PLANNING COMMISSION RESOLUTION 2015-307

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWBERG RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE CPA-15-001/ZMA3-15-001, WHICH WOULD AMEND THE COMPREHENSIVE PLAN DESIGNATION FROM LDR (LOW DENSITY RESIDENTIAL) TO HDR (HIGH DENSITY RESIDENTIAL) AND AMEND THE ZONING DESIGNATION FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL) FOR A PROPERTY LOCATED AT 1317 VILLA ROAD, YAMHILL COUNTY TAX LOT 3217BC-800.

RECITALS

1. DJ2 Holdings, LLC submitted an application requesting a Comprehensive Plan map amendment from LDR (Low Density Residential) to HDR (High Density Residential) and a Zoning map amendment from R-1 (Low Density Residential) to R-3 (High Density Residential) for property located at 1317 Villa Road, Yamhill County tax lot 3217BC-800.

2. After proper notice, the Newberg Planning Commission held a hearing on May 14, 2015 to consider the application. The Commission took public testimony, closed public testimony, and continued the hearing to June 11, 2015 at the point of deliberation.

3. On June 11, 2015 the Newberg Planning Commission continued the hearing, deliberated, and found that the application met the applicable criteria from the Newberg Development Code, and the goals and policies of the Newberg Comprehensive Plan as shown in the findings shown in Exhibit A.

The Newberg Planning Commission resolves as follows:

1. The Planning Commission recommends that the City Council amend the Comprehensive Plan map and Zoning map to include the property shown in Exhibit B and described in Exhibit C in the HDR comprehensive plan district and the R-3 zoning district. Exhibits B and C are hereby adopted and by this reference incorporated.

2. This recommendation is based on the findings shown in Exhibit A. Exhibit A is hereby adopted and by this reference incorporated.

Adopted by the Newberg Planning Commission this 11th day of June, 2015.

Mary Bliss

Planning Commission Chair

ATTEST:

Bobbie Morgan

Planning Commission Secretary

List of Exhibits:

Exhibit "A": Findings
Exhibit "B": Location map
Exhibit "C": Legal description
Exhibit "D": Comprehensive Plan map
Exhibit "E": Zoning map

Exhibit A: Findings to Order 2015-307

1317 Villa Road Comprehensive Plan Map Amendment & Zoning Amendment, File: CPA-15-001/ZMA3-15-001

Section I. Newberg Development Code § 151.122: Procedures for Comprehensive Plan Map and Zoning Map Amendments.

(A) Type III Plan and zoning map amendments – one parcel or small group of parcels.

(3) Amendment Criteria. The applicant must demonstrate compliance with the following criteria:

(a) The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code;

Finding: Section II of these findings addresses the Comprehensive Plan goals and policies. It can be found that this proposal is consistent with and promotes numerous applicable goals and policies, as summarized below.

Density: The site contains 5.94 acres, or 258,746 square feet. Assuming that the net site area after right-of-way dedications will be approximately 85% of the gross area, there would be an approximate net site area of 219,934 square feet. If the site develops as R-1 it would be expected to have approximately 30 single family homes. In the R-3 zone the site would allow an approximate maximum net density of 147 dwelling units and a minimum of 88 dwelling units. The actual density will depend on the final site design and will be limited by parking requirements, open space requirements, and stormwater facilities, but is expected by the applicant to be approximately 128 units.

15.302.032 Purposes of each zoning district.

A. R-1 Low Density Residential District.

1. The purpose of this land use designation is to provide for low density urban single-family residential uses at an average overall density of 4.4 units per gross buildable acre in the district. It is intended to provide a stable and healthful environment together with the full range of urban services.

2. Typical housing types will include single-family dwellings and planned unit developments. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-1 district is intended to be consistent with the low density residential (LDR) designation of the comprehensive plan.

C. R-3 High Density Residential District.

1. The purpose of this land use designation is to provide multifamily dwellings of different types and styles at an average overall density of 16.5 units per gross buildable acre in the district.

2. Typical housing types will include duplexes, multifamily dwellings, and manufactured dwelling and mobile home parks. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. Density may vary depending on lot size, off-street parking area, transportation, landscaping and other site considerations. The R-3 district is intended to be consistent with the high density residential (HDR) designation of the comprehensive plan.

Comprehensive Plan Housing Land Needs and Buildable Land Supply History

Newberg's Comprehensive Plan has consistently shown a significant need for additional HDR (High Density Residential) land.

2005 Comprehensive Plan Land Need and Supply Amendments

In 2005, the City Council adopted amendments to the Comprehensive Plan, including updated residential land need and supply numbers for LDR (Low Density Residential), MDR (Medium Density Residential) and HDR (High Density Residential) land designations. The updates were based on data from the Housing and Residential Land Needs Report compiled by Johnson-Gardner in 2004. The amendments were adopted and acknowledged through the post-acknowledgment plan amendment process in 2005. The 2005 Comprehensive Plan has residential land data for the 20-year period from 2005-2025, and the future planning period out to 2040. That data shows that the City had a demonstrated need for 89 buildable acres of HDR (High Density Residential) through 2025, and an additional 83 acres of HDR land through 2040:

Plan Designation	Buildable Acres Needed 2005-2025	Buildable Acres in UGB (2004)	Surplus (Deficit) for 2005-2025	Buildable Acres Needed 2026-2040
LDR	612	359	(253)	735
MDR	173	142	(31)	191
HDR	89	13	(76)	83
Total	**874**	**514**	**(380)**	**1009**

Source: Newberg Ordinance 2005-2626

In 2009 the City proposed an update to the Housing Element of the Comprehensive Plan. This item was appealed to LUBA and remanded; it has not yet been revised and readopted, so the 2005 amendments are the latest acknowledged estimates.

This application: For the purposes of this application, the firm of Cogan Owens Greene prepared a housing needs analysis using recent data on buildable lands, and a 2012 population projection for Newberg that has been adopted by Yamhill County as part of a coordinated population projection for every part of Yamhill County.

Excerpted from the application – Population Forecast:

Portland State University's Population Research Center developed a future population forecast for the Newberg Urban Area. This forecast was adopted by Yamhill County as the coordinated population forecast required by state law.
This forecast is shown in Table III-2.

Table III-2. Future Population Forecast – Newberg Urban Area

Year	*Population Forecast*
2015	*24,663*
2020	*28,250 (corrected by city staff – the applicant used 25,250, which was a typographical error)*
2025	*32,213*
2030	*35,408*
2032	*36,610*
2035	*38,490*

Source: Population Research Center, Portland State University, Population Forecasts for Yamhill County, its Cities and Unincorporated Area, 2011-2035, 2012.

Excerpted from the application – Housing Needs Analysis:

*Cogan Owens Greene prepared a Housing Needs Analysis (Exhibit G) based on the 2009 inventory updated with current GIS data provided by City Staff, the projections from the Portland State Report, and refined for the remand findings from LUBA. This supplemental report is included in Exhibit G. It confirms that there will be a shortage of land available in **2030** for LDR, MDR, and HDR lands:*

Plan Designation	Buildable Acres Needed	Buildable Acres in UGB	(Deficit)	Percentage of Available Capacity
LDR	406	369	(37)	91%
MDR	179	92	(87)	51%
HDR	62	7	(55)	11%
Total	647	468	(179)	72%

The proposed amendment would add 5.94 acres of HDR land to the buildable land inventory. This would meet about 10% of the HDR need through 2030. The proposed amendment would decrease the amount of buildable LDR land by 5.94 acres, or 1.5% of the LDR need through 2030. The city needs to have an adequate supply of all types of land. This change from LDR to HDR is justified because there is currently a greater shortfall in HDR.

Adequate Infrastructure to Serve the Site

The applicant included an Infrastructure Analysis report. The proposed site has existing water and stormwater facilities to serve the maximum density of the proposed zone change. There is an existing 8" waterline in Villa Road and Park Lane and there is a 21" stormwater line at the southern boundary of the property. The application contains a report on the water system which shows adequate capacity. The post developed stormwater runoff rates will match pre-developed rates with properly designed stormwater facilities.

The existing sewer system directly downstream of the site is currently at capacity and development of the site at the existing R-1 zoning would put several pipe segments over capacity. A change in zone from R-1 to R-3 would not significantly increase the demand on the sewer system, and would not require a larger pipe size than is

required with the current zoning. The specifics of pipe upsizing would be determined during development application review.

The proposed development site is located adjacent to Villa Road and Park Lane and would take direct access from both streets. Park Lane is currently developed below City residential street standards. The development would construct a 1/2 street improvement on the south side of Park Lane to residential standards. Villa Road is currently developed below City major collector standards. The development would construct a 1/2 street improvement on the west side of Villa Road to major collector standards. Right-of-way dedication would be required along both street frontages; the extent of dedication would be determined at the design review phase.

The City is currently beginning design of transportation improvements to Villa Road from Hayworth Avenue to Crestview Drive as a planned Capital Improvement Project. The project intends to improve the vertical alignment of the road and complete multimodal improvements along Villa. During the development application review, coordination of street improvements will be necessary, and will be completed at that time.

According to the applicant's traffic impact study, all of the study intersections except the Villa Road/HWY 99 intersection are forecast to meet operation standards during the weekday p.m. peak hour at the time of development in 2016. The impact of this development on that intersection is minimal and no mitigation is proposed at the time of development. No mitigation would be required at study intersections upon development in 2016. In the year 2035, all of the study intersections except the Villa Road/HWY 99 intersection and the Villa Road/Fulton Street intersection are forecast to meet operation standards during the weekday p.m. peak hour. The impact of this development on those intersections in the year 2035 is minimal and no mitigation is necessary. ODOT has commented that the impact of the development at the Villa/99W intersection is limited, and had no additional comments or requirements.

Availability of Public Services

The proposed site is within walking distance of many services: Within ¼ mile of a small CPRD park (College Park, off Sierra Vista), the CPRD pool, and George Fox University; within ½ mile of Joan Austin Elementary school; within ¾ mile of Newberg High School, A-dec's industrial site, and the Portland Road commercial area. This meets the Comprehensive Plan policies of high density housing being located near public services and public open spaces. It also means that residents of the proposed high density housing may walk or bike to commercial areas, jobs, parks, and schools. Public transit is available on Highway 99W.

Site is Suitable for HDR Development

The proposed site is suitable for HDR development because it meets the Comprehensive Plan policies of high density housing location, dispersal of high density housing, design of high density housing, and compatibility with surrounding development. The proposed site is adjacent to a major collector road which will provide adequate access for higher density housing. There are few apartments north of the railroad tracks, so approval would help the dispersal of R-3 housing within the city. Future development on the site will be compatible with the surrounding area due to the design review criteria for multifamily housing and due to setbacks, lot coverage limits, height limits, and landscaping buffer requirements. For example, the maximum permitted building height in R-3 is limited to 30 feet (the same maximum height as R-1) for a distance of 50 feet from the abutting

boundary of a R-1 district. This ensures that building heights in R-3 will be compatible with abutting R-1 properties.

The application meets this criterion because the proposed change from LDR/R-1 to HDR/R-3 is consistent with many goals and policies in the Comprehensive Plan, and the Development Code.

(b) Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.

Finding: The application included an Infrastructure Analysis report. Public facilities and services are available to support the proposed uses. There is an existing 10-inch and 12-inch sanitary sewer line to the property, with a manhole connection at the southern edge of the property. The applicant's sanitary sewer calculations report indicates, and City staff concurs, that there is not adequate capacity in the downstream sanitary sewer system to support further development, but that the sewer system can be upsized to support the development. The sanitary sewer master plan identifies the necessary pipe size required to serve the basin if fully developed with current zoning. The zone change at the maximum density does not change the needed pipe diameter needed for development in the basin. There are existing water lines in Villa Road and Park Lane. A fire flow analysis will be completed at the time of development and water pipe upsizing will be completed with the development. There is adequate capacity to the site which can be reasonably provided through the City's water storage and distribution system. There is an existing 21" stormwater line at the southern boundary of the site which could serve the site.

The site is accessed by Park Lane and Villa Road, both of which are not fully improved streets. A 1/2 street improvement on Park Lane and Villa Road will be required at the time of development. Additional right of way dedication will also be required. Park Lane is a residential street with an ultimate curb-to-curb width of 32 feet. Villa Road is a Major Collector with an ultimate curb-to-curb width of 34 feet with two 12-foot travel lanes, 5-foot bike lanes, and setback sidewalk. Portions of Villa Road may include a landscaped median. No parking will be allowed on Villa Road. According to the applicant's traffic impact study, all of the study intersections except the Villa Road/HWY 99 intersection are forecast to meet operation standards during the weekday p.m. peak hour at the time of development in 2016. The impact of this development on that intersection is minimal and no mitigation is proposed at the time of development. In the year 2035, all of the study intersections except the Villa Road/HWY 99 intersection and the Villa Road/Fulton Street intersection are forecast to meet operation standards during the weekday p.m. peak hour. The impact of this development on the Villa Road/Hwy 99W intersection and the Villa/Fulton intersection in the year 2035 is minimal and no mitigation is necessary. The increase in traffic at both of these intersections in 2035 is primarily due to the increase in background traffic.

The application meets this criterion because public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change from LDR/R-1 to HDR/R-3.

(c) Compliance with the State Transportation Planning Rule (OAR 660-012-0060) for proposals that significantly affect transportation facilities.

Finding: The State Transportation Planning Rule is meant to determine whether proposals "significantly affect" existing or planned transportation facilities, and if they do affect them, to ensure that they are properly mitigated. The Rule says that:

> *"a plan or land use regulation amendment significantly affects a transportation facility if it would: (a) Change the functional classification of an existing or planned transportation facility; (b) Change standards implementing a functional classification system; or (c) As measured at the end of the planning period identified in the adopted transportation system plan: (A) Allow land uses or levels of development that would result in types of levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan."*

The proposed plan amendment site is located adjacent to Villa Road, which is classified as a Major Collector in the City's Transportation System Plan, and Park Lane, which is classified as a Residential Street in the City's Transportation System Plan. The proposal would not: (a) change the functional classification of Villa Road or Park Lane; or (b) change standards implementing a functional classification system.

One of the main purposes of the traffic impact study included with the applicant's application package is to determine whether the project meets subsection (c) of the Transportation Planning Rule. The traffic study analyzed the trip generation and distribution, safety analysis, and operational analysis of the proposed project to determine the impact the proposal will have on the transportation system. The trip generation is based on the maximum possible gross density allowed by the proposed zone; in this case that would be 168 possible dwelling units. That number is compared with the trips that would be generated by the possible maximum density allowed by the R-1 zone, 30 units. The traffic study indicates that the proposed zone change could result in a net increase of 74 trips during the evening peak hour, with 25 exiting the site and 49 entering the site. In the morning peak hour, the maximum density could result in a net increase of 55 trips, with 9 entering and 46 exiting the site. The actual trips generated by the site may be fewer due to the unlikelihood of the site being built out at the maximum density – with the topographic and environmental constraints, the site build out will more likely be around 128 units.

Sight distance from the site frontage was examined and determined to be adequate along Park Lane. Sight distance from the site frontage along Villa Road is not adequate. Depending on the ultimate vertical and horizontal profiles of Villa Road, the Villa Road access may be limited to right in/right out access only. A landscaped median would be installed on Villa Road to facilitate this restriction, as well as to provide for some natural traffic calming.

During a five year period between January 2009 and December 2013, there were no accidents reported at any of the study intersections except for the Villa Road/HWY 99 intersection. At this intersection there were 33 crashes, 24 of which were rear-end collisions. The crash rate per million entering vehicles at this intersection was below 1.0. Additionally, the crash history for the segment of Villa Road, not including the study intersections, was analyzed between Park Lane and HWY 99. Of the four crashes reported in this segment, three involved bicycles. Bicycle and pedestrian improvements are planned for the development, which will help mitigate the bicycle incidents. No mitigations are proposed for the Villa Road/HWY 99 intersection.

The traffic study also looked at capacity analysis for the area and surrounding intersections for the expected project build-out in 2016 and to 2035. Capacity analysis looks at the volume-to-capacity (v/c) ratio for intersections; in other words, how much traffic an intersection can handle before it's at peak capacity, which would be a ratio of 1.0. The intersection is then given a letter grade ranging from A (best) to F (worst) for its level of service based on the v/c ratio for the intersection. The traffic study analysis shows that all of the surrounding intersections are operating at an acceptable level of service under all analysis scenarios, except for the Villa Road/HWY99 intersection in 2016 and 2035, and the Villa Road/Fulton Street intersection in 2035.

- With full build out in 2016, the Villa Road/HWY 99 intersection is forecast to operate at a v/c ratio of 0.88 which is over the ODOT standard of 0.85. Without this development, the v/c ratio would be 0.88. The impact of this development is minimal at this intersection. In the 2035 analysis, the Villa Road/HWY 99 intersection is forecasted to operate at a v/c ratio of 1.12 with full development of the site and 1.11 without development of the site. This also is a minimal impact and no mitigations is proposed. ODOT has confirmed this by stating that the project will have a limited impact on state facilities, and did not have any additional comments.

- The intersection of Villa Road/Fulton Street in 2035 is anticipated to have a level of service of F with or without full build out of this proposed development. However, at the 2016 build-out, the Villa Road/Fulton intersection is forecast to operate at a level of service D, which is within City standards. Because of this, no mitigation to this intersection is anticipated at the time of development until a future date when the intersection warrants mitigation.

According to the traffic study, the future trips generated from the proposed zone change will not "significantly affect" the transportation system. Less than 400 of the additional daily trips are anticipated to reach the Villa/99W intersection, which under the Oregon Highway Plan standards does not cause "further degradation" of state highway facilities. ODOT has stated that the project will have a limited impact on state facilities, and did not have additional comments or requirements. Therefore, the proposal meets the State Transportation Planning Rule because it does not significantly affect transportation facilities: (A) It does not allow a level of development that would result in levels of travel inconsistent with the functional classification of the existing transportation facilities; (B) It does not reduce the performance of the existing transportation facilities below the minimum acceptable performance standards; and (C) It does not significantly worsen the performance of an existing transportation facility that is otherwise projected to perform below the minimum acceptable performance standard.

Section II. Applicable Statewide Planning Goals and Newberg Comprehensive Plan Goals & Policies

A. Citizen Involvement Goal

Goal: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

Finding: Part of the citizen involvement program includes opportunities for citizen involvement in planning. In this case, citizens have an opportunity to comment on this proposal, both in writing and by testifying at either the Planning Commission or City Council hearings. In addition, the applicant for this proposal held a neighborhood meeting for the purpose of discussing the project with neighbors before the official public process started. This application is consistent with this goal because the public hearing process offers citizens the opportunity to comment on the proposal, and appeal the decision if they are unsatisfied.

Statewide Planning Goal 10: To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

NCP I. Housing Goals and Policies

Goal: To provide for a diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

2. Location Policies. a: Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces.

3. Mix Policies. b: Low and moderate income housing should not be concentrated within particular areas of the City.

3.j: The City shall encourage innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs.

3.k: The City shall encourage an adequate supply of rental housing dispersed throughout the city to meet the needs of renters.

Finding:

The City has an obligation, reflected here in the comprehensive plan policies, to ensure that there is adequate housing of all density types and for every income level. The proposed zone change would help the City remedy its deficit of available multi-family housing.

The proposed site is located adjacent to a major collector, and most traffic from the site is expected to use Villa Road, not local residential streets. Villa Road gives easy access to Portland Road/Hwy 99W, a major arterial. In addition, the site is within walking distance of many services: Within ¼ mile of a small CPRD park (College Park, off Sierra Vista), the CPRD pool, and George Fox University; within ½ mile of Joan Austin Elementary school; within ¾ mile of Newberg High School, A-dec's industrial site, and the Portland Road commercial area. This meets the Comprehensive Plan policies of high density housing being located near public services and public open spaces. It also means that residents of the proposed high density housing may walk or bike to commercial areas, jobs, parks, and schools. Public transit is available on Highway 99W.

Any future development on the site under the proposed R-3 zoning will require a design review process where the applicant will need to meet not only the basic design review criteria, but also the additional multi-family design review criteria. The City would have future opportunities to influence the design of the development and encourage innovation of housing types and design. The proposal is consistent with many of the housing policies in the Comprehensive Plan.

J. Urban Design Goals and Policies

Goal 1: To maintain and improve the natural beauty and visual character of the City.
1. General Policies. b: Design review should be provided for all new developments more intensive than duplex residential use.

1.1.l: The City shall encourage compatible architectural design of new structures in the community.

1.1.n: The City shall encourage innovative design and ensure that developments consider site characteristics and the impact on surrounding areas.

1.1.r: Developments of medium or high density shall be of a quality and design which will effectively offset the greater density.

Finding: Any future development on this property under the proposed R-3 zoning will require design review approval. The Newberg Development Code also has supplementary design review standards that multi-family developments must meet, including compatibility with adjacent sites. The site characteristics for future development would be looked at closely to encourage the best design of the property and to properly mitigate any impacts on surrounding uses. The proposal is consistent with many of the urban design goals and policies in the Comprehensive Plan.

K. Transportation Goals and Policies

Goal 3: Promote reliance on multiple modes of transportation and reduce reliance on the automobile.
Policy b.2: The City shall encourage higher density development in residential areas near transit corridors, commercial areas and employment centers, including the downtown.

Finding: The site is within walking distance of many services: Within ¼ mile of a small CPRD park (College Park, off Sierra Vista), the CPRD pool, and George Fox University; within ½ mile of Joan Austin Elementary school; within ¾ mile of Newberg High School, A-dec's industrial site, and the Portland Road commercial area. This

means that residents of the proposed high density housing may walk or bike to commercial areas, jobs, parks, and schools. Public transit is available on Highway 99W. The proposal is consistent with transportation goals and policies in the Comprehensive Plan.

L. Public Facilities and Services Goals and Policies

Goal: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

1. All Facilities & Services Policies. f: Maximum efficiency for existing urban facilities and services will be encouraged though infill of vacant City land.

2. Sewers and Water Policies. c: Developments with urban densities should be encouraged to locate within the area which can be serviced by Newberg's present sanitary sewer system.

Finding: It is appropriate to use land within the city limits to its highest and best use in order to preserve the efficiency of public facilities to serve urban development. The proposed site has existing sewer and water facilities available, and with reasonable improvements can have adequate capacity to serve the maximum density of the proposed zone change. It is more efficient to use an existing site such as this as opposed to extending new public utilities to an undeveloped vacant parcel without such services.

There is an existing 12-inch sewer line with a manhole at the Southern property edge in Villa Road. The application contains a report on sanitary sewer calculations done by 3J Engineering, calculating the demand flow of the existing sewer line with existing & potential maximum R-1 density (1,225-gmp) and existing & potential maximum R-3 density (1,242-gmp). The total existing flow in the 12-inch sewer, based on the City's master plan, is approximately 1,203-gpm. While the zone change would create a slight increase in sewer flows, the relative increase to the existing system is only 3.2%, and only 1.4% over the allowed R-1 zoning. Therefore, the 12" sewer pipe is currently at capacity, and any development of this site would place this pipe and downstream pipes over capacity. The City's master plan identifies segments of pipe in this area to be upsized to an 18" pipe. As part of the development application, the applicant will study the flows in these pipe segments to verify the master plan. Several segments of pipe may need to be upsized as part of the development.

Finding: Overall, the proposal is consistent with many goals and policies in the Comprehensive Plan regarding public participation, housing, urban design, transportation, and public facilities.

Exhibit B: Location Map

Reference Parcel #: R3217BC 00800

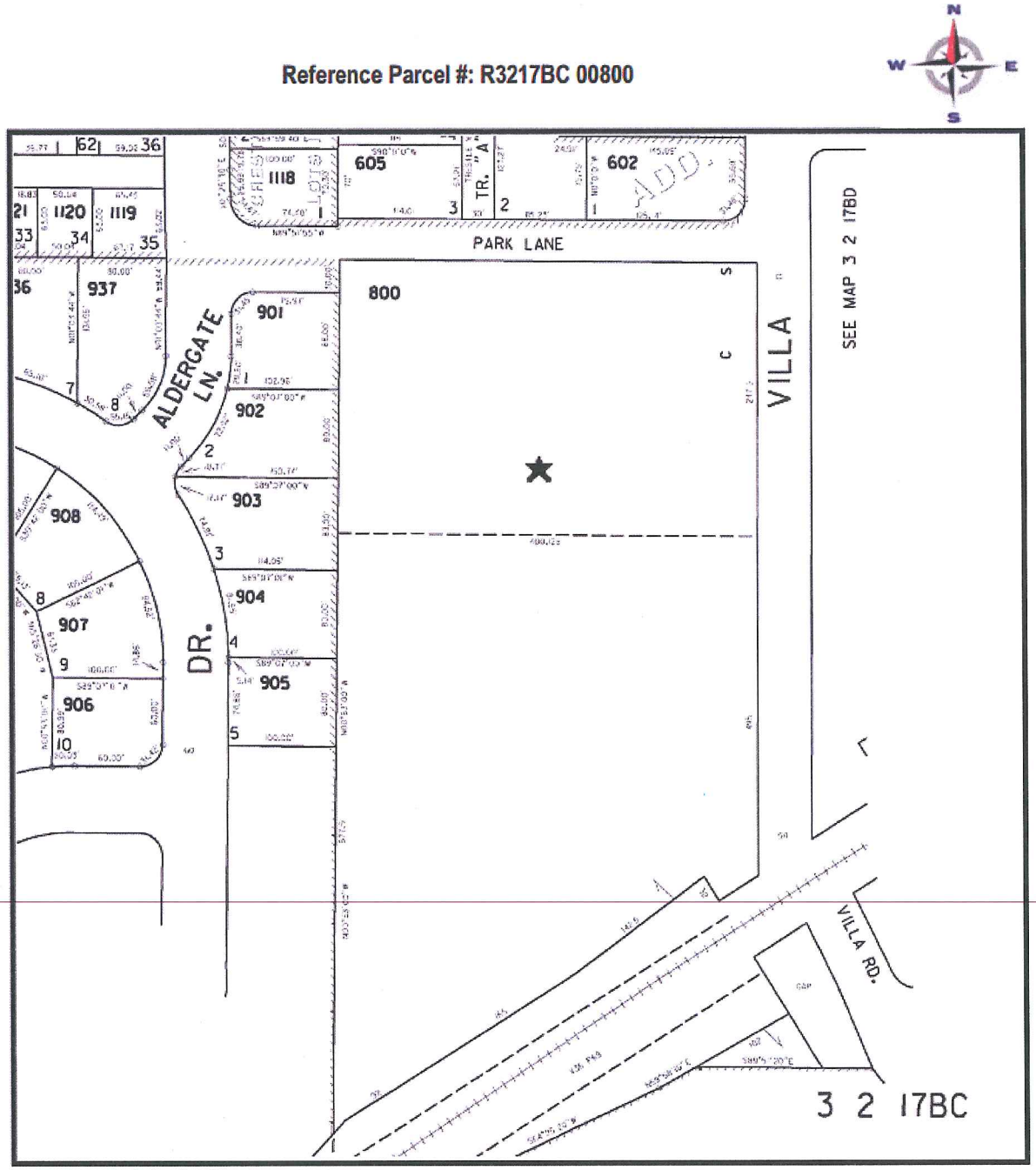

Exhibit C: Legal Description

Parcel 1

Being a part of the D. D. Deskins and O. J. Walker Donat.ion Land Claims, in Section 17, Township 3 South Range 2 West in Yamhill County, Oregon, and described as follows, to-wit: Beginning at a. point on the South line of the O. J. Walker D. L.C., said point being 104 rods East of the West side of Section 17; thence North 30 rods to South line of ten acre tract deeded to Ervin Scott; thence West 24 ¼ rods; thence South parallel with East line 35 rods, more or less to the North line of the R. R. right of way; thence Northeasterly along said right of way to intersection of the South line of the O. J. Walker D.L.C.; thence East to place of beginning, excepting R.R. right of way through said premises.

Also the following tract: Being a part of the O. J. Walker D.L.C. in section 17, Township 3 South, Range 2 West Yamhill County, Oregon, described as follows: Beginning at a point 64 rods West of the Southeast corner of said Claim, thence running West 5 rods to the Southeast corner of Jos. Hoskins land; thence North 6 rods to the South line of the P. and W.V.R.R.; thence running Easterly along said South line of the P. and W.V.R.R. 3 ½ rods; thence running Southeasterly about 7 or 8 rods to the place of beginning, containing 30/160 acres more or less.

The above two tracts of land containing in all about 5 acres more or less, excepting R.R. right of way.

Parcel 2

A tract of land located in Yamhill County, Oregon, and being a part of the Donation Land Claim of Oliver J. Walker in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, and more particularly described as follows:

Beginning at a point 30 rods North of the South boundary line of said Claim and 104 rods East of the Section line between Sections 17 and 18 in said Township and Range; and said point being at the Southeast corner of that certain tract of land conveyed to Ervin Scott by J. L. Hoskins and Mary L. Hoskins by deed recorded at Page 281 in Book 31 of Deed Records of Yamhill County, and running thence West 24-1/4 rods; thence North 15 rods; thence East 24-1/4 rods; thence South 15 rods to the place of beginning.

Exhibit D: Comprehensive Plan Map

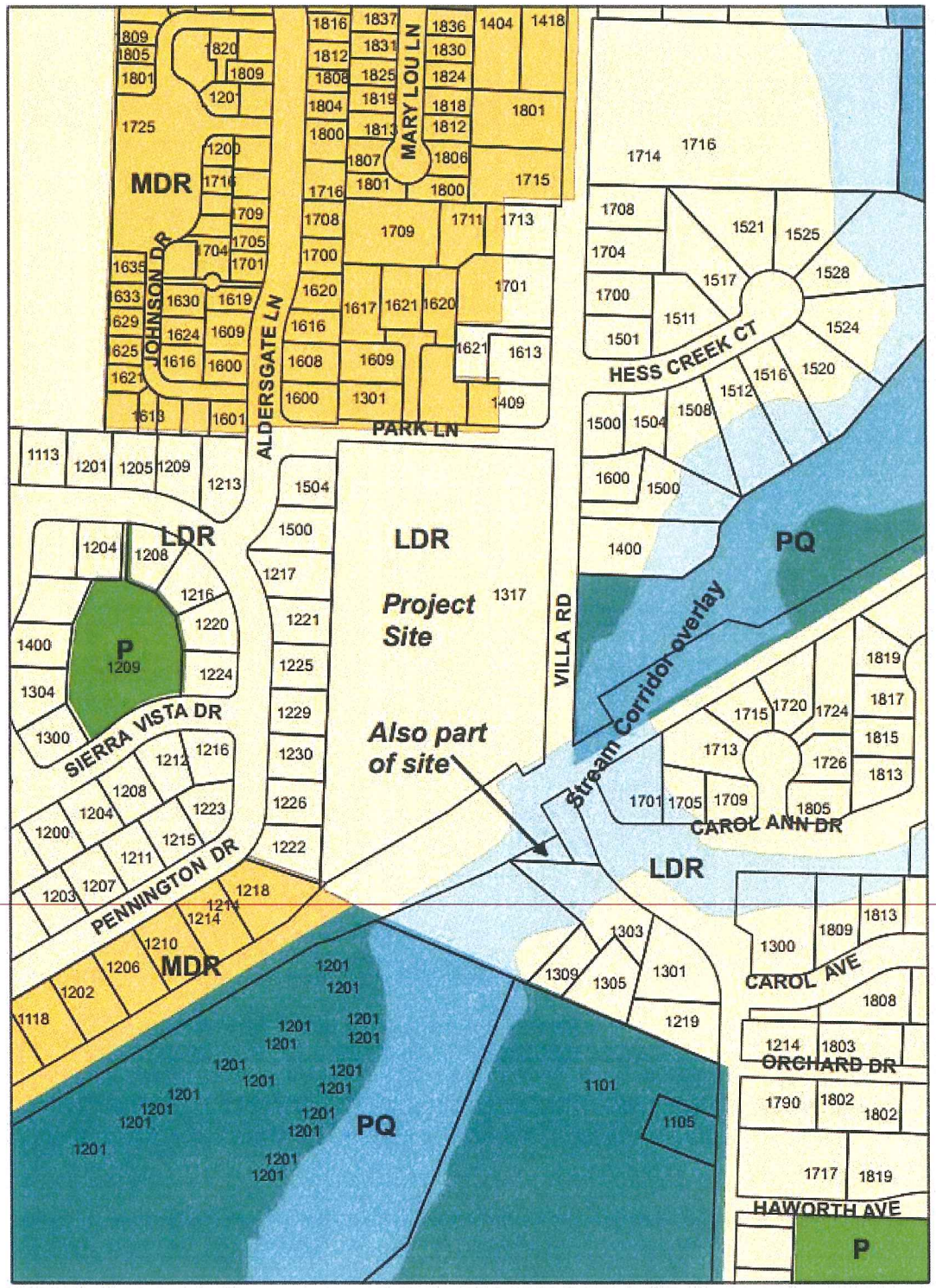
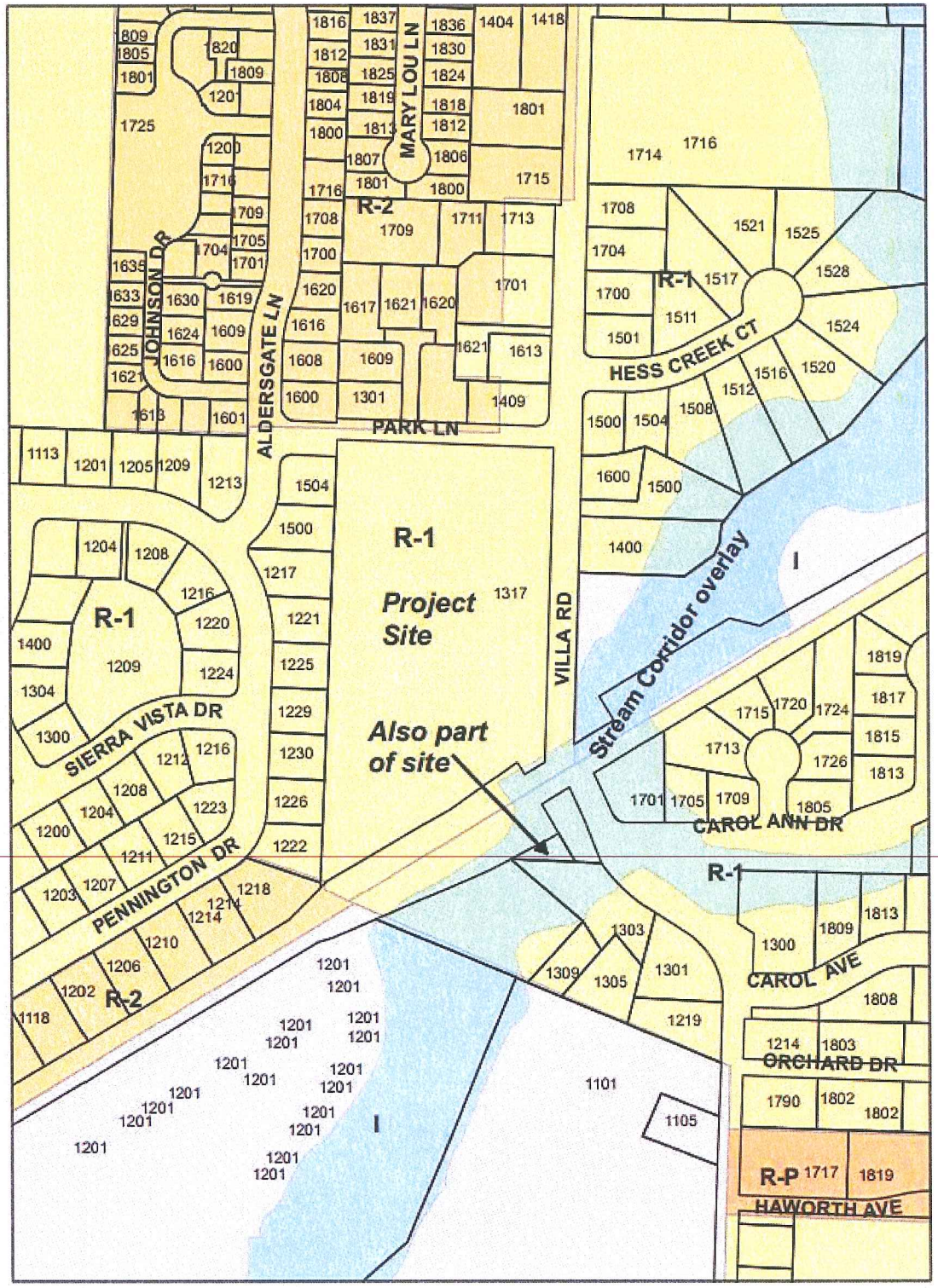
Exhibit E: Zoning Map