



TYPE II APPLICATION – LAND USE

File #: _____

TYPES – PLEASE CHECK ONE:

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision
- Type II Major Modification
- Variance _____
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: _____
 ADDRESS: _____
 EMAIL ADDRESS: _____
 PHONE: _____ MOBILE: _____ FAX: _____
 OWNER (if different from above): _____ PHONE: _____
 ADDRESS: _____
 ENGINEER/SURVEYOR: _____ PHONE: _____
 ADDRESS: _____

GENERAL INFORMATION:

PROJECT NAME: _____ PROJECT LOCATION: _____
 PROJECT DESCRIPTION/USE: _____ PROJECT VALUATION: _____
 MAP/TAX LOT NO. (i.e.3200AB-400): _____ ZONE: _____ SITE SIZE: _____ SQ. FT. ACRE
 COMP PLAN DESIGNATION: _____ TOPOGRAPHY: _____
 CURRENT USE: _____
 SURROUNDING USES:
 NORTH: _____ SOUTH: _____
 EAST: _____ WEST: _____

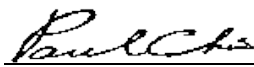
SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Design Reviewp. 12
Partition Tentative Platp. 14
Subdivision Tentative Platp. 17
Variance Checklistp. 20

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

 _____
 Applicant Signature Date

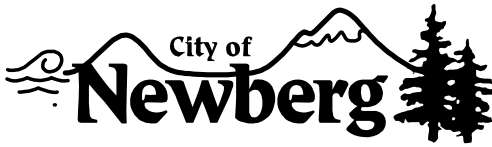
Paul Chiu

 Print Name

_____ _____
 Owner Signature Date

 Print Name

CITY OF NEWBERG TYPE II
MAILED NOTICE



Community Development Department

P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132
503-537-1240. Fax 503-537-1272 www.newbergoregon.gov

**WE WANT YOUR COMMENTS ON A PROPOSED NEW
DEVELOPMENT IN YOUR NEIGHBORHOOD**

The Elliott Road project manager submitted an application to the City of Newberg for Type II Determination. See below for details. You are invited to take part in the City's review of this project by sending in your written comments. The applicable criteria used to make a decision on this application are found in Newberg Development Code 15.505.030(H). For more details about giving comments, please see the back of this sheet.

The development would include right of way improvements for the N Elliott Road corridor from Highway 99W north to Newberg High School. Proposed improvements include pavement, curb and gutter, sidewalk, ADA ramps, bicycle lanes, storm drainage, wastewater pipeline, water main, street lighting, conversion from aerial to underground power line, traffic calming and roadway safety features, and landscape enhancement.

APPLICANT: *Paul Chiu (Elliott Road Project Manager)*
TELEPHONE: *(503) 554-1751*

PROPERTY OWNER: *City of Newberg (Elliott Road right-of-way)*

LOCATION: *Elliott Road from Hwy 99W to Newberg High School*

TAX LOT NUMBER: *Yamhill County TL 3217DB-06201, TL 3217DB-06200, TL 3217DB-06100,
and TL 3217DD-02501 (Elliott Road residential)*



We are mailing you information about this project because you own land along the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed.

If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: File No.MISC221-0002
City of Newberg
Community Development
PO Box 970
Newberg, OR 97132

All written comments must be turned in by 4:30 p.m. on December 1, 2021. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for modification of street right-of-way for design flexibility approval are found in Newberg Development Code 15.505.030(H).

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E First Street. You can also buy copies of the information for a cost of 25 cents a page. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: November 17, 2021

PLANNING DIVISION FILE #: MISC221-0002


**CITY OF NEWBERG
AFFIDAVIT OF NOTICING**

REFERENCE ATTACHED LIST(S)/NOTICE(S)

I, Paul Chiu (Elliott Rd Prj Mgr) do hereby certify that the attached Notice of Land Use Action was:

- a) mailed to the following list of property owners, by United States mail, postage prepaid on November 17, 2021; (date)
- b) posted on the site according to standards established in Newberg Development Code §15.100.260 on N/A. (date)

I acknowledge that failure to mail the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledge that failure to mail will result in the automatic postponement of a decision on the application 15.100.210.(D)(2) November 17, 2021. (date)

<u></u>	<u>11/17/2021</u>
Signature	Date

Paul Chiu
Print name



Date: 10/20/21

RE: Elliott Road Improvement Project
WRITTEN STATEMENT FOR TYPE II DETERMINATION

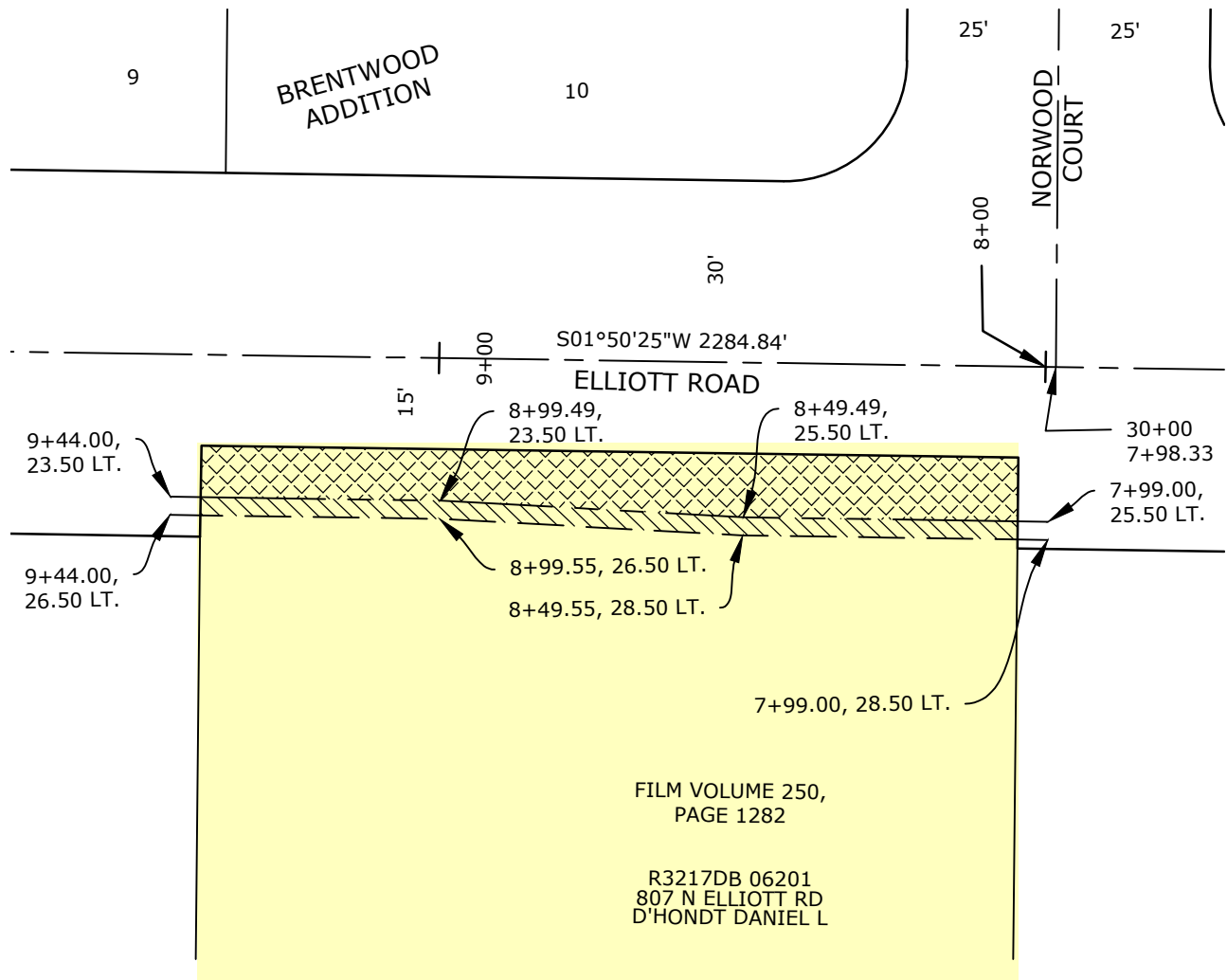
Given the following:

- NMC Section 15.505 applies to this Elliott Road Improvement Project, a capital improvement project.
- NMC 15.505.030(G) Street Width & Design Standards for Major Collector is 36' curb-to-curb (2-12' travel lanes, 2-6' bike lanes), 2-5' planter strips, 2-5' sidewalks → Total 56' of physical improvements. Typical sections show an additional 0.5' behind sidewalk to ROW. This gives a minimum ROW width of 57' as noted in NMC, or 28.5' ½ Street width.
- The Elliott Road Improvement Project is minimizing Right-of-way acquisition along the corridor resulting in four (4) parcels acquiring less than the minimum per NMC.
 - o File 7 – 807 Elliott Road: Varies from 25.5' to 23.5' of Right-of-way with an additional 3' of Public Utility Easement.
 - o File 9 – 911 Elliott Road: 23' of ROW with an additional 3' of Public Utility Easement.
 - o File 10 – 1007 Elliott Road: 25' of ROW with an additional 3' of Public Utility Easement.
 - o File 22 – 704 Elliott Road: Varies from 25' to 29' of Right-of-way with an additional 4.5' of Public Utility Easement.
- NMC 15.505.030(H): Modification of Street Right-of-Way Width requires a Type II application to the Planning Director.
 - o a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or
 - o b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or
 - o c. A modification is necessary to preserve trees or other natural features determined by the City to be significant to the aesthetic character of the area; or
 - o d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.

Reasons for Request for Variance:

- Federal Relocation Act: Right-of-way acquisition for this project must follow the Federal Uniform Relocation Act, codified by ORS 35.235.
 - o ORS35.235 Agreement for compensation; status of resolution or ordinance of public condemner; status of action of private condemner; agreement effort not prerequisite.
 - (1) Subject to ORS 758.015 and 836.050, whenever in the judgment of the condemner it is necessary to acquire property for a purpose for which the condemner is authorized by law to acquire property, the condemner shall, after first declaring by resolution or ordinance such necessity and the purpose for which it is required, attempt to agree with the owner with respect to the compensation to be paid therefor, and the damages, if any, for the taking thereof.
 - (2) The resolution or ordinance of a public condemner is presumptive evidence of the public necessity of the proposed use, that the property is necessary therefor and that the proposed use, that is the improvements or the project, is planned or located in a manner which will be most compatible with the *greatest public good and the least private injury*.
- If any of these properties were to redevelop in the future, the City would condition them to dedicate the ultimate ½ street ROW.



EXHIBIT A-1



FILM VOLUME 250,
PAGE 1282

R3217DB 06201
807 N ELLIOTT RD
D'HONDT DANIEL L



-  1. RIGHT-OF-WAY DEDICATION
1,285 SQ. FT. MORE OR LESS
-  2. PERMANENT UTILITY EASEMENT
404 SQ. FT. MORE OR LESS

ELLIOTT ROAD
N. HWY.99 W. TO NEWBERG HIGH SCHOOL

CES | NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

FILE NUMBER: 07	SUBMITTAL DATE: 9/03/2020
TAX LOT: 06201	REVISED DATE: 9/10/2020
TAX MAP: 3 2 17DB	REVISED DATE:
ADDRESS: 807 ELLIOTT ROAD	

EXHIBIT A-2

File 7_807 Elliott Road
Proposed grading

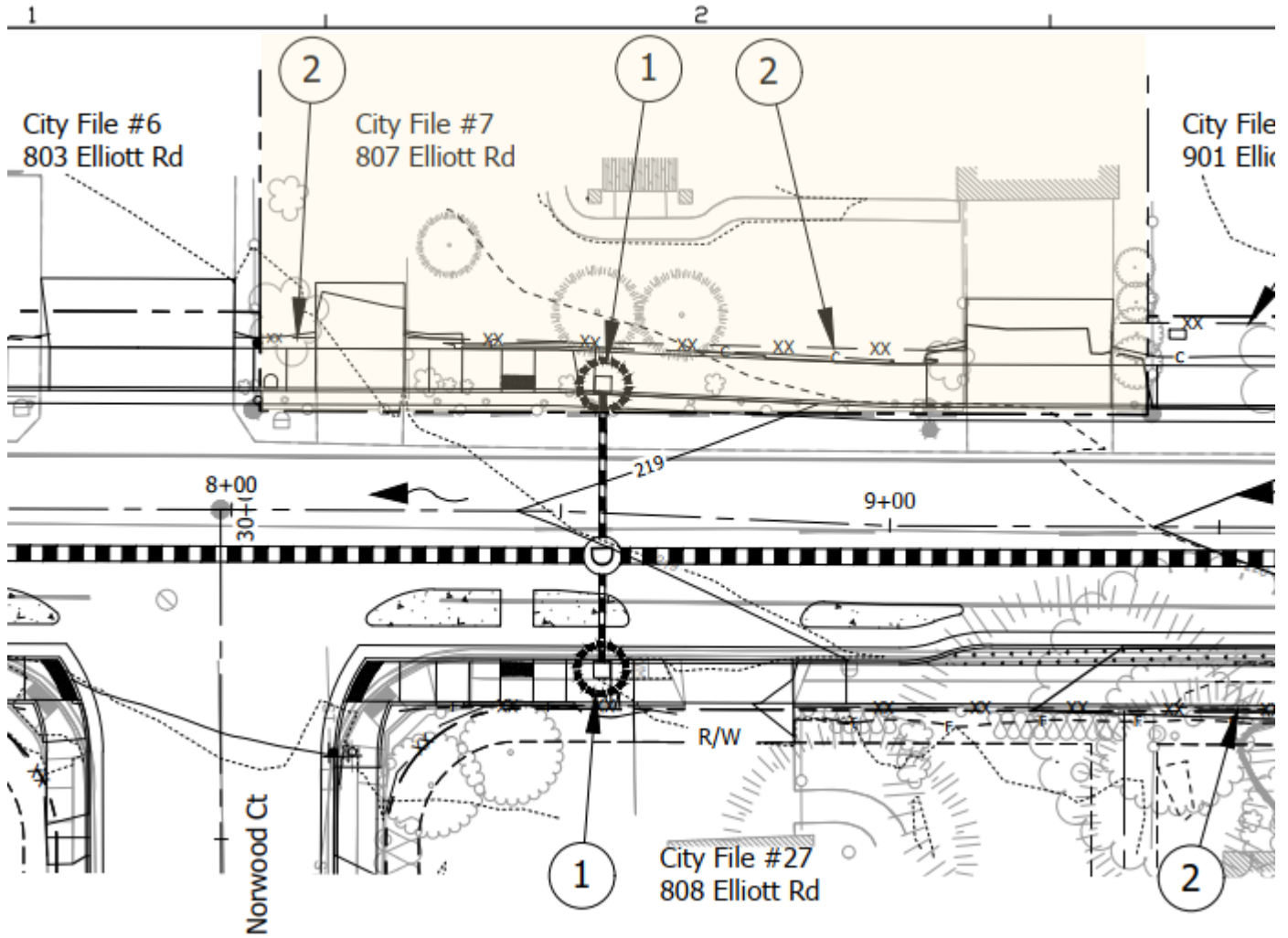
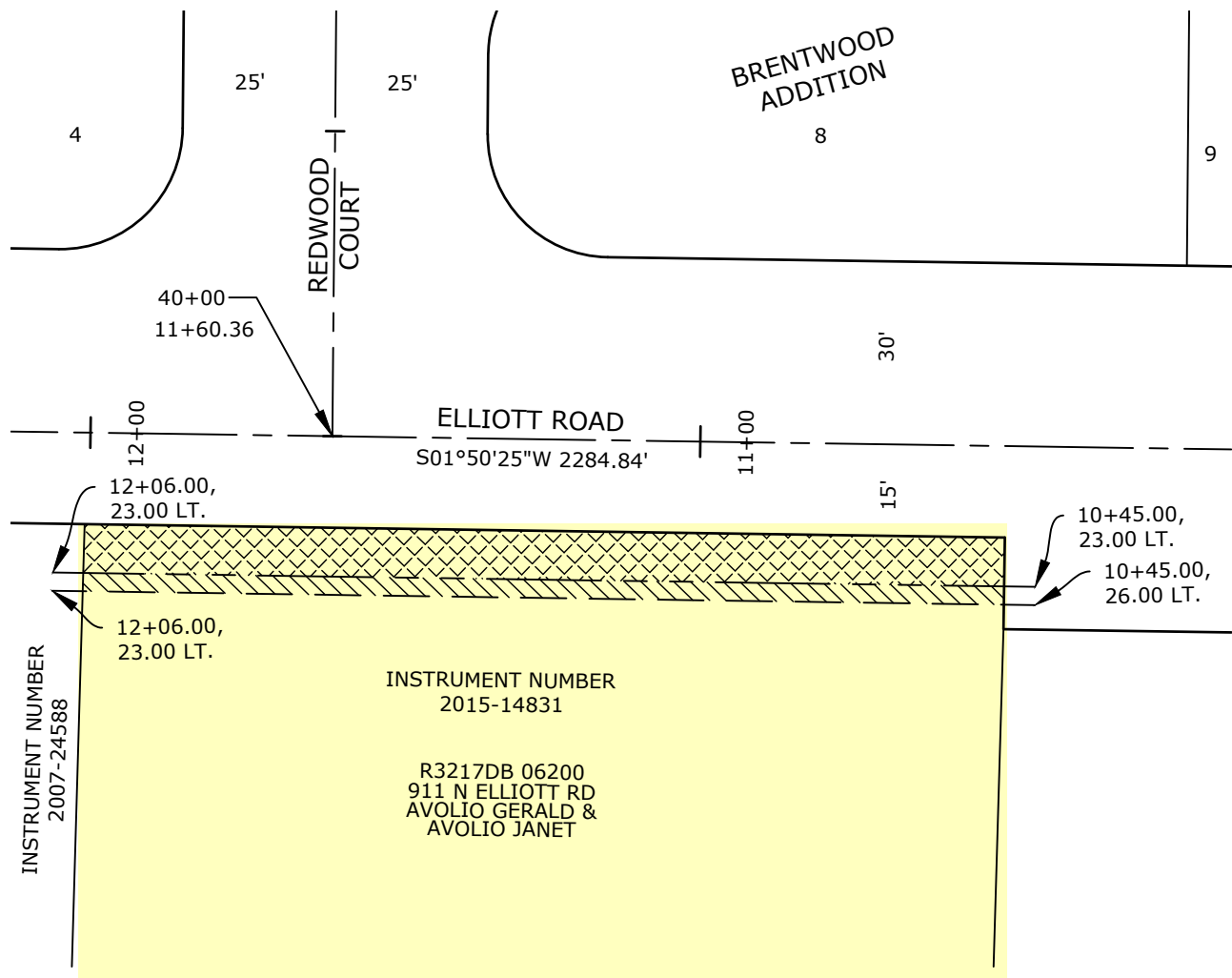


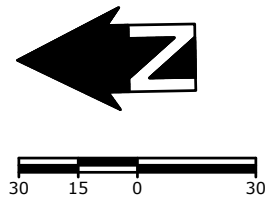
EXHIBIT B-1





INSTRUMENT NUMBER
2007-24588

INSTRUMENT NUMBER
2015-14831

R3217DB 06200
911 N ELLIOTT RD
AVOLIO GERALD &
AVOLIO JANET



-  1. RIGHT-OF-WAY DEDICATION
1,027 SQ. FT. MORE OR LESS
-  2. PERMANENT UTILITY EASEMENT
453 SQ. FT. MORE OR LESS

ELLIOTT ROAD
N. HWY.99 W. TO NEWBERG HIGH SCHOOL

CES | NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

FILE NUMBER: 09	SUBMITTAL DATE: 09/10/2020
TAX LOT: 06200	REVISED DATE:
TAX MAP: 3 2 17DB	REVISED DATE:
ADDRESS: 911 N ELLIOTT ROAD	

EXHIBIT B-2 File 9_911 Elliott Road Proposed grading

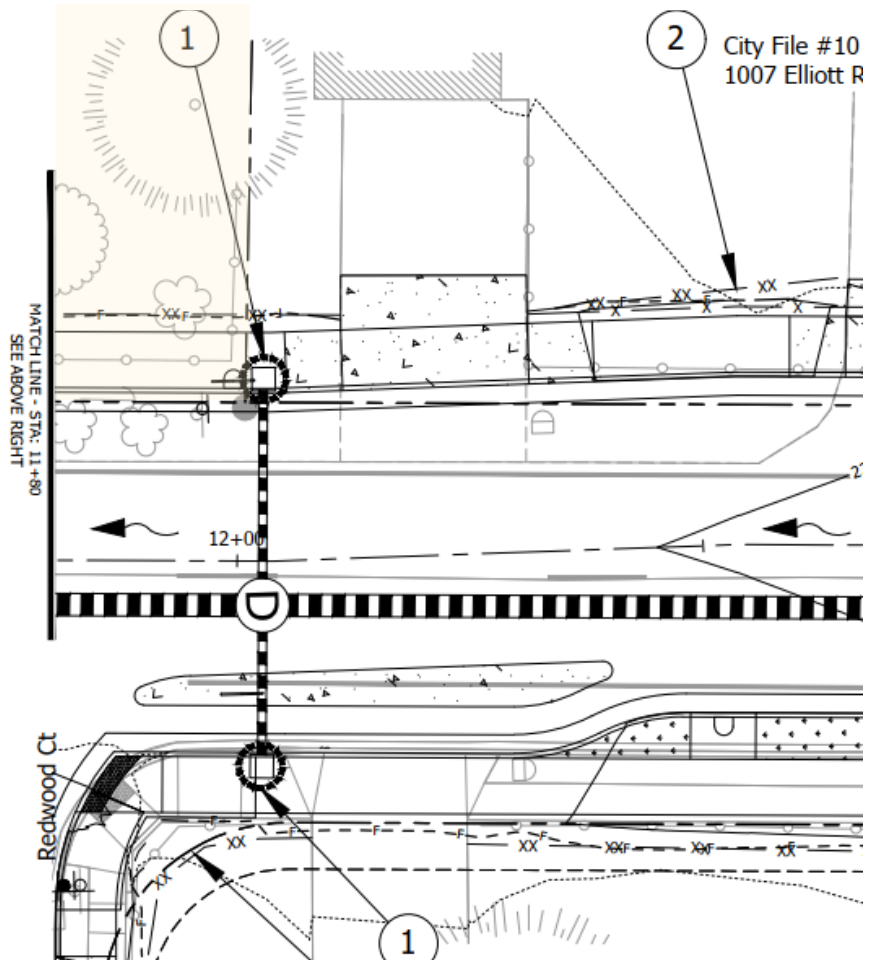
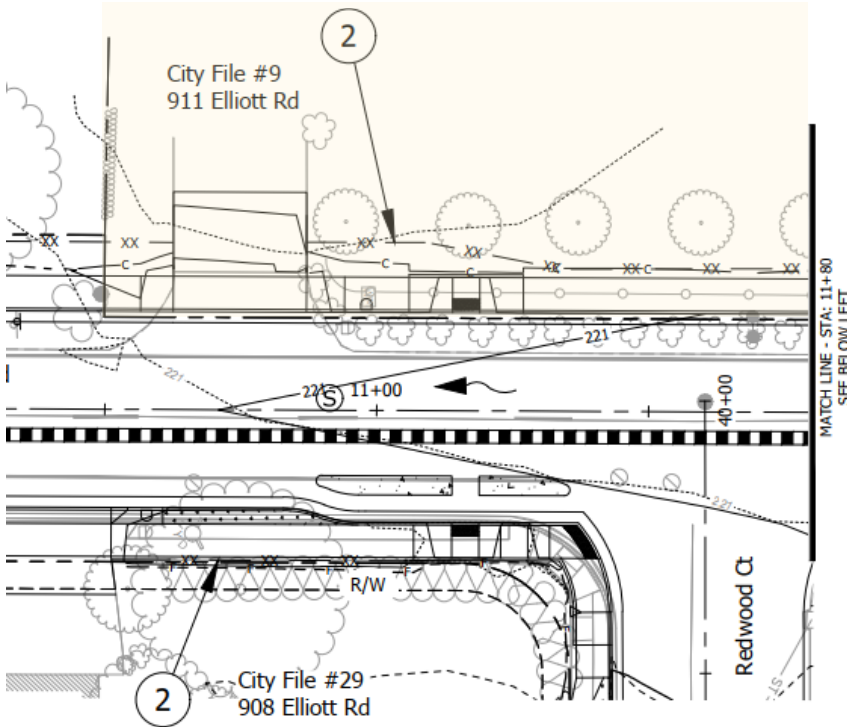
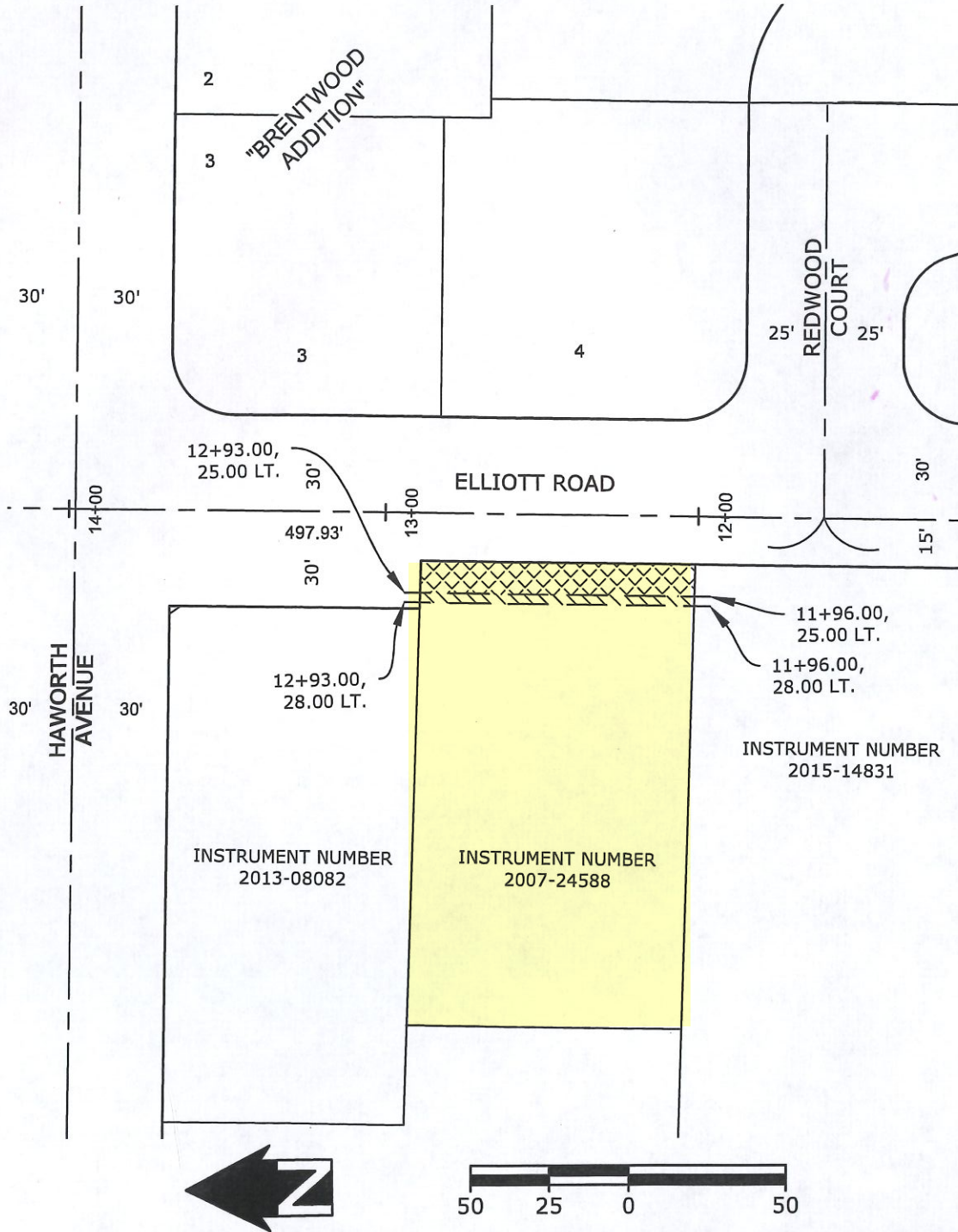




EXHIBIT C-1



-  1. RIGHT-OF-WAY DEDICATION
876 SQ. FT. MORE OR LESS
-  2. PERMANENT UTILITY EASEMENT
262 SQ. FT. MORE OR LESS

ELLIOTT ROAD
N. HWY.99 W. TO NEWBERG HIGH SCHOOL

CES | NW 13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

FILE NUMBER: 10	SUBMITTAL DATE: 7/14/2021
TAX LOT: 06100	REVISED DATE:
TAX MAP: 3 2 17DB	REVISED DATE:
ADDRESS: 1007 N ELLIOTT ROAD	

EXHIBIT C-2

**File 10_1007 Elliott Road
Proposed grading**

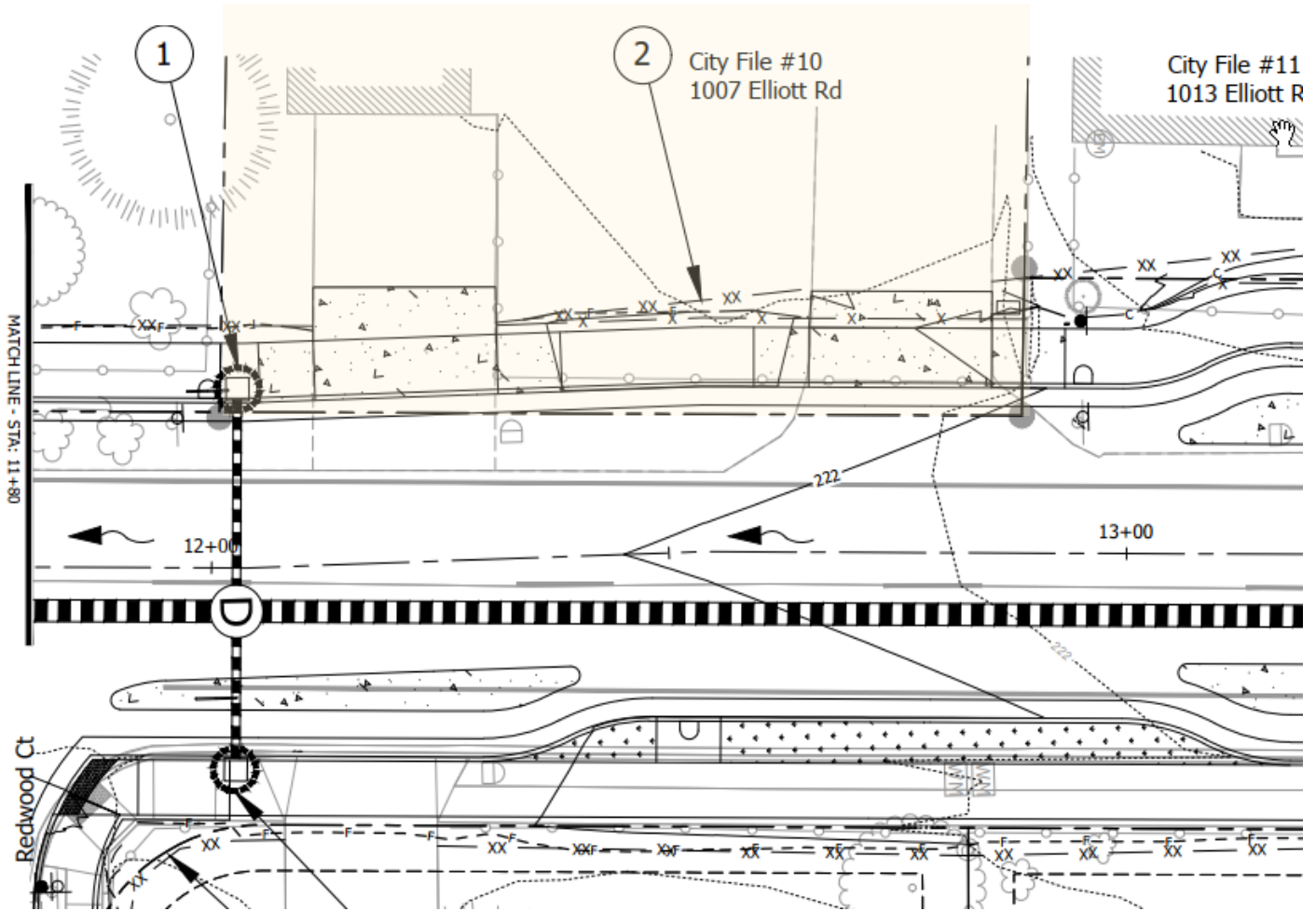
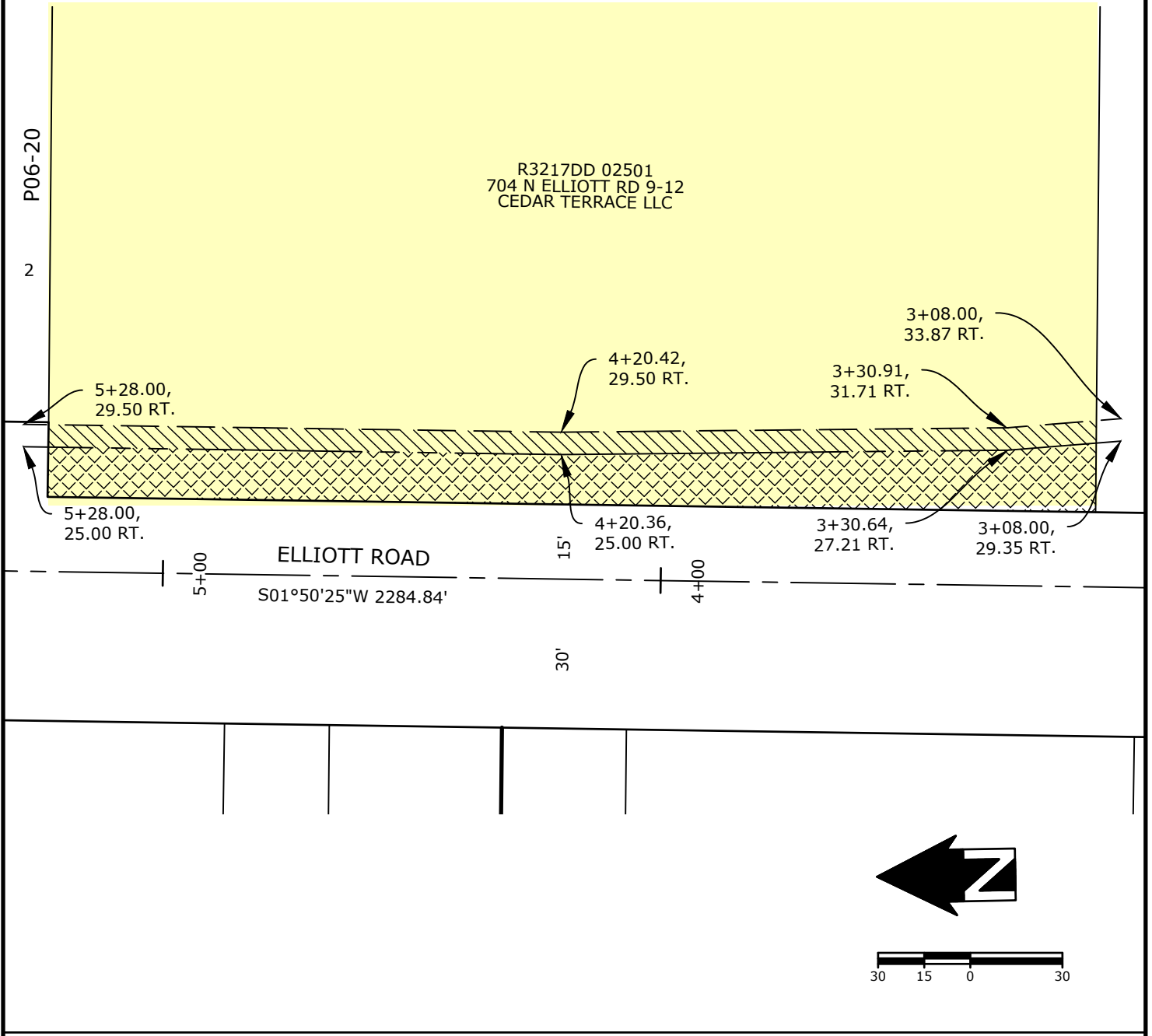




EXHIBIT D-1

R3217DD 02501
704 N ELLIOTT RD 9-12
CEDAR TERRACE LLC

P06-20

2



-  1. RIGHT-OF-WAY DEDICATION
2,258 SQ. FT. MORE OR LESS
-  2. PERMANENT UTILITY EASEMENT
947 SQ. FT. MORE OR LESS

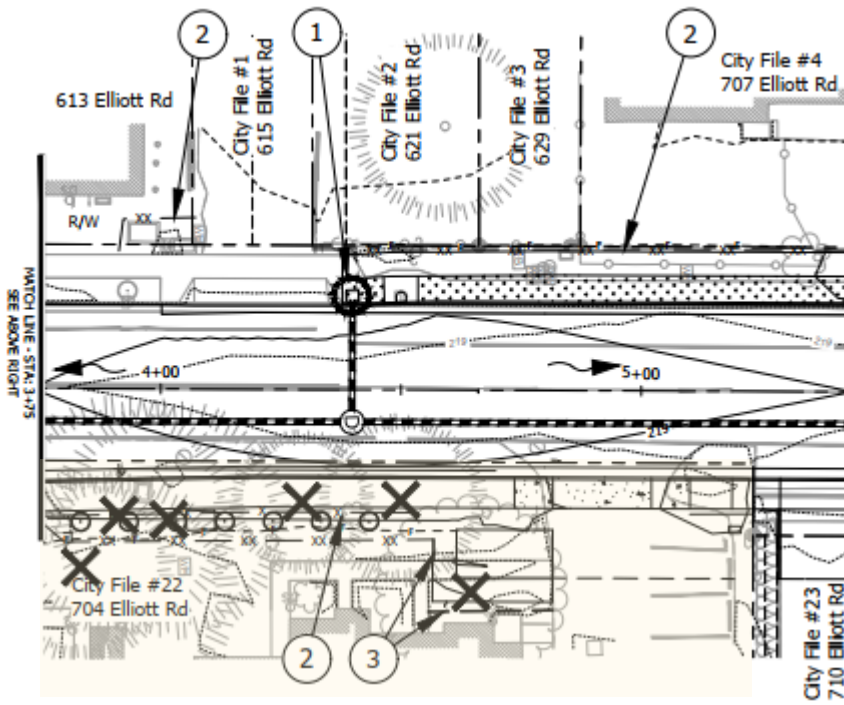
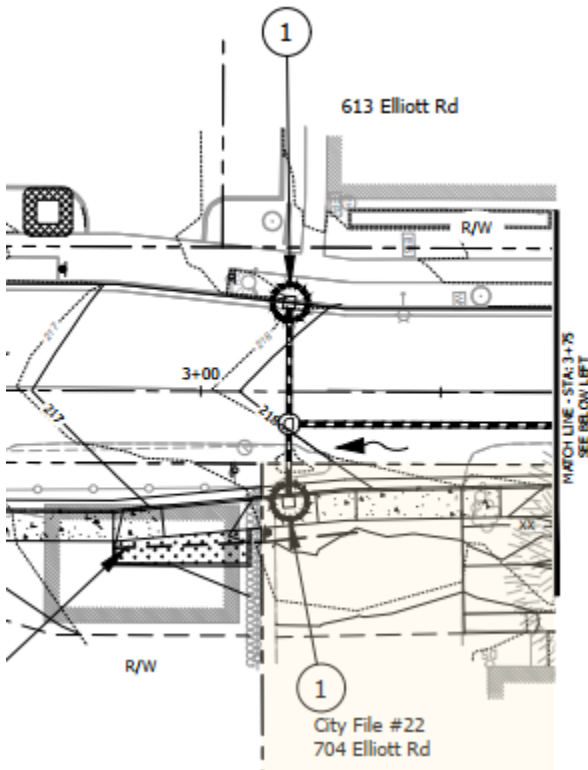
ELLIOTT ROAD
N. HWY.99 W. TO NEWBERG HIGH SCHOOL

CES | NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

FILE NUMBER: 22	SUBMITTAL DATE: 09/10/2020
TAX LOT: 02501	REVISED DATE:
TAX MAP: 3 2 17DD	REVISED DATE:
ADDRESS: 704 N ELLIOTT ROAD	

EXHIBIT D-2 File 22_704 Elliott Road Proposed grading





ELLIOTT ROAD - TYPE II NOTIFICATION LIST

MapTaxlot	SITUS1	SITUSCITY	SITUSZIP	OWNER1	OWNER2	MAILADD1	MAILCITY	MAILSTATE	MAILZIP
R3217DA 00802	1204 N ELLIOTT RD	NEWBERG	97132	SIMPSON ROBERT J	SIMPSON SHARON L	1204 N ELLIOTT RD	NEWBERG	OR	97132
R3217DD 03600	808 N ELLIOTT RD	NEWBERG	97132	REAB AMANDA	REAB BENJAMIN	808 N ELLIOTT RD	NEWBERG	OR	97132
R3217DC 00300	707 N ELLIOTT RD	NEWBERG	97132	BLACK GARRY L		707 N ELLIOTT RD	NEWBERG	OR	97132
R3217DB 06114	901 N ELLIOTT RD	NEWBERG	97132	HARRIMAN WILLIAM E		901 N ELLIOTT RD	NEWBERG	OR	97132
R3217DD 03400	908 N ELLIOTT RD	NEWBERG	97132	MITCHELL BRIAN A		1203 SITKA AVE	NEWBERG	OR	97132
R3217DA 00400	2500 HAWTHORNE DR	NEWBERG	97132	J & R EQUITIES		478 17TH ST	SANTA MONICA	CA	90402
R3217DA 00700	1210 N ELLIOTT RD	NEWBERG	97132	SOLORZANO ANTONIO S		1210 N ELLIOTT RD	NEWBERG	OR	97132
R3217DB 01600	1205 N ELLIOTT RD	NEWBERG	97132	VAN BERGEN JEFFREY	VAN BERGEN CONTONA S	1205 N ELLIOTT RD	NEWBERG	OR	97132
R3217DD 02501	704 N ELLIOTT RD 9-12	NEWBERG	97132	CEDAR TERRACE LLC		13489 NW TREVINO ST	PORTLAND	OR	97229
R3217DA 00803	1202 N ELLIOTT RD	NEWBERG	97132	BYNON DEVIN R &	BYNON REGINA M	1202 ELLIOTT RD	NEWBERG	OR	97132
R3217DC 00200	713 N ELLIOTT RD	NEWBERG	97132	GONZALEZ ANITA		713 N ELLIOTT RD	NEWBERG	OR	97132
R3217DD 02602	710 N ELLIOTT RD	NEWBERG	97132	LUCKY DOG PROPERTIES LLC		5250 ROGUE RIVER HWY	GRANTS PASS	OR	97527
R3217DB 06002	1013 N ELLIOTT RD	NEWBERG	97132	KOCH MICHAEL		19490 S FERGUSON TERRACE	OREGON CITY	OR	97045
R3217DA 00900	2505 HAWORTH AVE	NEWBERG	97132	CHURCH OF CHRIST		2503 HAWORTH AVE	NEWBERG	OR	97132
R3217DA 00300	1300 N ELLIOTT RD	NEWBERG	97132	J & R EQUITIES		478 17TH ST	SANTA MONICA	CA	90402
R3217DB 01500	1207 N ELLIOTT RD	NEWBERG	97132	SPENCER THOMAS K	SPENCER WANDA C	1207 ELLIOTT RD	NEWBERG	OR	97132
R3217DA 00801	1206 N ELLIOTT RD	NEWBERG	97132	WOOLEN NORMAN A	WOOLEN STEFFANIE	1705 GEMINI LN	NEWBERG	OR	97132
R3217DB 06201	807 N ELLIOTT RD	NEWBERG	97132	D'HONDT DANIEL L		807 N ELLIOTT RD	NEWBERG	OR	97132
R3217DC 00500	609 N ELLIOTT RD	NEWBERG	97132	CFT NV DEVELOPMENTS LLC		1683 WALNUT GROVE AVE	ROSEMEAD	CA	91770
R3217DD 02900	2500 HAWORTH AVE	NEWBERG	97132	BROWN TYLER	PAUL KASIE	2500 HAWORTH AVE	NEWBERG	OR	97132
R3217DB 06001	1007 N ELLIOTT RD	NEWBERG	97132	PARKS JON H	PARKS GRACE L	20032 SORRENTO PL	BEND	OR	97702
R3217DC 00402	613 N ELLIOTT RD UNIT 101	NEWBERG	97132	KCK PARTNERS LLC		11483 SE AMITY-DAYTON HWY	DAYTON	OR	97114
R3217DB 05908	2409 HAWORTH AVE	NEWBERG	97132	BROWN MARCIA S TRUSTEE	BROWN MARCIA TRUST	2409 HAWORTH AVE	NEWBERG	OR	97132
R3217DD 04000	2500 NORWOOD CT	NEWBERG	97132	RINGSETH JAMES A	RINGSETH KATIE L	2500 NORWOOD CT	NEWBERG	OR	97132
R3217DB 01700	1203 N ELLIOTT RD	NEWBERG	97132	MULCAHY SHAUN P	MULCAHY KARRIE M	1203 N ELLIOTT RD	NEWBERG	OR	97132
R3217DD 03000	1004 N ELLIOTT RD	NEWBERG	97132	ANDERSON NICHOLAS	ANDERSON STACY	1004 N ELLIOTT RD	NEWBERG	OR	97132
R3217DB 03900	2408 WILLOW DR	NEWBERG	97132	WOOLDRIDGE ELMER & BRENDA L		2408 WILLOW DR	NEWBERG	OR	97132
R3217DD 02502	2501 NE PORTLAND RD B	NEWBERG	97132	VEATCH ROGER A & CAROL E TRUSTEES FOR	VEATCH FAMILY TRUST	18450 NE HILLSIDE DR	NEWBERG	OR	97132
R3217DC 00303	621 N ELLIOTT RD E	NEWBERG	97132	ELLIOTT ESTATES LLC		17370 SW 108TH PL	TUALATIN	OR	97062
R3217DC 00400	615 N ELLIOTT RD	NEWBERG	97132	ELLIOTT ESTATES LLC		17370 SW 108TH PL	TUALATIN	OR	97062
R3217DB 06200	911 N ELLIOTT RD	NEWBERG	97132	AVOLIO GERALD &	AVOLIO JANET	911 N ELLIOTT RD	NEWBERG	OR	97132
R3217DD 03500	900 N ELLIOTT RD	NEWBERG	97132	CHILD KATHLEEN		PO BOX 396	NEWBERG	OR	97132
R3217DD 02600	720 N ELLIOTT RD	NEWBERG	97132	SHUCKEROW PATRICK C	SHUCKEROW KATHERINE M	PO BOX 253	NEWBERG	OR	97132
R3217DD 02601	714 N ELLIOTT RD	NEWBERG	97132	THOMPSON EMILY		710 N ELLIOTT RD	NEWBERG	OR	97132
R3217DC 00301	629 N ELLIOTT RD	NEWBERG	97132	ELLIOTT ESTATES LLC		17370 SW 108TH PL	TUALATIN	OR	97062
R3217DB 01800	2409 WILLOW DR	NEWBERG	97132	REDWINE GARY D &	REDWINE CHERI	2409 WILLOW DR	NEWBERG	OR	97132
R3217DB 01400	1209 N ELLIOTT RD	NEWBERG	97132	KWIESELEWICZ NATHALIE		1209 N ELLIOTT RD	NEWBERG	OR	97132
R3217DC 00100	803 N ELLIOTT RD	NEWBERG	97132	CROCKETT WESLEY	CROCKETT BRANDY	803 N ELLIOTT RD	NEWBERG	OR	97132
R3217DB 00100	2409 HAWTHORNE DR	NEWBERG	97132	MARSHALL THOMAS L & TERESA		2409 HAWTHORNE DR	NEWBERG	OR	97132

R3217DA 00802
SIMPSON ROBERT J
1204 N ELLIOTT RD
NEWBERG, OR 97132

R3217DB 06114
HARRIMAN WILLIAM E
901 N ELLIOTT RD
NEWBERG, OR 97132

R3217DA 00700
SOLORZANO ANTONIO S
1210 N ELLIOTT RD
NEWBERG, OR 97132

R3217DA 00803
BYNON DEVIN R &
1202 ELLIOTT RD
NEWBERG, OR 97132

R3217DB 06002
KOCH MICHAEL
19490 S FERGUSON TERRACE
OREGON CITY, OR 97045

R3217DB 01500
SPENCER THOMAS K
1207 ELLIOTT RD
NEWBERG, OR 97132

R3217DC 00500
CFT NV DEVELOPMENTS LLC
1683 WALNUT GROVE AVE
ROSEMEAD, CA 91770

R3217DC 00402
KCK PARTNERS LLC
11483 SE AMITY-DAYTON HWY
DAYTON, OR 97114

R3217DB 01700
MULCAHY SHAUN P
1203 N ELLIOTT RD
NEWBERG, OR 97132

R3217DD 02502
VEATCH ROGER A & CAROL E
18450 NE HILLSIDE DR
NEWBERG, OR 97132

R3217DD 03600
REAB AMANDA
808 N ELLIOTT RD
NEWBERG, OR 97132

R3217DD 03400
MITCHELL BRIAN A
1203 SITKA AVE
NEWBERG, OR 97132

R3217DB 01600
VAN BERGEN JEFFREY
1205 N ELLIOTT RD
NEWBERG, OR 97132

R3217DC 00200
GONZALEZ ANITA
713 N ELLIOTT RD
NEWBERG, OR 97132

R3217DA 00900
CHURCH OF CHRIST
2503 HAWORTH AVE
NEWBERG, OR 97132

R3217DA 00801
WOOLEN NORMAN A
1705 GEMINI LN
NEWBERG, OR 97132

R3217DD 02900
BROWN TYLER
2500 HAWORTH AVE
NEWBERG, OR 97132

R3217DB 05908
BROWN MARCIA S TRUSTEE
2409 HAWORTH AVE
NEWBERG, OR 97132

R3217DD 03000
ANDERSON NICHOLAS
1004 N ELLIOTT RD
NEWBERG, OR 97132

R3217DC 00303
ELLIOTT ESTATES LLC
17370 SW 108TH PL
TUALATIN, OR 97062

R3217DC 00300
BLACK GARRY L
707 N ELLIOTT RD
NEWBERG, OR 97132

R3217DA 00400
J & R EQUITIES
478 17TH ST
SANTA MONICA, CA 90402

R3217DD 02501
CEDAR TERRACE LLC
13489 NW TREVINO ST
PORTLAND, OR 97229

R3217DD 02602
LUCKY DOG PROPERTIES LLC
5250 ROGUE RIVER HWY
GRANTS PASS, OR 97527

R3217DA 00300
J & R EQUITIES
478 17TH ST
SANTA MONICA, CA 90402

R3217DB 06201
D'HONDT DANIEL L
807 N ELLIOTT RD
NEWBERG, OR 97132

R3217DB 06001
PARKS JON H
20032 SORRENTO PL
BEND, OR 97702

R3217DD 04000
RINGSETH JAMES A
2500 NORWOOD CT
NEWBERG, OR 97132

R3217DB 03900
WOOLDRIDGE ELMER & BRENDA L
2408 WILLOW DR
NEWBERG, OR 97132

R3217DC 00400
ELLIOTT ESTATES LLC
17370 SW 108TH PL
TUALATIN, OR 97062

R3217DB 06200
AVOLIO GERALD &
911 N ELLIOTT RD
NEWBERG, OR 97132

R3217DD 02601
THOMPSON EMILY
710 N ELLIOTT RD
NEWBERG, OR 97132

R3217DB 01400
KWIESELEWICZ NATHALIE
1209 N ELLIOTT RD
NEWBERG, OR 97132

R3217DD 03500
CHILD KATHLEEN
PO BOX 396
NEWBERG, OR 97132

R3217DC 00301
ELLIOTT ESTATES LLC
17370 SW 108TH PL
TUALATIN, OR 97062

R3217DC 00100
CROCKETT WESLEY
803 N ELLIOTT RD
NEWBERG, OR 97132

R3217DD 02600
SHUCKEROW PATRICK C
PO BOX 253
NEWBERG, OR 97132

R3217DB 01800
REDWINE GARY D &
2409 WILLOW DR
NEWBERG, OR 97132

R3217DB 00100
MARSHALL THOMAS L & TERESA
2409 HAWTHORNE DR
NEWBERG, OR 97132

**APPLICANT'S RESPONSE WITH ADDITIONAL INFORMATION
FOR TYPE II APPLICATION**



November 8, 2021

Doug Rux
Community Development
City of Newberg
PO Box 970
Newberg, OR 97132

Re: MISC221-0002 – Elliott Road

Dear Mr. Rux:

This letter is a response to your notice dated November 2, 2021, in particular the narrative response for Newberg Municipal Code 15.505.030(H):

Properties 807 N Elliott Road and 911 N Elliott Road requires modification of street right-of-way width because of the necessity to preserve existing trees and to minimize impact to the green features of the Elliott Road corridor according to subsection (H)(1)(c).

Property 1007 N Elliott Road requires transition of the narrower street right-of-way to full width to the north as a result of preserving existing trees to the south according to subsection (H)(1)(c).

Please refer to Exhibits E-1, E-2 and E3 for the reasons due to the tree impact.

Property 704 N Elliott Road requires a 6-inch narrower street right-of-way from the 60-foot full width at the north corner of the existing multi-dwelling development to preserve the loss of an existing parking space and to minimize impact to the existing lot configuration according to subsection (H)(1)(b). The south portion of this lot does not have a right-of-way issue.

Please also note that the City Council authorized Resolution No. 2020-3681 on June 15, 2020 that they selected "The Buffered Bike Lane" design as the preferred alternative. This alternative specifically directed project staff to proceed with the narrower right-of-way design in some areas of the Elliott Road corridor.

With this additional information, please review this Type II application. Please also advise me when to mail the Neighborhood Notice. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Chiu", is positioned above the typed name.

Paul Chiu, PE
Project Manager

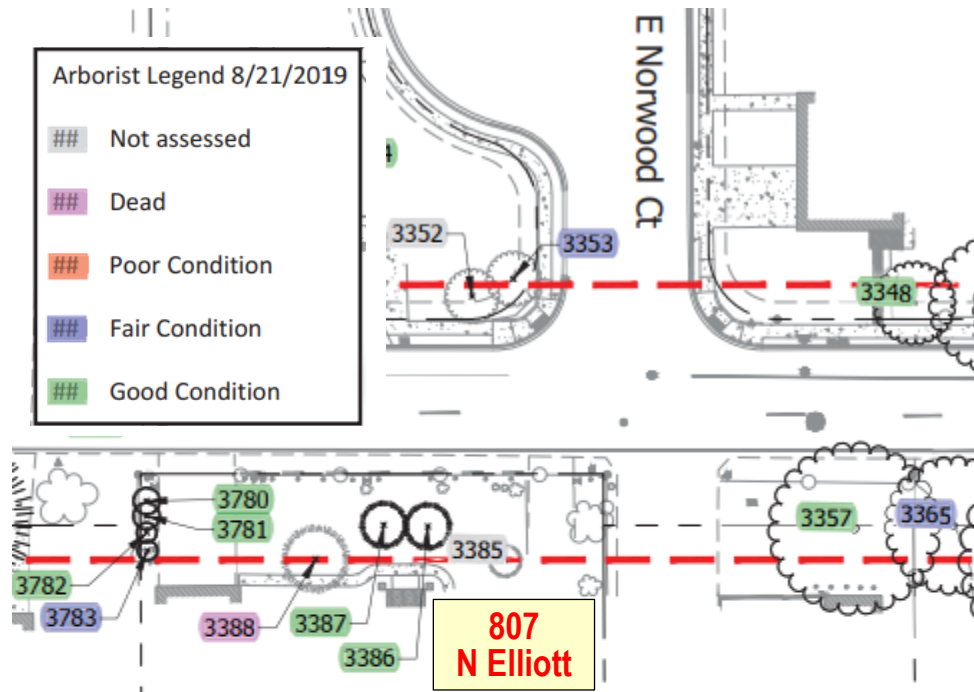
Attachments as noted above



EXHIBIT E-1

Date of Response to CDD Notice (via email): 11/8/2021

RE: 807 N Elliott
Tree Survey (8-21-19)



No.	Location	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Treatment
3385	Priv Prop	Con						Not assessed - below 6" diameter	
3386	Priv Prop	Con	palm	<i>Arecaceae</i> spp.	*9	8	G		
3387	Priv Prop	Con	palm	<i>Arecaceae</i> spp.	*9	8	G		
3388	Priv Prop	Con	spruce	<i>Picea</i> spp.	*23	0	D	Completely dead	
3780	Priv Prop	Dec	apple	<i>Malus</i> spp.	6	5	G	Diameter measured at lower trunk below codominant stem juncture	
3781	Priv Prop	Dec	apple	<i>Malus</i> spp.	7	6	G	Diameter measured at lower trunk below codominant stem juncture	
3782	Priv Prop	Dec	apple	<i>Malus</i> spp.	8	6	G	Diameter measured at lower trunk below codominant stem juncture	
3783	Priv Prop	Dec	apple	<i>Malus</i> spp.	6	4	F	Diameter measured at lower trunk below codominant stem juncture	

¹DBH is tree diameter at breast height measured 4.5-feet above ground level in inches; codominant stems originating below 4.5-feet are separated by a common or indicated as quantity x size. Where noted, diameter was measured below 4.5-feet. *Asterisk indicates limited visual tree assessment due to access limitations on private properties; size was visually estimated and observations were limited to public rights of way only.

²C-Rad is the average crown radius measured in feet.

³Cond is an arborist assigned rating to generally describe the condition of individual trees as follows-

- D: Dead
- P: Poor Condition
- F: Fair Condition

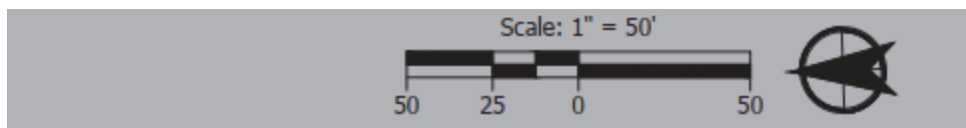
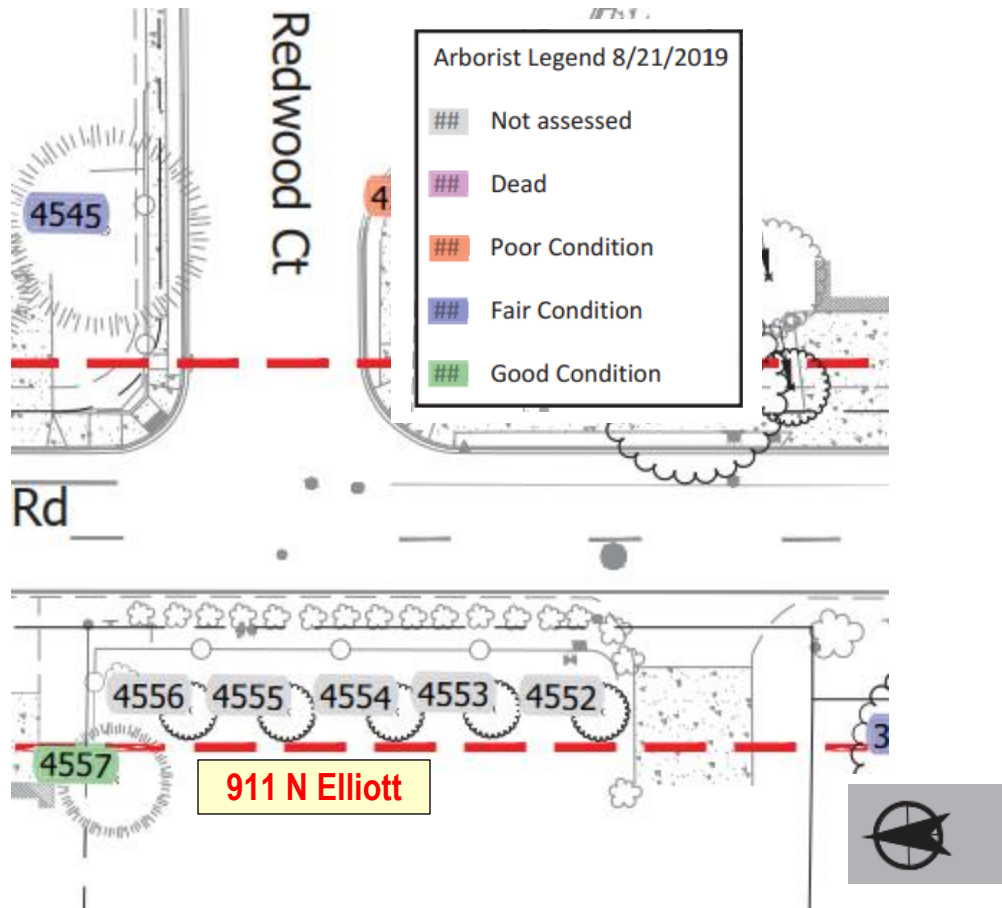




EXHIBIT E-2

Date of Response to CDD Notice (via email): 11/8/2021

RE: 911 N Elliott
Tree Survey (8-21-19)



No.	Location	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Treatment
4552	Priv Prop	Dec						Not assessed - below 6" diameter	
4553	Priv Prop	Dec						Not assessed - below 6" diameter	
4554	Priv Prop	Dec						Not assessed - below 6" diameter	
4555	Priv Prop	Dec						Not assessed - below 6" diameter	
4556	Priv Prop	Dec						Not assessed - below 6" diameter	
4557	Priv Prop	Con	blue spruce	<i>Picea pungens</i>	*11	14	G	Long live crown	

¹DBH is tree diameter at breast height measured 4.5-feet above ground level in inches; codominant stems originating below 4.5-feet are separated by a common or indicated as quantity x size. Where noted, diameter was measured below 4.5-feet. *Asterisk indicates limited visual tree assessment due to access limitations on private properties; size was visually estimated and observations were limited to public rights of way only.

²C-Rad is the average crown radius measured in feet.

³Cond is an arborist assigned rating to generally describe the condition of individual trees as follows-

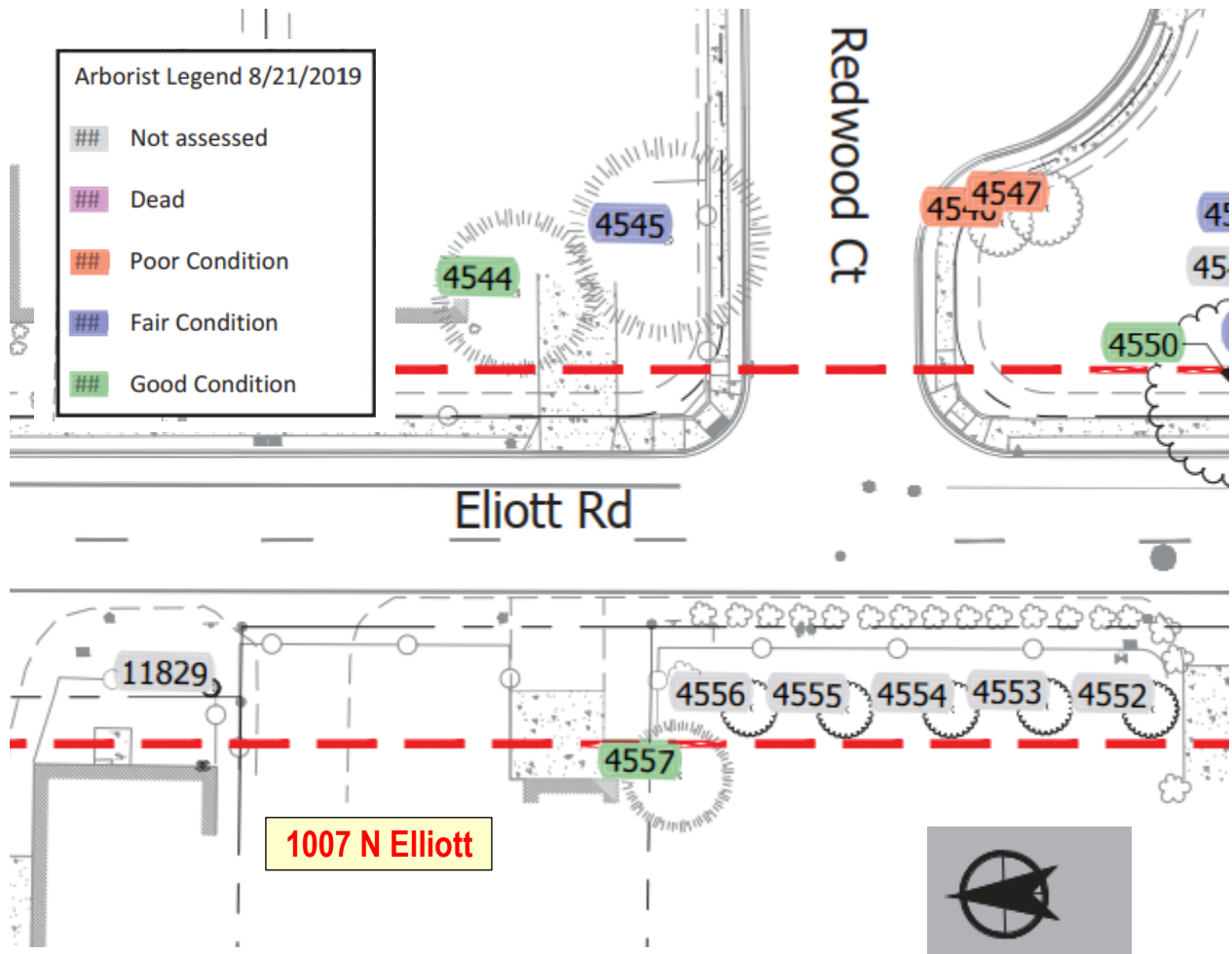
- D: Dead
- P: Poor Condition
- F: Fair Condition
- G: Good Condition



EXHIBIT E-3

Date of Response to CDD Notice (via email): 11/8/2021

RE: 1007 N Elliott
Neighboring Tree Survey (8-21-19)



No.	Location	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Treatment
4557	Priv Prop	Con	blue spruce	<i>Picea pungens</i>	*11	14	G	Long live crown	
11829	ROW	Con						Not assessed - below 6" diameter	

¹DBH is tree diameter at breast height measured 4.5-feet above ground level in inches; codominant stems originating below 4.5-feet are separated by a common or indicated as quantity. Where noted, diameter was measured below 4.5-feet. *Asterisk indicates limited visual tree assessment due to access limitations on private properties; size was visually estimated and observations were limited to public rights of way only.

²C-Rad is the average crown radius measured in feet.

³Cond is an arborist assigned rating to generally describe the condition of individual trees as follows-

- D: Dead
- P: Poor Condition
- F: Fair Condition
- G: Good Condition