of all “access points” as such (removing the use of term “driveways”), addressing concerns of the vertical curve “blind hill” on E. 10th Street, as well as various other minor points of clarification. The determination of the TIS was that all study intersections are proposed to continue operating at a LOS of A/B, which meets the City’s standards for LOS of an intersection. Overall, the development is expected to create approximately 82 peak hour trips. By implementing a “Sensitivity Analysis”, DKS was able to determine if a manual increase in collected traffic counts would result in the study intersections still meeting the City’s operating standard (LOS D). Their results found that even when increased by 160%, all three study intersections would continue to operate with less delay, or LOS, than City standards.

With concerns raised by neighboring property owners, as well as additional discussion with the City Engineer and the transportation engineers, it was determined that a “blind hill” exists at the northwestern corner of the subject property. This “blind hill” was the location of the proposed Bradley Drive and was determined to pose some potential traffic safety concerns with ingress/egress into the proposed subdivision. As a result, the Applicant has modified the overall site plan of the proposed subdivision by relocating Bradley Drive further east approximately 170 feet. The relocation of Bradley Drive resulted in a full-street dedication, reduction of overall residential building parcels from 72 to 69, as well as the relocation and size increase of the development’s community park from 5,654 ft² to 11,724 ft². This reconfiguration further satisfied Conditions of Approval #2 and #5 of the Notice of Decision for SUB 74-19.

COMMISSION ALTERNATIVES:

1. **Staff recommendation:** The Planning Commission move to direct Staff to prepare a resolution denying the appeal and affirming Staff’s approval of Subdivision No. 74-19, as revised (May 11, 2020) with the proposed conditions of approval included with this report, as well as those included in the SUB 74-19 Staff Report, based upon the findings of fact and conclusions of law set forth in the Agenda Staff Report.
2. If the Planning Commission desires to grant the appeal, move to direct staff to prepare a resolution granting the appeal and overturning Staff’s decision. The Planning Commission would need to identify the specific criteria which the application failed to meet, and the reasons why the criteria were not met.

PROPOSED CONDITIONS OF APPROVAL:

1. The Applicant will be required to modify the lot width of “Lot 62”, as labeled on the neighborhood plan, to comply with the minimum lot width standards of the RH zoning district (25 ft. for corner lots/lots with townhome end-units), as stated in Section 10.5.020.060.
2. The Applicant will be required to maintain the minimum spacing between driveways and/or streets on minor collectors (75 ft.), as stated in Section 10.6.050.040. Spacing requirements must be included on the final plat.
3. The proposed half-street ROW dedication (Bradley Drive) must be a minimum of 26 ft., to comply with fire apparatus requirements as determined by the Fire Chief.

4. A Physical Constraints Permit will be required with all cuts and fills exceeding 50 cubic yards. Engineered cut and fill plans will be required prior to any cut or fills over 250 cubic yards. Disturbance of more than an acre will require a 1200-C permit to be obtained from the DEQ.
5. The Applicant will be required to modify the overall subdivision layout to comply with the maximum block width standards (600 ft.) of Section 10.9.020.020 (C). As an alternative to this condition, the Applicant may request an exception to this standard by submitting proof that a reasonable standard of public safety exists as provided by a licensed professional engineer specializing in traffic, pursuant to Section 10.6.050.050.
6. The Applicant will be required to record all proposed access points with the final plat.
7. Engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP.
8. A Traffic Impact Study will be required to be completed and submitted for the proposed subdivision, with methodology in accordance with standards engineering practices. The study will be required to be reviewed and approved by the City Engineer.
9. The Applicant will be required to improve the full frontage of the subject property of all existing ROWs abutting the subject property (E. 10th, E. 12th, and Richmond Streets), as well as full-street improvements on E. 11th Street and half-street improvements on Bradley Drive. All improvements must be improved to City standards.
10. The proposed half-street ROW dedication, Bradley Drive, shall be renamed to read "Bradley Street" to avoid any confusion with Bradley Drive currently located in Hood River. Should the Applicant request a new name for this dedication, the proposed name shall be verified by the CDD prior to implementation.
11. All design and installation of public improvements shall be installed or bonded by the Applicant in accordance with the City of The Dalles Municipal Code, Title 10 – Land Use and Development Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.
12. The developer shall warranty all public improvements against defect for one (1) year from the date of final acceptance by the City.
13. All franchise utilities must be installed by the Applicant in accordance with the Land Use Development Ordinance Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City and approved by the City Engineer, or otherwise guaranteed to be completed by the Applicant to the satisfaction of the City and the franchise utility.
14. If applicable, all easements for public utilities on private property shall be shown on the final plat.
15. Due to the conflicting street classifications and dimensions in TDMC and the TSP, and pursuant to Section 10.10.110 (D), the widths of each ROW dedication shall be determined by the City Engineer.
16. The Applicant will be required to deed record all ROW dedications proposed for this development.

17. Requirements for a mail delivery facility will be determined by the local United States Postal Service (USPS). Installation of facilities, if any, will be required to meet the USPS standards and will be required to be installed prior to a signature on the final plat.
18. Final plat submission must meet all the requirements of The Dalles Municipal Code, Title 10 Land Use and Development, and all other applicable provisions of The Dalles Municipal Code.
19. All development shall be in accordance with The Dalles Municipal Code, Title 10 Land Use and Development. Proposed construction and development plans must be reviewed by the City Engineer, per established standards.
20. A pre-construction meeting is required prior to construction or site prep work. Said meeting shall include the City Engineer and Development Inspector. All public improvements shall first obtain design approval from the City Engineer. All public improvements require construction approval by the City Engineer.
21. All required improvements must be installed or bonded prior to the City signing the final plat.
22. Three (3) copies of the surveyed and recorded plat must be received in the Community Development Department within two (2) years from the effective approval date.
23. All Conditions of Approval must be reviewed by City Staff and met prior to the signing of the final plat.
24. To improve the pedestrian and bicycle connectivity, the Applicant will be required to establish a permanent pedestrian/bicycle through pathway, no less than 10' in width, though the northern block (bounded by E. 10th, 11th, Bradley, and Richmond Streets) and the southern block (bounded by E. 11th, 12th, Bradley, and Richmond Streets).
25. To address safety concerns at the vertical curve, "blind hill", on E. 10th Street, all parcels on E. 10th Street within 280' of the Bradley Street access point shall be prohibited by recorded deed from access onto E. 10th Street to ensure sight distance clearance.
26. To promote pedestrian connectivity, the Applicant will be required to install sidewalks up to the existing pavement edge along the frontage of 2845 E. 12th Street.

**The following attachments were included in the APL 030-20 Staff Report dated May 11, 2020, and are incorporated herein by reference.*

ATTACHMENTS (May 11, 2020):

Appendix I – Staff Report: SUB 74-19 and Appendix I

Appendix II – Appendix II from Staff Report: SUB 74-19

Appendix III – Notice of Decision: SUB 74-19

Appendix IV – Original Site Plans

Appendix V – Revised Site Plan

Appendix VI – Notice of Appeal for Land Use Decision and Appellants' Arguments

Appendix VII – The Grove Subdivision: Traffic Impact Study – Preliminary Draft

Appendix VIII – FAA Part 77: Subparts B and C

All comments not included in the previous report, and received prior to the date of this publication, have been included as attachments to this report.

ATTACHMENTS (June 11, 2020):

Appendix IX – Comments received (May 12, 2020 – June 11, 2020)

Appendix X – The Grove Subdivision: Traffic Impact Study

Appendix XI – Revised Site Plan and Neighborhood Layout

Appendix XII – Letter in Opposition to HB 3479, the City of Portland Bureau of Transportation, April 10, 2013

Appendix XIII – Letter in Opposition to HB 3479, the City of Springfield Department of Development and Public Works, April 11, 2013

Appendix XIV – Photographs: 2521/2523 E. 12th Street

Appendix XV – Certified Mail Receipts (Airport Manager: Columbia Gorge Regional Airport, Oregon Department of Aviation, WSDOT Aviation Division)



PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
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Pioneering pathways to prosperity.

May 15, 2020

Attn: Joshua Chandler
City of The Dalles Community Development Department
313 Court Street
The Dalles, OR 97058

Dear The Dalles Planning Commission,

The Wasco County Planning Department has received notice of appeal to the Legacy Development Group Subdivision approval (SUB-74-19). Pursuant to our joint management agreement for the management of UGB lands, I have prepared the following comments.

We have confirmed in our records that since 1994 the property has been zoned high density residential. As such, we find the proposed tentative subdivision plan consistent with the high density residential zone.

Sincerely,

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

Angie Brewer
Wasco County Planning Director

Cc: Steven Harris

Paula Webb

From: Jacqueline S. Renny <Jacqueline.Renny@landerholm.com>
Sent: Friday, May 15, 2020 4:41 PM
To: Joshua Chandler; Paula Webb
Cc: Diana McDougale; Steve C. Morasch
Subject: Appeal No. 030-20 of SUB 74-19 - Legacy Development Group, LLC
Attachments: 10th and Richmand.JPG; 12th and Richmond.JPG; LT Planning Commissioners - Appeal No. 03-20 of SUB 74-19.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Attached please find correspondence from Steve Morasch to the Planning Commissioners regarding Appeal No. 030-20 of SUB 74-19 - Legacy Development Group, LLC.

Jacqueline

Jacqueline S. Renny | Assistant to Steve C. Morasch and Jeff Lindberg



805 Broadway Street, Suite 1000
 P.O. Box 1086
 Vancouver, WA 98666-1086
 T: 360-816-2522 | T: 503-283-3393 | F: 360-816-2523
<https://smex-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.landerholm.com&umid=682cbaee-3cce-4037-a598-5a243afe76e1&auth=61b7c891c3cd3cb7b52d542b76699872203f47bc-e65ce2b6ebf46c5f088ebf16ab3e951429be4e26>

Landerholm, P.S. is committed to following the recommendations and requirements regarding COVID-19 as outlined by various government agencies.
We are working and available to assist you by phone, video conferencing and through email. For the time being we've modified our daily operations but closed our office to the public.

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SENT VIA EMAIL ONLY

jchandler@ci.the-dalles.or.us

pwebb@ci.the-dalles.or.us

May 15, 2020

City of The Dalles Planning Commission
Community Development Department
c/o Joshua Chandler and Paula Webb
313 Court Street
The Dalles, OR 97058

Re: Appeal No. 030-20 of SUB 74-19 - Legacy Development Group, LLC

Dear Planning Commissioners:

This is an appeal of Administrative Decision dated March 9, 2019 approving the application by Legacy Development Group to subdivide property located at 2845 E 12th Street, City File Number SUB 74-19 brought by Denise Lynne Dietrich-Bokum and Robert Clayton Bokum, Gary Gingrich and Terri Jo Jester Gingrich, and Damon Rolla Hulit and Roberta Kay Wymore-Hulit¹ (collectively referred to herein as the “Appellants”).

The Appellants believe the subject property was incorrectly zoned RH (High Density Residential) by the City in an area that is inappropriate for high density residential development because the area is predominantly rural without adequate urban services and infrastructure to support high density residential development. We are including some Google street image photos of the area to show its overall character. The orchard was removed after these photos were taken, but the overall terrain, as well as the rural character and narrow rural roadways serving the area, as shown in the photos, remain unchanged.

The Appellants filed this appeal raising a number of specific legal arguments that the proposed application does not meet various approval criteria under The Dalles Municipal Code. Most of these arguments remain either unaddressed or inadequately addressed.

In Oregon, the Land Use Board of Appeals (LUBA) has held that land use decisions must be based on “findings” demonstrating that the approval criteria have been met, and that those findings must be based on “substantial evidence” in the record. *Lowell v. Jackson County*, 75 Or LUBA 251 (2017). Further, such “findings” cannot be “conclusory” (in other words, the

¹ Staff has raised an issue about Roberta Kay Wymore-Halit’s standing to appeal. However, a valid appeal was filed by the other Appellants with standing. Once a valid appeal is filed, the resulting appeal hearing is open to any interested member of the public. Therefore, she has standing to participate (though counsel) in this appeal hearing as an interested party who would be adversely affected and aggrieved by the decision.

Re: **Appeal No. 030-20 of SUB 74-19 - Legacy Development Group, LLC**

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“findings” must actually explain *how* the criteria are met, and not just recite that the criteria are met). *Id.*

In establishing that a request for land use approval complies with applicable approval standards, a local government may find that the approval standard can be met through “conditions” only if there is substantial evidence in the record to support a finding that any needed technical solutions that may be required to comply with the standard are “possible, likely and reasonably certain to succeed.” *Gould v. Deschutes County*, 216 Or App 150, 161, 171 P3d 1017 (2007) (citing *Meyer v. City of Portland*, 67 Or App 274, 281-82, 678 P2d 741, rev den, 297 Or 82, 679 P2d 1367 (1984)). *Johnson v. City of Gladstone*, 65 Or LUBA 225 (2012).

In other words, it is not sufficient for staff to simply say that the criterion can be met through a condition. Staff must first make a “finding” that explains how the condition can be met and that it is reasonably certain that the condition will be met. The reason for this rule is so that issues related to the satisfaction of the criteria can be flushed out and addressed through the public land use process, rather than being deferred to the non-public engineering review, when it is too late for public input.

The Administrative Decision under review is based on numerous conclusory findings and a lack of evidence and findings that the technical solutions that have been deferred into the conditions of approval are “likely and reasonably certain to succeed” in meeting the criteria. This lack of evidence and adequate findings requires reversal of the Administrative Decision and denial of the application under the LUBA cases cited above.

Most of issues identified in the appeal remain unaddressed or inadequately addressed under the standards set forth above. The arguments will be addressed in the order set forth in the Staff Report dated May 11, 2020. Appellant’s appeal argument is in **bold**, staff’s response is in *italics* and Appellant’s rebuttal is underlined.

Argument #1: Article 5.120 Airport Approach Zones applies to this application because the property is within 10,000 feet of the runway (Runway 30, which has been re-labeled as Runway 31) as shown on pages 293/301 and 300/301 on the Airport Master Plan. The property is also within the “Approach Surface” as that term is defined in Section 10.5.120.020. Since Article 5.120 applies, notice of the application was required to be provided to the airport sponsor and the Department of Aviation (See Section 10.5.120.030), findings based on evidence must be made under Section 10.5.120.040 and the anti-glare provisions of Section 10.5.120.060.B must be met. There is no evidence in the record or findings on any of these issues.

Staff Response to Appellants’ Argument #1: Please see Appendix VIII, which is an excerpt from the FAA’s Part 77 document which “establishes standards and notification requirements for objects affecting navigable airspace.”¹ Specifically, Subparts B and C provide evidence that the provisions set forth in Article 5.120, Airport Approach Zones, do not apply to the land use

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application that is the subject of this appeal because the various heights of the structures proposed do not impede the area to be protected under Article 5.120, Airport Approach Zones.

Additionally, Appendix VIII notwithstanding, Article 5.120, Airport Approach Zones, is intended to protect the interests of the Columbia Gorge Regional Airport (the "Airport") as evidenced by the language in Article 5.120, which states, "[N]o development or operational characteristic will be allowed that would hinder the use of the airspace." Appellants do not have standing to raise Argument #1 because Appellants do not have an interest in the "hinder[ance] of the use of the airspace". This Ordinance provision was intended to protect against harm caused to the Airport, not the Appellants.

Appellant Rebuttal: Staff's response ignores airport safety, which is something of interest to everyone living within the vicinity of the airport. If glare from the proposed development causes an airplane to crash into Appellant's property, that is certainly an issue that would "adversely affect and aggrieve" Appellants, so standing under state law is met.

It's unconscionable that staff would argue that airport safety is not one of the purposes of the City's regulations of development surrounding airports, or that those who live in the flightpath of an airport have no "standing" to raise an issue of airport safety. We request the Planning Commission reject staff's argument.

Further, the notice provisions of Section 10.5.120.030 of the city code apply in addition to the FAA regulations that staff cites in its response, so even if notice would not have been required under FAA regulations (an issue on which staff offered no findings or evidence, just a bare conclusion), notice was still required under city code.

Finally, the height issues staff raises under the FAA regulations have nothing to do with the anti-glare provisions of local code. Staff has not adequately addressed the glare provisions of Section 10.5.120.060.B.

Argument #2: Finding #10 improperly defers landscaping review until building permits for individual houses. Per Article 10.6.010, this requires a landscape plan that complies with Section 10.6.010.030(B) to be reviewed at the time of development review of the subdivision.

Section 10.6.010.020(B) authorizes installation of front yard landscaping for single-family dwellings to be deferred for six months after occupancy, but that section does not authorize review of the proposed landscaping to be deferred. Moreover, only front yard landscaping installation may be deferred, not installation of landscaping in the side or rear yard, nor installation of landscaping in the proposed park.

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Staff Response to Appellants' Argument #2: See Finding #10.

FINDING #10: The Applicant is proposing 72 dwelling unit parcels with this subdivision application. Pursuant to Section 10.6.010.020 (B), single family dwellings are required to landscape the undeveloped portions of the front yard within the first six (6) months after occupancy; therefore, CDD Staff will not be reviewing landscaping requirements at this time. Criterion not applicable.

Appellant Rebuttal: The staff response is nonresponsive. City code requires review of the proposed landscaping at the time of approval. Landscaping installation of the front yards may be deferred but not review of the proposed landscaping plan showing compliance with the code. This requires the applicant to submit a plan for the landscaping (not just for front yards but for other landscaping such as the proposed park) and the City staff to review it for code compliance. Once the landscaping plans have been reviewed (both by staff and the interested public) and approved, then the actual installation of the front yard landscaping may be deferred.

Argument #3: In addition to landscaping, the applicant must provide plans showing that the lot sizes and configurations are adequate to meet the 60% maximum lot coverage standard (Section 10.05.020.060), as well as all setback, driveway, walkway, landscaping and parking requirements.

Staff Response to Appellants' Argument #3: See Finding #9 and #20; also see Condition of Approval #1.

FINDING #9: The Applicant submitted a request to divide one (1) parcel (6.92 acres) into 73 parcels of varying sizes (72 dwelling lots and 1 parcel dedicated as a "community park" for the development). The RH zone requires a minimum lot size of 1,500 ft²; minimum lot widths of 25 ft. for corner lots/lots with townhome end-units and 20 ft. for interior lots; and minimum depths of 60 ft. The Applicant is proposing lot sizes ranging between 2,122 ft² to 6,095 ft²; corner lots/lots with townhome end-units ranging between 24.16 ft. to 62 ft. and interior lots ranging from 22.96 ft. to 64.71 ft.; and lot depths 92.62 ft. to 94.20 ft. Staff determined from the neighborhood layout and "plat proposal", that the parcel labeled "Lot 62" is less than the required 25 ft. for corner lots/lots with townhome end-units. Staff will include as a condition of approval that the Applicant modify the lot width of "Lot 62" to comply with the minimum lot width standards of the RH zoning district (25 ft. for corner lots/lots with townhome end-units), per Section 10.5.020.060. Criterion met with conditions.

FINDING #20: See Finding #9. Criterion met with conditions.

Condition #1. The Applicant will be required to modify the lot width of "Lot 62", as labeled on the neighborhood plan, to comply with the minimum lot width standards of the RH zoning district (25 ft. for corner lots/lots with townhome end-units), as stated in Section 10.5.020.060.

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Appellant Rebuttal: The staff response is nonresponsive. Staff reiterates that the lots will meet the length and width and overall area standards, but there are no findings or evidence that the 60% lot coverage can be met with the proposed dwellings and ADUs, required onsite parking spaces, driveways, setbacks and landscaping.

In order to approve the application, the applicant would need to submit plans showing that there is room on each lot to accommodate building envelopes for all proposed buildings, while meeting all setbacks and providing all required driveways, on-site parking landscaping. The burden is on the applicant to demonstrate that all criteria are met. How can the applicant demonstrate how all these standards can be met for each lot without submitting plans showing how each lot can provide for all proposed buildings, setbacks, required driveways and parking, while also providing the required landscaping and meeting the 60% lot coverage standard?

No such plans have been submitted. This is a serious defect, requiring denial of the application on this record. Absent plans showing how these code provisions can be met, the application cannot be approved. Under the relevant LUBA caselaw cited at the beginning of this letter, compliance with these standards cannot be deferred into the conditions without substantial evidence that the standards can be met and findings that the conditions are “reasonably certain to succeed.”

Argument #4: Appellant agrees that Argument #4 has now been adequately addressed.

Argument #5: There are no findings or evidence on the “connectivity” requirement of Section 10.6.050.030.B.

Response to Appellants’ Argument #5: See Finding #36.

FINDING #36: The Applicant is proposing to dedicate a full east/west ROW (E. 11th Street) and a half-street north/south ROW on the western boundary line (Bradley Drive) of the subject property. East 11th Street is consistent with the alignment of E. 11th Street west of the subject property, at Morton Street. Bradley Drive is not continuing an existing ROW path, but its location on the western property line establishes block dimensions and promotes circulation of the proposed parcels within the existing neighborhood. Criterion met.

Appellant Rebuttal: Appellant agrees that this argument has been partially addressed with respect to vehicle circulation, but staff still hasn’t addressed pedestrian circulation. There is no north/south pedestrian circulation through the proposed development, notwithstanding the nearly 700 foot block length because the row of lots along the south side of E. 11th Street is a continuous row of lots with no mid-block alley or pedestrian path. Safe and convenient pedestrian access requires a mid-block pedestrian path along the south side of E. 11th Street.

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The neighborhood park will be difficult to reach from lots on the southern end of the proposed subdivision due to the lack of north/south internal pedestrian circulation. Sidewalks along the full E. 12th Street, and a pedestrian path providing mid-block access to E 11th Street are needed to address this issue. Also, without a mid-block pedestrian path, pedestrians from outside the proposed development would need to walk all the way around the perimeter. The proposed development needs better internal pedestrian circulation.

Argument #6: Section 10.6.050.040.B must be addressed for the roads in the subdivision as well as the off-site roads, which are substandard and unsafe due to grades and narrow roadways. Review by a licensed professional engineer is required during the land use process for review of the preliminary plat. This type of finding cannot be deferred until the final plat. The review must also address sight distance and safe stopping distance (Table 2, as well as vision clearance requirements of Article 10.6.100) of all subdivision roads and off-site roads serving the subdivision. Any “exceptions” must also be reviewed during the public land use process. The off-site roads serving the subdivision (including but not limited to Richmond Street, Fremont Street, and Old Dufur Road that provide access to Highway 197) must be safe for both vehicle and emergency vehicle traffic.

Staff Response to Appellants’ Argument #6: See Finding #12 and Finding #13 – Review by a licensed engineer is appropriate where “vertical or horizontal curves are located within the City’s preferred access separation distance.” See Section 10.6.050.040 (B).

FINDING #12: Pursuant to The Dalles Transportation System Plan (TSP) Functional Roadway Classification System, East 12th Street is classified as a “minor collector”, while both East 10th and Richmond Streets are classified as “local streets”. Table 1 of Section 10.6.050.040 requires a minimum spacing between driveways and/or streets on minor collectors of 75 ft. to 150 ft., with no standards for local streets. Staff determined from the plat proposal that all proposed access points, streets and alleyways, will be no less than 75 ft. from existing intersections. Staff will include as a condition of approval that the minimum spacing requirements (75 ft.) of Section 10.6.050.040 be included as part of the final plat. Criterion met with conditions.

FINDING #13: During the August 8, 2019, Site Team meeting, representatives from Mid-Columbia Fire and Rescue provided information to the Applicant on requirements for fire apparatus roads throughout the development. At that time, the Fire Chief determined that E. 11th Street, when developed to City standards, will meet the requirement of a fire apparatus road; while the half-street right of way (ROW) dedication of Bradley Drive must be a minimum of 26 ft. in width to meet these requirements. Staff determined that the Applicant has provided approximately 30 ft. of ROW for Bradley Drive; therefore, in compliance with fire apparatus requirements. Staff will include as a condition of approval that a minimum of 26 ft. of ROW for Bradley Drive be dedicated with this proposal. Criterion met with conditions.

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Appellant Rebuttal: Staff's response does not address whether the off-site roads serving the subdivision (including but not limited to Richmond Street, Fremont Street, and Old Dufur Road that provide access to Highway 197) have adequate sight distance and safe stopping distance (Table 2, as well as vision clearance requirements of Article 10.6.100). The draft traffic report does not address these issues either. Sight distance is analyzed only for the project access points, not any of the roads serving the subdivision and connecting it to Highway 197. Fremont and Old Dufur, in particular are narrow and in places winding and steep. Safety requires an analysis of the sight distances along these sections of roadway (and the safety impacts of adding more traffic) before adding 69 new dwellings using these roads. The "draft" traffic report fails to address these issues. The only safety analysis in the record relates to crash reports at intersections, which tells us nothing about whether adding substantial additional traffic to roads without adequate sight distance will create a safety hazard along Fremont or Old Dufur.

Moreover, the City cannot rely on a "draft" traffic report based on an outdated plat map to make findings supporting approval of a subdivision. The traffic report must be a final stamped report based on the current design of the subdivision, and the Appellants are entitled to have an adequate opportunity to review and respond to the final stamped traffic report before a decision is made to approve the subdivision.

Argument #7: The application does not show driveway locations so there are inadequate findings and a lack of evidence to show that Section 10.6.060.020 or 10.6.050.040 can be met.

Staff Response to Appellants' Argument #7: See Finding #12 – "...staff determined from the plat proposal that all proposed access points, streets and alleyways, will be no less than 75 ft. from existing intersections."; also see Condition of Approval #2.

FINDING #12: Pursuant to The Dalles Transportation System Plan (TSP) Functional Roadway Classification System, East 12th Street is classified as a "minor collector", while both East 10th and Richmond Streets are classified as "local streets". Table 1 of Section 10.6.050.040 requires a minimum spacing between driveways and/or streets on minor collectors of 75 ft. to 150 ft., with no standards for local streets. Staff determined from the plat proposal that all proposed access points, streets and alleyways, will be no less than 75 ft. from existing intersections. Staff will include as a condition of approval that the minimum spacing requirements (75 ft.) of Section 10.6.050.040 be included as part of the final plat. Criterion met with conditions.

Condition of Approval #2. The Applicant will be required to maintain the minimum spacing between driveways and/or streets on minor collectors (75 ft.), as stated in Section 10.6.050.040. Spacing requirements must be included on the final plat.

Appellant Rebuttal: Staff's response addresses one issue but there is more than just 75 feet from intersections at issue under the driveway standards in Sections 10.6.060.020 and 10.6.050.040.

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There is still a lack of findings and substantial evidence on other issues under these sections, such as width of driveways, spacing between driveways, maneuvering within street, rear lot development, etc., and all of this must be met in conjunction with the 60% maximum lot coverage standard discussed in Argument #3, above.

Argument #8: The application lacks substantial evidence and findings that the grade requirements for sidewalks of Section 10.6.060.030 can and will be met. Additionally, the Americans With Disabilities Act (ADA) also applies to cross walk grades and crossings. More importantly, ADA compliant curb ramps are required under ORS 801.220, ORS 447.310 and the Department of Justice 2010 ADA Standards for Accessible Design (referred to herein as the “2010 Standards”) . The 2010 Standards published in the Federal Register on September 15, 2010 are made up of two parts: (1) the 2004 ADA Accessibility Guidelines (ADAAG) and (2) the standards in 28 CFR 35.151. ORS 447.310 and the 2010 Standards require ADA curb ramps at every intersection, unless an exception has been approved due to structural impracticability. See 28 CFR section 35.151(a)(2) and (i)(1)(2). There is inadequate evidence and a lack of findings that these ADA requirements are met by the proposed subdivision.

Staff Response to Appellants’ Argument #8: See Finding #27 and Finding #29.

FINDING #27: The Applicant submitted a neighborhood layout and plat proposal with lot sizes and configurations, utilities, and street designs for reference in reviewing this application. Engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this criterion as a condition of approval. Criterion met with conditions.

FINDING #29: Section 10.10.040 requires that all sidewalks on collector streets have a minimum width of 5 ft. and must extend through the site to the edge of adjacent properties. As mentioned in Finding #27, engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Appellant Rebuttal: The grade of the sidewalks will follow the grade of the adjoining streets. As shown in the attached Google street view photos, the property is not flat, and therefore the grade of sidewalks and ADA compliant curb ramps must be addressed at the preliminary plat review to determine whether those grades can be met given the proposed street layout.

There is no evidence in the record of the grades of the sidewalks along the proposed streets. Under the LUBA caselaw discussed at the beginning of this memo, findings on this issue cannot be deferred to conditions without preliminary plans being reviewed during the public notice and comment preliminary plat approval process showing that it is feasible to meet these standards, given the proposed street layout and the slopes of the land involved. The applicant is not

Re: **Appeal No. 030-20 of SUB 74-19 - Legacy Development Group, LLC**

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required to provide final engineering or construction plans at the preliminary plat stage, but preliminary plans are required showing the street and sidewalk grades and how the grade standards for sidewalks and curb ramps can be met given the proposed street layout. The findings and evidence are inadequate to meet this criterion.

Argument #9: Section 10.7.060.010 requires two off street parking spaces per dwelling. Finding #15 improperly defers review of this requirement until building permits for individual dwellings. At the preliminary plat stage there must be evidence and findings that the proposal can meet the requirement. There are no parking spaces shown in the application and given the small size of the lots and relatively large sizes of the proposed dwellings and ADUs, it is not at all clear that the two required off street parking spaces can be provided while still meeting the maximum lot coverage, walkway, driveway, setback and minimum landscaping requirements. Additional evidence and findings are required.

Staff Response to Appellants' Argument #9: Section 10.7.060.010 does not set forth any requirement that "there must be evidence and findings" at the proposal stage and appellants do not cite any authority for this proposition.

Appellant Rebuttal: Staff misinterprets the code and the LUBA caselaw. The LUBA caselaw discussed at the beginning of this letter (that was also discussed in the Appellant's notice of appeal) requires non-conclusory findings based on substantial evidence that all land use standards can be met. See *Lowell v. Jackson County*, 75 Or LUBA 251 (2017); *Gould v. Deschutes County*, 216 Or App 150, 161, 171 P3d 1017 (2007) (citing *Meyer v. City of Portland*, 67 Or App 274, 281-82, 678 P2d 741, rev den, 297 Or 82, 679 P2d 1367 (1984)). *Johnson v. City of Gladstone*, 65 Or LUBA 225 (2012).

This LUBA caselaw requires non-conclusory findings based on substantial evidence that ALL land use standards can be met. That includes Section 10.7.060.010

Argument #10: Section 10.8.020.010.A requires a Physical Constraints Permit for all development:

- 1. In areas identified within the 100-year flood boundary on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for the City of The Dalles.**
- 2. In areas identified as natural drainage ways.**
- 3. In areas of the 2010 Geologic Hazards Study prepared by Mark Yinger designated within Zones 1 and 4, or land in Zone 3 which is located in areas of groundwater discharge.**

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4. **On slopes greater than 20% where utility extensions are required, and 25% in all other cases.**
5. **Which includes grading, filling, cutting, or other earth-moving activity involving more than 50 cubic yards of material on any lot or parcel of land or which includes areas of highly erosive soils.**
6. **In areas designated as flowage easements by the Army Corps of Engineers.**
7. **In areas where the groundwater table is less than 10 feet below grade.**

Finding #16 improperly defers findings under these standards until review of the final plat. The construction of the subdivision infrastructure triggers review under these standards and findings based on substantial evidence must be made at the preliminary plat review stage of the application where the public can review and comment on the proposal. At a minimum, the City needs to be able to make findings that these requirements can be met before approving the preliminary plat. Due to the complete lack of evidence or findings, such a finding cannot be made.

Staff Response to Appellants' Argument #10: See Finding #16 – Appellants do not indicate which of the 7 specified circumstances apply; additionally, Applicant is not proposing any grading, filling, cutting or other earth-moving activity at this time (see Finding #16); also see Condition of Approval #4.

FINDING #16: The Applicant is not proposing any grading, filling, cutting, or other earthmoving activity at this time. All of these activities involving more than 50 yds³ must submit a Physical Constraints Permit, with more than 250 yds³ requiring an engineered set of plans. Both of these actions require the review and approval of the City Engineer. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Condition of Approval #4. A Physical Constraints Permit will be required with all cuts and fills exceeding 50 cubic yards. Engineered cut and fill plans will be required prior to any cut or fills over 250 cubic yards. Disturbance of more than an acre will require a 1200-C permit to be obtained from the DEQ.

Appellant Rebuttal: Obviously there will be more than 50 cubic yards of grading to construct the proposed 69 lot subdivision and there is no evidence in the record to the contrary.

10.8.020.060.B states: "Planning Actions. Physical constraint permits which are part of either an administrative or quasi-judicial planning action shall be reviewed and decided by the approving authority per the appropriate provisions of either Section 10.3.020.040: Administrative Actions or Section 10.3.020.050: Quasi-Judicial Actions." Thus, since the proposed subdivision is a quasi-judicial planning action being reviewed by the Planning Commission, the required Physical Constraints Permit must be reviewed through the same process. Condition #4 improperly defers the review of the Physical Constraints Permit to a future non-public

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engineering permit, which improperly deprives Appellants their right to review and comment on the application.

Argument #11: Since the development includes more than 16 lots and will likely generate more than 400 average daily trips, a transportation impact study is required. Section 10.10.060.A.1. Any trip counts done for such a traffic study would obviously need to be done during a time when there was not a coronavirus quarantine in effect.

Section 10.10.060.A.5.a states: “The City may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards.” Obviously, the City must first review the transportation impacts study before it can make an informed decision whether to “deny, approve or approve a proposal with conditions.” It was therefore premature to approve the application before the applicant submitted the transportation impact study for review. There is a lack of evidence relating to the safety for drivers using the streets and roads serving the proposed subdivision when making trips to and from the proposed subdivision.

Staff Response to Appellants’ Argument #11: See Finding #31; also see Condition of Approval #8.

FINDING #31: Due to this subdivision exceeding 16 parcels, the Applicant will be required to provide a Traffic Impact Study (TIS) to the City Engineer for review. The City Engineer has provided parameters and requirements for this study to the Applicant. As of the date of the staff report, no TIS has been submitted, but the Applicant has stated it is currently being performed. Pursuant to Section 10.10.060 (A, 5), the City may require the construction of off-site improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Condition of Approval #8. A Traffic Impact Study will be required to be completed and submitted for the proposed subdivision, with methodology in accordance with standards engineering practices. The study will be required to be reviewed and approved by the City Engineer.

Appellant Rebuttal: The traffic study that was submitted is only an unsigned draft, and therefore cannot be relied on in order to support the application. A final stamped traffic study is required.

Further, the draft study was done with counts made during the winter a week after the holidays on January 9, 2020, which is an off-peak season since The Dalles is a summer tourist destination. Therefore the study counts need to be redone during the summer months. In addition, the traffic study must be conducted during a time when there is no COVID-19 stay at home order in effect.

Staff incorrectly misinterprets the code to allow the traffic study to be reviewed ONLY by engineering staff during final platting and engineering review, but the traffic study is an integral

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element of a preliminary plat review. An adequate final stamped traffic study is required to be submitted during the preliminary plat review process where interested members of the public can review and comment on it. It cannot be hidden from public review and comment by deferring review of the traffic study to final plat review.

On this record, the application must be denied due to a lack of evidence relating to the safety for drivers using the streets and roads serving the proposed subdivision when making trips to and from the proposed subdivision.

Argument #12 Section 10.10.060.A.5.b requires construction of off-site improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards. The proposed development would add approximately 720 to 840 new average daily trips (based on the ITE manual's estimate of about ten average trips per day for a single family residence). There is no analysis in the record from a licensed engineer relating to the impacts of all this new traffic on the substandard streets and roads serving the proposed subdivision.

Response to Appellants' Argument #12: See Finding #41 – Review of improvements must conform to City standards and must be approved by the City Engineer as a condition of approval.

FINDING #41: During the August 8, 2019, Site Team meeting, it was determined that there is currently no public water, sanitary sewer and storm drainage available to the subject parcel. As a result, the Applicant will be required to extend the main line for each of these utilities to and through the development and must provide services to each parcel. Design and installation of public utilities shall conform to City standards and must be reviewed and approved by the City Engineer. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Appellant Rebuttal: For the same reasons discussed in Appellant's Rebuttal under Argument #11, which are incorporated herein rather than being repeated, Section 10.10.060.A.5.b requires a traffic study. A traffic study is required in order to determine what the traffic impacts of the proposed subdivision will be, which in turn is required in order to determine what street and other infrastructure improvements are needed in order to mitigate those impacts. Under the relevant LUBA caselaw cited above, all of this must be reviewed during preliminary plat review and cannot be deferred into the final plat review where there is no public review and comment.

Further, sidewalk improvements should be required along E. 12th Street all the way to Bradley Street to provide pedestrian connectivity. See Argument #5, above.

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Finally, this review must be based on a final stamped traffic report, not an unsigned draft. The application cannot be approved until a final traffic report is submitted addressing all of these issues and the public has had a chance to review and comment on the final traffic report.

Argument #13: Sidewalks meeting the standards of Section 10.10.040.A are required along collector and local streets. In addition, that section requires sidewalks along arterials. There is a lack of evidence relating to the safety for pedestrians walking along the streets and roads serving the proposed subdivision to and from the proposed subdivision.

Staff Response to Appellants' Argument #13: See Finding #29 – Engineered plans must be submitted to the City Engineer for final review and approval; also see Condition of Approval #9.

FINDING #29: Section 10.10.040 requires that all sidewalks on collector streets have a minimum width of 5 ft. and must extend through the site to the edge of adjacent properties. As mentioned in Finding #27, engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Condition of Approval #9. The Applicant will be required to improve the full frontage of the subject property of all existing ROWs abutting the subject property (E. 10th, E. 12th, and Richmond Streets), as well as full-street improvements on E. 11th Street and half-street improvements on Bradley Drive. All improvements must be improved to City standards.

Appellant Rebuttal: Sidewalk improvements should be required along E. 12th Street all the way to Bradley Street to provide pedestrian connectivity. See Argument #5, above. In addition, there is still a lack of findings and evidence relating to the safety for pedestrians walking along the streets and roads serving the proposed subdivision to and from the proposed subdivision. The traffic report acknowledges a lack of sidewalks in the area but there is no analysis of whether it is safe for pedestrians to navigate these mostly rural roads without sidewalks.

Final engineering and construction design of sidewalks can be deferred until final platting and engineering review, but the basic requirement that the overall grades of proposed sidewalks and curb ramps in the proposed subdivision, as well as the safety of pedestrians walking to and from the proposed subdivision on the surrounding roads is not an issue that can be deferred until final platting and engineering review. Issues such as whether the proposed pedestrian routes to and from the subdivision and within the subdivision can be made safe must be addressed during the public notice and comment preliminary plat review process.

Argument #14: Section 10.10.040.B requires “safe and convenient” pedestrian facilities, which “means pedestrian facilities that are reasonably free from hazards which would interfere with or discourage pedestrian travel for short trips, that provide a direct route of

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travel between destinations, and that meet the travel needs of pedestrians considering destination and length of trip.” There is a complete lack of evidence supporting this criterion, both for internal pedestrian connections but also for the streets and roads that serve the proposed subdivision.

Section 10.10.040.B.3 applies to internal pedestrian circulation, but Sections 10.10.040.B.1 and 2 apply to off-site pedestrian circulation as well. Further, 10.10.040.E specifically requires off-site improvements when necessary for safe and efficient pedestrian circulation.

Staff Response to Appellants’ Argument #14: See Finding #29 – Engineered plans must be submitted to the City Engineer for final review and approval; also see Conditions of Approval #9 and #11.

FINDING #29: Section 10.10.040 requires that all sidewalks on collector streets have a minimum width of 5 ft. and must extend through the site to the edge of adjacent properties. As mentioned in Finding #27, engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Condition of Approval #9. The Applicant will be required to improve the full frontage of the subject property of all existing ROWs abutting the subject property (E. 10th, E. 12th, and Richmond Streets), as well as full-street improvements on E. 11th Street and half-street improvements on Bradley Drive. All improvements must be improved to City standards.

Condition of Approval #11. All design and installation of public improvements shall be installed or bonded by the Applicant in accordance with the City of The Dalles Municipal Code, Title 10 – Land Use and Development Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.

Appellant Rebuttal: As discussed in the Applicant’s Response under Argument #13, above, there is still a lack of findings and evidence relating to the safety for pedestrians walking along the streets and roads serving the proposed subdivision as well as to and from the proposed subdivision. Final engineering and construction design of sidewalks can be deferred until final platting and engineering review, but the basic requirement that the locations and overall grades of proposed sidewalks, as well as the safety of pedestrians walking to and from the proposed subdivision is not an issue that can be deferred until final platting and engineering review. Issues such as whether the proposed pedestrian routes to and from the subdivision and within the subdivision can be made safe must be addressed during the public notice and comment preliminary plat review process. Until these issues are adequately addressed the application must be denied.

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Argument #15: Appellant agrees that Argument #15 has now been addressed.

Argument #16: There is also inadequate evidence that Section 10.10.070 is met particularly in relation to stormwater.

Response to Appellants' Argument #16: See Findings #41, #42, and #43 – “Design and installation of public utilities shall conform to City standards and must be reviewed and approved by the City Engineer” as condition of approval; also see Condition of Approval #13.

FINDING #41: During the August 8, 2019, Site Team meeting, it was determined that there is currently no public water, sanitary sewer and storm drainage available to the subject parcel. As a result, the Applicant will be required to extend the main line for each of these utilities to and through the development and must provide services to each parcel. Design and installation of public utilities shall conform to City standards and must be reviewed and approved by the City Engineer. Staff will include this criterion as a condition of approval. Criterion met with conditions.

FINDING #42: Pursuant to Section 10.10.080, public improvements installed in conjunction with development shall be constructed in accordance with all applicable City policies, standards, procedures, and ordinances. The developer shall warranty all public improvements against defect for one (1) year from the date of final acceptance by the City. Staff will include this criterion as a condition of approval. Criterion met with conditions.

FINDING #43: During the August 8, 2019, Site Team meeting, representatives from NW Natural Gas and Northern Wasco PUD provided information to the Applicant regarding available utility options near the subject property. The Applicant did not provide information regarding the installation of franchise utilities with the preliminary utility plan. All proposed franchise utilities will be required to be installed in accordance with each utility provider. Staff will include this criterion as a condition of approval. Criterion met with conditions.

Condition of Approval #13. All franchise utilities must be installed by the Applicant in accordance with the Land Use Development Ordinance Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City and approved by the City Engineer, or otherwise guaranteed to be completed by the Applicant to the satisfaction of the City and the franchise utility.

Appellant Rebuttal: The problem with staff's proposed findings and conditions is that the basic findings that the public facilities can be made adequate to serve the proposed subdivision cannot be deferred into the final platting process. Additionally, all required utilities for the proposed subdivision should be placed underground. The preliminary utility plans that were submitted with the application do not include all utilities and have not been updated to reflect the changes to the preliminary plat, including the relocation of Bradley Street and the community park.

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Appellants have the right to review complete and updated preliminary utility plans during the public notice and comment process.

There must be findings based on substantial evidence that the public facilities serving the proposed subdivision are adequate or can be made adequate. There is a complete lack of findings and evidence on these issues. Therefore the application must be denied.

Argument #17: Further, Section 10.10.100.A.1 requires: “Where a land division is proposed, the developer shall provide franchise utilities to the development site.” These include natural gas and cable TV. There is insufficient evidence in the record that such utilities, or indeed any utilities, can be provided to the site. In addition to natural gas, telephone, and cable TV, the applicant must submit evidence of adequacy of water, sanitary sewer, storm sewer to the property.

Response to Appellants’ Argument #17: See Findings #41, #42, and #43; also see Condition of Approval #13.

Appellant Rebuttal: Again, the problem with staff’s proposed findings and conditions is that the basic findings that the public facilities can be made adequate to serve the proposed subdivision cannot be deferred into the final platting process. There must be findings based on substantial evidence that the public facilities serving the proposed subdivision are adequate or can be made adequate. There is a complete lack of findings and evidence on these issues. Therefore the application must be denied.

Conclusion

As discussed above, the application is inadequate because of a lack of preliminary plans, reports and evidence supporting findings demonstrating that the criteria can and likely will be met. LUBA has held that such findings not be conclusory and must be supported by substantial evidence in the record. *Lowell v. Jackson County*, 75 Or LUBA 251 (2017). In establishing that a request for land use approval complies with applicable approval standards, a local government may find that the approval standard can be met through conditions only if there is substantial evidence in the record to support a finding that any needed technical solutions that maybe required to comply with the standard are “possible, likely and reasonably certain to succeed.” *Gould v. Deschutes County*, 216 Or App 150, 161, 171 P3d 1017 (2007) (citing *Meyer v. City of Portland*, 67 Or App 274, 281-82, 678 P2d 741, rev den, 297 Or 82, 679 P2d 1367 (1984)). *Johnson v. City of Gladstone*, 65 Or LUBA 225 (2012).

The Administrative Decision under review is based on numerous conclusory findings and a lack of evidence and findings that the technical solutions that have been deferred into the conditions of approval are “likely and reasonably certain to succeed” in meeting the criteria. This lack of

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evidence and adequate findings requires reversal of the Administrative Decision and denial of the application under the LUBA cases cited above.

For the many reasons discussed in this letter, the findings on the above referenced criteria are conclusory and not based on substantial evidence and to the extent that the findings purport to base compliance on conditions, there is no substantial evidence and a lack of findings that the conditions are “likely and reasonably certain to succeed.”

Therefore, the Administrative Decision approving the application must be reversed and the application must be denied.

Sincerely,

LANDERHOLM, P.S.



STEVE C. MORASCH

Attorney at Law

SCM/jsr

cc: Diana McDougale, City Attorney (via email: dmcDougale@campbellphillipslaw.com)
Clients

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1014 Richmond St

The Dalles, Oregon



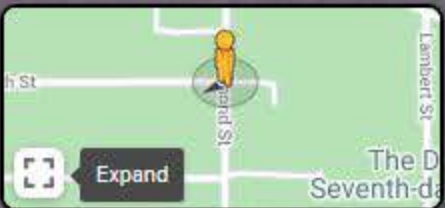
Street View

Appendix IX



Richmond's

Google



Expand

Planning Commission Agenda Packet
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1150 Richmond St

The Dalles, Oregon

Google

Street View

Appendix IX



RICHMOND ST

E 12TH ST



Expand

Google

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Paula Webb

From: Steve Stroud <61whitelegs@gmail.com>
Sent: Saturday, May 16, 2020 11:02 AM
To: Paula Webb
Subject: Property Development 1N 13E 1 C TAX LOT 201

Follow Up Flag: Follow up
Flag Status: Flagged

I'm a property owner across the street from the stated development. I'm totally opposed to such a dense development . Housing in this area is spread out and should maintain that same look . Putting such a large density population base will degrade the entire area . There doesn't seem to be a shortage of housing around The Dalles. Houses are for sale on just about every street. Again i am totally opposed to any High Density Residential housing on the stated property 1N 13E 1C TAX LOT 201. Thank you Steve Stroud .

Paula Webb

From: Grubbs, Brian <BGrubbs@wm.com>
Sent: Saturday, May 16, 2020 11:51 AM
To: Paula Webb
Subject: Subdivision 74-19 Legacy Development Group

Follow Up Flag: Follow up
Flag Status: Flagged

Community Development Department

I am writing this letter in opposition of the High Density Residential Development being proposed at 2845 E. 12th Street. This area is predominantly rural without the infrastructure to support such a development. The proposed plan will be a detriment to the surrounding properties and farms. I would like my concerns to be heard by all parties involved in the Appeal process.

Regards

Brian Grubbs, CEM
Sr. District Fleet Manager
Waste Management
PNW/BC Area
Cell: 925-525-2062
bgrubbs@wm.com

Recycling is a good thing. Please recycle any printed emails.

Paula Webb

From: Kay Havig <khavig1@gmail.com>
Sent: Saturday, May 16, 2020 1:30 PM
To: Paula Webb
Subject: Subdivision 74-19

Follow Up Flag: Follow up
Flag Status: Flagged

I have lived across Richmond Street from the lot in question, I have lived here for about 20 years and have enjoyed this area. With the building that you are planning on putting on that lot is going to mess with our our neighborhood a lot.

What bothers me the most is all the traffic that there will be. Also I would like to know where all these people are going to park. Where are the kids going to play.

I heard that the City planner said that there was a traffic study done but since I have lived here for about 20 years there have been no strips across the streets to count the number of cars.

I would just like to know how people can say these were done when they weren't.

My husband has fought this kind of thing for a long time. He passed away last year and I now have to carry on for him. I don't understand just why you would want to put that many homes in that short of room.

Kay Havig
3015 E 12th St.

Paula Webb

From: Timothy L. Sipe <sipe@gorge.net>
Sent: Sunday, May 17, 2020 12:20 PM
To: Paula Webb
Subject: MIP 366-19 Development

Follow Up Flag: Follow up
Flag Status: Flagged

To who it may concern

In reference to the proposed development at 2845 E. 12th Street.

The people that bought property and built houses in this area did so because they wanted room and a view. They wanted a place out in the country so to speak.

My family purchased property in this area in 1955 and over the years I have watched it develop. All development in neighborhood has been consistent with the values of the area. Until lately now there are structures going up squishing large structures into small spaces. I do not feel this is what The Dalles wants to be known for.

I do not feel the infrastructure of the area is capable of handling the extra amount of traffic, an possible extra 160 cars. Let alone walkers, bike rides, horse riders, and children playing in the street.

People already go up and down tenth street far above the speed limit. And it is a relatively narrow street.

I do not feel that there has been enough thought into water runoff, sewers, Policing, and road maintenance.

For example the city sent people out to clean the entrance and exit side of culverts at street intersections. And they did a good job of that. But the culverts are full of debris so they have no useful value.

I am not against development but not high density.

Also the population in The Dalles is getting older and three and two story building are not the best for them.

I am against this development. If it had half the houses that would show more constancy with the neighbor hood.

These will not be low income housing.

Timothy L. Sipe
1105 Morton Street
The Dalles, OR

Paula Webb

From: Nancy Fork <nafork@gmail.com>
Sent: Sunday, May 17, 2020 3:01 PM
To: Paula Webb
Subject: East 10th Street/Richmond
Attachments: I live across the street from this housing development proposed project.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Please see attached letter
Thank you

--
Regards,
Nancy Fork

May 17, 2020

To whomever it may concern:

Regarding: "The Grove" Subdivision on East 10th &
Richmond St

The Dalles, OR

We own two homes, both across the street from the proposed subdivision. We are located on East 10th Street (2921 & 2925) in between Quackenbush's and Perkins' properties. Our properties together, and with said above properties, equal to approximately 700 feet, from the corner of Richmond Street to top of the hill (Perkins' property).

As it is, we have to watch very carefully from both directions, as drivers come from either direction (often accelerating in speed coming up Richmond from Old Dufur Road hill, and turning onto East 10th Street or coming down Richmond Street and turning west onto East 10th Street. Then with the natural hill in front of Perkins property, the cars must accelerate again, to get over the hill.

Not to mention, adding an outlet street coming out of said subdivision, (in this 700 foot stretch on East 10th Street), is very worrisome. Any property along this stretch of approximately 700 feet, east of the hill will have a blind spot. This makes a huge, dangerous problem for all living along East 10th Street.

I am very concerned about the safety of additional commuters entering and exiting driveways along this busy street.

There is not enough room to safely build this large of a number of homes. Each home could bring 2-3 cars to each residence. We will see an increase in traffic in a very small space. This area was not intended to house that many units. Therefore, it could pose overpopulation in too small an area, not intended to serve the number of units builders are proposing.

I feel like the said property for sale is meant for a lot less homes. The high density homes will create a lot of crime and additional traffic stress in this neighborhood.

Many folks have lived in this country area for years and feel that putting a overpopulated housing complex is too overwhelming for our area. Let alone, the street updates

and infrastructure disturbance to our lovely and peaceful preserved neighborhood.

Paula Webb

From: Denise Dietrich-Bokum <ddbokum@gmail.com>
Sent: Sunday, May 17, 2020 3:14 PM
To: Paula Webb
Subject: COMMENT FOR PUBLIC HEARING THUR, MAY 21, 2020

Follow Up Flag: Follow up
Flag Status: Flagged

On 10th and Richmond there are approximately 13 mailboxes in 4-5 locations that are in the gravel part of those roads, probably about where the sidewalks will go. If they need to be relocated, this should be at the developer's expense, timing and location to be coordinated with the boxholders, so as not to interrupt mail delivery, and IAW postal delivery standards.

Denise Dietrich Bokum
2735 East 12th
The Dalles, OR 97058

Paula Webb

From: Kelsey Fork <kafork@gmail.com>
Sent: Sunday, May 17, 2020 4:49 PM
To: Paula Webb
Subject: Objection to The Grove Subdivision
Attachments: the grove subdivision.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, I hope that I have sent this to the correct email address. Please let me know if it should be sent elsewhere.

Kelsey Fork

Kelsey Fork & Seth Rogan
 2921 E 10th St.
 The Dalles, OR 97058

RE: "The Grove" Subdivision at Richmond Street and East 10th Street

To whomever it may concern,

As a non-owning resident of the area directly across the street from where approximately 80 new housing units are being considered, I am shocked by how little thought was put into the process of approval for this new subdivision. I understand the need for housing in The Dalles, and I understand the urgency for it, but the way that this plan was instated, with little notice to current residents before approval, is outrageous. The current subdivision proposal has the potential to create a high-crime area, cause more traffic accidents, and it might not even be fiscally viable for the residents in The Dalles who actually need housing.

Speaking of fiscal viability, if this new subdivision is meant for low-income housing, has the city of The Dalles considered that the crime rate may skyrocket? I am not trying to judge anyone based on their income (my family is also low-income) but [it has been reported](#) that low-income communities have almost double the rate of violent crimes than medium and high income communities do. The area around "The Grove" is fairly middle-class, from my peripheral view, and virtually crime-free, at present. I want to continue to feel safe in my neighborhood, and I honestly feel that I will leave The Dalles if crime becomes an issue; I have heard the same sentiment from neighbors.

The current road system in this neighborhood is not prepared for the estimated 300 new cars that could be coming to this area. The traffic on East 10th already feels fairly perilous, as people traveling east, over the top of the hill, are usually going upwards of 35 mph, and they hardly ever think to slow down. The same goes for those traveling on Richmond, north. How is the city prepared to accommodate a new street at the top of this hill, that people are constantly speeding down, in addition to twenty new driveways on 10th, with cars entering and exiting all the time, and three new roads off Richmond? It can already be difficult to get into or out of my single driveway (with no homes across the street) on East 10th, without worrying about somebody ramming into my car that I may have my young child in. Unless the city is prepared to put in a traffic light at the intersections of East 10th/Old Dufur & Thompson and Fremont/Old Dufur & Richmond, and multiple stop signs between, I do not see how this housing addition (as it is, currently) could not be a slew of potential lawsuits for the city.

As a young family, my partner and I absolutely understand the need for affordable housing. From what I can tell, housing in The Dalles is the biggest issue for low-income families, because home sale and rental prices are rapidly increasing in the Gorge. Looking at the Curtis Homes website, and seeing their listings for single-family homes in The Dalles, does not give me hope that these new homes across the street from me will be affordable at all, regardless of the fact that they are planning on interspersing multi-family units. The pricing of a single-family home in Curtis Homes' "Park Place" neighborhood ranges from \$349,000 to \$529,000 and current 3-bedroom home rentals in The Dalles (which are NOT new construction) range from \$1350 to \$1700 per month. How is Curtis Homes prepared to build these homes with the community's financial needs in mind? I wouldn't doubt that a single unit in one of the proposed triplexes will be rented out for more than \$1500, which will be too expensive for the median-income family in The Dalles (rent should be 1/3rd of your income; Curtis Homes reports The Dalles' median income is less than \$49,000, which means that the average family in The Dalles should only be paying around \$1360 per month for rent) even with government housing assistance.

I wish I had more time to research this, but I hope that my concerns are heard by the city planning commission and that they might take them into account for rethinking their approval of this subdivision.

Thank you,
Kelsey Fork

Kelsey Fork & Seth Rogan
2921 E 10th St.
The Dalles, OR 97058

RE: "The Grove" Subdivision at Richmond Street and East 10th Street

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Speaking of fiscal viability, if this new subdivision is meant for low-income housing, has the city of The Dalles considered that the crime rate may skyrocket? I am not trying to judge anyone based on their income (my family is also low-income) but [it has been reported](#) that low-income communities have almost double the rate of violent crimes than medium and high income communities do. The area around "The Grove" is fairly middle-class, from my peripheral view, and virtually crime-free, at present. I want to continue to feel safe in my neighborhood, and I honestly feel that I will leave The Dalles if crime becomes an issue; I have heard the same sentiment from neighbors.

The current road system in this neighborhood is not prepared for the estimated 300 new cars that could be coming to this area. The traffic on East 10th already feels fairly perilous, as people traveling east, over the top of the hill, are usually going upwards of 35 mph, and they hardly ever think to slow down. The same goes for those traveling on Richmond, north. How is the city prepared to accommodate a new street at the top of this hill, that people are constantly speeding down, in addition to twenty new driveways on 10th, with cars entering and exiting all the time, *and* three new roads off Richmond? It can already be difficult to get into or out of my single driveway (with no homes across the street) on East 10th, without worrying about somebody ramming into my car that I may have my young child in. Unless the city is prepared to put in a traffic light at the intersections of East 10th/Old Dufur & Thompson and Fremont/Old Dufur & Richmond, and multiple stop signs between, I do not see how this housing addition (as it is, currently) could not be a slew of potential lawsuits for the city.

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the fact that they are planning on interspersing multi-family units. The pricing of a single-family home in Curtis Homes' "Park Place" neighborhood ranges from \$349,000 to \$529,000 and current 3-bedroom home rentals in The Dalles (which are NOT new construction) range from \$1350 to \$1700 per month. How is Curtis Homes prepared to build these homes with the community's financial needs in mind? I wouldn't doubt that a single unit in one of the proposed triplexes will be rented out for more than \$1500, which will be too expensive for the median-income family in The Dalles (rent should be 1/3rd of your income; Curtis Homes reports The Dalles' median income is less than \$49,000, which means that the average family in The Dalles should only be paying around \$1360 per month for rent) even with government housing assistance.

I wish I had more time to research this, but I hope that my concerns are heard by the city planning commission and that they might take them into account for rethinking their approval of this subdivision.

Thank you,
Kelsey Fork

Paula Webb

From: Nancy Fork <nafork@gmail.com>
Sent: Sunday, May 17, 2020 7:58 PM
To: Paula Webb
Subject: REVISED LETTER
Attachments: revised letter to city regarding Curtis Homes.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Paula,

After i sent the first letter i received the "Agenda packet" with 148 pages of information. I added a few things to my "revised" letter, and also signed it this time, as i sent the first one before it was done. I would appreciate you using this one as my original.

Thank you very much!

--
Regards,

Nancy Fork

****REVISED****

Harley & Nancy Fork
2925 & 2921 East 10th Street
The Dalles, OR 97058

May 17, 2020

To whomever it may concern:

Regarding: "The Grove" Subdivision on East 10th &
Richmond St, The Dalles, OR

We own two homes, both across the street from the proposed subdivision. We are located at 2921 & 2925 East 10th Street in between Quackenbush's and Perkins' properties. Our properties together, and with said above properties, equal to approximately 700 feet, from the corner of Richmond Street to top of the hill (Perkins' property).

This street is not safe enough to warrant this housing development. As it is, we have to watch very carefully from both directions, as vehicles come from either direction (often accelerating in speed coming up Richmond from Old Dufur Road hill, and turning onto East 10th Street or coming down Richmond Street and turning west onto East 10th Street. Then with the natural hill in front of Perkins property, the cars must accelerate again, to get over the hill. This is only speaking from the west side of the hill. The other direction is worse, coming east. Not to mention the foot traffic, outdoor cyclists and other enthusiasts that use our street daily for exercise.

The outlet street coming out of said subdivision, (in this 700 foot stretch on East 10th Street), is very worrisome to me. Any property along this stretch of approximately 700 feet, east of the hill will have a blind spot by that hill.

This makes a huge, dangerous problem for all living along East 10th Street. I fear the accidents already taking place in front of our homes. Car lights coming into our windows at night, and overall unsafe feeling of crime entering our neighborhood of well established families.

Many folks have lived in this country's living area for years. We are like family. We have worked hard to live in our neighborhood, watch out for each other, wave to the neighbor as they drive by, owning a little slice of our land that we call home. Although we know that we are going through housing shortages, the homes being built will not be affordable to middle income folks.

Lastly, somehow we missed the initial letter process deadline. With the Covid19 issues that impacted our area this past several months my mind was preoccupied with the impact of my small business closure. The last I was aware of, there was a meeting being held by Curtis Homes at the Clock Tower, the day Covid19 was announced.

Please consider including our letter at this time to this important situation at hand if able and add us to the email list for any upcoming information that we should be aware of.

Thank you
Harley & Nancy Fork
nafork@gmail.com
hafork@gmail.com
2925 East 10th Street
2921 East 10th Street
The Dalles, OR 97058

Paula Webb

From: Karen and Steve Murray <murrcat@gorge.net>
Sent: Monday, May 18, 2020 11:10 AM
To: Paula Webb
Cc: Karen G. Murray
Subject: The Grove development

To The Dalles Planning Commission,

I am writing in regards to the proposed "The Grove" development Adjacent to Richmond Street between 10th and 12th Streets. I Believe the city planners are asking you to approve this development before they have completed a complete and necessary review of the proposed plan.

First, a one hour traffic study on a Friday afternoon does not seem to be sufficient to assess a true picture of the traffic in the area. A longer, more details study needs to be made. With the current current pandemic, it seems unlikely that an adequate study can be accomplished in the near future.

Second, the landscaping requirements for such a development seem to be just a general agreement that the developer will follow the city guidelines without submitting a detailed plan that can be available for public review and comment.

Third, the concern about building in the approach to the airport seems to have just been blown off by the planners. The airport and the FAA need to see detailed plans to assess safety issues. Again, this needs to be available for public review and comment.

Additionally, the fact that the requirement that new development must be consistent with the existing neighborhood was dropped from the city cope almost simultaneously with the announcement of this new development is suspicious. I understand The Dalles is in need of new low income housing, but this does not seem to fit the bill. Turning an orchard in the a high density development does not seems right. Most os the people whoo live in this neighborhood chose to live here because of its rural flavor. The current roads are insufficient to handle the increased traffic. The children it brings in will tax an already overcrowded Dry Hollow school. The planners have not done the work necessary for you to approve this development. I encourage you to deny this request until all the is have been dotted and the ts crossed. Don't let them shortcut the process.

Sincerely,
Steve Murray

Paula Webb

From: Karen and Steve Murray <murrcat@gorge.net>
Sent: Monday, May 18, 2020 11:42 AM
To: Paula Webb
Subject: Dear City of The Dalles Planning Commission and Community Development Director, Steven Harris and to the City Council members and Mayor, Rich Mays

May

18, 2020

This letter is in regards to the proposed neighborhood development planned for the east side of town between 10th and 12th Street, bordering Richmond.

The neighborhood is united against this development in so many ways!! Imagine a cherry orchard cut down to make way for a high density housing in **YOUR** neighborhood. How could that be? How could our city council and/or planning commission approve such a thing....high density zoning where cherry orchards once were? My understanding is that the zoning happened over 20 years ago. I would like some clarification on how that happened and how it was legal. Why did they designate this area for high density back then? And, if you look at the property now, it is a terrible place for high density housing as it is so different than what was there or what surrounds it, plus all the negative effects it would have. I get it, that is opinion but the opinion of over a 100 citizens of The Dalles should count for something! The roads are not built to stand such a development, the lack of sidewalks adjacent to this proposed development are a real safety problem and the blind hills that hide the pedestrian and car traffic are an extreme problem, even if exit roads are moved east a bit. Traffic will eventually be a nightmare!! Accidents will happen. This is not a good place for high density housing. Build it closer to town.

I also have questions about how the changes came about to the land use laws last fall. How did the building compatibility clause get excluded? And, how did the bonus 10 ft height addition get added? Did the City Council really understand what they were voting for; there wasn't even a second reading on those changes. How many meetings had Cameron Curtis, from the Legacy Development Group had with the city planners prior to those changes being voted on? I think some sneaky things went on behind closed doors to create such a proposed project. I would like to propose a zoning change to something that fits into the neighborhood. Why wouldn't it have to stay in agriculture or at least low density housing? I would like the City Planning Commission to check into this. Also, before any decision is made, I request that all the City Planning Commissioners take the walk around the block, the walk we take several times a week. See the blind hills and experience the traffic on the skinny little roads. I can't imagine kids from the proposed neighborhood walking to town safely!! I would be glad to accompany you!

I think it is important for you to know that people are **SICK** over the plans, literally SICK!! And, there has been a death from an adjacent landowner that, "Didn't know what he would do!?" He was so distraught that he broke out in shingles and then he had a heart attack and died. The thought of this proposed neighborhood development has already caused physical harm as well as lots of stress and anxiety and high blood pressure. This should NOT be the way The Dalles handles things. It is wrong. And, I believe our City Council and City Commissioners realize this. Citizens that surround and live close to this proposed project have worked hard all their lives and to have this pushed on them...it is wrong. It does not fit in this area. It is a travesty! But mostly, it is wrong and there will be many negative effects on many people if it is built.

The traffic study that was done most recently is very incomplete and inadequate. A 1-2 hour study between 4pm and 6pm is not enough. Morning, afternoon and early evening hours should all be evaluated. When does the hospital shift end? When do the school buses go by? When does the tie plant shift end? When are the walkers out? What other times should be evaluated?

Also, geologically speaking, any development up any of the grades in The Dalles is more prone to landslides and earth movement. It is also a more difficult place to build and maintain because of the slope. Why not focus on high density housing on the flat places near the City of The Dalles? That would be money more well spent and would be closer to the services. It would also help if the places being built would be affordable, unlike the higher rent the “The Grove” will probably have.

Also, I have a HUGE concern about how little open space this development has planned. The community park should be much bigger to allow kids to play, dogs to be walked and have some open space for people to sit and enjoy themselves. I thought the open space should be at least 20% of the overall area.

I realize that The Dalles is “rent-burdened.” Many of the people who need to find a place to rent could NOT afford what is planned to be built. Why not build low income housing closer to the city services across town?

Scaling the project down could work. Change the zoning so a scaled-back version could work. Work with the neighborhood!!!

If indeed, the Planning Commission and the City Council is “dead set” on approving this development, spend the money to get the infrastructure in place first. Get safe sidewalks and wider streets leading to this neighborhood. If the city can not afford this, it has no business approving this development. My guess is that there are much better, safer places for high density closer to the city center.

I am making the assumption that city planning commissioners have read the multitude of letters that were written in opposition to this project before the appeals process. A lot of research went into developing those letters so I hope you will read all of them before you make your decision. I also think we deserve to meet in person and the project should be put on hold until we can meet in person for a question and answer session and further research can be done. Also, I think in-person testimony is important. This project, if built as planned, would have a HUGE effect on hundreds of people and it is just too much. It is too much crammed into a small area. It will have an enormous negative effect. People are already talking about moving out of the area if it is built.

Please do not allow the Legacy Development Group to build what they have planned. It would be a huge mistake and unfair to the people who live nearby and all the other people that will be affected in the surrounding area.. It should not be allowed to be built as planned. Please listen to your citizens.

Sincerely,

Karen Gartland

2645 E. 11th Street
The Dalles, Oregon

Murray

97058

Paula Webb

From: jozette schultens <jozetteschultens@yahoo.com>
Sent: Monday, May 18, 2020 11:57 AM
To: Paula Webb
Subject: Application number 030-20 of Sub 74-14

To Whom it may concern,

As residents of The Dalles, residing at 2637 E 10th St., we, Robert Schultens and Jozette Schultens, desire to have our objections recorded in regards to the proposed subdivision #0030-20 of Sub 74-19. We have lived at our current address for 36 years and have watched the growing number of pedestrians, cyclists, and motorist on E. 10th St., and can't imagine how the increase in motorist traffic will be controlled if this subdivision is allowed to be built. We have a two lane city street that has no conditions for safe travel by foot or bicycle. Who will be overseeing the building of these structures to make sure the "criterion will be met"?

We have read the reports, arguments, and responses published by the city but, we have yet to see any consideration for the living conditions of those who reside in this area. High density living is the very reason people from other areas choose to leave their residence elsewhere and to come here to live. And this neighborhood is in no way a prime spot for high density living simply by distance from services.

Please reconsider as though you lived here.

Respectfully,
Robert and Jozette Schultens

Paula Webb

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Sent: Monday, May 18, 2020 11:42 AM
To: Paula Webb
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May

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Sincerely,

Karen Gartland

2645 E. 11th Street
The Dalles, Oregon

Murray

97058

Paula Webb

From: jozette schultens <jozetteschultens@yahoo.com>
Sent: Monday, May 18, 2020 11:57 AM
To: Paula Webb
Subject: Application number 030-20 of Sub 74-14

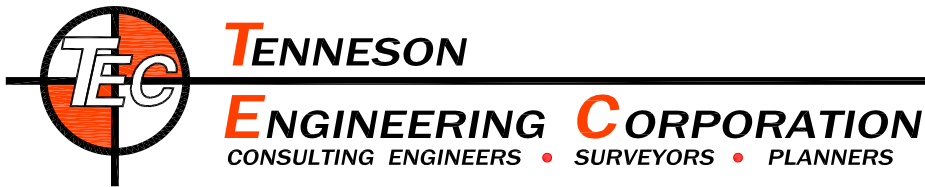
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Please reconsider as though you lived here.

Respectfully,
Robert and Jozette Schultens



May 18, 2020

City of The Dalles Planning Commission
City Hall
313 Court Street
The Dalles, Oregon 97058

Regarding: Appeal No. 630-20 of SUB 74-19 – Legacy Development Group, LLC

Dear Commissioners:

I have been asked, by staff, to provide some background information regarding the above referenced appeal now before you. Briefly, I am a long time Planning Consultant with Tenneson Engineering Corporation here in The Dalles. I started with the firm in March of 1970 and began working as an entry level Planner in the late summer of that year. I became a professional Land Use Planner in 1975 after receiving a degree in Urban and Regional Planning from Eastern Washington State College (now Eastern Washington University) Over the years I have completed many projects on behalf of the City of The Dalles. I will not list them all here, but there are a few that may be pertinent to this issue before you.

In approximately 1980-81, I was given the task of establishing the first Urban Growth Boundary for the City, by then Planning Director Greg Scholes. I was directed to carefully follow the DLCD requirements and to not be too aggressive in sizing the UGB. It was a difficult process but the boundary has not been changed that much during the passing years

In approximately 1989-90, the City lost all its Planning Staff except a part time secretary and I was asked to run the Office while new staff could be hired. I managed the Office for approximately six months, late 1989 to July 1990, when Dan Durow was hired as Director along with Scott Keillor as Senior Planner. I am very familiar with the City's land use processes and procedures.

In 1994, I was asked to review the City's recently revised Comprehensive Plan for compatibility with the existing City Zoning Ordinance. I did find three areas of concern and that letter is still available today.

Over the years, I have completed several Buildable Lands Inventories for the City, these studies detail the available vacant lands within the City and its Urban Growth Boundary. I believe the last one I did was in early 1994.

Finally, I have represented a number of small cities and counties throughout eastern and central Oregon since 1975. I currently serve 8 cities and 3 counties in the region now. Over the years, I have processed and approved/denied dozens of subdivisions and partitions for these jurisdictions.

City of The Dalles Planning Commission

May 18, 2020

Page 2

I note the appellant's response indicated the subject properties were improperly zoned in 1994, that is to say these lands should not have been designated as Residential High Density. First of all, that land use action took place over a quarter century ago. It is a little late to be objecting to it now. Secondly, the primary reason these lands were so designated is that the City was required to provide a certain amount of High Density Residential by DLCD rules and regulations. Further, as in many Cities, the only large vacant areas necessary to meet those requirements are in the outlying areas of the City or its Urban Growth Boundary.

I have been involved in many other projects that involved specific properties and/or other updating projects the Planning Department has taken to keep the City current in meeting the needs of its citizens. The Staff has always carefully adhered to the rules and regulations of the City and State's land use processes and requirements. Notices are carefully prepared and submitted, Staff reports are timely and on point to respond to the goals and objectives of the adopted Comprehensive Plan and Implementing Measures. The City of The Dalles Staff has been trained to provide as much information as possible when preparing Staff Reports.

One last thought, it appears the appellants do not recognize the difference between a preliminary subdivision plat approval and a final subdivision plat approval. It is common practice in Oregon land use to establish a two step process for Subdivision approval. The preliminary plat step outlines what the developer proposes to do in writing and submitted drawings. The City Staff reviews the material for compliance with City Codes and Rules, and also notes any deficiencies as part of the preliminary plat staff report. Normally those notations become Conditions of Approval before the Final Plat can be approved. The Developer knows the Preliminary Plat is deficient when it was submitted and is prepared to respond to the deficiencies in the preparation of the Final Plat. This is what has been done with The Grove Subdivision.

Respectfully submitted,

/s/ Dan Meader

Dan Meader, Senior Planner

DM:kb

From: [Kelly Howsley - Glover](#)
To: [Joshua Chandler](#)
Subject: Fwd: [Wasco County 2040] Submit a Comment
Date: Monday, June 01, 2020 3:42:54 PM

I encouraged Ms. Radford to reach out to you directly and explained that this land is under your jurisdiction and has been zoned for residential since the 1950s.

----- Forwarded message -----

From: **Anne Radford** <wordpress@wasco2040.com>
Date: Sat, May 30, 2020 at 7:32 AM
Subject: [Wasco County 2040] Submit a Comment
To: "kellyg" <kellyg@co.wasco.or.us>

Name: Anne Radford

Email: ramblynrows1@hotmail.com

Website:

Comment: Hello. With property in orchards and close or next to the urban growth boundary in one place, we have watched closely the developments from the county planning department. Yes we know more land is needed for housing. And we know that at both ends, west and east of The Dalles, the land is not suitable or legal to tear up for housing. The state or perhaps the Gorge Commission as well has or had boundaries in place that no orchard or farming land was to be cut up for houses. I am wondering about the cutting up of the Geiger Orchards (7.3 or so acres to put up to 83 houses on in a very dense area). What a dreadful mess it would be, all those people crammed into a small area, very dense in population. The transportation for those who might live there and might have jobs to get too by 8 a.m. would be a mess. Crowded people together is never a good thing. I do not have any answers as to where new housing should go. The new project up by Sorosis Park is a dreadful cheap looking cut up mess where it could have had good size lots with houses. Unfortunately Dallesport is in another state as there should be plenty of housing sites there.

Would you like to be added to our notification list for news and events?: Yes

Time: 30 May 2020 at 2:32 pm
 IP Address: 67.40.252.199
 Contact Form URL: <https://wasco2040.com/submit-a-comment/>

Sent by an unverified visitor to your site.

--

Kelly Howsley - Glover, PhD | Long Range Planner



PLANNING DEPARTMENT

kellyg@co.wasco.or.us | www.co.wasco.or.us

541-506-2560 | Fax 541-506-2561

2705 East Second St | The Dalles, OR 97058

Email is the best way to reach me! In an effort to prevent, slow, and stop the spread of COVID-19 to our citizens and staff, our office will be limiting business to phone, email and online service. If you are not sure how to access services online, or you have a need that requires in-person assistance, please call our office at 541-506-2560 to discuss. Please keep in mind that response time may vary depending on staffing. Thank you for your patience during this time.

Please note: Content of emails is informational and does not constitute a land use decision. Please be aware all emails are subject to public records laws and may be made public.

From: [Aryn Rasmussen](#)
To: [Joshua Chandler](#)
Subject: RE: Contact Info Request
Date: Monday, June 01, 2020 2:24:57 PM

Hi Josh,

Yes feel free to use it for your staff report.

It was determined that the parcel is outside the approach surface for 31 because it is a visual approach runway. The distance for a visual approach runway is 5000 ft and since the parcel located over 7000 ft from the end of the runway.

Let me know if that doesn't make sense. Thanks!

Aryn

From: Joshua Chandler [mailto:jchandler@ci.the-dalles.or.us]
Sent: Monday, June 1, 2020 1:51 PM
To: 'Aryn Rasmussen' <airporttd@gorge.net>
Subject: RE: Contact Info Request

Thank you Aryn.

If needed, could we use this as an attachment to the upcoming staff report?

Additionally, were you able to discuss the parcel location in regards to the "approach surface" of the airport any further? I believe you said it was outside; however, I was wondering how/why this was determined.

Let me know when you have a free moment.

Joshua Chandler

Planner
City of The Dalles
541-296-5481 x1120

In an effort to prevent, slow, and stop the spread of COVID-19 to our citizens, our office will be limiting business to phone, email and online service. If you are not sure how to access services online, or need assistance, please call our office at 541-296-5481 Ext 1125. Please keep in mind that response time may vary depending on staffing. Thank you for your patience during this time.

PUBLIC RECORDS LAW DISCLOSURE:

This email is a public record of the City of The Dalles and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the City's Public Records Retention Schedule.

From: Aryn Rasmussen [mailto:airporttd@gorge.net]

Sent: Monday, June 01, 2020 1:20 PM
To: Joshua Chandler <jchandler@ci.the-dalles.or.us>
Subject: RE: Contact Info Request

Hi Josh,

I sent a note to Seth Thompson at ODA about the development a week or so ago. I sent him the preliminary documents you gave me, he's reviewed those and his response is attached. His signature block has his email, phone, mailing address.

I would just ask that you cc me on any emails. Let me know if you need anything else, thanks!

Aryn Rasmussen
Columbia Gorge Regional Airport
Airport Manager
Phone: 509.767.2272
Cell: 334.470.9985

From: Joshua Chandler [<mailto:jchandler@ci.the-dalles.or.us>]
Sent: Thursday, May 28, 2020 4:00 PM
To: 'Aryn Rasmussen' <airporttd@gorge.net>
Subject: Contact Info Request

Hi Aryn,

Do you have a contact to send certified mail to someone at the Department of Aviation for land use noticing purposes? As part of a recent appeal, we will be mailing notification to both the Airport and the Department of Aviation.

Also, could you provide me with your mailing address for the same purpose?

Thank you,

Joshua Chandler
Planner
City of The Dalles
541-296-5481 x1120

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From: [THOMPSON Seth](#)
To: [Aryn Rasmussen](#)
Subject: RE: The Dalles City Code Notice of Construction
Date: Wednesday, May 20, 2020 10:45:31 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Aryn,

Of course! I'm here to be of service to you.

After reviewing your screen shots, the development is most likely going to be fine and not need mitigation for air navigation.

However, there may likely be height restrictions as it's directly south of the runway approach.

For that reason, I will likely provide comment that an airspace analysis will be required by the ODA prior to future approval of structures.

This will also help the developer understand the types of height restrictions to expect once the properties are shovel-ready.

Feel free to forward the application to me when you receive and I'll be happy to review.

Thanks again and take care.

Seth Thompson
 OREGON DEPARTMENT OF AVIATION
 AVIATION PLANNER



OFFICE 503-378-2529 CELL 503-507-6965

EMAIL seth.thompson@aviation.state.or.us

3040 25TH STREET SE, SALEM, OR 97302

WWW.OREGON.GOV/AVIATION

From: Aryn Rasmussen <airportd@gorge.net>
Sent: Tuesday, May 19, 2020 4:59 PM
To: THOMPSON Seth <Seth.THOMPSON@aviation.state.or.us>
Subject: RE: The Dalles City Code Notice of Construction

Hi Seth,

I think we spoke on the phone a month or so ago about our CIP letter, I appreciate your help with this!

This is what I have received from the planning department thus far. I have asked for the actual proposal/application and will send that to you as soon as I receive it. Please let me know if there is anything else that you need. Thanks!

Aryn N. Rasmussen
Airport Manager
Columbia Gorge Regional Airport
Office: 509-767-2272
Cell: 334-470-9985

From: THOMPSON Seth <Seth.THOMPSON@aviation.state.or.us>
Sent: Tuesday, May 19, 2020 2:30 PM
To: airporttd@gorge.net
Cc: PECK Heather <heather.peck@aviation.state.or.us>; BEACH Anthony <Anthony.BEACH@aviation.state.or.us>; HANKWITZ Donald E <donald.e.hankwitz@aviation.state.or.us>; WILSON John P <John.P.WILSON@aviation.state.or.us>; SPONSELLER Roger <Roger.SPONSELLER@aviation.state.or.us>
Subject: RE: The Dalles City Code Notice of Construction

Good afternoon Aryn,

My name is Seth Thompson and I am the Aviation Planner for the ODA.

Any required notices to the ODA can be sent directly to me via email.

The notice can be in the form of a proposal, land use application or decision. Please provide me with the materials submitted by the applicant for the proposal.

I will review the materials and notify you if a FAA Form 7460-1 is required to be completed and submitted to the ODA.

The FAA Form 7460-1 allows the ODA to determine if the proposal is a potential obstruction or hazard to air navigation.

If the notice is not electronic, please send to the ODA's address with attention to me.

I have included this information below:

Seth Thompson
Seth.thompson@aviation.state.or.us

Seth Thompson
[Oregon Department of Aviation](#)
3040 25th Street SE
Salem, OR 97302

Thank you and please let me know if you have any further questions.

Best regards,

Seth Thompson
OREGON DEPARTMENT OF AVIATION
AVIATION PLANNER



OFFICE 503-378-2529 CELL 503-507-6965

EMAIL seth.thompson@aviation.state.or.us

3040 25TH STREET SE, SALEM, OR 97302

WWW.OREGON.GOV/AVIATION

From: Aryn Rasmussen <airporttd@gorge.net>

Sent: Tuesday, May 19, 2020 12:50 PM

To: Oregon Department of Aviation <aviation.mail@aviation.state.or.us>

Subject: The Dalles City Code Notice of Construction

Good Afternoon,

I am working with The City of The Dalles (a co-sponsor of Columbia Gorge Regional Airport), they are reviewing a proposal from a group for a sub-division development. It is stated in the City Planning Code that notice must be given to ODA if there is development within 10,000 ft of the end of a runway. I have not gone through this process with The City of The Dalles or ODA yet and was hoping you could provide some direction on the appropriate process and information requested to formally notify ODA of the development request.

Thank you in advance!

Aryn N. Rasmussen
Airport Manager
Columbia Gorge Regional Airport
Office: 509-767-2272
Cell: 334-470-9985

From: [THOMPSON Seth](#)
To: [Joshua Chandler](#)
Subject: File Number: SUB 74-19
Date: Friday, June 05, 2020 2:39:58 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[FAA Form 7460-1.pdf](#)

Good afternoon Joshua,

Thank you for allowing the Oregon Department of Aviation (ODA) to comment on File Number: SUB 74-19.

The ODA has determined that any proposed structures resulting from the approval of this land use decision must undergo a FAA FORM 7460-1 aeronautical study by the ODA.

All completed FAA FORM 7460-1 documents must be submitted to the ODA by the applicant prior to approval of building permits.

Please see attached for reference.

Thank you and please let me know if you have any questions.

Best regards,

Seth Thompson
OREGON DEPARTMENT OF AVIATION
AVIATION PLANNER



OFFICE 503-378-2529 CELL 503-507-6965

EMAIL seth.thompson@aviation.state.or.us

3040 25TH STREET SE, SALEM, OR 97302

WWW.OREGON.GOV/AVIATION

From: [Aryn Rasmussen](#)
To: ["Platts, Thomas"](#)
Subject: RE: Subdivision 74-19 Legacy Development Group

Hi Max,

I remember you and John stopping by last year, I hope that everything is going well.

At this time the airport doesn't have any concerns about the project, but the planning department from the City of The Dalles wanted to make sure they did their due diligence in notifying your office. If anything changes or we have further questions I will be sure to reach out, thanks again!

Aryn Rasmussen
Columbia Gorge Regional Airport
Airport Manager
Phone: 509.767.2272
Cell: 334.470.9985

From: Platts, Thomas [mailto:PlattsT@wsdot.wa.gov]
Sent: Tuesday, June 9, 2020 2:31 PM
To: airporttd@gorge.net
Subject: Subdivision 74-19 Legacy Development Group

Hi Aryn,

My name is Max Platts and I am the interim Land Use Planner for WSDOT Aviation. We met about a year ago when my colleague John MacArthur stopped by on one of our airport inspection trips.

Our office received a copy of the Subdivision 74-19 Legacy Development Memorandum. I didn't see anything terrible concerning with the development and its location, but I wanted to reach out to you to see if you had any thoughts or needed our office's assistance in this matter.

Please let me know if you need anything or if there is anything we can do to help!

Thanks,
Max

T.S. "Max" Platts
WSDOT Aviation Division
Aviation Planner
Office: 360-709-8028
Cell: 360-890-5258

The Grove Subdivision

Transportation Impact Study

The Dalles, Oregon



June 2020

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CHAPTER 1: INTRODUCTION

This study evaluates the transportation impacts associated with the development of a single-family housing development with a total of 80 units in The Dalles, Oregon. The housing units will be a mix of detached single-family homes, attached (duplex and triplex) single-family homes, and accessory dwelling units (ADUs). The site is a vacant property adjacent to Richmond Street between E 10th Street and E 12th Street. A map of the project location is shown in Figure 1.

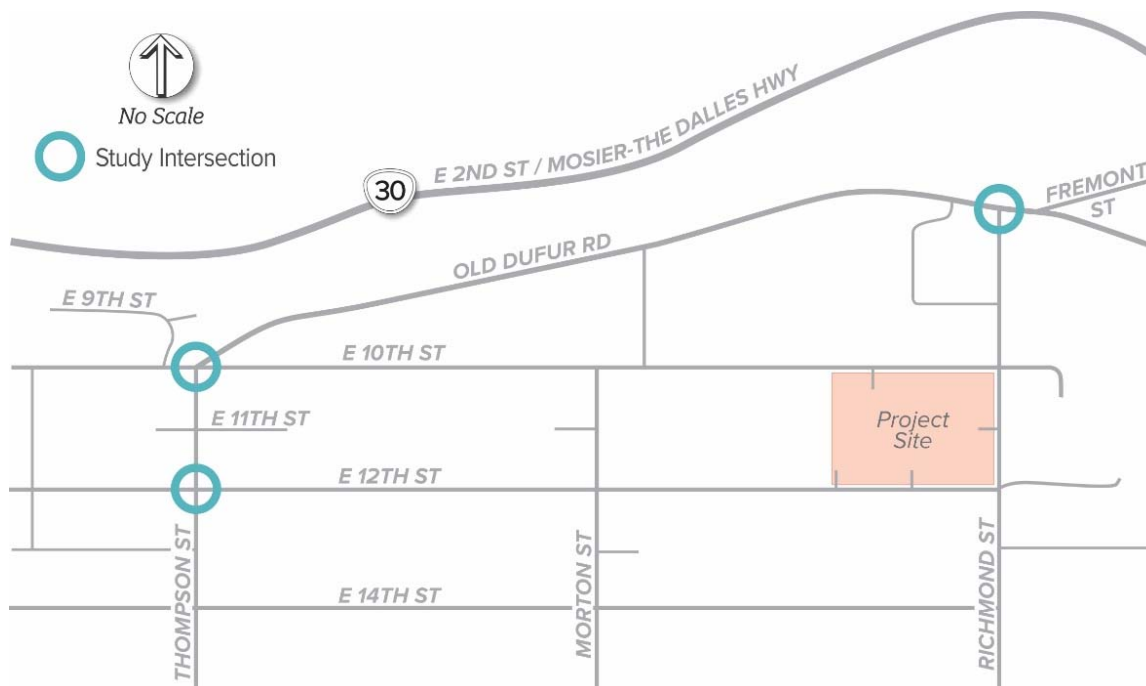


Figure 1: Study Area Map

The purpose of this transportation impact analysis is to identify safety or operational improvements necessary to offset impacts that the proposed development may have on the nearby transportation network. The impact analysis is focused on three study intersections which were selected for evaluation in coordination with City staff.¹ The study intersections are shown in Figure 1. All study intersections are two-way stop controlled. Table 1 lists key characteristics of the study area and proposed project.

¹ Phone call between Greg Hagbery and Dale McCabe on January 3, 2020.

Table 1: Key Study Area and Proposed Development Characteristics

Characteristics	Information
Study Area	
Number of Study Intersections	3
Analysis Period	Weekday PM Peak Hour (one hour between 4-6 PM)
Project Site	
Existing Land Use	Vacant
Proposed Development	80 housing units Includes 69 attached and detached (duplex and triplex) single family units and 11 accessory dwelling units
Proposed Site Accesses	Six (6) full site accesses; one on E 10th Street, three on Richmond Street, and two on E 12th Street. There will be no direct access from individual lots onto E 10th Street, E 12th Street, or Richmond Street.

CHAPTER 2: EXISTING CONDITIONS

This chapter provides documentation of existing study area conditions, including the study area street network, pedestrian and bicycle facilities, and existing traffic volumes and operations. Supporting details for volumes and operations are provided in the appendix.

Study Area Street Network

The existing characteristics of key streets in the vicinity of the project site are summarized in Table 2. The functional classifications for the City of The Dalles streets are provided in *The Dalles Transportation System Plan* (TSP).²

Table 2: Study Area Street Characteristics (within the Study Area)

Street	Classification	No. of Lanes	Posted Speed	Sidewalks	Bike Lanes	On-Street Parking
E 10th Street	Local	2	25 mph	No	No	Yes ^c
E 12th Street	Major Collector ^a Minor Collector ^b	2	25 mph	No	No	Yes ^c
Thompson Street	Major Collector	2	25 mph	No	No	No
Old Dufur Road	Major Collector	2	25 – 35 mph	No	No	No
Richmond Street	Local	2	25 mph	No	No	No

^a Major Collector west of Thompson Street.

^b Minor Collector east of Thompson Street.

^c On-street parking is allowed in some areas, but parking is unmarked.

Pedestrian and Bicycle Facilities

Sidewalks and designated bicycle facilities are not present on any of the roadways adjacent to the proposed development. The only study intersection with pedestrian facilities is E 12th Street/Thompson Street, with sidewalks present on the west leg only. All other study intersections lack sidewalks and bicycle facilities.

Public Transit Service

There are no local public transit routes in the study area.

² Figure 6-1, *Transportation System Plan*, City of The Dalles, Updated March, 2017.

Existing Traffic Volumes and Operations

Existing PM peak hour traffic operations were analyzed at the intersections of E 10th Street/Thompson Street, E 12th Street/Thompson Street, and Old Dufur Road/Richmond Street.

Intersection turn movement volumes were collected at the three study intersections during the PM peak period on a typical weekday (Thursday) and are shown in Figure 2.³ The PM peak hour typically represents the highest hourly volume of traffic during the day on the transportation system, especially in residential areas (the ITE Trip Generation Manual indicates single family homes generate approximately 30% more traffic during the PM peak hour than the AM peak hour). The City's policy for traffic studies also suggests that the PM peak hour be evaluated if the development does not include land uses with unique trip generation patterns.⁴

All traffic counts were collected in January on a typical workday when schools were in session. There was no reported precipitation and the temperature reached a high of 44° F. Based on these conditions, it is reasonable to assume that traffic levels were representative of typical conditions on the transportation system. In the unlikely event that the traffic counts do not accurately capture the typical traffic patterns in the area, a sensitivity analysis was conducted which confirms that the findings of this traffic study hold true even with significant increases in traffic volume (see Appendix G).

The following sections describe intersection performance measures, required operating standards, and existing operating conditions.

³ Data collected by All Traffic Data on January 9, 2020.

⁴ City of The Dalles Policy for Traffic Impact Studies, January 2004.

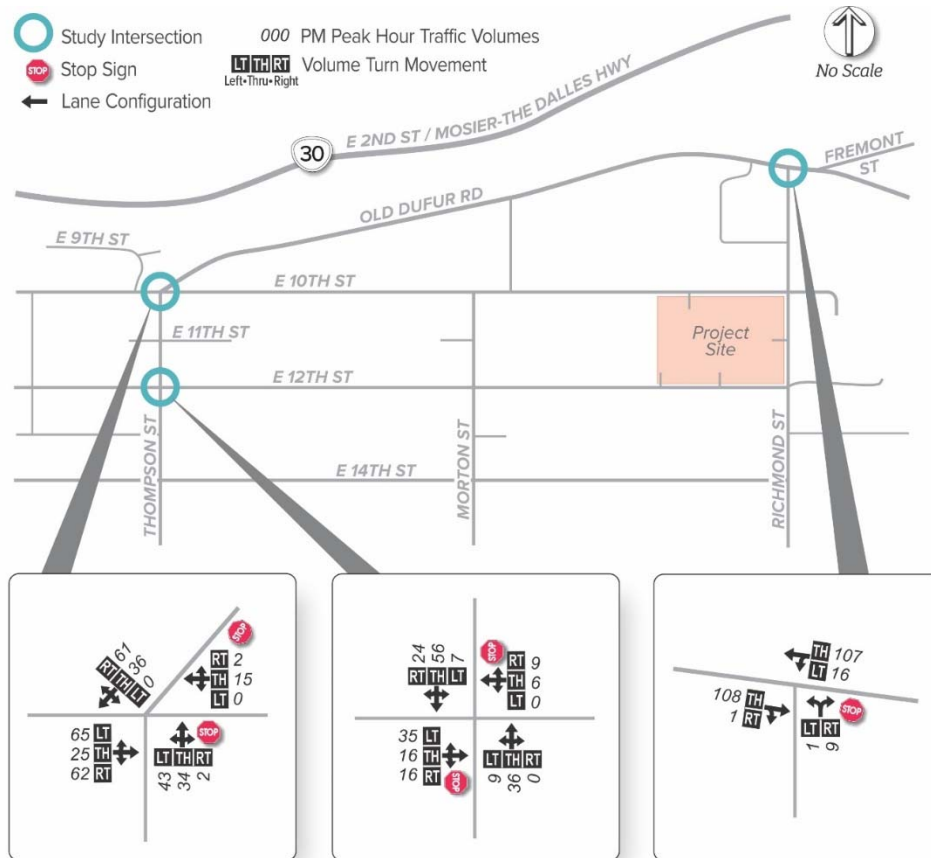


Figure 2: Existing PM Peak Hour Traffic Volumes

Intersection Performance Measures

Level of service (LOS) ratings and volume-to-capacity (v/c) ratios are two commonly used performance measures that provide a good picture of intersection operations.

- Level of service (LOS):** A “report card” rating (A through F) based on the average delay experienced by vehicles at the intersection.⁵ LOS A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand. LOS D and E are progressively worse operating conditions. LOS F represents conditions where average vehicle delay has become excessive and demand has exceeded capacity.
- Volume-to-capacity (v/c) ratio:** A decimal representation (typically between 0.00 and 1.00) of the proportion of capacity that is being used at a turn movement, approach leg, or intersection. It is determined by dividing the peak hour traffic volume by the hourly capacity of a given intersection or movement. A lower ratio indicates smooth operations

⁵ A description of Level of Service (LOS) is provided in the appendix and includes a list of the delay values (in seconds) that correspond to each LOS designation.

and minimal delays. As the ratio approaches 1.00, congestion increases and performance is reduced. If the ratio is greater than 1.00, the turn movement, approach leg, or intersection is oversaturated and usually results in excessive queues and long delays.

Required Operating Standard

City of The Dalles standards require a minimum of LOS D for all signalized and unsignalized intersections⁶ and does not have an operational v/c standard.

Existing Operating Conditions

Existing traffic operations at the study intersection were determined for the PM peak hour based on the Highway Capacity Manual (HCM) 6th Edition methodology.⁷ The results were then compared with the City of The Dalles' required operating standard for two-way stop controlled intersections. Table 3 on the following page lists the estimated delay, LOS, and the critical movement's v/c ratio of the study intersections. All three study intersections are well under capacity, operate with minimal delay, and meet City operating standards.

Table 3: Existing PM Peak Study Intersection Operations

Intersection	Operating Standard	Existing PM Peak			
		Critical Movement	Delay	LOS	v/c
E 10th Street/Thompson Street	LOS D	NB	10.6	A/B	0.06
E 12th Street/Thompson Street	LOS D	EB	10.0	A/B	0.10
Old Dufur Road/Richmond Street	LOS D	NB	9.1	A/A	0.01

Unsignalized Intersections:
 Delay = Average Stopped Delay per Vehicle (sec) at Worst Movement
 LOS = Level of Service of Major Street/Minor Street
 v/c = Volume-to-Capacity Ratio of Worst Movement

Safety Analysis

The most recent five years (2013-2017) of available crash data for the three study intersections were obtained from the Oregon Department of Transportation crash database.⁸ During that time period, only one crash occurred in the vicinity of the project site, at E 10th Street/Richmond Street in 2016. The crash was a fixed object crash that involved speeding and resulted in property damage only.

⁶ City of The Dalles TSP, Page 75, Updated March 2017.

⁷ *Highway Capacity Manual, 6th*, Transportation Research Board, Washington DC, 2000/2010.

⁸ ODOT TransGIS Portal, Crash Data Layers. Accessed January 2019. <https://gis.odot.state.or.us/transgis/>

CHAPTER 3: PROJECT IMPACTS

This chapter summarizes the estimated impacts that the proposed subdivision development may have on the surrounding transportation system. This analysis includes site plan evaluation, trip generation, trip distribution, and future year traffic volumes and operating conditions for the study intersections.

Proposed Development

The proposed development is an 80-unit residential development. The housing units will be a mix of 69 attached and detached (duplex and triplex) single family units and 11 accessory dwelling units. Six access points are proposed.

Trip Generation

Trip generation is the method used to estimate the number of vehicles added to site streets and the adjacent street network by a development during a specified period (i.e., such as the PM peak hour). For this study, the ITE 10th Edition trip generation data was used which is based on national land use data.⁹

Table 4 provides the trip generation for the proposed housing development. The trip generation rate for single-family detached housing, which is higher than rates for attached housing, was applied all housing unit types as a conservative estimate of potential trip generation. As shown, the development is expected to generate approximately 82 total (52 in, 30 out) PM peak hour trips.

Table 4: Peak Hour Primary Trip Generation

Land Use (ITE Code)	Quantity	PM Trips		
		In	Out	Total
Single-Family Housing (210)	80 units	52	30	82

Trip Distribution

Trip distribution provides an estimate of where project-related trips would be coming from and going to. It is given as percentages at key gateways to the study area and is used to route project trips through the study intersections. The trip distribution was determined by the existing traffic counts and estimated travel patterns. Figure 3 shows the expected trip distribution and project trip routing for the additional traffic generated by the proposed development.

⁹ Institute of Transportation Engineers *Trip Generation Manual*, 10th Edition

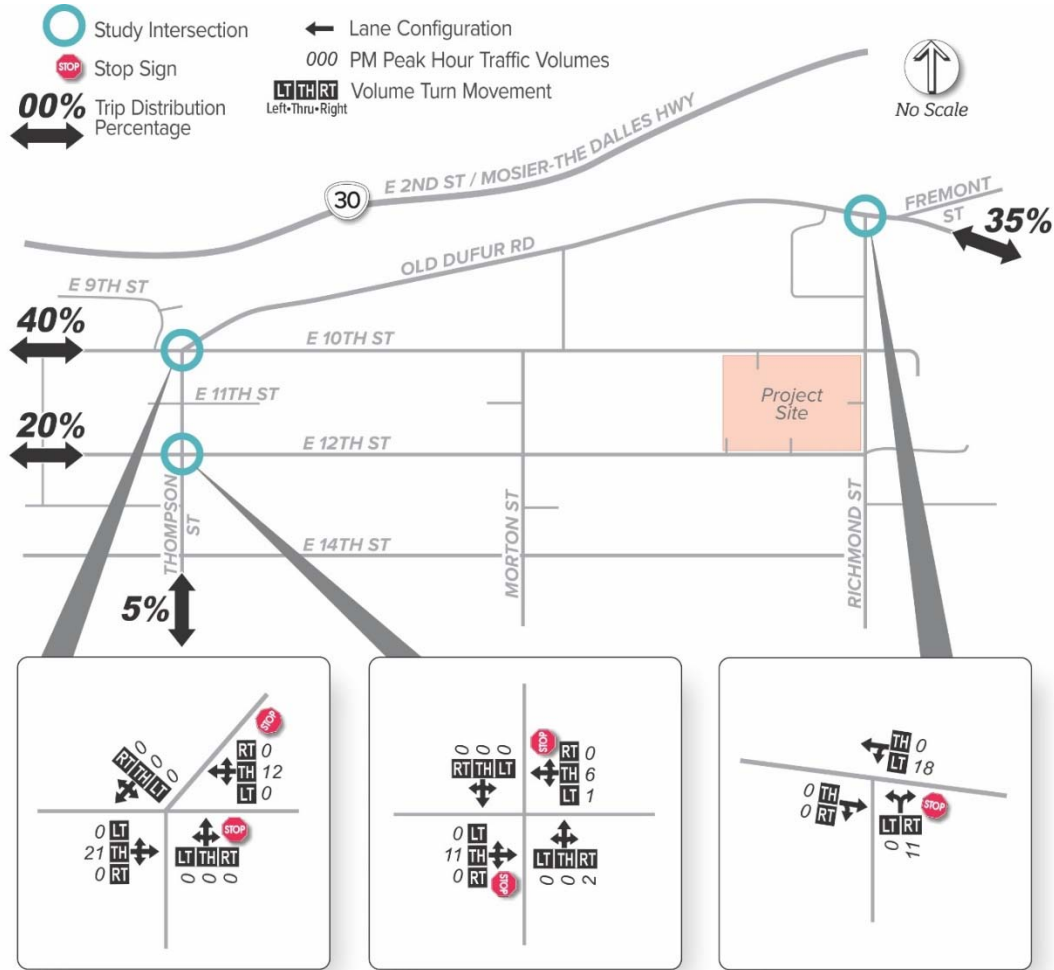


Figure 3: Trip Distribution and Project Trips

Future Operating Conditions

The following future scenarios were selected for analysis based on the City’s policy for traffic studies.¹⁰ The short-term year is based on the estimated year of project completion and the mid-term year is five years beyond the short-term year.

- Short-Term Background (2023)
- Short-Term Background (2023) + Full Build Project Traffic
- Mid-Term Background (2028)
- Mid-Term Background (2028) + Full Build project Traffic

¹⁰ City of The Dalles Policy for Traffic Impact Studies, January 2004.

Future Year 2023 and 2028 background traffic volumes were estimated by applying a 1% annual growth rate to the existing (2020) traffic counts as directed by the City of The Dalles engineering staff. ¹¹ The Short-Term Background (2023) and Mid-Term Background (2028) traffic volumes are shown in Figure 4. The Short-Term Background (2023) + Full Build traffic volumes and Mid-Term Background (2028) + Full Build traffic volumes are shown in Figure 5.

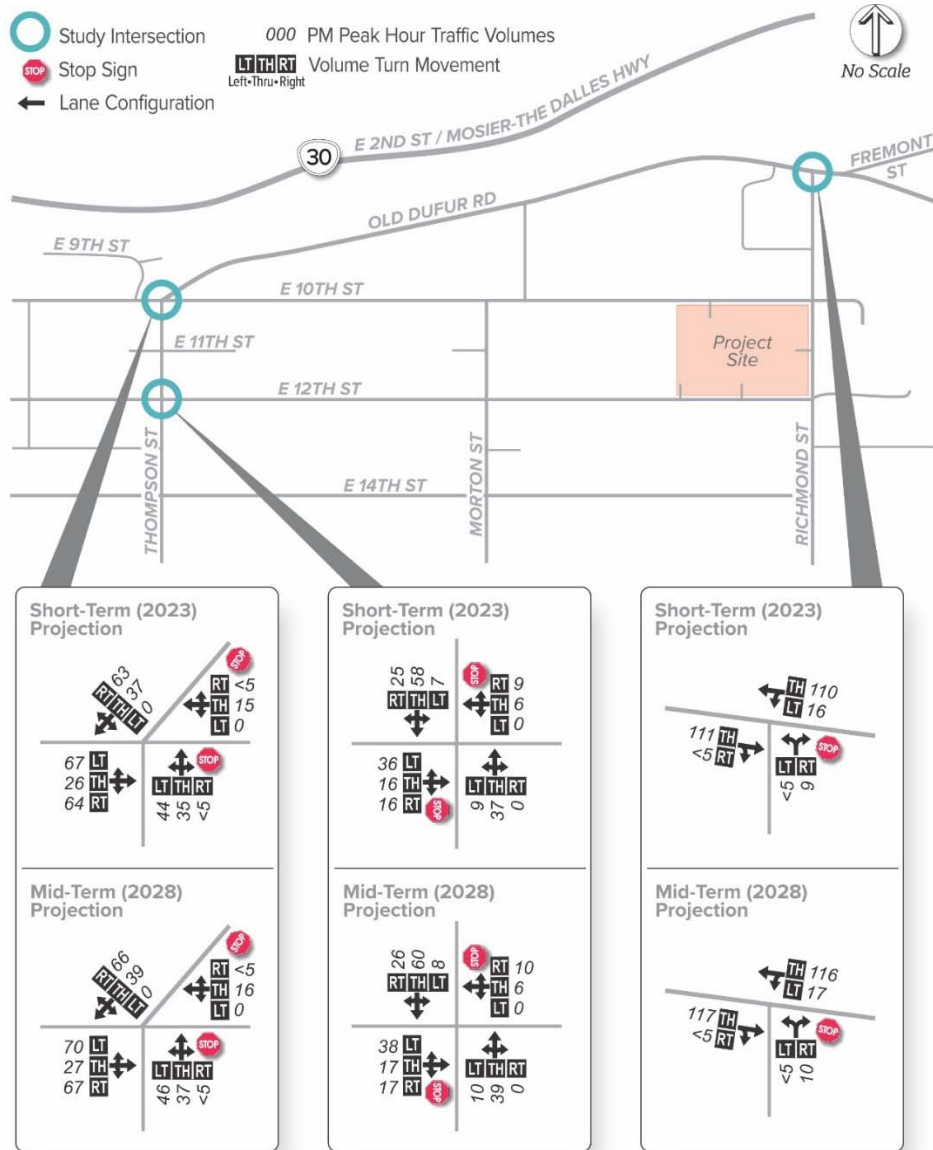


Figure 4: Short-Term (2023) and Mid-Term (2028) Background Traffic Volumes

¹¹ Email with Dale McCabe, City Engineer, City of the Dalles – January 24th, 2020



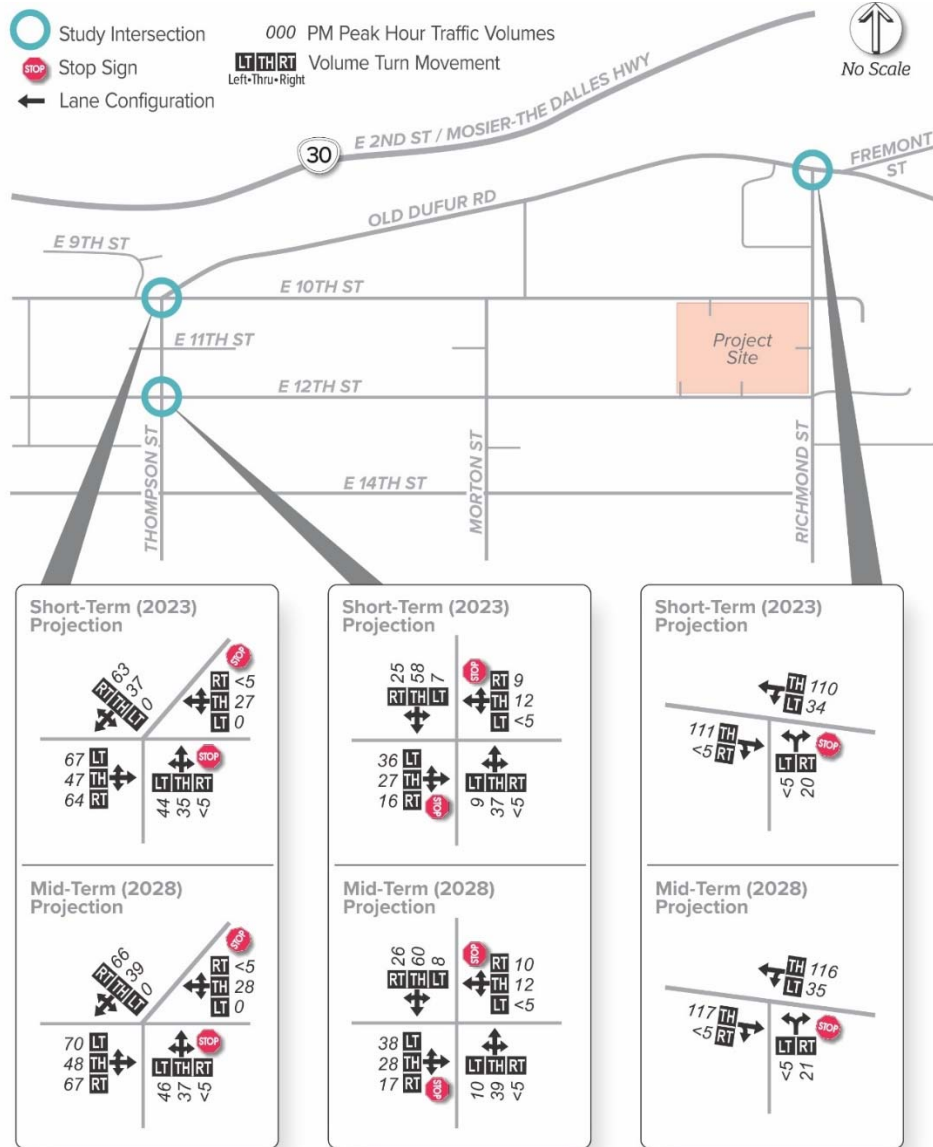


Figure 5: Short-Term (2023) and Mid-Term (2028) Background + Project Traffic Volumes

Intersection Operations

The study intersection operating conditions with the addition of future projected background traffic are listed in Table 5 and intersection operating conditions of future projected background and site-generated project traffic are listed in Table 6. As shown, all study intersections continue to operate well under capacity and meet the City of The Dalles operating standards

Table 5: Future PM Peak Study Intersection Operations – Background Traffic

Intersection	Operating Standard	Short Term (2023) PM Peak				Mid Term (2028) PM Peak			
		Movement	Delay	LOS	v/c	Movement	Delay	LOS	v/c
E 10th Street / Thompson Street	LOS D	NB	10.6	A/B	0.06	NB	10.8	A/B	0.07
E 12th Street / Thompson Street	LOS D	EB	10.1	A/B	0.10	EB	10.2	A/B	0.11
Old Dufur Road / Richmond Street	LOS D	NB	9.2	A/A	0.01	NB	9.2	A/A	0.02
Unsignalized Intersections: Delay = Average Stopped Delay per Vehicle (sec) at Worst Movement LOS = Level of Service of Major Street/Minor Street v/c = Volume-to-Capacity Ratio of Worst Movement									

Table 6: Future PM Peak Study Intersection Operations – Background + Project Traffic

Intersection	Operating Standard	Short Term (2023) PM Peak				Mid Term (2028) PM Peak			
		Movement	Delay	LOS	v/c	Movement	Delay	LOS	v/c
E 10th Street / Thompson Street	LOS D	NB	11.0	A/B	0.06	NB	11.1	A/B	0.07
E 12th Street / Thompson Street	LOS D	EB	10.3	A/B	0.12	EB	10.4	A/B	0.13
Old Dufur Road / Richmond Street	LOS D	NB	9.2	A/A	0.03	NB	9.2	A/A	0.03
Unsignalized Intersections: Delay = Average Stopped Delay per Vehicle (sec) at Worst Movement LOS = Level of Service of Major Street/Minor Street v/c = Volume-to-Capacity Ratio of Worst Movement									

Queuing Analysis on Fremont Street

The intersection of US 197/Fremont Street was originally included in the list of study intersections. However, because this intersection is located on an Oregon Department of Transportation (ODOT) facility, it is subject to ODOT Development Review Guidelines¹². The guidelines state that “the analysis area will include intersections where the additional traffic created by the proposed development is greater than 10 percent of the current entering volume for the intersection.”

Traffic count data showed that the current entering volume for the intersection during the PM peak hour is 662 vehicles.¹³ The traffic generated by the subdivision was estimated to be 29 vehicles (Figure 3), equaling about 4% of the current entering volume. This means that the US 197/Fremont intersection is not required to be studied as part of this impact analysis.

However, City staff requested that the Fremont Street approach be evaluated for queuing impacts. Queuing analysis was performed for the existing and future scenarios to determine the increase in length of the queues forming at the intersection. The queuing analysis was based on traffic simulations performed in SimTraffic™.

Table 7 below shows the 95th percentile queues for the eastbound approach of the US 197/Fremont Street intersection. The 95th percentile queue is the queue length for a given intersection movement that has only a 5% chance of being exceeded during the peak traffic hour. The results are rounded to the nearest 5 feet.

Table 7: Queue Lengths on Fremont Street at US 197

Scenario	Approach	95th Percentile Queue
Existing (2020)	Eastbound (Fremont Street)	50 feet
2023 Background		55 feet
2023 Background + Project		60 feet
2028 Background		60 feet
2028 Background + Project		60 feet

As shown, the 95th percentile queues are between 50 and 60 feet. This is approximately 3 to 4 vehicles. The net change in the queue length from existing to future (2028) conditions is approximately 10 feet. The development is not anticipated to significantly impact queues on Fremont Street at US 197.

¹² Section 3.3.4, Development Review Guidelines, Oregon Department of Transportation, May 2017.

¹³ Traffic count data is included in the appendix.

Site Plan Evaluation

The site plan provided by the project sponsor shows six access points to the proposed development, with three accesses on Richmond Street, one access on E 10th Street, and two accesses on E 12th Street. There will be no direct access from individual lots onto E 10th Street, E 12th Street, or Richmond Street.

Sight Distance

Any proposed site accesses will need to meet American Association of State Highway and Transportation Officials (AASHTO)¹⁴ sight distance requirements. This includes providing adequate sight triangles at accesses that are clear of objects (buildings, large signs, landscaping, etc.) that could potentially limit vehicle sight distance.

The intersection sight distance requirement is based on the speed of the roadway. Along E 10th Street, E 12th Street, and Richmond Street, the speed is 25 mph, resulting in a required sight distance of 280 feet. This sight distance requirement applies to any access that is proposed to be built on E 10th Street, E 12th Street, and Richmond Street.

There is a vertical curve on E 10th Street that restricts the available sight distance along this roadway. The site plan shows the proposed access to E 10th Street will be located on the crest of the vertical curve (which maximizes the available sight distance) and the available sight distance at the crest of the curve exceeds 280 feet in both directions.¹⁵ The available sight distance at the proposed access points on Richmond Street and E 12th Street is also sufficient to meet AASHTO requirements.

Prior to occupancy of the proposed development, sight distance requirements will need to be verified at all proposed accesses by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.

On-Site Circulation

The proposed site plan was reviewed to evaluate on-site circulation. The site plan provided by the project sponsor shows the following streets:

- Two paved alleyways that are 20-foot wide
- A paved east-west public street (E 11th Street) with 54-feet of right of way,
- A paved north-south public street (Bradley Street), with right of way ranging from 50 feet wide (north of E 11th Street) to 29 feet (south of E 11th Street)¹⁶.

¹⁴ Table 9-6 Geometric Design of Highways and Streets, AASHTO, 2011

¹⁵ Field visit was conducted on March 17, 2020.

¹⁶ The southern portion of Bradley Street will be constructed as a half-street improvement that will be completed as future development occurs.

The street and alley widths shown on the site plan adequately accommodate two-way motor vehicle circulation on-site.

E 11th Street and the northern section of Bradley Street are required to meet the City's Local Street cross section standard, which consists of 5' wide sidewalks, 4' wide landscape buffers, and two 8' wide travel lanes. The southern section of Bradley Street is required to provide half-street improvements based on the City's Local Cross section standards.

Access Spacing

Richmond Street and E 10th Street are classified by the City of the Dalles as Local Streets. The City TSP¹⁷ does not include access spacing requirements for Local Streets.

E 12th Street is classified as a Minor Collector along the project site frontage. According to the TSP, the minimum spacing between driveways or streets on Minor Collectors is 75 feet to 150 feet. There is an existing driveway located on E 12th Street approximately 75 feet to the east of the proposed Bradley Street alignment, which meets the access spacing requirements.

Pedestrian and Bicycle Access and Circulation

The preliminary site plan shows sidewalks along all frontages and internal streets, which provides sufficient internal pedestrian facilities. The network of alleys on the project site provide additional access and circulation to and from the adjacent City streets. There is no requirement for dedicated bicycle facilities on local streets nor alleyways.

Frontage Improvements

The City of The Dalles requires frontage improvements consistent with the roadway classification when a development site abuts an existing public street.¹⁸ Richmond Street, E 10th Street, and E 12th Street are adjacent to the proposed development.

Both Richmond Street and E 10th Street are classified as Local Streets. Local Street cross section requirements¹⁹ consist of 5 foot wide sidewalks, 4 foot wide landscape strips, and two 8 foot wide travel lanes.

E 12th Street fronting the project site is classified as a Minor Collector. Minor Collector cross section requirements consist of 5 foot wide sidewalks, 5 foot wide landscape buffer, 6 foot wide bike lanes, and two 12 foot wide travel lanes.

Currently, sidewalks, bike lanes, and landscape buffers do not exist on these roadways and the appropriate half-street improvements along the frontages of the proposed development will be required.

¹⁷ City of The Dalles TSP, Page 156, Updated March 2017.

¹⁸ City of The Dalles Municipal Code 10.10.060 Section C-1.

¹⁹ City of The Dalles TSP, Page 156, Updated March 2017.

Project Impact Summary

The proposed development is anticipated to result in the following impacts:

Trip Generation/Intersection Operations

- The proposed development is an 80-unit residential development which includes a mix of 69 attached and detached (duplex and triplex) single family units and 11 accessory dwelling units.
- The development is expected to generate 82 (52 in, 30 out) PM peak hour trips.
- All study intersections meet the City's operational standard under all analysis scenarios. A sensitivity analysis (Appendix G) confirmed these findings hold true under significantly higher traffic volumes.

Site Plan Review

- The locations of all proposed access points provide adequate sight distance based on AASHTO requirements. Prior to occupancy, sight distance at any proposed access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon to assure that buildings, signs or landscaping does not restrict sight distance.
- The proposed site plan provides adequate site circulation and accommodations for vehicles, bicycles, and pedestrians.
- The location of the six proposed site accesses shown on the site plan meet the City's access spacing requirements.
- Per the City's development code, E 11th Street and the northern section of Bradley Street shall be constructed according to the cross-section standards for Local Streets. Only half street improvements (consistent with Local Street standards) are required on the southern section of Bradley Street.
- Per the City's development code, half-street improvements will be required on Richmond Street, E 10th Street, and E 12th Street along the property frontages. These improvements include sidewalks, landscape buffers, and bike lanes.

APPENDIX A

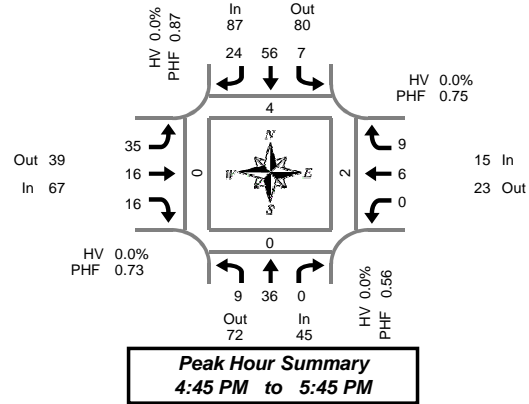
Volume Data



Total Vehicle Summary



Clay Carney
(503) 833-2740



Thompson St & 12th St

Thursday, January 09, 2020

4:00 PM to 6:00 PM

**5-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	0	6	0	0	0	3	2	0	0	1	3	0	0	0	0	0	0	0	0	0	0
4:05 PM	1	3	0	1	1	1	3	0	3	2	2	0	0	0	1	0	0	0	0	1	0
4:10 PM	1	1	0	0	3	8	6	0	2	3	1	0	0	1	0	0	0	0	0	0	0
4:15 PM	2	0	0	0	1	6	1	0	2	3	1	0	0	1	0	0	0	0	0	0	0
4:20 PM	0	2	0	0	0	5	3	0	3	0	0	0	0	0	0	0	0	0	0	0	1
4:25 PM	0	1	0	0	1	4	0	0	1	3	0	0	0	0	2	0	0	0	0	0	0
4:30 PM	0	0	0	0	3	5	2	0	1	2	0	0	0	0	0	0	0	0	0	0	0
4:35 PM	0	1	0	0	1	4	4	0	5	0	1	0	0	1	0	0	0	0	0	0	1
4:40 PM	0	1	0	0	0	4	1	0	4	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	1	1	0	0	2	4	2	0	3	2	0	0	0	0	0	0	0	0	0	0	0
4:50 PM	1	5	0	0	1	4	4	0	3	1	2	0	0	1	0	0	0	0	0	0	0
4:55 PM	0	3	0	0	1	3	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0
5:00 PM	1	2	0	0	0	3	1	0	4	0	2	0	0	1	1	0	0	0	0	0	0
5:05 PM	1	1	0	0	0	5	4	0	4	3	1	0	0	0	1	0	0	0	0	0	0
5:10 PM	0	2	0	0	0	6	5	0	6	0	3	0	0	0	1	0	0	0	0	0	0
5:15 PM	0	1	0	0	0	5	0	0	1	2	0	0	0	1	0	0	0	0	0	0	0
5:20 PM	0	5	0	0	1	6	1	0	2	1	0	0	0	1	1	0	0	0	0	0	0
5:25 PM	0	1	0	0	1	4	1	0	4	2	2	0	0	0	2	0	0	0	0	0	0
5:30 PM	2	3	0	0	0	7	1	0	3	1	3	0	0	0	1	0	0	0	0	0	0
5:35 PM	2	5	0	0	0	5	0	0	3	1	1	0	0	0	2	0	0	0	0	0	0
5:40 PM	1	7	0	0	1	4	4	0	2	2	1	0	0	2	0	0	0	0	0	0	0
5:45 PM	0	2	0	0	0	2	1	0	1	0	1	0	0	1	1	0	0	0	0	0	0
5:50 PM	2	2	0	0	1	6	0	0	2	0	1	0	0	1	0	0	0	0	0	0	0
5:55 PM	0	5	0	0	0	4	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Total Survey	15	60	0	1	18	108	49	0	59	31	26	0	0	11	13	0	390	4	0	3	2

**15-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	2	10	0	1	4	12	11	0	5	6	6	0	0	1	1	0	58	0	0	1	0
4:15 PM	2	3	0	0	2	15	4	0	6	6	1	0	0	1	2	0	42	0	0	0	1
4:30 PM	0	2	0	0	4	13	7	0	10	2	1	0	0	1	0	0	40	0	0	0	1
4:45 PM	2	9	0	0	4	11	7	0	6	4	3	0	0	1	0	0	47	2	0	2	0
5:00 PM	2	5	0	0	0	14	10	0	14	3	6	0	0	1	3	0	58	0	0	0	0
5:15 PM	0	7	0	0	2	15	2	0	7	5	2	0	0	2	3	0	45	0	0	0	0
5:30 PM	5	15	0	0	1	16	5	0	8	4	5	0	0	2	3	0	64	2	0	0	0
5:45 PM	2	9	0	0	1	12	3	0	3	1	2	0	0	2	1	0	36	0	0	0	0
Total Survey	15	60	0	1	18	108	49	0	59	31	26	0	0	11	13	0	390	4	0	3	2

**Peak Hour Summary
4:45 PM to 5:45 PM**

By Approach	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	45	72	117	0	87	80	167	0	67	39	106	0	15	23	38	0	214	4	0	2	0
%HV	0.0%				0.0%				0.0%				0.0%				0.0%				
PHF	0.56				0.87				0.73				0.75				0.84				

By Movement	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	9	36	0	45	7	56	24	87	35	16	16	67	0	6	9	15	214
%HV	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
PHF	0.45	0.60	0.00	0.56	0.44	0.82	0.60	0.87	0.63	0.80	0.67	0.73	0.00	0.75	0.45	0.75	0.84

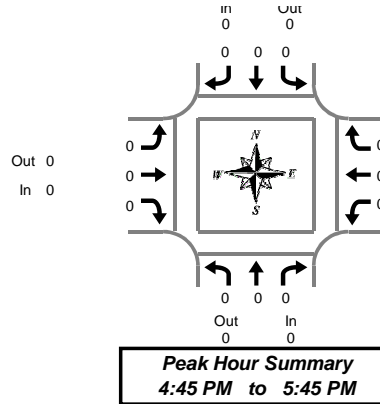
**Rolling Hour Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	6	24	0	1	14	51	29	0	27	18	11	0	0	4	3	0	187	2	0	3	2
4:15 PM	6	19	0	0	10	53	28	0	36	15	11	0	0	4	5	0	187	2	0	2	2
4:30 PM	4	23	0	0	10	53	26	0	37	14	12	0	0	5	6	0	190	2	0	2	1
4:45 PM	9	36	0	0	7	56	24	0	35	16	16	0	0	6	9	0	214	4	0	2	0
5:00 PM	9	36	0	0	4	57	20	0	32	13	15	0	0	7	10	0	203	2	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Thompson St & 12th St

Thursday, January 09, 2020

4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Interval Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:05 PM	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1
4:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:35 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:40 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:50 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:35 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:40 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:50 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1

Heavy Vehicle 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Interval Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
4:00 PM	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1

Heavy Vehicle Peak Hour Summary

4:45 PM to 5:45 PM

By Approach	Northbound Thompson St			Southbound Thompson St			Eastbound 12th St			Westbound 12th St			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.00			0.00			0.00			0.00			0.00

By Movement	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
Volume	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Heavy Vehicle Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 12th St				Westbound 12th St				Interval Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
4:00 PM	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

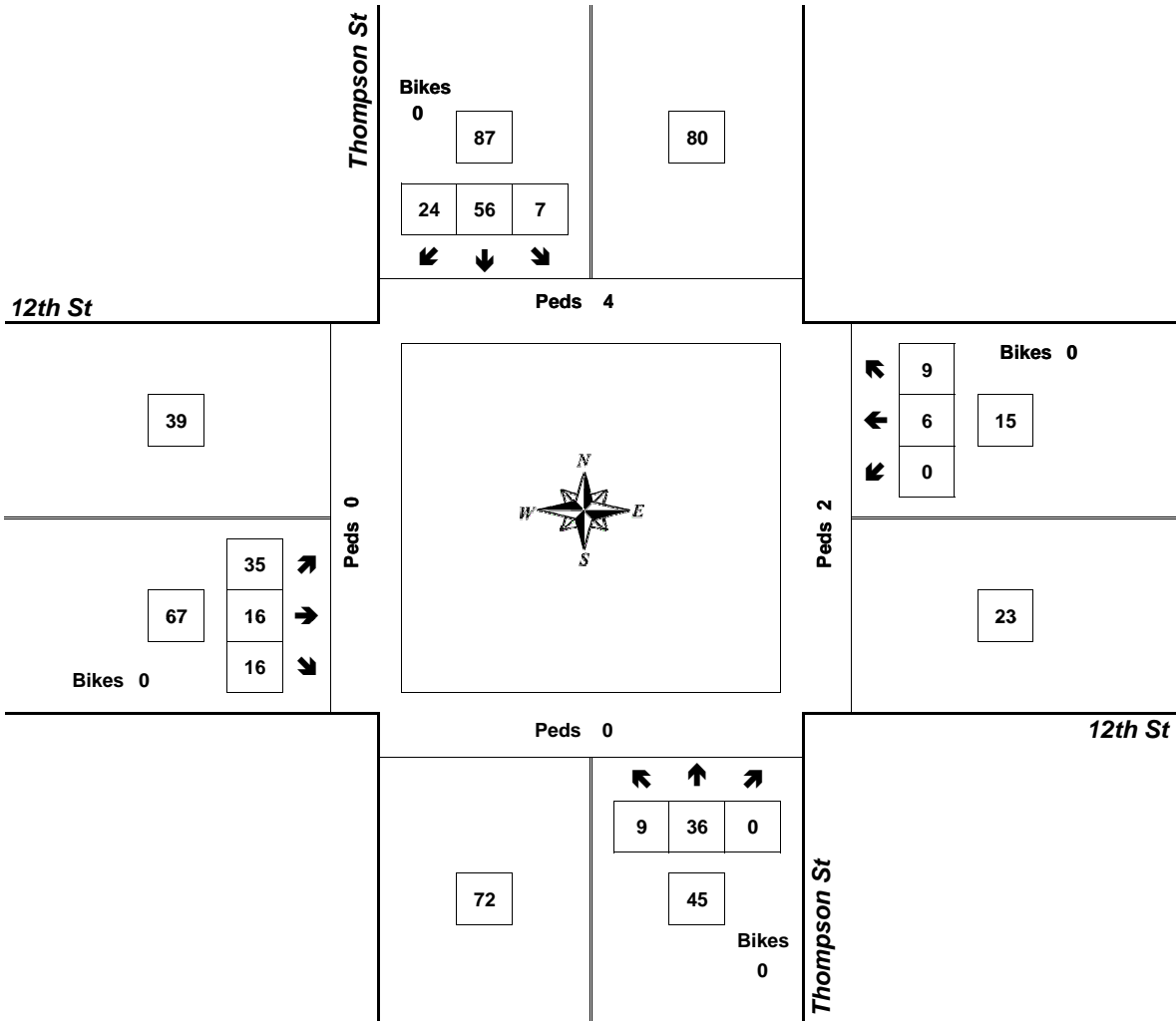
Peak Hour Summary



Clay Carney
(503) 833-2740

Thompson St & 12th St

4:45 PM to 5:45 PM
Thursday, January 09, 2020



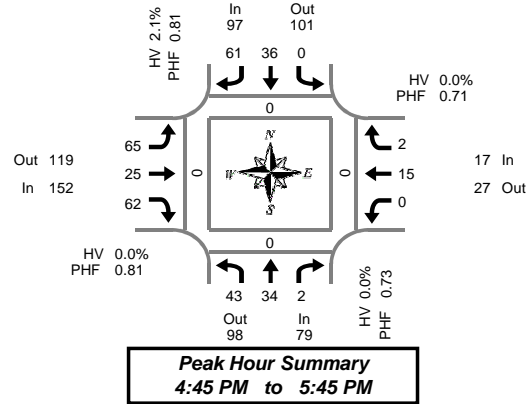
Approach	PHF	HV%	Volume
EB	0.73	0.0%	67
WB	0.75	0.0%	15
NB	0.56	0.0%	45
SB	0.87	0.0%	87
Intersection	0.84	0.0%	214

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Thompson St & 10th St

Thursday, January 09, 2020

4:00 PM to 6:00 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Interval Total	Pedestrians Crosswalk							
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West				
4:00 PM	3	3	0	0	0	2	6	0	2	1	6	0	0	0	0	0	0	0	0	0	23	0	0	0	0
4:05 PM	4	3	0	1	0	1	2	0	3	1	1	0	1	1	0	0	0	0	0	0	17	0	0	0	0
4:10 PM	0	2	0	0	0	1	6	7	0	10	0	10	0	0	1	0	0	0	0	0	37	0	1	1	0
4:15 PM	1	1	0	0	0	2	6	0	13	1	6	0	1	0	0	0	0	0	0	0	31	0	0	0	0
4:20 PM	2	3	0	0	0	5	8	0	9	2	3	0	0	0	1	0	0	0	0	0	33	0	0	0	0
4:25 PM	3	1	0	0	0	3	6	0	8	2	3	0	0	0	0	0	0	0	0	0	26	0	0	0	0
4:30 PM	1	1	0	0	0	2	10	0	6	0	9	0	0	1	0	0	0	0	0	0	30	0	1	1	0
4:35 PM	1	5	0	0	0	4	10	0	6	0	7	0	0	1	0	0	0	0	0	0	34	0	0	0	0
4:40 PM	2	3	1	0	0	3	4	0	7	1	3	0	0	0	0	0	0	0	0	0	24	0	0	0	0
4:45 PM	1	2	0	0	0	3	6	0	5	3	5	0	0	2	0	0	0	0	0	0	27	0	0	0	0
4:50 PM	4	1	0	0	0	4	8	0	3	2	6	0	0	0	0	0	0	0	0	0	28	0	0	0	0
4:55 PM	2	1	0	0	0	3	3	0	4	2	3	0	0	2	0	0	0	0	0	0	20	0	0	0	0
5:00 PM	4	4	1	0	0	3	2	0	2	2	4	0	0	2	0	0	0	0	0	0	24	0	0	0	0
5:05 PM	3	3	0	0	0	2	2	0	3	3	9	0	0	1	0	0	0	0	0	0	26	0	0	0	0
5:10 PM	1	4	1	0	0	7	5	0	11	3	4	0	0	1	0	0	0	0	0	0	37	0	0	0	0
5:15 PM	3	2	0	0	0	1	5	0	6	2	6	0	0	3	0	0	0	0	0	0	28	0	0	0	0
5:20 PM	5	3	0	0	0	3	9	0	7	1	5	0	0	2	0	0	0	0	0	0	35	0	0	0	0
5:25 PM	3	4	0	0	0	3	7	0	6	1	5	0	0	0	1	0	0	0	0	0	30	0	0	0	0
5:30 PM	2	5	0	0	0	2	3	0	4	3	6	0	0	1	0	0	0	0	0	0	26	0	0	0	0
5:35 PM	7	2	0	0	0	2	4	0	8	0	4	0	0	0	1	0	0	0	0	0	28	0	0	0	0
5:40 PM	8	3	0	0	0	3	7	0	6	3	5	0	0	1	0	0	0	0	0	0	36	0	0	0	0
5:45 PM	0	3	0	0	0	2	5	0	7	0	2	0	0	1	0	0	0	0	0	0	20	0	0	0	0
5:50 PM	3	2	0	0	0	1	4	0	5	0	5	0	0	0	0	0	0	0	0	0	20	0	0	0	0
5:55 PM	2	3	0	0	0	2	3	0	8	1	4	0	0	0	0	0	0	0	0	0	23	0	0	0	0
Total Survey	65	64	3	1	1	69	132	0	149	34	121	0	2	20	3	0	0	0	0	0	663	0	2	2	0

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Interval Total	Pedestrians Crosswalk							
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West				
4:00 PM	7	8	0	1	1	9	15	0	15	2	17	0	1	2	0	0	0	0	0	0	77	0	1	1	0
4:15 PM	6	5	0	0	0	10	20	0	30	5	12	0	1	0	1	0	0	0	0	0	90	0	0	0	0
4:30 PM	4	9	1	0	0	9	24	0	19	1	19	0	0	2	0	0	0	0	0	0	88	0	1	1	0
4:45 PM	7	4	0	0	0	10	17	0	12	7	14	0	0	4	0	0	0	0	0	0	75	0	0	0	0
5:00 PM	8	11	2	0	0	12	9	0	16	8	17	0	0	4	0	0	0	0	0	0	87	0	0	0	0
5:15 PM	11	9	0	0	0	7	21	0	19	4	16	0	0	5	1	0	0	0	0	0	93	0	0	0	0
5:30 PM	17	10	0	0	0	7	14	0	18	6	15	0	0	2	1	0	0	0	0	0	90	0	0	0	0
5:45 PM	5	8	0	0	0	5	12	0	20	1	11	0	0	1	0	0	0	0	0	0	63	0	0	0	0
Total Survey	65	64	3	1	1	69	132	0	149	34	121	0	2	20	3	0	0	0	0	0	663	0	2	2	0

Peak Hour Summary

4:45 PM to 5:45 PM

By Approach	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Total	Pedestrians Crosswalk							
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West				
Volume	79	98	177	0	97	101	198	0	152	119	271	0	17	27	44	0	0	0	0	0	345	0	0	0	0
%HV	0.0%				2.1%				0.0%				0.0%				0.6%								
PHF	0.73				0.81				0.81				0.71				0.86								

By Movement	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	43	34	2	79	0	36	61	97	65	25	62	152	0	15	2	17	345
%HV	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	3.3%	2.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.6%
PHF	0.63	0.71	0.25	0.73	0.00	0.75	0.73	0.81	0.68	0.78	0.82	0.81	0.00	0.63	0.25	0.71	0.86

Rolling Hour Summary

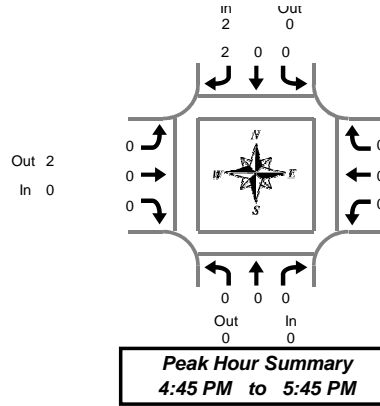
4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Interval Total	Pedestrians Crosswalk							
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West				
4:00 PM	24	26	1	1	1	38	76	0	76	15	62	0	2	8	1	0	0	0	0	0	330	0	2	2	0
4:15 PM	25	29	3	0	0	41	70	0	77	21	62	0	1	10	1	0	0	0	0	0	340	0	1	1	0
4:30 PM	30	33	3	0	0	38	71	0	66	20	66	0	0	15	1	0	0	0	0	0	343	0	1	1	0
4:45 PM	43	34	2	0	0	36	61	0	65	25	62	0	0	15	2	0	0	0	0	0	345	0	0	0	0
5:00 PM	41	38	2	0	0	31	56	0	73	19	59	0	0	12	2	0	0	0	0	0	333	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Thompson St & 10th St

Thursday, January 09, 2020

4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Interval Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:05 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
4:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:25 PM	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1
4:30 PM	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1
4:35 PM	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	1
4:40 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1
4:50 PM	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1
4:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:35 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:40 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:50 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	0	1	0	1	0	0	3	3	2	0	0	2	0	0	0	0	0	6

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Interval Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
4:00 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
4:15 PM	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	1
4:30 PM	0	0	0	0	0	0	1	1	1	0	0	1	0	0	0	0	0	2
4:45 PM	0	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	2
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	0	1	0	1	0	0	3	3	2	0	0	2	0	0	0	0	0	6

Heavy Vehicle Peak Hour Summary 4:45 PM to 5:45 PM

By Approach	Northbound Thompson St			Southbound Thompson St			Eastbound 10th St			Westbound 10th St			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	2	0	2	0	2	2	0	0	0	2
PHF	0.00			0.25			0.00			0.00			0.25

By Movement	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
Volume	0	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	2
PHF	0.00	0.00	0.00	0.00	0.00	0.00	0.25	0.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Thompson St				Southbound Thompson St				Eastbound 10th St				Westbound 10th St				Interval Total	
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total		
4:00 PM	0	1	0	1	0	0	3	3	2	0	0	2	0	0	0	0	0	6
4:15 PM	0	0	0	0	0	0	3	3	2	0	0	2	0	0	0	0	0	5
4:30 PM	0	0	0	0	0	0	3	3	1	0	0	1	0	0	0	0	0	4
4:45 PM	0	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	2
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

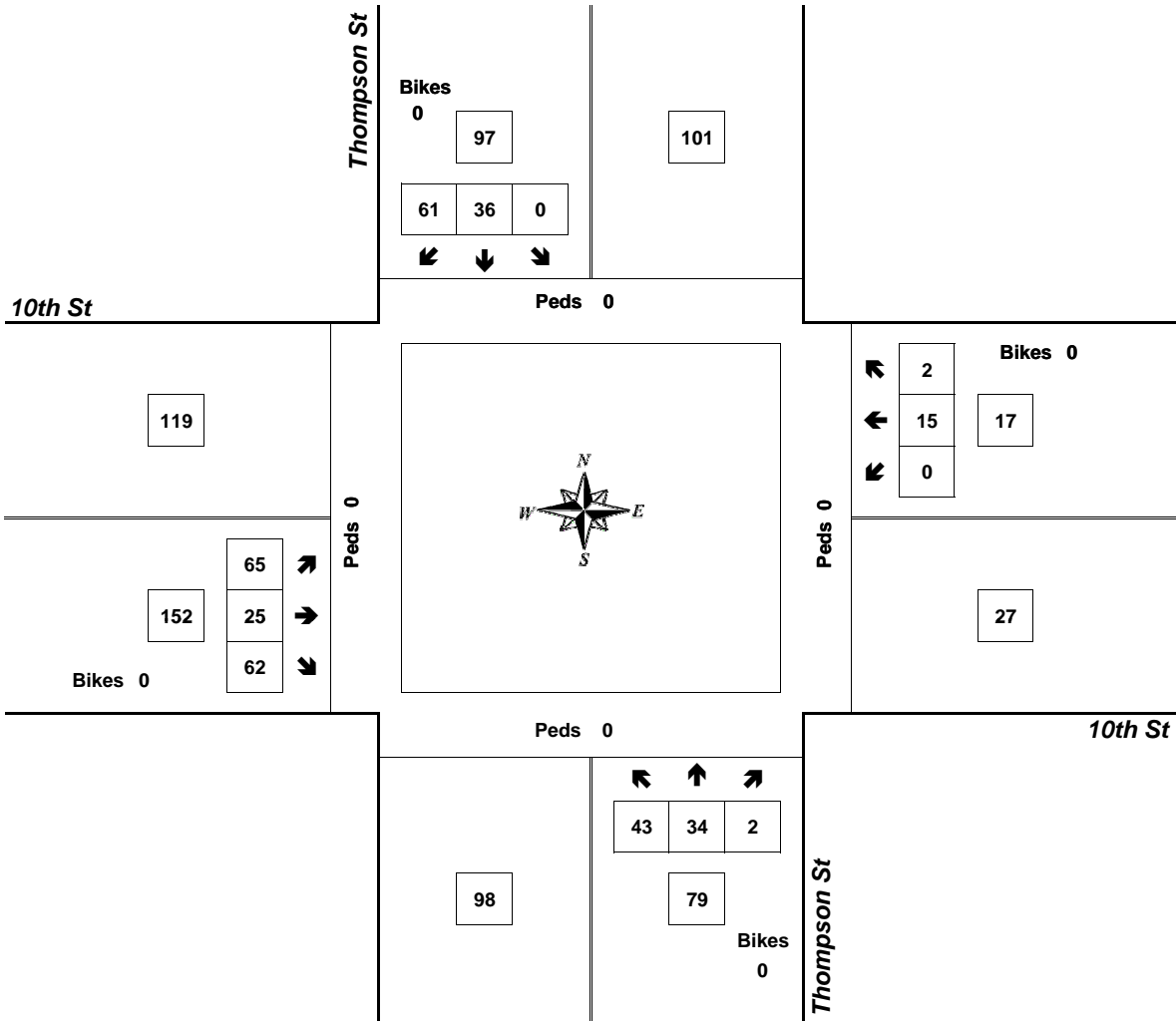
Peak Hour Summary



Clay Carney
(503) 833-2740

Thompson St & 10th St

4:45 PM to 5:45 PM
Thursday, January 09, 2020



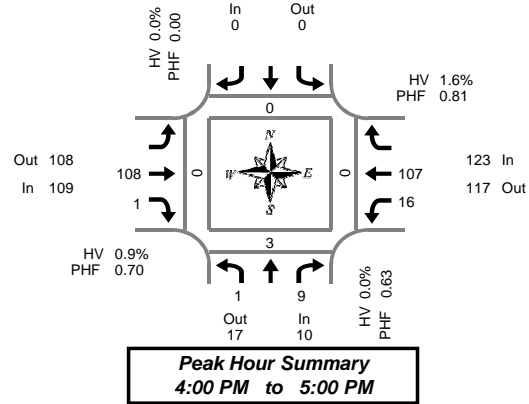
Approach	PHF	HV%	Volume
EB	0.81	0.0%	152
WB	0.71	0.0%	17
NB	0.73	0.0%	79
SB	0.81	2.1%	97
Intersection	0.86	0.6%	345

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Richond St & Old Dufur Rd

Thursday, January 09, 2020
4:00 PM to 6:00 PM

**5-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	0	1	0			0	7	0	0	2	5	0	15	0	1	0	0
4:05 PM	0	2	0			0	5	0	0	1	9	0	17	0	0	0	0
4:10 PM	0	0	0			0	12	0	0	1	9	0	22	0	0	0	0
4:15 PM	0	2	0			0	10	0	0	3	11	0	26	0	0	0	0
4:20 PM	0	1	0			0	17	0	0	1	9	0	28	0	1	0	0
4:25 PM	0	0	0			0	9	0	0	2	9	0	20	0	1	0	0
4:30 PM	0	2	0			0	6	0	0	3	9	0	20	0	0	0	0
4:35 PM	0	0	0			0	10	1	0	1	14	0	26	0	0	0	0
4:40 PM	0	0	0			0	14	0	0	1	7	0	22	0	0	0	0
4:45 PM	0	0	0			0	7	0	0	0	12	0	19	0	0	0	0
4:50 PM	1	1	0			0	5	0	0	0	10	0	17	0	0	0	0
4:55 PM	0	0	0			0	6	0	0	1	3	0	10	0	0	0	0
5:00 PM	0	0	0			0	3	1	0	0	6	0	10	0	0	0	0
5:05 PM	0	0	0			0	7	0	0	3	7	0	17	0	0	0	0
5:10 PM	0	0	0			0	9	1	0	4	8	0	22	0	0	0	0
5:15 PM	1	1	0			0	10	0	0	2	11	0	25	0	0	0	0
5:20 PM	0	1	0			0	10	0	0	2	8	0	21	0	0	0	0
5:25 PM	0	1	0			0	9	0	0	1	9	0	20	0	0	0	0
5:30 PM	0	0	0			0	8	0	0	3	5	0	16	0	0	0	0
5:35 PM	0	1	0			0	4	1	0	0	6	0	12	0	0	0	0
5:40 PM	0	0	0			0	6	0	0	1	8	0	15	0	0	0	0
5:45 PM	1	1	0			0	8	0	0	0	4	0	14	0	0	0	0
5:50 PM	0	1	0			0	8	0	0	0	5	0	14	0	0	0	0
5:55 PM	1	1	0			0	5	0	0	1	4	0	12	0	0	0	0
Total Survey	4	16	0			0	195	4	0	33	188	0	440	0	3	0	0

**15-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	0	3	0			0	24	0	0	4	23	0	54	0	1	0	0
4:15 PM	0	3	0			0	36	0	0	6	29	0	74	0	2	0	0
4:30 PM	0	2	0			0	30	1	0	5	30	0	68	0	0	0	0
4:45 PM	1	1	0			0	18	0	0	1	25	0	46	0	0	0	0
5:00 PM	0	0	0			0	19	2	0	7	21	0	49	0	0	0	0
5:15 PM	1	3	0			0	29	0	0	5	28	0	66	0	0	0	0
5:30 PM	0	1	0			0	18	1	0	4	19	0	43	0	0	0	0
5:45 PM	2	3	0			0	21	0	0	1	13	0	40	0	0	0	0
Total Survey	4	16	0			0	195	4	0	33	188	0	440	0	3	0	0

**Peak Hour Summary
4:00 PM to 5:00 PM**

By Approach	Northbound Richond St				Southbound Richond St				Eastbound Old Dufur Rd				Westbound Old Dufur Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	10	17	27	0	0	0	0	0	109	108	217	0	123	117	240	0	242	0	3	0	0
%HV	0.0%				0.0%				0.9%				1.6%				1.2%				
PHF	0.63				0.00				0.70				0.81				0.80				

By Movement	Northbound Richond St				Southbound Richond St				Eastbound Old Dufur Rd				Westbound Old Dufur Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	1	9	10	0			0	0	108	1	109	0	16	107	123	0	242
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	0.9%	0.0%	0.9%	0.0%	1.9%	NA	1.6%	1.2%
PHF	0.25	0.56	0.63	0.00			0.00	0.00	0.69	0.25	0.70	0.67	0.81	0.81	0.81	0.81	0.80

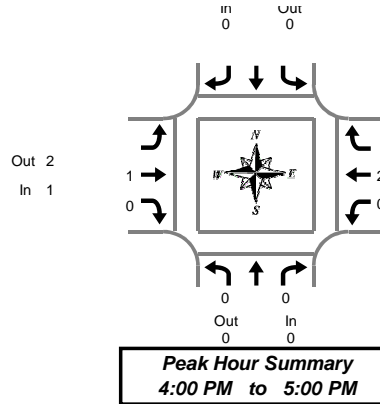
**Rolling Hour Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	1	9	0			0	108	1	0	16	107	0	242	0	3	0	0
4:15 PM	1	6	0			0	103	3	0	19	105	0	237	0	2	0	0
4:30 PM	2	6	0			0	96	3	0	18	104	0	229	0	0	0	0
4:45 PM	2	5	0			0	84	3	0	17	93	0	204	0	0	0	0
5:00 PM	3	7	0			0	87	3	0	17	81	0	198	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Richond St & Old Dufur Rd

Thursday, January 09, 2020
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Interval Total	
	L	R	Total			Total	T	R	Total	L	T	Total		
4:00 PM	0	0	0			0			0	0	0	0	0	
4:05 PM	0	0	0			0			0	0	0	0	0	
4:10 PM	0	0	0			0			0	0	0	0	0	
4:15 PM	0	0	0			0			0	0	0	0	0	
4:20 PM	0	0	0			0			0	0	0	0	0	
4:25 PM	0	0	0			0			1	0	1	0	2	
4:30 PM	0	0	0			0			0	0	0	0	0	
4:35 PM	0	0	0			0			0	0	0	0	0	
4:40 PM	0	0	0			0			0	0	0	0	0	
4:45 PM	0	0	0			0			0	0	0	0	0	
4:50 PM	0	0	0			0			0	0	0	1	1	
4:55 PM	0	0	0			0			0	0	0	0	0	
5:00 PM	0	0	0			0			0	0	1	1	1	
5:05 PM	0	0	0			0			0	0	0	0	0	
5:10 PM	0	0	0			0			0	0	0	0	0	
5:15 PM	0	0	0			0			0	0	0	0	0	
5:20 PM	0	0	0			0			0	0	0	0	0	
5:25 PM	0	0	0			0			0	0	0	0	0	
5:30 PM	0	0	0			0			0	0	0	0	0	
5:35 PM	0	0	0			0			0	0	0	0	0	
5:40 PM	0	0	0			0			0	0	0	0	0	
5:45 PM	0	0	0			0			0	0	0	0	0	
5:50 PM	0	0	0			0			0	0	0	0	0	
5:55 PM	0	0	0			0			0	0	0	0	0	
Total Survey	0	0	0			0			1	0	1	0	3	4

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Interval Total	
	L	R	Total			Total	T	R	Total	L	T	Total		
4:00 PM	0	0	0			0			0	0	0	0	0	
4:15 PM	0	0	0			0			1	0	1	0	2	
4:30 PM	0	0	0			0			0	0	0	0	0	
4:45 PM	0	0	0			0			0	0	0	1	1	
5:00 PM	0	0	0			0			0	0	0	1	1	
5:15 PM	0	0	0			0			0	0	0	0	0	
5:30 PM	0	0	0			0			0	0	0	0	0	
5:45 PM	0	0	0			0			0	0	0	0	0	
Total Survey	0	0	0			0			1	0	1	0	3	4

Heavy Vehicle Peak Hour Summary 4:00 PM to 5:00 PM

By Approach	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	1	2	3	2	1	3	3
PHF	0.00			0.00			0.25			0.50			0.38

By Movement	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Total	
	L	R	Total			Total	T	R	Total	L	T	Total		
Volume	0	0	0			0			1	0	1	0	2	3
PHF	0.00	0.00	0.00			0.00			0.25	0.00	0.25	0.00	0.50	0.38

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Richond St			Southbound Richond St			Eastbound Old Dufur Rd			Westbound Old Dufur Rd			Interval Total	
	L	R	Total			Total	T	R	Total	L	T	Total		
4:00 PM	0	0	0			0			1	0	1	0	2	3
4:15 PM	0	0	0			0			1	0	1	0	3	4
4:30 PM	0	0	0			0			0	0	0	2	2	2
4:45 PM	0	0	0			0			0	0	0	2	2	2
5:00 PM	0	0	0			0			0	0	0	1	1	1

Peak Hour Summary



Clay Carney
(503) 833-2740

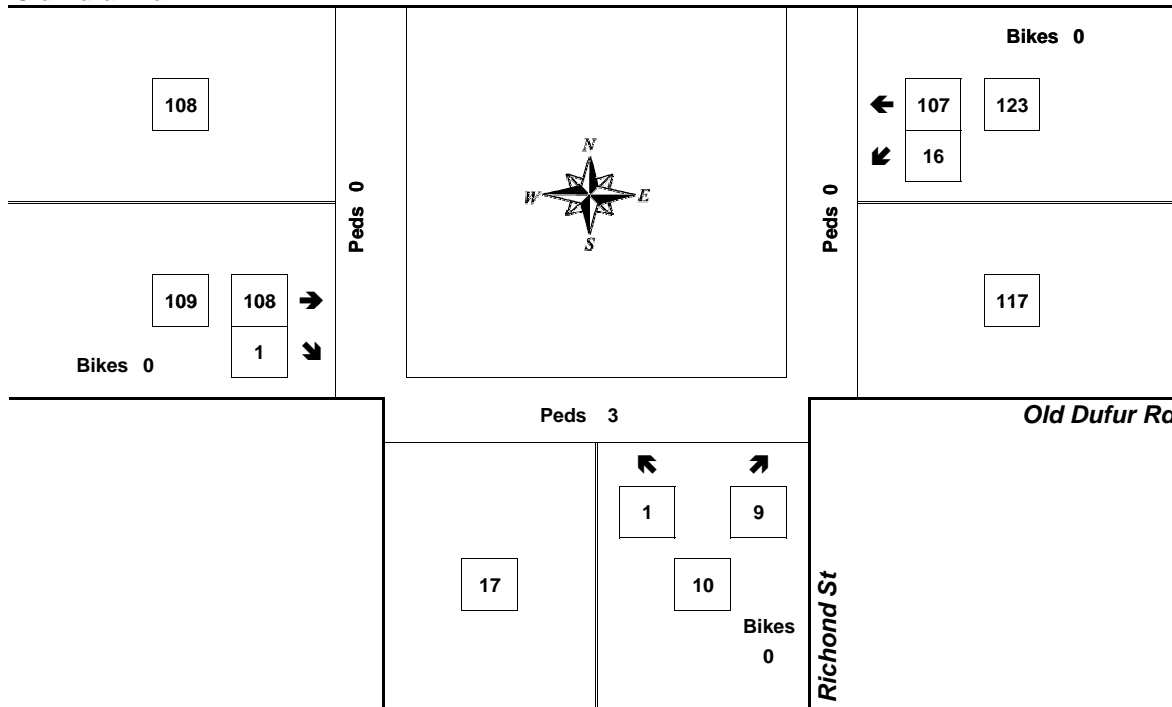
Richond St & Old Dufur Rd

4:00 PM to 5:00 PM
Thursday, January 09, 2020

Bikes
0

Old Dufur Rd

Peds 0



Approach	PHF	HV%	Volume
EB	0.70	0.9%	109
WB	0.81	1.6%	123
NB	0.63	0.0%	10
SB	0.00	0.0%	0
Intersection	0.80	1.2%	242

Count Period: 4:00 PM to 6:00 PM

APPENDIX B

Level of Service (LOS) Description

TRAFFIC LEVELS OF SERVICE

Analysis of traffic volumes is useful in understanding the general nature of traffic in an area, but by itself indicates neither the ability of the street network to carry additional traffic nor the quality of service afforded by the street facilities. For this, the concept of level of service has been developed to subjectively describe traffic performance. Level of service can be measured at intersections and along key roadway segments.

Levels of service categories are similar to report card ratings for traffic performance. Intersections are typically the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently is generally diminished in their vicinities. Levels of Service A, B and C indicate conditions where traffic moves without significant delays over periods of peak travel demand. Level of service D and E are progressively worse peak hour operating conditions and F conditions represent where demand exceeds the capacity of an intersection. Most urban communities set level of service D as the minimum acceptable level of service for peak hour operation and plan for level of service C or better for all other times of the day. The Highway Capacity Manual provides level of service calculation methodology for both intersections and arterials¹. The following two sections provide interpretations of the analysis approaches.

¹ 2000 *Highway Capacity Manual*, Transportation Research Board, Washington D.C., 2000, Chapter 16 and 17.

UNSIGNALIZED INTERSECTIONS (Two-Way Stop Controlled)

Unsignalized intersection level of service is reported for the major street and minor street (generally, left turn movements). The method assesses available and critical gaps in the traffic stream which make it possible for side street traffic to enter the main street flow. The 2010 Highway Capacity Manual describes the detailed methodology. It is not unusual for an intersection to experience level of service E or F conditions for the minor street left turn movement. It should be understood that, often, a poor level of service is experienced by only a few vehicles and the intersection as a whole operates acceptably.

Unsignalized intersection levels of service are described in the following table.

Level-of-Service Criteria: Automobile Mode

Control Delay (s/vehicle)	LOS by Volume-to-Capacity Ratio	
	$v/c \leq 1.0$	$v/c > 1.0$
0-10	A	F
>10-15	B	F
>15-25	C	F
>25-35	D	F
>35-50	E	F
>50	F	F

Note: The LOS criteria apply to each lane on a given approach and to each approach on the minor street.
LOS is not calculated for major-street approaches or for the intersection as a whole

SIGNALIZED INTERSECTIONS

For signalized intersections, level of service is evaluated based upon average vehicle delay experienced by vehicles entering an intersection. Control delay (or signal delay) includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. In previous versions of this chapter of the HCM (1994 and earlier), delay included only stopped delay. As delay increases, the level of service decreases. Calculations for signalized and unsignalized intersections are different due to the variation in traffic control. The 2000 Highway Capacity Manual provides the basis for these calculations.

Level of Service	Delay (secs.)	Description
A	<10.00	Free Flow/Insignificant Delays: No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. Most vehicles do not stop at all. Progression is extremely favorable and most vehicles arrive during the green phase.
B	10.1-20.0	Stable Operation/Minimal Delays: An occasional approach phase is fully utilized. Many drivers begin to feel somewhat restricted within platoons of vehicles. This level generally occurs with good progression, short cycle lengths, or both.
C	20.1-35.0	Stable Operation/Acceptable Delays: Major approach phases fully utilized. Most drivers feel somewhat restricted. Higher delays may result from fair progression, longer cycle lengths, or both. Individual cycle failures may begin to appear at this level, and the number of vehicles stopping is significant.
D	35.1-55.0	Approaching Unstable/Tolerable Delays: The influence of congestion becomes more noticeable. Drivers may have to wait through more than one red signal indication. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. The proportion of vehicles not stopping declines, and individual cycle failures are noticeable.
E	55.1-80.0	Unstable Operation/Significant Delays: Volumes at or near capacity. Vehicles may wait through several signal cycles. Long queues form upstream from intersection. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are a frequent occurrence.
F	>80.0	Forced Flow/Excessive Delays: Represents jammed conditions. Queues may block upstream intersections. This level occurs when arrival flow rates exceed intersection capacity, and is considered to be unacceptable to most drivers. Poor progression, long cycle lengths, and v/c ratios approaching 1.0 may contribute to these high delay levels.

Source: 2000 Highway Capacity Manual, Transportation Research Board, Washington D.C.

APPENDIX C

Highway Capacity Manual Reports - Existing

HCM 6th TWSC
2: Thompson Street & 12th Street

Intersection												
Int Delay, s/veh	4.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	35	16	16	0	6	9	9	36	0	7	56	24
Future Vol, veh/h	35	16	16	0	6	9	9	36	0	7	56	24
Conflicting Peds, #/hr	4	0	0	0	0	4	0	0	2	2	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	84	84	84	84	84	84	84	84	84	84	84	84
Heavy Vehicles, %	0	0	0	0	0	0	0	0	0	0	0	0
Mvmt Flow	42	19	19	0	7	11	11	43	0	8	67	29

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	176	165	82	184	179	49	96	0	0	45	0	0
Stage 1	98	98	-	67	67	-	-	-	-	-	-	-
Stage 2	78	67	-	117	112	-	-	-	-	-	-	-
Critical Hdwy	7.1	6.5	6.2	7.1	6.5	6.2	4.1	-	-	4.1	-	-
Critical Hdwy Stg 1	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	4	3.3	2.2	-	-	2.2	-	-
Pot Cap-1 Maneuver	791	731	983	781	718	1025	1510	-	-	1576	-	-
Stage 1	913	818	-	948	843	-	-	-	-	-	-	-
Stage 2	936	843	-	892	807	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	766	721	983	742	708	1019	1510	-	-	1573	-	-
Mov Cap-2 Maneuver	766	721	-	742	708	-	-	-	-	-	-	-
Stage 1	907	814	-	939	835	-	-	-	-	-	-	-
Stage 2	908	835	-	850	803	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10		9.2		1.5		0.6	
HCM LOS	B		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1510	-	-	796	867	1573	-	-
HCM Lane V/C Ratio	0.007	-	-	0.1	0.021	0.005	-	-
HCM Control Delay (s)	7.4	0	-	10	9.2	7.3	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.1	0	-	-

HCM 6th TWSC
3: Richmond Street & Old Dufur Road

Intersection						
Int Delay, s/veh	0.9					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	108	1	16	107	1	9
Future Vol, veh/h	108	1	16	107	1	9
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	80	80	80	80
Heavy Vehicles, %	1	0	0	2	0	0
Mvmt Flow	135	1	20	134	1	11

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	139	0	313
Stage 1	-	-	-	-	139
Stage 2	-	-	-	-	174
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	1457	-	684
Stage 1	-	-	-	-	893
Stage 2	-	-	-	-	861
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1453	-	672
Mov Cap-2 Maneuver	-	-	-	-	672
Stage 1	-	-	-	-	890
Stage 2	-	-	-	-	848

Approach	EB	WB	NB
HCM Control Delay, s	0	1	9.1
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	881	-	-	1453	-
HCM Lane V/C Ratio	0.014	-	-	0.014	-
HCM Control Delay (s)	9.1	-	-	7.5	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection Level Of Service Report
Intersection 1: 10th Street/Thompson Street

Control Type:	Two-way stop	Delay (sec / veh):	10.6
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	1 hour	Volume to Capacity (v/c):	0.059

Intersection Setup

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Approach	Northbound			Eastbound			Westbound			Southwestbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	25.00			35.00			25.00			35.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Base Volume Input [veh/h]	43	34	2	65	25	62	0	15	2	0	36	61
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	43	34	2	65	25	62	0	15	2	0	36	61
Peak Hour Factor	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	10	1	19	7	18	0	4	1	0	10	18
Total Analysis Volume [veh/h]	50	40	2	76	29	72	0	17	2	0	42	71
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Free	Stop	Free
Flared Lane	No		No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No		No	
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.05	0.00	0.00	0.00	0.00	0.00	0.02	0.00	0.00	0.02	0.00
d_M, Delay for Movement [s/veh]	10.56	10.46	9.37	0.00	0.00	0.00	9.98	10.31	8.91	7.50	7.56	0.00
Movement LOS	B	B	A	A	A	A	A	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.36	0.36	0.36	0.00	0.00	0.00	0.07	0.07	0.07	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	9.02	9.02	9.02	0.00	0.00	0.00	1.82	1.82	1.82	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	10.49			0.00			10.14			2.81		
Approach LOS	B			A			B			A		
d_I, Intersection Delay [s/veh]	3.69											
Intersection LOS	B											

APPENDIX D

Highway Capacity Manual Reports – Short-Term (2023)

Intersection												
Int Delay, s/veh	4.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	36	16	16	0	6	9	9	37	0	7	58	25
Future Vol, veh/h	36	16	16	0	6	9	9	37	0	7	58	25
Conflicting Peds, #/hr	4	0	0	0	0	4	0	0	2	2	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	84	84	84	84	84	84	84	84	84	84	84	84
Heavy Vehicles, %	0	0	0	0	0	0	0	0	0	0	0	0
Mvmt Flow	43	19	19	0	7	11	11	44	0	8	69	30

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	179	168	84	187	183	50	99	0	0	46	0	0
Stage 1	100	100	-	68	68	-	-	-	-	-	-	-
Stage 2	79	68	-	119	115	-	-	-	-	-	-	-
Critical Hdwy	7.1	6.5	6.2	7.1	6.5	6.2	4.1	-	-	4.1	-	-
Critical Hdwy Stg 1	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	4	3.3	2.2	-	-	2.2	-	-
Pot Cap-1 Maneuver	787	728	981	778	715	1024	1507	-	-	1575	-	-
Stage 1	911	816	-	947	842	-	-	-	-	-	-	-
Stage 2	935	842	-	890	804	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	763	718	981	739	705	1018	1507	-	-	1572	-	-
Mov Cap-2 Maneuver	763	718	-	739	705	-	-	-	-	-	-	-
Stage 1	905	812	-	938	834	-	-	-	-	-	-	-
Stage 2	907	834	-	848	800	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10.1		9.3		1.4		0.6	
HCM LOS	B		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1507	-	-	793	864	1572	-	-
HCM Lane V/C Ratio	0.007	-	-	0.102	0.021	0.005	-	-
HCM Control Delay (s)	7.4	0	-	10.1	9.3	7.3	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.1	0	-	-

HCM 6th TWSC
3: Richmond Street & Old Dufur Road

Intersection						
Int Delay, s/veh	0.9					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	111	1	16	110	1	9
Future Vol, veh/h	111	1	16	110	1	9
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	80	80	80	80
Heavy Vehicles, %	1	0	0	2	0	0
Mvmt Flow	139	1	20	138	1	11

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	143	0	321
Stage 1	-	-	-	-	143
Stage 2	-	-	-	-	178
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	1452	-	677
Stage 1	-	-	-	-	889
Stage 2	-	-	-	-	858
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1448	-	665
Mov Cap-2 Maneuver	-	-	-	-	665
Stage 1	-	-	-	-	886
Stage 2	-	-	-	-	845

Approach	EB	WB	NB
HCM Control Delay, s	0	1	9.2
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	875	-	-	1448	-
HCM Lane V/C Ratio	0.014	-	-	0.014	-
HCM Control Delay (s)	9.2	-	-	7.5	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection Level Of Service Report
Intersection 1: 10th Street/Thompson Street

Control Type:	Two-way stop	Delay (sec / veh):	10.6
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	1 hour	Volume to Capacity (v/c):	0.061

Intersection Setup

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Approach	Northbound			Eastbound			Westbound			Southwestbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	25.00			35.00			25.00			35.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Base Volume Input [veh/h]	44	35	2	67	26	64	0	15	2	0	37	63
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	44	35	2	67	26	64	0	15	2	0	37	63
Peak Hour Factor	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	10	1	19	8	19	0	4	1	0	11	18
Total Analysis Volume [veh/h]	51	41	2	78	30	74	0	17	2	0	43	73
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Free	Stop	Free
Flared Lane	No		No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No		No	
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.05	0.00	0.00	0.00	0.00	0.00	0.02	0.00	0.00	0.03	0.00
d_M, Delay for Movement [s/veh]	10.64	10.51	9.41	0.00	0.00	0.00	10.03	10.35	8.93	7.51	7.57	0.00
Movement LOS	B	B	A	A	A	A	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.37	0.37	0.37	0.00	0.00	0.00	0.07	0.07	0.07	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	9.36	9.36	9.36	0.00	0.00	0.00	1.84	1.84	1.84	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	10.55			0.00			10.19			2.80		
Approach LOS	B			A			B			A		
d_I, Intersection Delay [s/veh]	3.69											
Intersection LOS	B											

Intersection												
Int Delay, s/veh	4.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	36	27	16	1	12	9	9	37	2	7	58	25
Future Vol, veh/h	36	27	16	1	12	9	9	37	2	7	58	25
Conflicting Peds, #/hr	4	0	0	0	0	4	0	0	2	2	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	84	84	84	84	84	84	84	84	84	84	84	84
Heavy Vehicles, %	0	0	0	0	0	0	0	0	0	0	0	0
Mvmt Flow	43	32	19	1	14	11	11	44	2	8	69	30

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	184	170	84	195	184	51	99	0	0	48	0	0
Stage 1	100	100	-	69	69	-	-	-	-	-	-	-
Stage 2	84	70	-	126	115	-	-	-	-	-	-	-
Critical Hdwy	7.1	6.5	6.2	7.1	6.5	6.2	4.1	-	-	4.1	-	-
Critical Hdwy Stg 1	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	4	3.3	2.2	-	-	2.2	-	-
Pot Cap-1 Maneuver	781	727	981	769	714	1023	1507	-	-	1572	-	-
Stage 1	911	816	-	946	841	-	-	-	-	-	-	-
Stage 2	929	841	-	883	804	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	751	717	981	721	704	1017	1507	-	-	1569	-	-
Mov Cap-2 Maneuver	751	717	-	721	704	-	-	-	-	-	-	-
Stage 1	905	812	-	937	833	-	-	-	-	-	-	-
Stage 2	894	833	-	827	800	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10.3		9.6		1.4		0.6	
HCM LOS	B		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1507	-	-	775	806	1569	-	-
HCM Lane V/C Ratio	0.007	-	-	0.121	0.032	0.005	-	-
HCM Control Delay (s)	7.4	0	-	10.3	9.6	7.3	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.1	0	-	-

Intersection						
Int Delay, s/veh	1.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	111	1	34	110	1	20
Future Vol, veh/h	111	1	34	110	1	20
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	80	80	80	80
Heavy Vehicles, %	1	0	0	2	0	0
Mvmt Flow	139	1	43	138	1	25

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	143	0	367
Stage 1	-	-	-	-	143
Stage 2	-	-	-	-	224
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	1452	-	637
Stage 1	-	-	-	-	889
Stage 2	-	-	-	-	818
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1448	-	615
Mov Cap-2 Maneuver	-	-	-	-	615
Stage 1	-	-	-	-	858
Stage 2	-	-	-	-	818

Approach	EB	WB	NB
HCM Control Delay, s	0	1.8	9.2
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	887	-	-	1448	-
HCM Lane V/C Ratio	0.03	-	-	0.029	-
HCM Control Delay (s)	9.2	-	-	7.6	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0.1	-

Intersection Level Of Service Report
Intersection 1: 10th Street/Thompson Street

Control Type:	Two-way stop	Delay (sec / veh):	11.0
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	1 hour	Volume to Capacity (v/c):	0.065

Intersection Setup

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Approach	Northbound			Eastbound			Westbound			Southwestbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	25.00			35.00			25.00			35.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Base Volume Input [veh/h]	44	35	2	67	47	64	0	27	2	0	37	63
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	44	35	2	67	47	64	0	27	2	0	37	63
Peak Hour Factor	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	10	1	19	14	19	0	8	1	0	11	18
Total Analysis Volume [veh/h]	51	41	2	78	55	74	0	31	2	0	43	73
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Free	Stop	Free
Flared Lane	No		No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No		No	
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.05	0.00	0.00	0.00	0.00	0.00	0.04	0.00	0.00	0.03	0.00
d_M, Delay for Movement [s/veh]	10.96	10.79	9.58	0.00	0.00	0.00	10.29	10.53	9.08	7.55	7.62	0.00
Movement LOS	B	B	A	A	A	A	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.39	0.39	0.39	0.00	0.00	0.00	0.13	0.13	0.13	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	9.86	9.86	9.86	0.00	0.00	0.00	3.28	3.28	3.28	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	10.85			0.00			10.43			2.82		
Approach LOS	B			A			B			A		
d_I, Intersection Delay [s/veh]	3.77											
Intersection LOS	B											

APPENDIX E

Highway Capacity Manual Reports – Mid-Term (2028)

HCM 6th TWSC
2: Thompson Street & 12th Street

Intersection												
Int Delay, s/veh	4.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	38	17	17	0	6	10	10	39	0	8	60	26
Future Vol, veh/h	38	17	17	0	6	10	10	39	0	8	60	26
Conflicting Peds, #/hr	4	0	0	0	0	4	0	0	2	2	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	84	84	84	84	84	84	84	84	84	84	84	84
Heavy Vehicles, %	0	0	0	0	0	0	0	0	0	0	0	0
Mvmt Flow	45	20	20	0	7	12	12	46	0	10	71	31

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	191	179	87	199	194	52	102	0	0	48	0	0
Stage 1	107	107	-	72	72	-	-	-	-	-	-	-
Stage 2	84	72	-	127	122	-	-	-	-	-	-	-
Critical Hdwy	7.1	6.5	6.2	7.1	6.5	6.2	4.1	-	-	4.1	-	-
Critical Hdwy Stg 1	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	4	3.3	2.2	-	-	2.2	-	-
Pot Cap-1 Maneuver	773	718	977	764	705	1021	1503	-	-	1572	-	-
Stage 1	903	811	-	943	839	-	-	-	-	-	-	-
Stage 2	929	839	-	882	799	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	747	706	977	722	693	1015	1503	-	-	1569	-	-
Mov Cap-2 Maneuver	747	706	-	722	693	-	-	-	-	-	-	-
Stage 1	896	805	-	934	831	-	-	-	-	-	-	-
Stage 2	899	831	-	836	793	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10.2		9.3		1.5		0.6	
HCM LOS	B		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1503	-	-	780	864	1569	-	-
HCM Lane V/C Ratio	0.008	-	-	0.11	0.022	0.006	-	-
HCM Control Delay (s)	7.4	0	-	10.2	9.3	7.3	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.1	0	-	-

HCM 6th TWSC
3: Richmond Street & Old Dufur Road

Intersection						
Int Delay, s/veh	0.9					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	117	1	17	116	1	10
Future Vol, veh/h	117	1	17	116	1	10
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	80	80	80	80
Heavy Vehicles, %	1	0	0	2	0	0
Mvmt Flow	146	1	21	145	1	13

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	150	0	337
Stage 1	-	-	-	-	150
Stage 2	-	-	-	-	187
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	1444	-	663
Stage 1	-	-	-	-	883
Stage 2	-	-	-	-	850
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1440	-	650
Mov Cap-2 Maneuver	-	-	-	-	650
Stage 1	-	-	-	-	880
Stage 2	-	-	-	-	836

Approach	EB	WB	NB
HCM Control Delay, s	0	1	9.2
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	869	-	-	1440	-
HCM Lane V/C Ratio	0.016	-	-	0.015	-
HCM Control Delay (s)	9.2	-	-	7.5	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection Level Of Service Report
Intersection 1: 10th Street/Thompson Street

Control Type:	Two-way stop	Delay (sec / veh):	10.8
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	1 hour	Volume to Capacity (v/c):	0.065

Intersection Setup

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Approach	Northbound			Eastbound			Westbound			Southwestbound		
Lane Configuration	←			←			←			↘		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	25.00			35.00			25.00			35.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Base Volume Input [veh/h]	46	37	2	70	27	67	0	16	2	0	39	66
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	46	37	2	70	27	67	0	16	2	0	39	66
Peak Hour Factor	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	11	1	20	8	19	0	5	1	0	11	19
Total Analysis Volume [veh/h]	53	43	2	81	31	78	0	19	2	0	45	77
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Free	Stop	Free
Flared Lane	No		No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No		No	
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.07	0.05	0.00	0.00	0.00	0.00	0.00	0.02	0.00	0.00	0.03	0.00
d_M, Delay for Movement [s/veh]	10.78	10.62	9.49	0.00	0.00	0.00	10.12	10.43	8.96	7.52	7.59	0.00
Movement LOS	B	B	A	A	A	A	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.40	0.40	0.40	0.00	0.00	0.00	0.08	0.08	0.08	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	10.04	10.04	10.04	0.00	0.00	0.00	1.98	1.98	1.98	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	10.68			0.00			10.27			2.82		
Approach LOS	B			A			B			A		
d_I, Intersection Delay [s/veh]	3.73											
Intersection LOS	B											

Intersection												
Int Delay, s/veh	4.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	38	28	17	1	12	10	10	39	2	8	60	26
Future Vol, veh/h	38	28	17	1	12	10	10	39	2	8	60	26
Conflicting Peds, #/hr	4	0	0	0	0	4	0	0	2	2	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	84	84	84	84	84	84	84	84	84	84	84	84
Heavy Vehicles, %	0	0	0	0	0	0	0	0	0	0	0	0
Mvmt Flow	45	33	20	1	14	12	12	46	2	10	71	31

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	195	181	87	206	195	53	102	0	0	50	0	0
Stage 1	107	107	-	73	73	-	-	-	-	-	-	-
Stage 2	88	74	-	133	122	-	-	-	-	-	-	-
Critical Hdwy	7.1	6.5	6.2	7.1	6.5	6.2	4.1	-	-	4.1	-	-
Critical Hdwy Stg 1	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.1	5.5	-	6.1	5.5	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	4	3.3	2.2	-	-	2.2	-	-
Pot Cap-1 Maneuver	769	717	977	756	704	1020	1503	-	-	1570	-	-
Stage 1	903	811	-	942	838	-	-	-	-	-	-	-
Stage 2	925	837	-	875	799	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	737	705	977	704	692	1014	1503	-	-	1567	-	-
Mov Cap-2 Maneuver	737	705	-	704	692	-	-	-	-	-	-	-
Stage 1	896	805	-	933	830	-	-	-	-	-	-	-
Stage 2	888	829	-	816	793	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10.4		9.6		1.5		0.6	
HCM LOS	B		A					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1503	-	-	764	804	1567	-	-
HCM Lane V/C Ratio	0.008	-	-	0.129	0.034	0.006	-	-
HCM Control Delay (s)	7.4	0	-	10.4	9.6	7.3	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.1	0	-	-

Intersection						
Int Delay, s/veh	1.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	117	1	35	116	1	21
Future Vol, veh/h	117	1	35	116	1	21
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	80	80	80	80	80	80
Heavy Vehicles, %	1	0	0	2	0	0
Mvmt Flow	146	1	44	145	1	26

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	150	0	383
Stage 1	-	-	-	-	150
Stage 2	-	-	-	-	233
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	1444	-	624
Stage 1	-	-	-	-	883
Stage 2	-	-	-	-	810
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1440	-	602
Mov Cap-2 Maneuver	-	-	-	-	602
Stage 1	-	-	-	-	851
Stage 2	-	-	-	-	810

Approach	EB	WB	NB
HCM Control Delay, s	0	1.8	9.2
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	879	-	-	1440	-
HCM Lane V/C Ratio	0.031	-	-	0.03	-
HCM Control Delay (s)	9.2	-	-	7.6	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0.1	-

Intersection Level Of Service Report
Intersection 1: 10th Street/Thompson Street

Control Type:	Two-way stop	Delay (sec / veh):	11.1
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	1 hour	Volume to Capacity (v/c):	0.069

Intersection Setup

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Approach	Northbound			Eastbound			Westbound			Southwestbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Entry Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [ft]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [mph]	25.00			35.00			25.00			35.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Thompson Street			10th Street			10th Street			Old Dufur Road		
Base Volume Input [veh/h]	46	37	2	70	48	67	0	28	2	0	39	66
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	46	37	2	70	48	67	0	28	2	0	39	66
Peak Hour Factor	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600	0.8600
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	11	1	20	14	19	0	8	1	0	11	19
Total Analysis Volume [veh/h]	53	43	2	81	56	78	0	33	2	0	45	77
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Free	Stop	Free
Flared Lane	No		No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No		No	
Number of Storage Spaces in Median	0	0	0	0

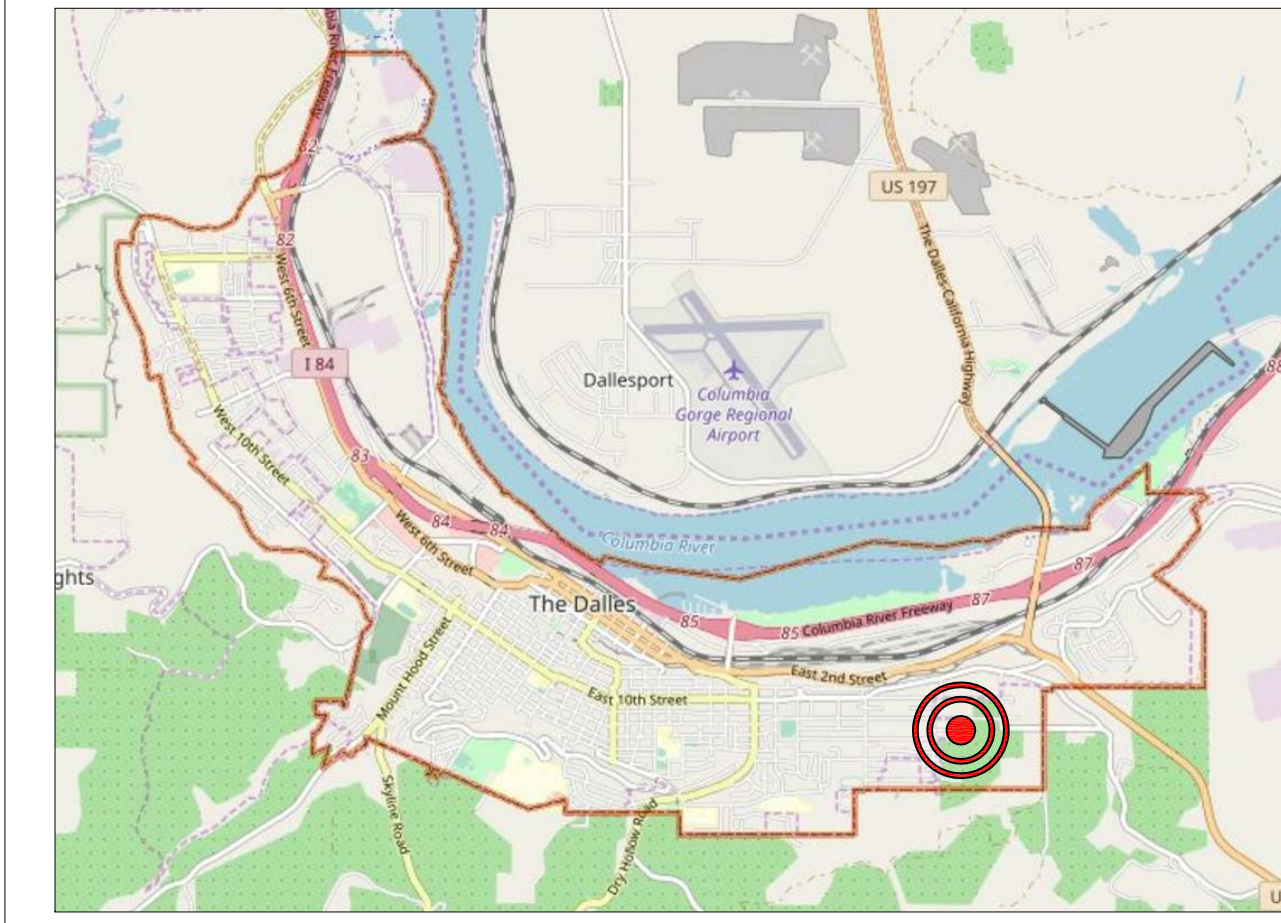
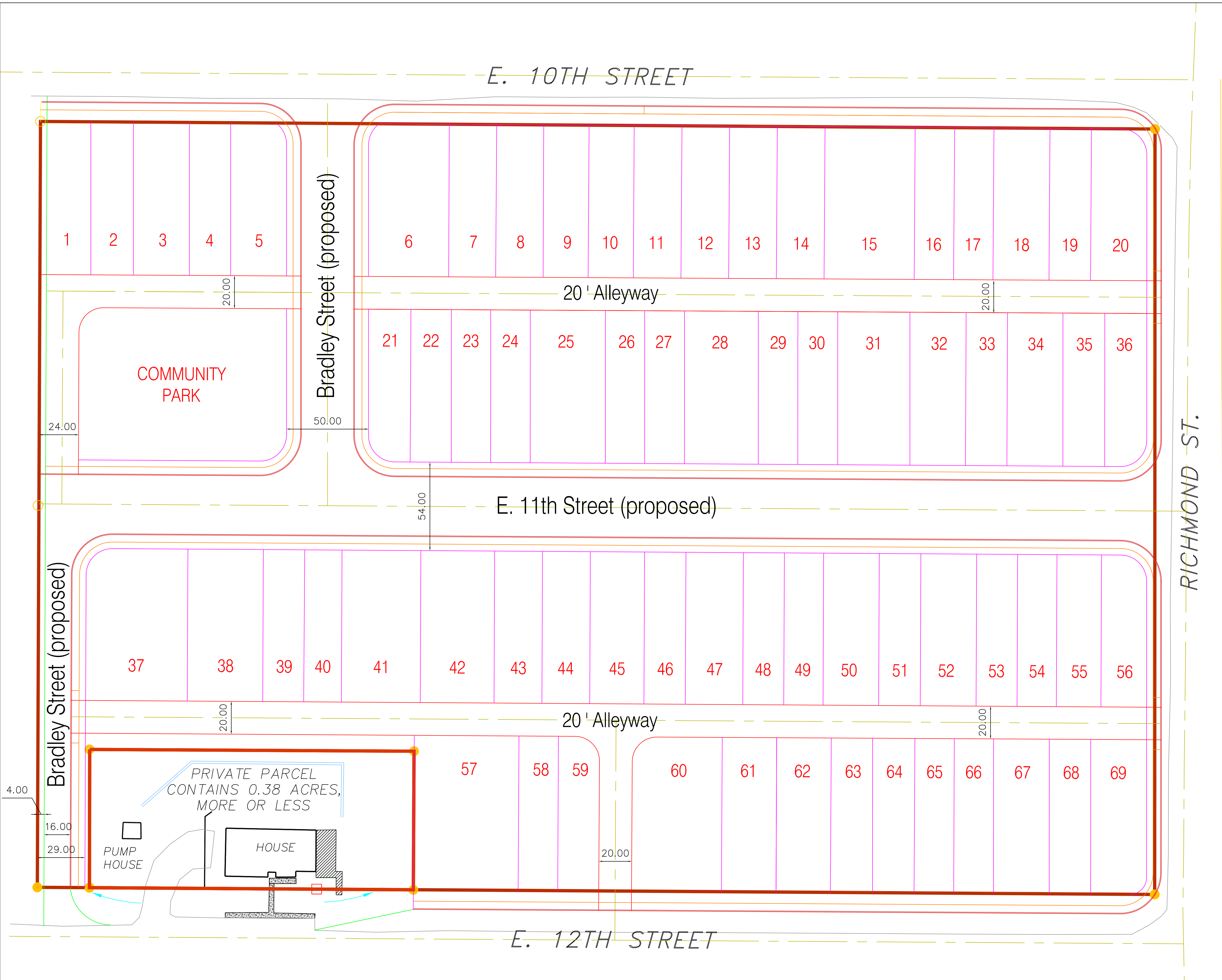
Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.07	0.05	0.00	0.00	0.00	0.00	0.00	0.04	0.00	0.00	0.03	0.00
d_M, Delay for Movement [s/veh]	11.11	10.90	9.66	0.00	0.00	0.00	10.39	10.61	9.12	7.57	7.64	0.00
Movement LOS	B	B	A	A	A	A	B	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.42	0.42	0.42	0.00	0.00	0.00	0.14	0.14	0.14	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	10.58	10.58	10.58	0.00	0.00	0.00	3.44	3.44	3.44	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	10.98			0.00			10.51			2.84		
Approach LOS	B			A			B			A		
d_I, Intersection Delay [s/veh]	3.82											
Intersection LOS	B											

APPENDIX F

Site Plan





SITE LOCATION MAP
Scale: NTS

Primary Parcel Size: 6.19 Acres
 Individual Lots: 69
 Community Park: .27 Acres

- Property Boundary ———
- Lot Line ———
- Centerline - - - - -
- Sidewalk Edge ———
- Curb Edge ———
- Gravel Edge ———

Subdivision - Plat Proposal
Scale: 1:30

The Grove Subdivision 2845 E. 12th The Dalles, Oregon		Designed GMH 2020 Drawn GMH 5/27 Checked	Approved _____ Date _____ Title _____ Job Class _____
Legacy Development Group Inc. BUILDING A LEGACY YOU CAN LIVE IN		LEGACY — DEVELOPMENT GROUP INC —	
REVISIONS	Description	Approved	
Date			
File No.			
Sheet of			

APPENDIX G

Traffic Volume Sensitivity Analysis

Sensitivity Analysis

A sensitivity analysis was conducted to determine if the study intersections would still meet the City operating standard (LOS D) under the 2028 Background + Project scenario with an increase to the collected traffic counts. The collected traffic counts were increased by 60%, 100%, 160%, and 200% to determine the level of increase that would be needed to exceed the City’s operating standards at any of the study intersections.

Figure G1 shows the results of this sensitivity analysis. Even if the collected traffic counts were increased by 160%, all three study intersections would operate with less delay the City’s operating standard (dotted red line). With a volume increase of 200% (which equals three-fold growth), the E 10th Street/Thompson Street intersection fails to meet the City’s LOS D standard.

For context, the Oregon Department of Transportation’s Analysis Procedures Manual suggests that traffic volumes should not be increased by more than 30% when adjusting for seasonal variations.

The sensitivity analysis confirms that all study intersections are expected to meet the City’s operating standard, even if the traffic counts collected do not represent the highest volume conditions that occur throughout the year.

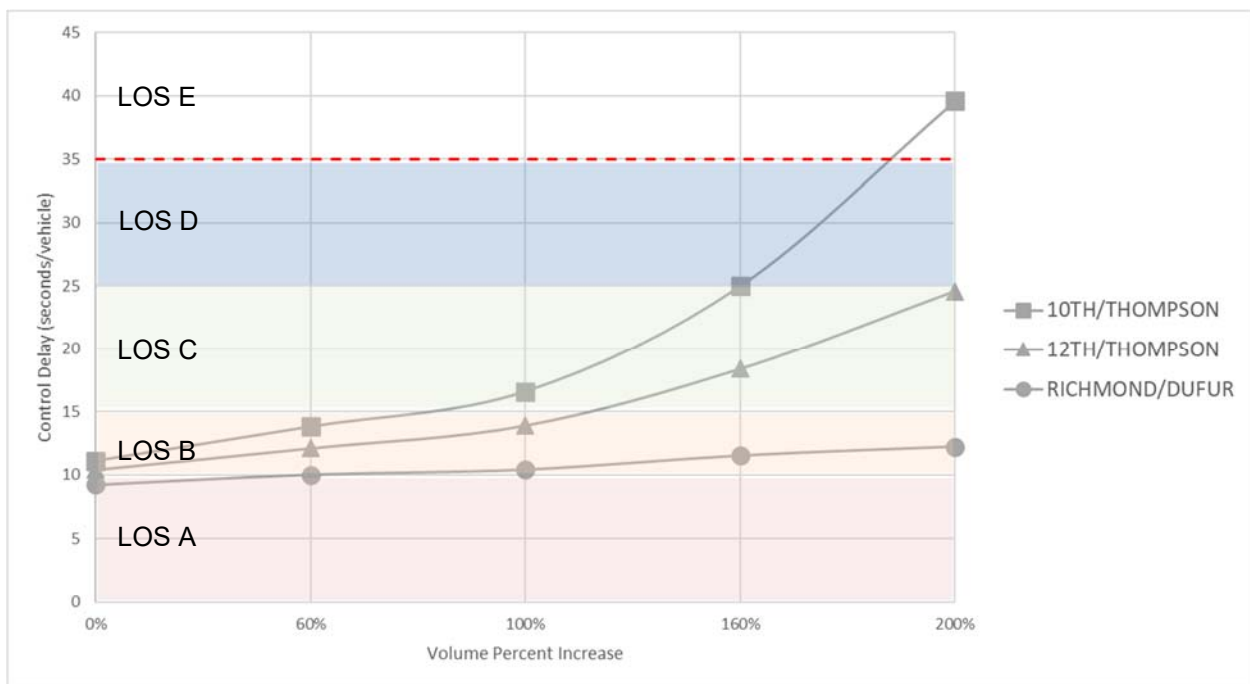
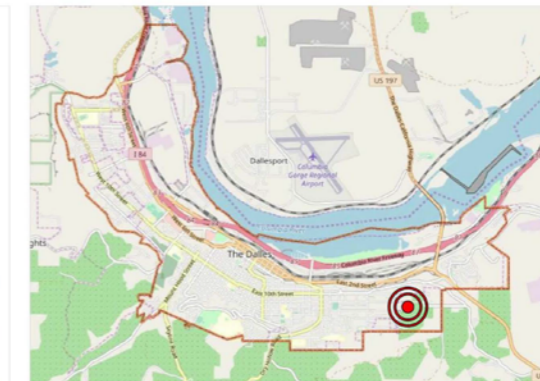
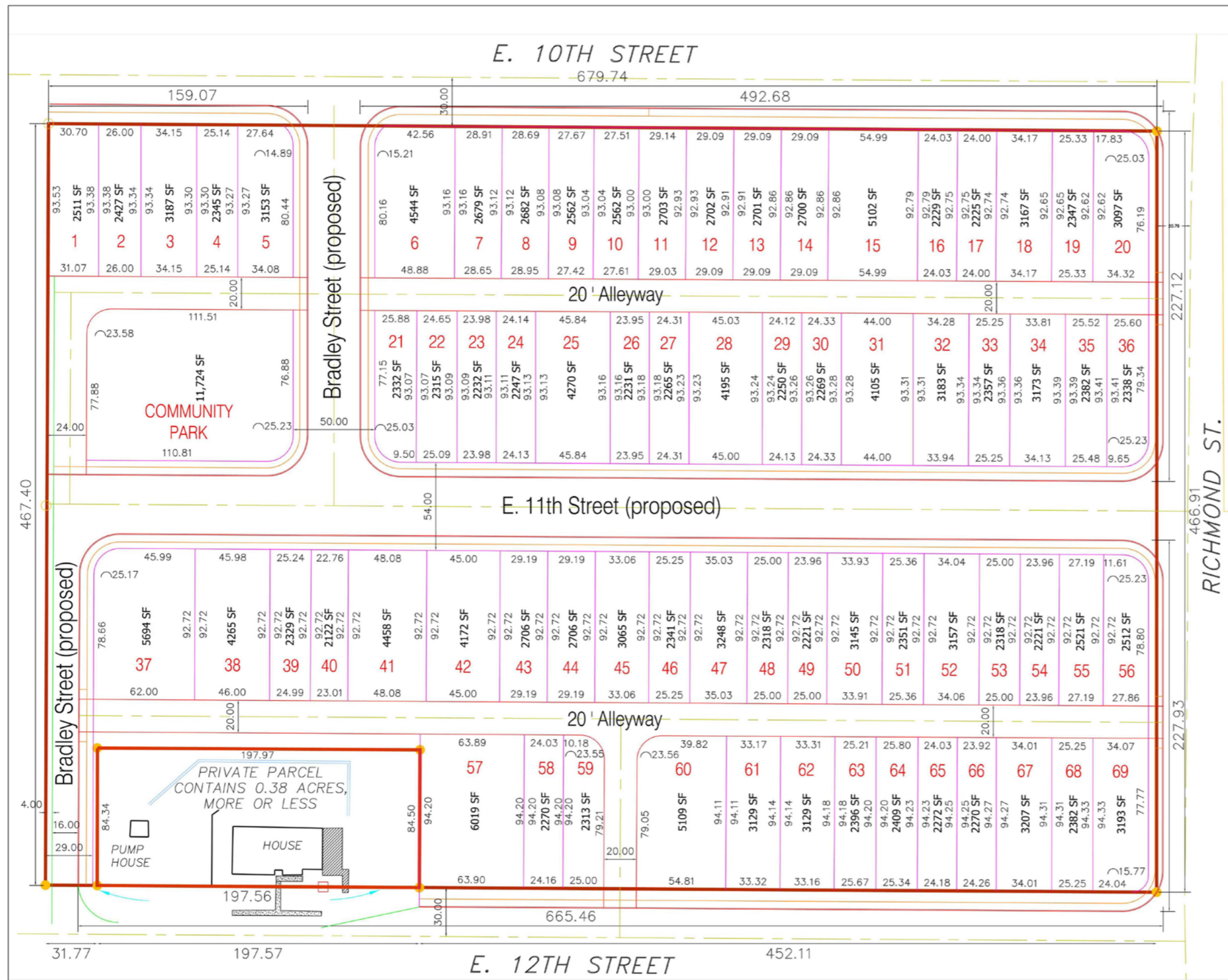


Figure G1: Sensitivity Analysis for Increasing Collected Traffic Counts

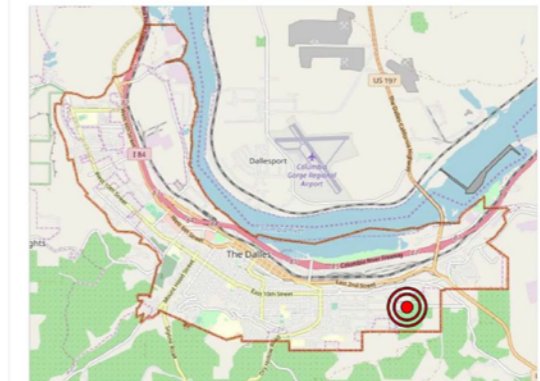


Primary Parcel Size: 6.19 Acres
Individual Lots: 69
Community Park: .27 Acres

- Property Boundary ———
- Lot Line ———
- Centerline ———
- Sidewalk Edge ———
- Curb Edge ———
- Gravel Edge ———

Subdivision - Plat Proposal
Scale: 1:30

REVISIONS Description Date	Approved	The Grove Subdivision 2845 E 12th The Dalles, Oregon Legacy Development Group Inc. BUILDING A LEGACY YOU CAN LIVE IN	Designed GMH 2020	Date _____
	Date _____		Drawn GMH 6/3	Checked _____
File No. _____	Sheet _____ of _____			



Individual Lots: 69
Residential Units: 80

	Bldg Type	Indv Dwelling
Single Family (1 LVL 1200SF)	6	6
Single Family (2 LVL 1800SF)	5	5
Duplex (2 LVL 1100SF)	10	20
Duplex (2 LVL 1200SF)	6	12
Duplex (2 LVL 1500SF)	4	8
Triplex (2 LVL 1600SF)	6	18
ADU (1 or 2 LVL 529SF)	11	11

- Property Boundary
- Lot Line
- Setback
- Centerline
- Sidewalk Edge
- Curb Edge
- Gravel Edge

Neighborhood Layout
Scale: 1:30

Designed CONCEPT 2019
Drawn CMH 04/20
Checked

The Grove Subdivision
The Dalles, Oregon

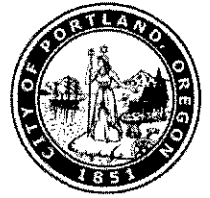
Legacy Development Group Inc.
BUILDING A LEGACY YOU CAN LIVE IN

Approved _____ Date _____
Title _____ Job Class _____

LEGACY
DEVELOPMENT GROUP INC.

REVISIONS
Date Description Approved

File No. _____
Sheet _____ of _____



Charlie
Hales
Mayor

John
Widmer
Interim
Director

April 10, 2013

Rep. Brian Clem, Chair
House Land Use Committee
900 Court St. NE, H-347
Salem, Oregon 97301

RE: Opposition to House Bill 3479

Chair Clem and Members of the Committee,

The Portland Bureau of Transportation (PBOT) opposes House Bill 3479. The proposed legislation would degrade the City's ability for system capacity improvements related to growth.

Development requirements for improving frontages on property are not equivalent to system development charges, which attempt to capture the impact of development upon the larger infrastructure system.

Oregon law gives local governments authority to assess Systems Development Charges (SDCs) on new development to pay for sewer, water, street, or park capital improvements. The state law specifies that the assessments be within an amount determined by the local government as the cost of accommodating the growth or capacity associated with new development.

PBOT has a defined list of capacity improvement projects located on collectors and arterials attributed to growth. The City's transportation system development charge (TSDC) program includes one-time fees assessed to new development and changes in use.

SDCs may only be spent on capacity increasing project components and may not pay for existing deficiencies within the system like frontage improvements. Projects that include existing deficiencies, (ie not capacity or growth related) may not have such components financed by SDCs. In rare cases where frontage improvements increase system capacity, state law (ORS 223.304) currently allows a credit to be applied by the City to offset the SDC.

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185
FAX 503-823-7576 • TTY 503-823-6868 • www.portlandoregon.gov/transportation

An Equal
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Employer

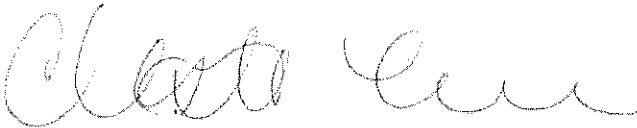
To ensure equal access, the Portland Bureau of Transportation will make accommodations in full compliance with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW Fifth Ave., Portland, OR 97204, or by telephone 503-823-5185, City TTY 503-823-6868, or use Oregon Relay Service: 711.

The proposal is focused on residential infill development and encompasses a broad spectrum of residential uses, including apartments, condominiums, mixed-use residential development, duplexes and triplexes, and detached single family residential structures. Large development with significant impacts to the transportation system would be associated with such a broad definition.

The proposed legislation also has an inherent conflict regarding the proposed SDC definition of a minor partition. It maintains an SDC does not include the “cost of complying with requirements or conditions imposed upon a land use decision, ...” yet attempts to include in the definition an SDC includes “minor partitions”.

We urge the Committee to oppose House Bill 3479.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Christine Leon".

Christine Leon
Development Services Division Manager
Portland Bureau of Transportation



CITY OF SPRINGFIELD, OREGON

DEVELOPMENT AND PUBLIC WORKS

225 FIFTH STREET
SPRINGFIELD, OR 97477
541-726-3753
www.springfield-or.gov/dept_pw.htm
www.springfield-or.gov

April 11, 2013

Hon. Brian Clem
Chair, House Land Use Committee
The Capitol
900 Court Street, N.E.
Salem, OR 97301

Dear Chair Clem and Members of the Committee:

I am writing to express to you concerns of the City of Springfield with respect to House Bill 3479, which is before you today. I apologize for the fact that the press of other business prevents me from attending in person.

This bill deals with an issue which, in my experience, is common among Oregon cities. Unfortunately, it deals with that issue in a way which is not only counterproductive for those who support the bill, but creates serious problems for the orderly administration of Systems Development Charges (SDC) imposed under the authority granted by ORS 223. 299, *et seq.* The City of Springfield opposes this legislation.

Not unlike the situation in The Dalles, where the precipitating issue occurred, the City of Springfield has 29 miles of unimproved streets within our city limits. These streets range from gravel roads to what we call asphalt mats, roadways which consist of nothing more than a layer of asphalt placed over some sort of gravel surface. These streets generally do not have sidewalks, an engineered stormwater system, streets lights and other amenities typically associated with City streets, and in some case also do not have a municipal sewer system.

For much longer than the 19 years I have served the city, our Council has maintained the policy that equity and fairness demand that when these streets are improved to urban standards, and all of the missing amenities are added, the owners of abutting properties should pay for the cost of those improvements, as did all of the previous residents of the City who either paid for them directly or found them incorporated into the price of the property they bought. In return, those property owners get the benefit of a commitment from the City to perpetual maintenance of the improved street. From my conversations with others across the state, including those in The Dalles, where this situation arose, that practice appears to be almost universal. This policy is enforced by directing staff to secure the appropriate commitments from property owners at the time they request approval of a land use action affecting the property. In Springfield's case, like many other cities, that often is a request for partition or subdivision of the property. At that time, one of the conditions of approval attached to that land use decision is a requirement to enter into a non-remonstrance agreement and, in Springfield's case, and improvement agreement which commits the property owner to fund their proportionate share of the future improvements. These agreements are recorded against the property affected.

Hon. Brian Clem
April 11, 2013
Page 2 of 3

Like many other cities, our Council does hear from citizens who don't like the practice, but remains steadfast in the view that the increase in property value which comes from having property on an improved street offsets the cost of funding the improvements, and puts those property owners in the same position as other property owners who have funded similar improvements. Like many other cities, our Council does not always require immediate construction, but rather allows construction to be deferred to a future time when economies of scale make the unit costs of construction lower. As mentioned previously, in those cases, owners are asked to agree not to remonstrate against the local improvement district which will ultimately be formed when a project of sufficient size can be assembled.

From Springfield's perspective there is no need to legislate with respect to a local solution that the City and its citizens have developed. It is neither prudent nor necessary to preempt local authority by mandating a statewide solution to a local concern. For this reason alone we believe the bill should not be approved.

In addition, the choice of Systems Development Charges to resolve this issue is particularly inappropriate. House Bill 3479 will impose burdens on cities but it will not achieve the result desired, which appears to be avoiding paying for the cost of street improvements. Given the limitations in ORS 223.299(1) (a) any charges for street improvement would be imposed as part of the Transportation SDC Methodology required to be developed under ORS 223.304. Since they relate to improvements not yet constructed, under ORS 223.299 (2) and (3) they would have to be part of the improvement fee. As a result, those fees must be based on a plan of capital improvements prepared pursuant to ORS 223.309. Typically those plans estimate need for capacity increasing improvements over a significant time window. In Springfield, like in many other cities, a 20 year plan is created. This means the city would be obliged to estimate the number of land use actions that will trigger the need for potential street improvements over that period of time to properly complete its plan of capital improvements.

Currently, under ORS 223.304(2)(a) the full estimated cost of those improvements is not included in the basis for calculating an SDC, only the amount that is the portion of the improvements that are needed for additional capacity. In my experience, the improvement of streets to urban standards is only partially attributable to a need for additional capacity. Consequently, only a portion, perhaps a small one, of the costs of the improvements could be included as part of the SDC methodology. In Springfield's case that is often as little as 12 percent of the cost of the improvement. While that amount could be included in the SDC, and charged as part of the SDC fee, it would generally be charged to all development in the community, based upon the amount of additional capacity that will be required by a development. The funds would then be commingled with all other Transportation SDCs and would be used for any eligible improvement subsequently required in the community. Typically SDC methodologies do not reserve SDC revenue for either specific projects or for specific geographic areas of the community, since they are calculated based on the total needs of the community as a whole.

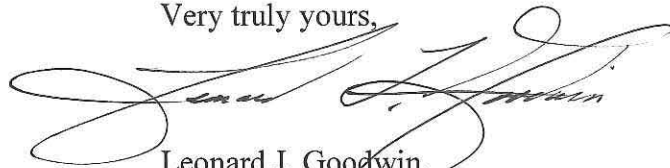
Hon. Brian Clem
April 11, 2013
Page 3 of 3

The balance of the cost of making the improvement, that portion not attributable to the need for additional transportation capacity (perhaps as much as 88 percent, based on Springfield's history), could not legally be funded from SDCs. At the time a particular street improvement is actually made, which could be many years in the future, it would be still assessed against the owner of the abutting property, since it could not legally be included as part of the SDC, a practice which, pursuant to the proposed bill's version of ORS 223.299(4) (c) would continue to be excluded from the definition of SDCs.

The end result is that a property owner would be relieved of a small portion of the cost of street improvements, but remain responsible for the balance. That cost would be shared by all other development in the community. Conversely, the result for the community would be reduced certainty as to funding of future street improvements and substantial expense to create a new element of an already complicated SDC methodology. We believe that result neither strikes a balance between the rights of communities to plan adequately for the infrastructure needs and the rights of property owners to understand their obligations with respect to community improvements, nor is it fair to the vast majority of the citizens who have, in one way or another, funded the cost of existing infrastructure. We urge the committee to reject the bill.

Thank you for the opportunity to express the views of the City of Springfield on this legislation.

Very truly yours,



Leonard J. Goodwin,
Director, Development and Public Works

c: Hon. John Lively



SENDER: COMPLETE THIS SECTION <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		COMPLETE THIS SECTION ON DELIVERY A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) <i>Aryn N. Rasmussen</i> C. Date of Delivery <i>6-2-20</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
1. Article Addressed to: COLUMBIA GORGE REGIONAL/ THE DALLES MUNICIPAL AIRPORT C/O ARYN RASMUSSEN PO BOX 285 DALLESPORT WA 98617 		3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
2. Article Number (Transfer from service label) 7012 1010 0001 1506 4827		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013 Domestic Return Receipt			
SENDER: COMPLETE THIS SECTION <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		COMPLETE THIS SECTION ON DELIVERY A. Signature X <i>[Signature]</i> <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) <i>USA Sardinia</i> C. Date of Delivery <i>6/1/20</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
1. Article Addressed to: OREGON DEPT OF AVIATION C/O HEATHER PECK 3040 25TH STREET SE SALEM OR 97302 		3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
2. Article Number (Transfer from service label) 7016 2710 0001 0521 3873		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013 Domestic Return Receipt			
SENDER: COMPLETE THIS SECTION <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		COMPLETE THIS SECTION ON DELIVERY A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No PO BOX 41889 OLYMPIA WA 98504-1050	
1. Article Addressed to: WSDOT AVIATION DIVISION C/O MAX PLATTS 7702 TERMINAL STREET TUMWATER WA 98501 		3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
2. Article Number (Transfer from service label) 7012 1010 0001 1506 4834		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013 Domestic Return Receipt			



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

RESOLUTION NO. PC 593-20

Denial of **Appeal Application 030-20, Robert Bokum, Denise Dietrich-Bokum, Gary Gingrich, Terri Jo Jester Gingrich, and Damon Hulit** to overturn Administrative approval of Subdivision 74-19 for Legacy Development Group, LLC, to divide one parcel into 73 parcels of varying sizes (72 dwelling parcels and one parcel dedicated as a “community park” for the development). Property has no assigned address and is further described as 1N 13E 1 C tax lot 201. Property is zoned “RH” – High Density Residential.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on May 21, 2020 and June 18, 2020 conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff’s report of Appeal 030-20 and the minutes of the May 21, 2020 and June 18, 2020 Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part “I” of this resolution.
Appeal 030-20 is hereby **denied**.

III. APPEAL:

- A. Any party of record may appeal a decision of the Planning Commission to the City Council. Appeals must be made according to Section 3.020.080 of the Land Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 18TH DAY OF JUNE, 2020.

Brent Bybee, Chair
Planning Commission

I, Steven K. Harris, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 18th day of June, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____

Steven K. Harris – AICP
Community Development Director, City of The Dalles