City of Dallas Planning Commission **Council Chambers**
October 9, 2007 - 7:30 p.m. **City Hall**

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES - Regular meeting of September 11, 2007, and workshop of October 4, 2007.

4. ANNOUNCEMENT OF PUBLIC HEARING GUIDELINES
(Copies available in the slots at the door.)

5. PUBLIC HEARINGS

A) 7:30 PM A Public Hearing on the application of FIFE Group Inc., owner, for a Conditional Use PUD Modification at TL7.5.28A 301, 510 SE Fir Villa Road, in an RA, Residential Agriculture, zone.

The record was kept open for 7 days to allow for submittal of written testimony.

B) 7:30 PM A Public Hearing on the application of Millennium Homes, applicant, and EL Family LLC, owner, for a Conditional Use PUD for a portion of Tax Lot 7.5.28A 301, in an RS, Residential Single Family, zone.

A motion was made, seconded, and carried to approve the request, subject to the seventeen (17) conditions listed in the staff report with an added condition that the retaining wall plans be presented to the City staff for approval of aesthetics and location.

C) 7:30 PM A Public Hearing on the application of Michael and Linda Moling, owners, for a Variance to allow a 2' side setback when 5' is required by Code at 331 NE Holiday Avenue, in an RS, Residential Single Family, zone.

A motion was made, seconded, and carried to approve the request, subject to the four (4) conditions listed in the staff report.

D) 7:30 PM A Public Hearing on the application of Muir & McDonald Tannery, owner, and Lisa Koloen, applicant, to consider demolition and removal of all structures and materials from the site and removal of the property from the Historical Register and the Dallas Development Code Historic Resources Inventory at 505 SW Levens Street, in an RS, Residential Single Family, zone.

A motion was made, seconded, and carried to approve the request, subject to the three (3) conditions listed in the staff report.

E) 7:30 PM A Public Hearing on the application of Eugene & Dorothy Collins, owners, to partition property at 241 NE Denton Avenue into 2 lots, in an RS, Residential Single Family, zone.

A motion was made, seconded, and carried to approve the request, subject to the

seven (7) conditions listed in the staff report.

F) 7:30 PM A Public Hearing on the application of FIFE Group Inc., Meadows Investments LLC, and River Gleann Phase 6 LLC, owners, for a Conditional Use PUD at Tax Lots 7.5.34A 100, 1500, 2600; 7.5.34B 700, 2600, 10800 and 10900, in an RS, Residential Single Family, zone.

POSTPONED

6. OTHER BUSINESS

A)

B)

C)

CITY OF DALLAS
PLANNING COMMISSION
MODIFIED STAFF REPORT

APPLICATION COMPLETE
SEPTEMBER 18, 2007

STAFF REPORT
DATE: OCTOBER 5, 2007

FILE NO.	**PUD 1-07**
HEARING DATE	**OCTOBER 9, 2007** **7:30 P.M. CITY HALL** **COUNCIL CHAMBERS** **187 SE COURT STREET** **DALLAS, OREGON 97338**
OWNER	**FIFE GROUP INC.**
REQUEST	**PUD MAJOR MODIFICATION**
LOCATION	**TAX LOT 7.5.34A 2300**
RECOMMENDATION	**APPROVAL WITH CONDITIONS**

CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT

HEARING DATE:	**OCTOBER 9, 2007**
APPLICATION TYPE:	**PUD MAJOR MODIFICATION**
OWNERS:	**FIFE GROUP INC.**
LOCATION:	**TAX LOT 7.5.34A 2300**
NAME:	**CERES GLEANN PHASE PLAN – PHASES 6-9**

Project Description: This is a request to amend the Ceres Gleann PUD by adding property for a phasing plan for phases 6-9 to the approved Ceres Gleann PUD. The PUD is located on the east side of SE Fir Villa Road and north of the existing Ceres Gleann. No additional lots are being approved with this application.

Zoning:	RA-Residential Agricultural
Comprehensive Plan Map No. 1 Land Use Designation:	Single Family
Floodplain/Wetlands:	The property is not located in the 100-year floodplain or identified on the National Wetlands Inventory Map.
Size:	9.75 Acres

PUBLIC FACILITIES:

Street. Adjoining the subject property on the west side is SE Fir Villa Road a collector street improved to a turnpike roadway (paved gravel shoulders and drainage ditches). SE Fir Villa Road will need to be improved with curb and sidewalks prior to plat signatures. The location of SE Academy Street is in conformance with the adopted Barberry Mixed Use Node Master Plan and the proposed Transportation System Plan. SE Academy Street will be located to meet street block alignments and future extension to the west. Adjoining the subject property on the south side is SE Stoneridge Lane and SE St. Andrews Lane which are improved local streets with curbs and sidewalks.

Section 4.2.30 Street Standards

Complies. With a future subdivision application street improvements will need to be constructed by the applicant to serve the property.

FINDINGS: SE Fir Villa Road is under construction and with the improvement the street will be adequate to serve the subject property for the proposed use.

Water. Existing is a 8" CI line in SE Fir Villa Road and a 8" DI located in SE Stoneridge Lane and SE St. Andrews Lane. The water system will need to be extended to provide a future circulatory water system to serve any development of this property and the surrounding area. A hydrant is required at every intersection and placed at a maximum distance of 500'.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The water line is adequate to serve the property.

FINDINGS: The water system is adequate to serve the subject property for the proposed use.

Storm. A public storm system will need to be designed and constructed prior to the issuance of building permits. Existing is a 30" PVC in SE Stoneridge Lane and a 18" PVC in SE St. Andrews Lane.

Section 3.2.30 (5) Adequate Public Facilities

Complies. With the project a storm system will need to be constructed to serve to the property.

FINDINGS: A public storm system can be constructed to serve the subject property for the proposed use.

Sanitary. Existing is a 10" sanitary line in SE Fir Villa Road and a 8" PVC in SE Stoneridge Lane and SE St. Andrews Lane.

Section 3.2.30 (5) Adequate Public Facilities

Complies. Existing is a sanitary service to serve the property.

FINDINGS: The sanitary sewer system is adequate to serve the subject property for the proposed use.

Transportation A transportation impact and mitigation report has been submitted with the application by Associated Transportation Engineering and Planning. The report indicates that the housing development will generate 3.71 daily trips per household compared to 10 daily trips for a single family detached house.

Parks / Open Space East Dallas Community park a 7.93-acre community park is located within 1.5 miles of the proposed development. With the previous approval a recorded agreement between the Ceres Gleann development and Dallas Golf Course was required. The agreement allowed the property owners of Ceres Gleann guarantee to use the Dallas Golf Club in perpetuity as a golf course. The applicant has submitted documentation of an agreement to purchase the Golf Course. Prior to any plat being signed the applicant must demonstrate to the satisfaction of the City Attorney that the applicant owns the Golf Course. An open space of 20% of the gross space is required for a Planned Unit Development. With the modification, Ceres Gleann would have 41.85 acres of open space and .35 acres for the Community Building compared to 30.75 acres of gross land inside the housing development component of the PUD. The open space equals to 58% of the gross area.

General Criteria.

- All future public improvements must be constructed according to City Standards and Specifications.
- No building permits will be issued until all public improvements are operational and approved by the City.
- The subject property has a drainage ditch on the property that appears to fall under the jurisdiction of the Army Corps of Engineers. The proper permits will need to be obtained prior to any work in the drainage ditch.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

STANDARDS FOR REVIEW:
Dallas Comprehensive Plan Map 1.
Dallas Development Code.
Article I Procedures:
1.3.40 Complete Application Required
Complies. A complete application has been filed.
1.3.60-1.3.140 Public Hearings
Complies. Proper notice was issued.
Article II Zoning Districts and Use Categories:
Chapter 2.2 Single Family Residential Zoning Districts
Complies. A Planned Development is listed as a conditional use, Type III.

Article III Specific Land Use Review Procedures:
Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.
Chapter 3.4 Conditional Uses
Complies. The applicant has submitted a proper application.

Chapter 3.8 Planned Developments
3.8.50 Modification to Approved Planned Developments
Complies. A major modification is being requested with the application.
3.8.70 Design Standards and Requirements.
Complies. Open space of 20% of the gross space is required. With the modification, Ceres Gleann would have 41.85 acres of open space and .35 acre for the Community Building compared to 30.75 acres of gross land inside the housing development component of the PUD. The open space equals 58% of the gross area.

Conclusions: The staff has concluded the following regarding this Conditional Use request / PUD Modification:

1) A proper application has been made and hearing notice given.
2) The application is in conformance with the standards listed above.

Summary and Conditions:

If it appears to the Planning Commission that the criteria for approval have been met, then this PUD Modification request could be granted with the following suggested conditions:

1) That the modification to add 9.75 acres of property to the Ceres Gleann PUD must be completed in accordance with the general criteria, plans and specifications, documents, and all other information presented to/or modified by the Planning Commission.
2) That the owners/applicant must sign and record at the Polk County Clerk's office a notice that approval does not guarantee the availability of building permits.
3) That the owners/applicant is aware that building permits will be allocated as per Ordinance #1635, Public Facilities Strategy, and owners agree to sign and record a notice to that effect at the Polk County Clerk's Office at the owner's expense.
4) That a wetlands determination and delineation will need to be performed and approved by Division of State Lands and the City prior to the development of the property.

5) That the existing house will need to be demolished with a subdivision application on the property.
6) That prior to any subdivision plat being signed the applicant must demonstrate to the satisfaction of the City Attorney that the applicant or affiliated company owns the Golf Course.

Respectfully submitted,
Community Development Team

CITY OF DALLAS
PLANNING COMMISSION

APPLICATION COMPLETE
SEPTEMBER 18, 2007

STAFF REPORT
DATE: OCTOBER 2, 2007

FILE NO.	PUD 1-07
HEARING DATE	OCTOBER 9, 2007 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	FIFE GROUP INC.
REQUEST	PUD MAJOR MODIFICATION
LOCATION	TAX LOT 7.5.34A 2300
RECOMMENDATION	APPROVAL WITH CONDITIONS

CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT

HEARING DATE:	**OCTOBER 9, 2007**
APPLICATION TYPE:	**PUD MAJOR MODIFICATION**
OWNERS:	**FIFE GROUP INC.**
LOCATION:	**TAX LOT 7.5.34A 2300**
NAME:	**CERES GLEANN PHASE PLAN – PHASES 6-9**

Project Description: This is a request to amend the Ceres Gleann PUD by adding property for a phasing plan for phases 6-9 to the approved Ceres Gleann PUD. The PUD is located on the east side of SE Fir Villa Road and north of the existing Ceres Gleann. No additional lots are being approved with this application.

Zoning:	RA-Residential Agricultural
Comprehensive Plan Map No. 1 Land Use Designation:	Single Family
Floodplain/Wetlands:	The property is not located in the 100-year floodplain or identified on the National Wetlands Inventory Map.
Size:	9.75 Acres

PUBLIC FACILITIES:

Street. Adjoining the subject property on the west side is SE Fir Villa Road a collector street improved to a turnpike roadway (paved gravel shoulders and drainage ditches). SE Fir Villa Road will need to be improved with curb and sidewalks prior to plat signatures. The location of SE Academy Street is in conformance with the adopted Barberry Mixed Use Node Master Plan and the proposed Transportation System Plan. SE Academy Street will be located to meet street block alignments and future extension to the west. Adjoining the subject property on the south side is SE Stoneridge Lane and SE St. Andrews Lane which are improved local streets with curbs and sidewalks.

Section 4.2.30 Street Standards

Complies. With a future subdivision application street improvements will need to be constructed by the applicant to serve the property.

FINDINGS: SE Fir Villa Road is under construction and with the improvement the street will be adequate to serve the subject property for the proposed use.

Water. Existing is a 8" CI line in SE Fir Villa Road and a 8" DI located in SE Stoneridge Lane and SE St. Andrews Lane. The water system will need to be extended to provide a future circulatory water system to serve any development of this property and the surrounding area. A hydrant is required at every intersection and placed at a maximum distance of 500'.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The water line is adequate to serve the property.

FINDINGS: The water system is adequate to serve the subject property for the proposed use.

Storm. A public storm system will need to be designed and constructed prior to the issuance of building permits. Existing is a 30" PVC in SE Stoneridge Lane and a 18" PVC in SE St. Andrews Lane.

Section 3.2.30 (5) Adequate Public Facilities

Complies. With the project a storm system will need to be constructed to serve to the property.

FINDINGS: A public storm system can be constructed to serve the subject property for the proposed use.

Sanitary. Existing is a 10" sanitary line in SE Fir Villa Road and a 8" PVC in SE Stoneridge Lane and SE St. Andrews Lane.

Section 3.2.30 (5) Adequate Public Facilities

Complies. Existing is a sanitary service to serve the property.

FINDINGS: The sanitary sewer system is adequate to serve the subject property for the proposed use.

Transportation A transportation impact and mitigation report has been submitted with the application by Associated Transportation Engineering and Planning. The report indicates that the housing development will generate 3.71 daily trips per household compared to 10 daily trips for a single family detached house.

Parks / Open Space East Dallas Community park a 7.93-acre community park is located within 1.5 miles of the proposed development. With the previous approval a recorded agreement between the Ceres Gleann development and Dallas Golf Course was required. The agreement allowed the property owners of Ceres Gleann guarantee to use the Dallas Golf Club in perpetuity as a golf course. The applicant has submitted documentation of an agreement to purchase the Golf Course. Prior to any plat being signed the applicant must demonstrate to the satisfaction of the City Attorney that the applicant owns the Golf Course. An open space of 20% of the gross space is required for a Planned Unit Development. With the modification, Ceres Gleann would have 41.85 acres of open space and .35 acres for the Community Building compared to 30.75 acres of gross land inside the housing development component of the PUD. The open space equals to 58% of the gross area.

General Criteria.

- All Public improvements must be constructed according to City Standards and Specifications.
- No building permits will be issued until all public improvements are operational and approved by the City.
- The owners/applicant must sign and record at the Polk County Clerk's office a notice to potential purchasers of the proposed lots that approval does not guarantee the availability of building permits.
- The owners/applicant is aware that building permits will be allocated as per

Ordinance #1635, Public Facilities Strategy, and the owners agree to sign and record a notice to that effect at the Polk County Clerk's Office at the owner's expense.

- Any fill placed on the lots must be an engineer-controlled fill with separation of vegetative material from the select compacted material.
- A soils report approved by a soils engineer specific to the subdivision will be required addressing expansive soil conditions for the subject property prior to plat signatures.
- Street trees will be required on every lot or at 30' intervals in the street right-of-ways in the subdivision.
- A wetlands determination and delineation will need to be performed and approved by Division of State Lands.
- The subject property has a drainage ditch on the property that appears to fall under the jurisdiction of the Army Corps of Engineers. The proper permits will need to be obtained prior to any work in the drainage ditch.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

STANDARDS FOR REVIEW:
Dallas Comprehensive Plan Map 1.
Dallas Development Code.
Article I Procedures:
1.3.40 Complete Application Required
Complies. A complete application has been filed.
1.3.60-1.3.140 Public Hearings
Complies. Proper notice was issued.
Article II Zoning Districts and Use Categories:
Chapter 2.2 Single Family Residential Zoning Districts
Complies. A Planned Development is listed as a conditional use, Type III.

Article III Specific Land Use Review Procedures:
Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.
Chapter 3.4 Conditional Uses
Complies. The applicant has submitted a proper application.

Chapter 3.8 Planned Developments
3.8.50 Modification to Approved Planned Developments
Complies. A major modification is being requested with the application.
3.8.70 Design Standards and Requirements.
Complies. Open space of 20% of the gross space is required. With the modification, Ceres Gleann would have 41.85 acres of open space and .35 acre for the Community Building compared to 30.75 acres of gross land inside the housing development component of the PUD. The open space equals 58% of the gross area.

Article IV Development Standards:
Chapter 4.1 General Development Standards
Complies. The lots presented are unique to the proposed PUD.
Chapter 4.2 Street & Accessway Design
Complies. The subject property must be located off of an improved street with curbs and sidewalks. Improvements must be made prior to plat signature.

Chapter 4.4 Landscaping and Screening
Complies. Street trees are required with the subdivision.

Conclusions: The staff has concluded the following regarding this Conditional Use request / PUD Modification:

1) A proper application has been made and hearing notice given.
2) The application is in conformance with the standards listed above.
3) A plat must be filed within one year.

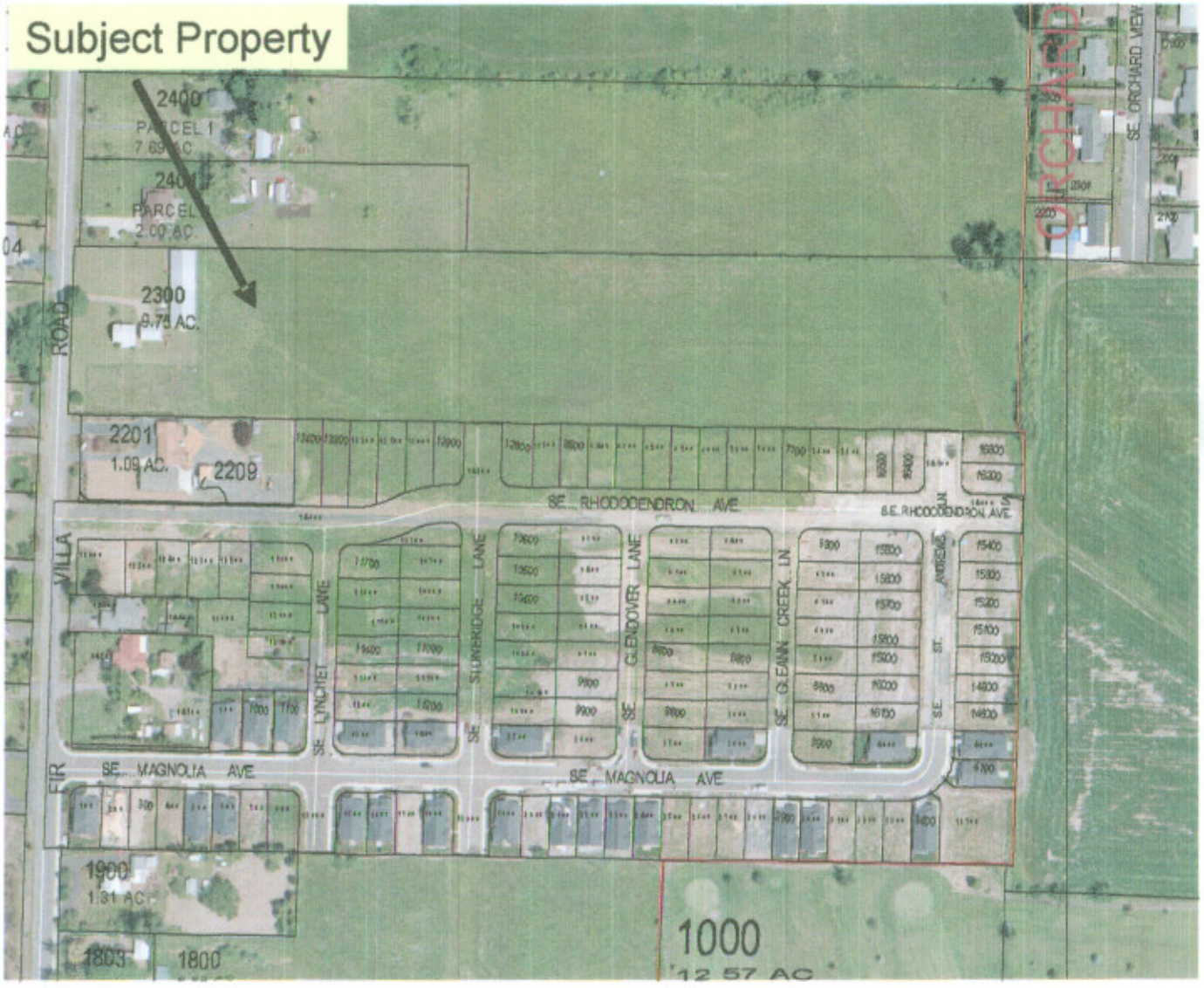
Summary and Conditions:

If it appears to the Planning Commission that the criteria for approval have been met, then this PUD Modification request could be granted with the following suggested conditions:

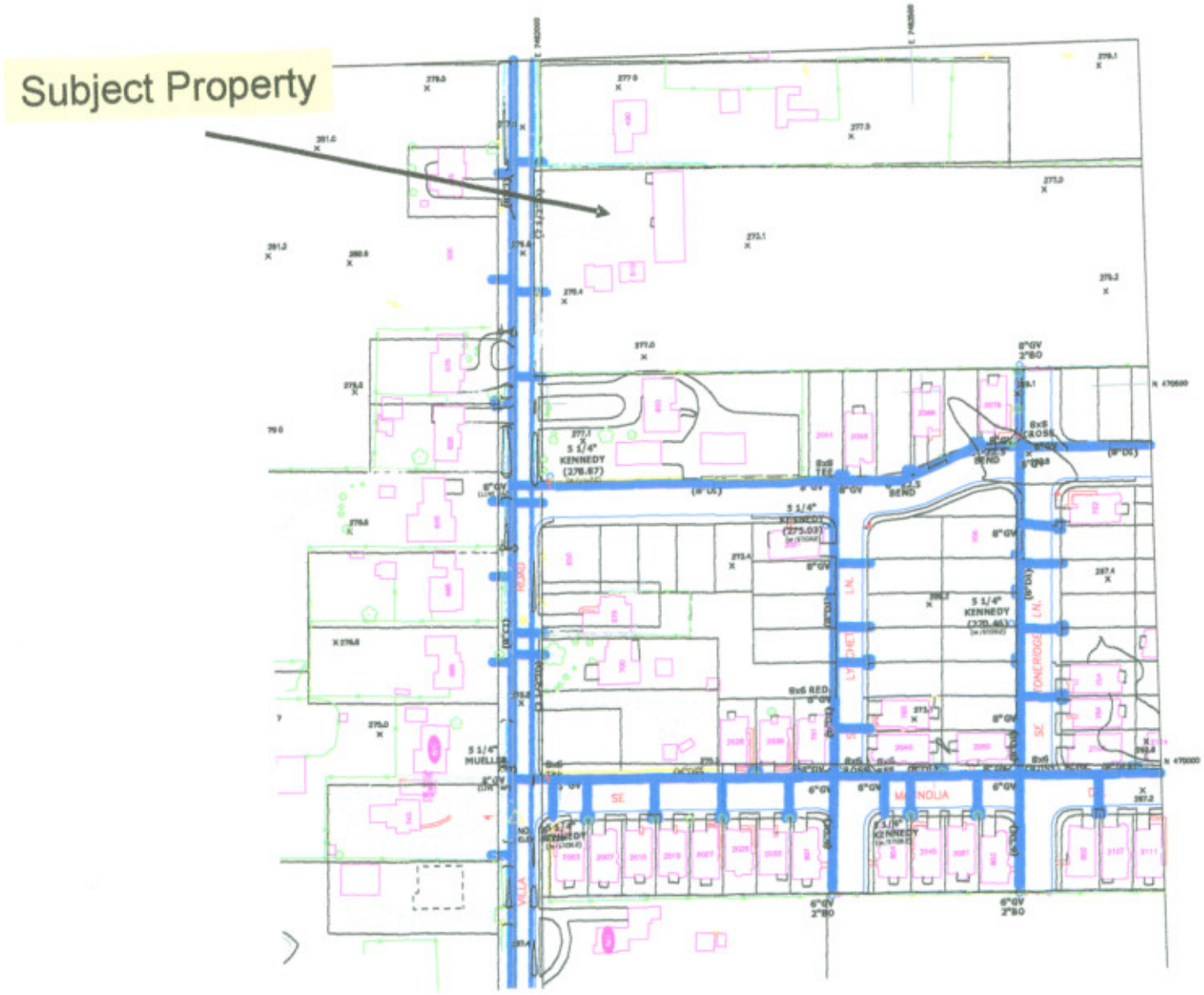
1) That the modification must be completed in accordance with the general criteria, plans and specifications, documents, and all other information presented to/or modified by the Planning Commission.
2) That the owners/applicant must sign and record at the Polk County Clerk's office a notice to potential purchasers of the proposed lots that approval does not guarantee the availability of building permits.
3) That the owners/applicant is aware that building permits will be allocated as per Ordinance #1635, Public Facilities Strategy, and owners agree to sign and record a notice to that effect at the Polk County Clerk's Office at the owner's expense.
4) That the applicant will be required to provide a soils report by a soils engineer specific to the subdivision addressing the expansive index rating, soil bearing pressure and fill soil conditions for the subject property.
5) That a wetlands determination and delineation will need to be performed and approved by Division of State Lands and the City.
6) That the existing house will need to be demolished with a subdivision application on the property.
7) That SE Fir Villa Road will need to be improved prior to plat signatures.
8) That prior to any plat being signed the applicant must demonstrate to the satisfaction of the City Attorney that the applicant or affiliated company owns the Golf Course.

Respectfully submitted,
Community Development Team

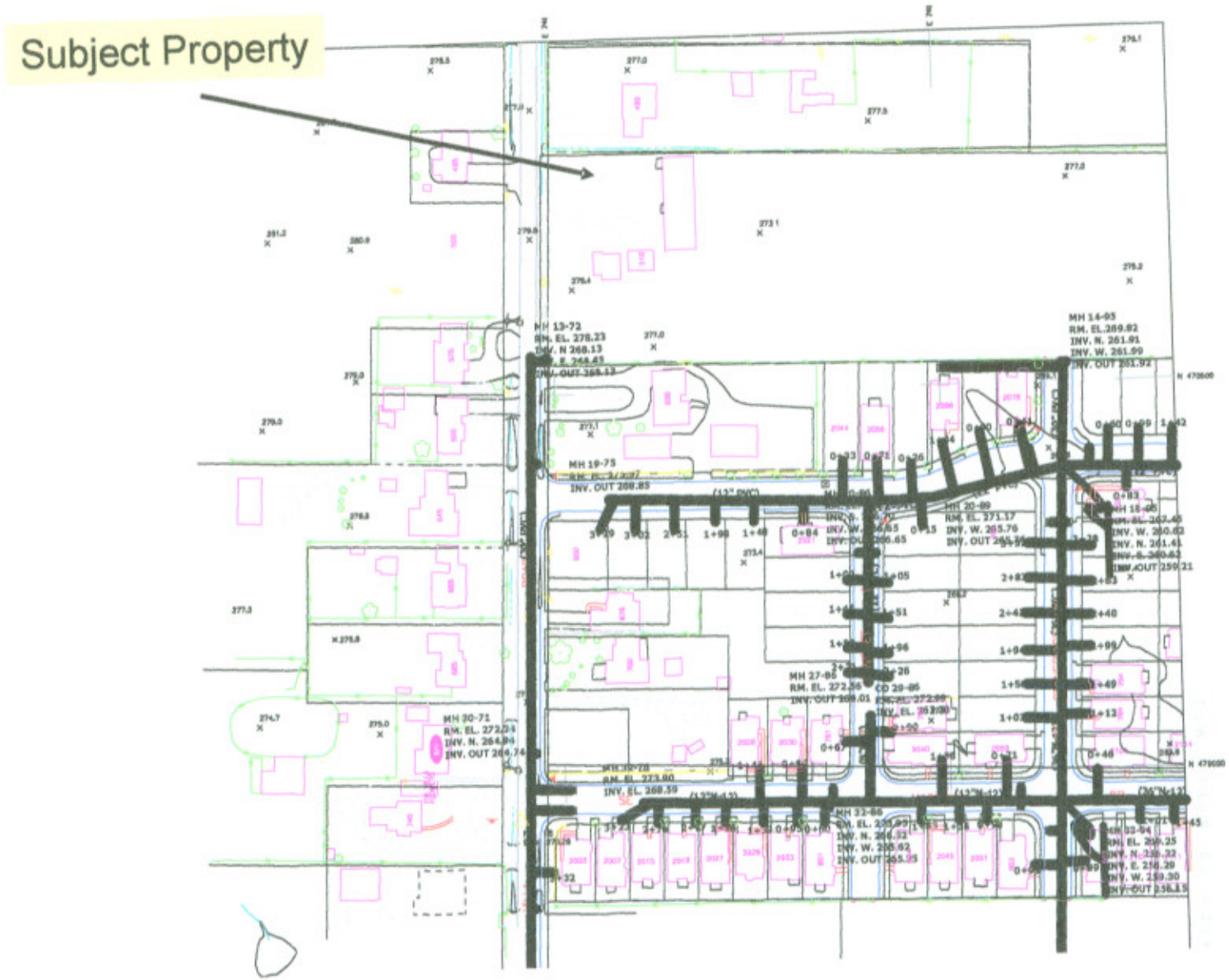
Ceres Gleann PUD Modification to include property adjacent to the north



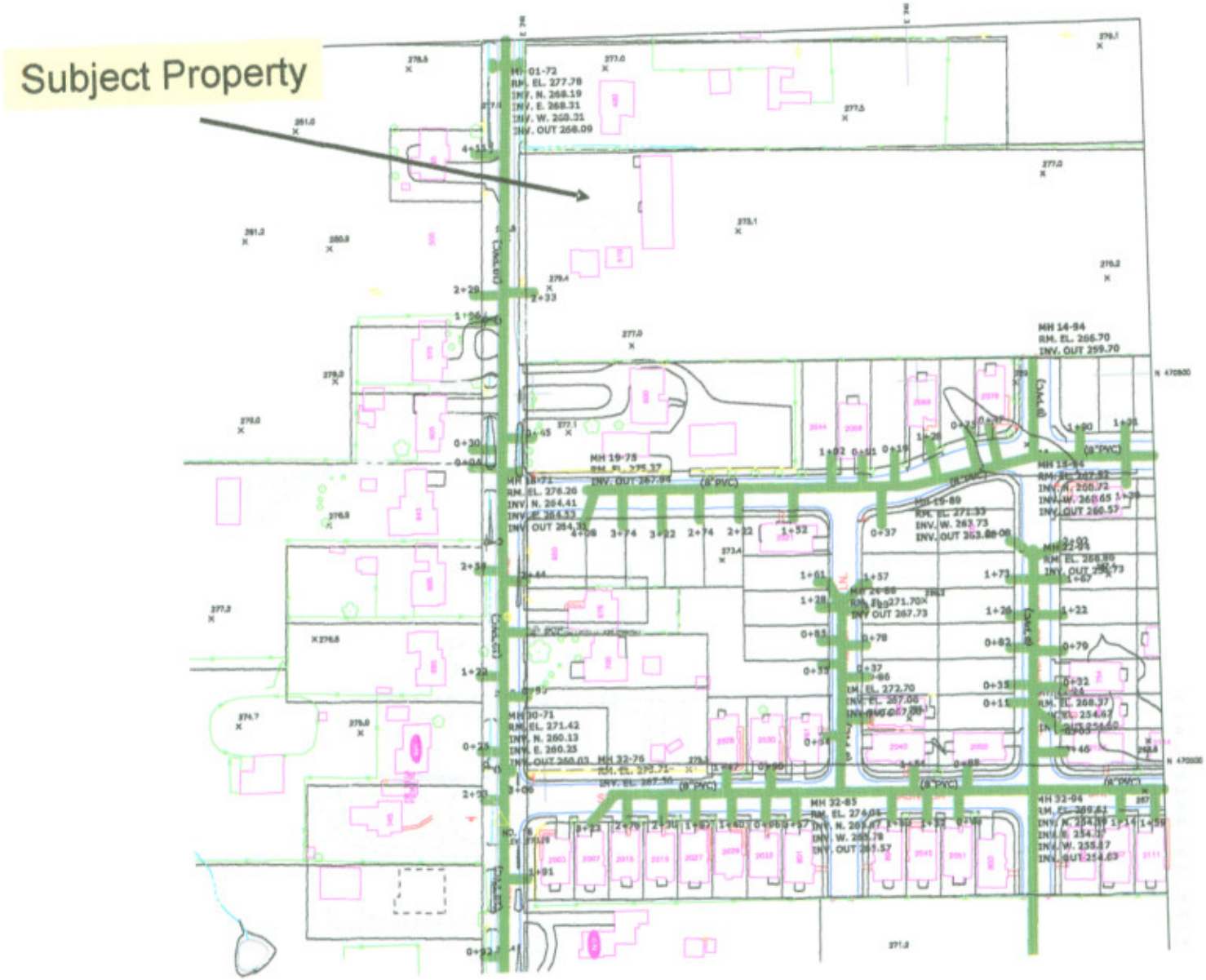
Water System



Storm Sewer System



Sanitary Sewer System



July 13, 2007

Mr. Jerry Wyatt
Director of Community Development
City of Dallas
187 S.E. Court St.
Dallas, OR 97338

RE: Modification of Ceres Gleann PUD

Dear Jerry:

Attached please find our application to modify the above referenced Planned Unit Development. This modification seeks to add four additional phases to the project located on the adjacent property to the north.

After your review, should you or any staff have any questions regarding this application, please do not hesitate to contact me.

Sincerely,

Paul K. Trahan
Vice President
Land Acquisition and development

07-17-07A10:07 RCVD

The FIFE Group, Inc. • P.O. Box 968 • Dallas, Oregon 97338 • (503) 831-6136 • Fax (503) 623-9117

LAND USE APPLICATION

City of Dallas

187 SE Court Street, Dallas, OR 97338 • 503-831-3571

PLEASE TYPE OR PRINT IN INK ONLY

FOR STAFF USE ONLY

- ☐ ANNEXATION (Type IV)
- ☐ COMP PLAN (Type IV)
- ☐ CONDITIONAL USE (Type III)
- ☐ SUBDIVISION (Type III)
- ☐ PARTITION (Type III)
- ☐ VARIANCE (Type III)
- ☐ ZONE CHANGE (TYPE IV)
- ☐ UGB EXPANSION (TYPE IV)

File No: PUD 1-07
Date Received: 7/17/07
Fee $ 4200
Hearing Date: 9-11-07
Staff Member: JW/LA
Zone: RA
Comp. Plan: SF

APPLICANT INFORMATION

WHAT IS PROPOSED PUD Modification

NAME OF APPLICANT The Fife Group, Inc.
LAST FIRST

MAILING ADDRESS PO. Box 968 CITY DALLAS ST ___ ZIP 97338

APPLICANT IS: ☐ LEGAL OWNER ☑ CONTRACT BUYER ☐ OPTION BUYER ☐ AGENT

NAME OF OWNER (If other than applicant) Ralph Jager

MAILING ADDRESS 510 Fir Villa Rd CITY DALLAS ST ___ ZIP 97338

APPLICANT PHONE: Work (503) 831-6136 Home ___ OWNER PHONE: Work ___ Home ___

SITE ADDRESS 510 Fir Villa Rd. TOTAL LAND AREA: 9.75 ac

PRESENT USE OF PROPERTY: Residential/AG

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Ralph Jager 7-17-07 — 7/16/07
OWNER'S SIGNATURE DATE APPLICANT'S SIGNATURE DATE

◆ **Required Information** (Applicant, please initial completed documentation:)

Initial

- ☑ RJ Property deed and a legal description from Polk County, title company or licensed surveyor.
- ☑ RJ Plot Plan.
- ☑ RJ A current Polk County Assessor map showing the properties within 100 feet of the subject site, and a list of the names and addresses of owners of all such properties, certified as accurate and complete.
- ☑ RJ Required Supplemental Application response for each Land Use Action.
- ☑ RJ Applicable fee. Applicant acknowledges fee includes a non-refundable $100 Development Review fee.

APPLICABLE CRITERIA
Dallas Development Code

CHAPTER 3.8 – PLANNED DEVELOPMENTS

3.8.10 Purpose.
3.8.20 Approval Procedure.
3.8.30 Information Requirements.
3.8.40 Permitted and Accessory Uses.
3.8.50 Modifications to Approved Planned Developments
3.8.60 Density Transfers and Bonuses.
3.8.70 Design Standards and Requirements.
3.8.80 Land Division Approval Required.
3.8.90 Revocation.
3.8.100 Filing or Recording.

3.8.30 – INFORMATION REQUIREMENTS

1) **Complete Application Required**. An application shall not be considered for a Planned Development unless it satisfies all of the requirements of this section.

   a) An application shall not be accepted that proposes development, other than required public facilities, within riparian corridors as defined in Chapter 3.12 of this code.

   b) An application shall not be deemed complete for a Planned Development unless all requested adjustments to engineering standards or variances to standards in this chapter, including information justifying the adjustment or variance, are contained in the application.

Response: This application seeks approval for a modification to the current Ceres Gleann PUD. The only variance to standards requested is the size of the lots which fall below the 6,000 square foot standards. As proposed, the lot configuration will be the same as in the current approved PUD. All street construction will be to City standards for local and collector streets. The applicant acknowledges the existence of a regulated ditch located on the easterly portion of the site. As proposed, the applicant will avoid any construction or development within this environmentally sensitive area. The requirement that Academy road be extended to the easterly property line will necessitate the bridging of the regulated ditch.

2) **Preliminary Planned Development Application Requirements.** An application for a preliminary Planned Development shall have five copies of a proposed site development plan. In addition to the application requirements of Chapter 3.2, Development Review, the site development plan shall include the following:

   a) The proposed boundaries and legal description of the property to be developed.

Response: Included within this application as Exhibit "A", the reviewer will find the legal description and boundaries of the subject property to be developed.

   b) The proposed functions, size, percentage of lot coverage, grades, landscaping, and method of maintenance for common or dedicated open space upon completion of the project.

Response: This application seeks to modify the existing Ceres Gleann PUD project. As proposed, this modification will contain approximately the same size lots and style of homes as currently being

developed. Lot coverage will very on lot and home design, but will be similar to that already approved as part of the initial PUD. Grades and landscaping will remain consistent as that being developed currently. Common areas within the PUD will be dedicated to and maintained by the homeowners association. Those open areas located on the golf course will be maintained by the golf course maintenance personnel.

c) A conceptual development plan showing all multi-family residential and non-residential structures, if any, including proposed building footprints, floor plans and unit sizes of typical dwelling units, and showing typical architectural styles and proposed elevations when viewed from the street(s) or from adjacent properties.

Response: The products being proposed for this modification are consistent with those within the current Ceres Gleann project. No multi-family or non-residential structures are being proposed. This modification as proposed will be a continuation of the current project by the addition of four additional phases of single-family residential homes. Included with this application as Exhibit "B", the applicant has included a typical floor plan and photographs of front elevation taken from the frontage streets.

d) Concept plan showing all proposed improvements and natural features, including (but not limited to):
   i) Recreational facilities, bicycle paths and pedestrian trails.
   ii) Existing site features to be retained and removed natural slopes, stands of trees, walls, fences, refuse areas, streets, sidewalks, paths and landscaping (including the means to provide permanent maintenance to all planted areas and open spaces)
   iii) Topographical maps of existing and proposed terrain showing a maximum five-foot contour interval where slopes equal or exceed 25 percent and a maximum two-foot contour interval where slopes are less than 25 percent.
   iv) 100-year flood plains and floodways.
   v) All proposed utilities and public facilities.
   vi) The proposed location and dimension of all off-street parking facilities (public and private).
   vii) The proposed location, size and means of access to public and semi-public areas if applicable.
   viii) Proposed building envelopes, proposed streets, proposed cut and fill areas, and existing native vegetation (including all trees of six inches in diameter at five feet above ground level, and where developments or streets are proposed in areas designated as sensitive lands.

Response: The applicant has addressed all the items above either on the proposed site plan (Exhibit "C") or supplementary exhibits. In regards to the regulated drainage ditch located on the easterly portion of the subject property, the applicant is proposing to dedicate that area to the homeowners association as a park. Academy road will traverse the ditch; however, a three sided box culvert will be utilized to completely span the ditch thereby removing any possibility of disturbing the ditch. Design and specifications for the culvert will be submitted as part of engineering plans.

Parking for the homes will remain the same as the current PUD by requiring the homes to have a garage and driveway. Streets within the proposed project will be dedicated to the City of Dallas and therefore parking on those streets will be consistent with parking regulations on any street within the city. Streets will be constructed to the full city requirements of curb, gutter, sidewalk and asphalt.
No part of this proposed site is designated by FEMA as being within the 100 year flood plain. The applicant, through the construction of prior phases, has stubbed all necessary utilities to the proposed site.

e) Calculations of the absolute area and the percentage of the site which is included in the sensitive lands maps, including but not limited to wetlands and wetland buffers, fish and wildlife habitat areas, areas subject to landslides or slumping, stream corridors and riparian areas, one hundred

year flood plain areas, designate and show 0-15 percent slope, 15 up to 25 percent slope, and 25 percent slope and greater.

Response: The applicant has researched the sensitive land maps provided by various agencies having jurisdictional control of those sensitive lands; and the subject site is not identified on any of the maps as containing sensitive lands. The applicant is aware though that the drainage ditch located on the easterly portion of the property; is regulated by the Oregon Division of State Lands (DSL). There are no wetlands located within the subject property. As stated previously, this site is relatively flat and certainly less than 15 percent.

f) Calculations of land to be dedicated as public right-of-way and land reserved for open space.

Response: Since this request is for a modification to the original PUD, the applicant believes the calculations should reflect the entire project. Therefore, the calculations listed below are for the entire PUD including the requested modification:

- Land to be dedicated as public right of way 12.57 acres
- Land reserved as open space
  - Golf Course 41.85 acres
  - Parks and open space 1.16 acres
  - Common area .35 acres

The original PUD is a unique project in that the Dallas Golf course is a co-applicant which means that the golf course will always remain an open space and available to the Ceres Gleann residents via a walking path to be constructed with benches for relaxing and enjoying Rickreall creek.

g) Geotechnical and environmental reports, if required by the Development Official.

Response: The current city policy is to request a Geotechnical report at the time of design to determine the thickness of proposed roads and then an additional report after the project is complete to determine foundation design. With respect to environmental reports, both the City and the applicant have retained the services of wetland consultants to determine if wetlands are present on this site. There are wetlands on the adjacent property to the north and along the roadside ditch of Fir Villa road, but no wetlands exist on the subject site.

h) A tabulation of the percentage of total building coverage and impervious surface area coverage on the land.

Response: Lot coverage will depend on the type of home that will be constructed upon a specific lot. Typical lot coverage will be similar to that already constructed within the Ceres Gleann project.

i) A determination of buildable and unbuildable areas and a tabulation of densities within each project, phase.

Response: The applicant is seeking the approval for a PUD modification of it's Ceres Gleann project. The proposed modification would include four more phases with the density calculations for each phase listed in the table below.

Tabulation of Buildable Areas

Phase	Total Acreage	Roads	Parks Open Space	Total Buildable	Lots	Density
Phase 6	1.65	0.43		1.22	10	6.06

Phase 7	3.06	1.08		1.98	18	5.88
Phase 8	2.31	0.58		1.73	16	6.93
Phase 9	2.81	0.86	0.60	1.35	12	4.27

j) A proposed phasing and/or timing schedule.

Response: The Applicant is anticipating starting phase 6 construction in the spring of 2008, with each new phase over the next successive years.

k) A narrative explaining how open space or public facilities will be managed

Response: Public facilities will be managed by the City of Dallas with dedication by the owners upon the recordation of the final plat for each of the four phases. Open area/park will be managed by the Homeowners association as is the case currently within the current Ceres Gleann project.

3) **Final Planned Development Application.** An application for a Final Planned Development shall include a site development plan which shall contain the following:

a) Final and complete set of plans, specifically showing all requirements contained in Section 3.8.30(2).

Response: The applicant as a part of its final engineering design plans will submit all the requested in Section 3.8.30(2).

b) Road, drainage and utility plans

Response: The applicant as a part of its final engineering design plans will submit all the requested in this Section.

c) Assurance of building code compliance.

Response: Through the building permit process the city conducts a thorough and comprehensive review of the build plans thereby assuring that the homes will be in compliance with all applicable building codes.

d) Assurance of fire code compliance.

Response: Through the building permit process the city conducts a thorough and comprehensive review of the build plans thereby assuring that the homes will be in compliance with all applicable fire codes.

e) Documentation of compliance with any conditions of approval required by the Commission.

Response: This item will be satisfied by the applicant upon the recording of the Development agreement.

f) Maps showing existing and finished contours at two-foot intervals: provided, however, that five-foot contours shall be sufficient for unbuildable areas where no construction or vegetation removal is proposed.

Response: The applicant shall provide the above requested information with the design engineering plans to be reviewed by city staff.

g) Submission of declaration of Covenants, Conditions and Restrictions for the Planned Development.

Response: include with this application, the applicant has supplied a set of the recorded CC&R's (exhibit "D") for the current Ceres Gleann PUD. The CC&R's for the modification will be similar in nature.

3.8.50 – MODIFICATIONS TO APPROVED PLANNED DEVELOPMENTS

The Development Official shall determine whether a "minor" adjustment or "major" modification is required, based on criteria 1 and 2 below. The Development Official may refer this decision to the Commission.

1) **Minor Modification**

2) **Major Modifications.** Major modifications to an approved Preliminary or Final Planned Development require an application for Modified Final Planned Development. Major adjustments are those which change the basic design, density, use, open space, appearance from streets or adjoining properties and the like.

Response: The Development Official has determined that this request is a Major Modification to the existing Ceres Gleann PUD; therefore the applicable criteria for a "major modification" applies to this application.

3.8.70 – DESIGN STANDARDS AND REQUIREMENTS

The development standards in this chapter are intended to accomplish the following design objectives in all Planned Developments. The applicant shall be responsible for addressing each of these criteria in the development narrative and on Planned Development plans.

1) **Natural Landscape** – Open spaces, pedestrian and vehicular circulation facilities, parking facilities, and other pertinent amenities shall be an integral part of the landscape, and particular attention shall be given to the retention of natural landscape features on the site.

Response: The applicant is proposing to leave approximately .60 acres surrounding a regulated drainage ditch and located on the easterly portion of the property; in its natural state, which is field grass. This ditch is regulated by DSL and serves as a water quality facility feeding a down stream wetland area located on adjacent property to the south and east of this site. This area will be dedicated to and maintained by the homeowners association.

Pedestrian and vehicular circulation will be via streets complete with sidewalks designed, constructed to and approved by the City of Dallas. Pedestrians wishing to access the walking path on the golf course will be able to do so by means of public sidewalks.

Parking facilities are not proposed with this application; however offsite parking is provided in driveways and garages constructed with homes. Parking on city streets will be in conformance with city parking requirements.

2) **Recreation** – Recreational areas (active and passive) shall be dispersed throughout the development and shall be easily accessible from all dwelling units.

Response: Through-out the Ceres Gleann PUD, there are recreational areas provided for the homeowners use, such as; a community garden where residences can grow vegetables, a community center where the residences can meet and hold functions, and with the construction of the golf course path, the residences will be able to go on long walks while enjoying the peaceful setting adjacent to Rickreall creek.

3) **Open Space** – Every Planned Development shall preserve open space as indicated in the Dallas Comprehensive Plan. A minimum of 20 percent of its gross land area shall be maintained as common open space, suitable for active or passive recreational purposes, for which adequate provision is made for its perpetual upkeep and maintenance. Pedestrian and/or bicycle access shall be provided to usable common open space from streets, as required in the Dallas Comprehensive Plan.

Response: Because this PUD is unique in nature in that it includes the Dallas Golf Course as a co-applicant, the applicant submits that he meets or exceeds the 20% of its gross land area be open space. The residents of the Ceres Gleann PUD are guaranteed that this open space amenity will remain as open space. With the addition of the walking path; this amenity will provide for both passive and active recreation for the residents of Ceres Gleann.

4) **Improvements and Amenities** – Every Planned Development shall make adequate provision for utilities, drainage, lighting, pedestrian and vehicular circulation and access, public safety, landscaping and accommodation of environmentally sensitive features and other similar items.

Response: The applicant has already provided the utilities necessary to serve this project by stubbing them to the property line through earlier phases of the development. Drainage has been provided for by installing the necessary storm drain system down stream as part of an earlier phase of the development. Pedestrian and vehicular circulation will be provided by continuation of two north south streets and by the construction of Academy Road from west to east. The regulated ditch located on the easterly portion of the property shall remain in its natural alignment and condition. Landscaping around the individual lots will be similar to that already being constructed.

5) **Street Design** – Streets shall be designed in a grid system and constructed consistent with this Code, except as explicitly modified below or through and adjustment or variance to street design standards.

   a) Off-site collector and arterial street dedication and half-street improvements shall be required where determined necessary to mitigate impacts from the development proposal.

   b) One-way streets or loop streets with one access point shall serve no more than an average of 40 units and be no more than 600 feet long. One-way streets shall be signed at every intersection.

   c) There shall be provided, through covenants or other legal means approved by the City Attorney, assurance of permanent maintenance of private streets and parking areas.

   d) All areas that are to be occupied or traveled by motor vehicles shall be paved and constructed to City standards.

   e) Where there is no reasonable alternative except to allow a street through riparian corridors, and abutting lots do not take access directly from this street, parking lanes shall not be required.

Response: Included with this application, the applicant has provided a street plan view of the proposed streets. All streets include in this request, shall be constructed to the City of Dallas standards for local and collector streets.

6) **Attachment of Conditions** – In conjunction with the approval of a Preliminary Planned Development or Final Planned Development, conditions shall be attached which will assure that the property will be developed and maintained in accordance with this Code and the approved development plan and subdivision plat.

Response: The applicant that conditions of approval may be part of the preliminary and final plan approval. To ensure that these conditions are carried out, the city and the applicant will enter into a "development" agreement which is recoded against the property.

7) **Perpetual Maintenance** – All private improvements and amenities that are held in common and are part of the Planned Development shall be perpetually maintained in a good, safe and serviceable condition at no expense to the City. The documents necessary to guarantee perpetual maintenance shall be approved by the City Attorney.

Response: The applicant proposes CC&R's similar in nature to those currently in use by the Ceres Gleann project. As previously stated, common areas will be maintained either by the Homeowners association or by the golf course maintenance crews.

8) **Minimum Yards and Setback** – Except when otherwise approved at the time of the Final Planned Development hearing, the minimum setbacks of the underlying zone shall apply to exterior project boundaries. Interior yards (building envelopes) shall be as approved on the Planned Development site development plan.

Response: The applicant is proposing to utilize the same setbacks currently being utilized within Ceres Gleann. No change in setbacks is being requested.

9) **Maximum Building Height** – Building height maximums of the underlying zone may be waved on individual buildings to allow greater flexibility in the development. Consideration shall be given to adjacent land uses and building heights as well as building relationships within the development.

Response: The applicant is proposing to build residential homes only with no home exceeding two stories in height, which is allowable within the underlying zone.

10) **Storage Standards** – All storage in the Planned Development shall be within a closed building. The Commission may approve screened outdoor storage of recreation vehicles, boats or similar personal items.

Response: The CC&R's currently prevent outside storage within the Ceres Gleann subdivision. Similar CC&R's will be recorded preventing outside storage.

11) **Refuse Storage** – All outdoor trash, garbage, and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed on three sides with a six foot high sight-obscuring fence or wall with a sight-obscuring gate for access.

Response: The applicant states that this project as proposed will only have single family residences and all refuse is stored within the garage. Garbage cans and recycling bins can be placed on curb side

12) **Mechanical Equipment** – All rooftop mechanical equipment shall be placed behind a permanent screen, completely screened from public view.

Response: The applicant is not proposing to place any "rooftop" mechanical equipment on the roofs of the residential units; therefore this is a non issue item.

13) **Utilities** – All utilities shall be underground

Response: All utilities shall be constructed and installed underground.

14) **Pedestrian and Bicycle Circulation Facilities** – Within the Planned Development, sidewalks shall be constructed in accordance with City of Dallas Engineering Construction Standards. Pedestrian and bicycle trails which connect to the City or County trail system and which will reasonable be used by residents or employees of the Planned Development shall be dedicated and constructed at the developer's expense. Additional interior pedestrian facilities shall be required to connect with planned trail systems and shall be:
   a) Functionally and safely convenient to each dwelling unit served.
   b) Functionally and safely convenient to schools and to industrial, commercial, recreational and utility areas within or adjacent to the project, and functionally convenient to a larger pedestrian circulation system outside the Planned Development.
   c) Sufficiently wide to accommodate potential use as a specified in adopted plans or this Code.
   d) Lighted for security and safety.

Response: Included with this application is the applicant's proposed plan modification. The proposed streets are all proposed to be City streets, which when constructed will provide, sidewalks for pedestrian travel. Street widths as proposed are sufficient for bicycle travel. The trail system that is being proposed on the golf course will be for pedestrian traffic only.

15) **Traffic Impacts** – The developer shall be responsible for determining traffic impacts and construct improvements necessary to mitigate identified impacts, consistent with service levels established in the Comprehensive Plan.
   a) Private access to collector and arterial streets shall be minimized.
   b) Parallel through streets and contoured "grid" patterns shall be encouraged.
   c) Until Level of Service (LOS) levels have been adopted, no development shall exceed LOS D (as defined by the Director of Public Works) during peak use periods.

Response: Enclosed with this application as Exhibit "E", the applicant has included a traffic impact statement by a traffic engineering firm. Essentially the additional traffic impact from the proposed modification will be very minimal and with the widening of Fir Villa road this summer, sufficient capacity exist on Fir Villa to accommodate the traffic generated by this proposed modification.

16) **Attractive Streetscapes** - The Planned Development design shall ensure an attractive "streetscape" especially along collector and arterial streets, by planting street trees and other vegetative buffers, minimizing the visibility of parking lots and garages, and avoiding the canyon-like effects of walled or fenced subdivisions.

Response: All streetscapes within the proposed modification will be similar in nature to those within the earlier phases. The location of street trees is specified by the city and installed by the developer.

CHAPTER 3.4 – CONDITIONAL USES

3.4.40 – REVIEW CRITERIA

In determining whether a Conditional Use Proposal shall be approved with conditions, the Commission shall find that the following criteria are met or can be met by observance of conditions.

1) The proposed use meets the dimensional standards of the underlying zone district and conforms with Development Review standards of this Code.

Response: This request is to modify an existing PUD previously approved by the City of Dallas. The previous PUD allows for smaller setbacks than that defined within the Development Code. Additionally the previously approval allows for small lots that that allowed by the Code. The modification requested is to add 4 additional phases to the PUD while keeping the same lot sizes and setbacks as already approved.

2) The location, size, design, and operating characteristics of the proposed use will have minimal adverse impact on the livability, value, and appropriate use – including the appropriate future development – of neighboring properties and the community as a whole.

Response: The property contained within this application, is currently designated as an RA zone. The modification as proposed is for single family residential. Adjacent property to the south is the current Ceres Gleann PUD. Property to the east is currently being utilized as a pasture and is located outside of the Urban Growth Boundary. To the west lies Fir Villa road and to the North is an existing farm house. The applicant plans to install a fence consisting of decretive metal to ease the impact on the property owner to the north.

3) Adverse impacts identified through the application and public hearing process can be mitigated.

Response: The applicant understands that through the application and public hearing process that additional conditions may be placed upon the applicant to mitigate certain impacts in addition to those being proposed. By the recordation of those conditions, the city is ensured that those conditions will be met by the applicant.

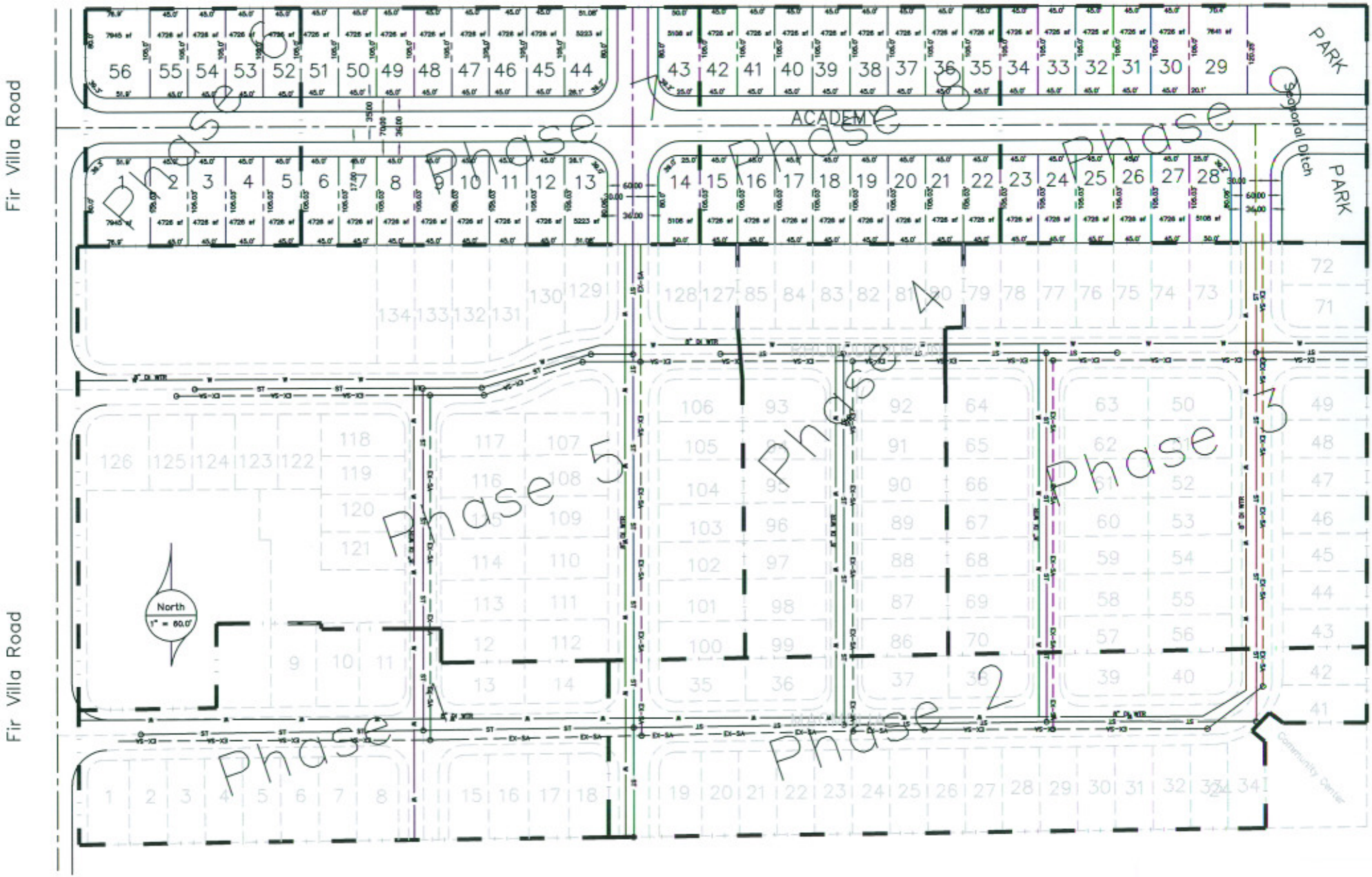

Fir Villa Road
Fir Villa Road
ACADEMY
PARK
PARK
Phase 1
Phase 2
Phase 3
Phase 4
Phase 5
North
1" = 60.0'
Golf Course

Exhibit "G"

Date: June 12, 2007
To: Mr. Jerry Wyatt
City of Dallas
From: Karl Birky, PE
Re: Ceres Gleann North - Traffic

ASSOCIATED TRANSPORTATION ENGINEERING & PLANNING Inc.
A.T.E.P., Inc.
P.O. Box 3047
Salem, OR. 97302
Tel.: 503.364.5066
FAX: 503.364.1260
e-mail: atep@engineer.com

Mr. Wyatt:

I have been asked to estimate the traffic that would be generated by residents of the proposed 60 retirement homes being proposed on the parcel of ground north of the existing Ceres Gleann subdivisions in Dallas, Oregon. The intent of this letter is to provide the information to you and decision makers in the City of Dallas.

The Institute of Transportation Engineers publishes the Trip Generation manuals that are used by cities, engineers, states and other agencies to estimate the trips that will be generated by different uses. One of the trip generators in the manual (7th Edition) is #251 Senior Adult Housing – Detached. I believe this category best describes the residents anticipated to occupy the planned homes. Trip generation data for ITE #251 is shown in the following table. Using the ITE data, 60 homes will generate 223 ADT (Average Daily Trips). During the afternoon peak

Use	Daily	AM Peak			PM Peak		
	Trips	Inbound	Outbound	Total	In bound	Outbound	Total
ITE #251Senior Housing Detached	3.71	0.076	0.124	0.20	0.159	0.101	0.26

Figures are per housing unit

hour traffic period, it is estimated 10 vehicles will enter Ceres Gleann North Addition and 6 vehicles will leave the proposed subdivision. I believe that Fir Villa Road can easily handle this additional traffic.

In 2004, the City of Dallas obtained traffic counts at the intersection of Fir Villa at the Dallas Rickreall Highway. In those counts, CH2M Hill estimates there were 9 northbound vehicles and 16 southbound vehicles on Fir Villa just south of the intersection. It is generally accepted that a street like Fir Villa can carry 1800 vehicles per lane per hour. Clearly adding 16 more vehicles to the 25 counted vehicles does not approach a threshold of concern assuming 1800 vehicles per lane per hour can be carried.

It is my opinion that the traffic generated by the proposed 60 Senior Adult Housing – Detached homes will generate some additional traffic, but not enough to cause significant delays on the roadway. I can be reached at 503-364-5066.

I thank you for your time and help.

REGISTERED PROFESSIONAL ENGINEER 19348PE OREGON JULY 22, 1997 KARL BIRKY

12/31/07

Exhibit "E"

Cc: Paul Trahan

Vehicular Turning Movement

30th Highest Hour Count

August 4, 2004

DALLAS-RICKREALL HIGHWAY AT FIR VILLA ROAD

SOUTHBOUND

Total: 117
PHF:
% Truck: 2%

Right	Thru	Left
94	**2**	**21**

Total: #####
PHF:
% Truck: 2%

Left	**114**
Thru	**546**
Right	**4**

38	Right
326	Thru
10	Left

Total: 374
PHF:
% Truck: 4%

EASTBOUND

WESTBOUND

2	**3**	**4**
Left	Thru	Right

Total: 9
PHF:
% Truck: 0%

NORTHBOUND

August 31, 2007

Jerry Wyatt
City of Dallas
Community Development
187 SE Court Street
Dallas, OR 97338

RE: Proposed Amendment to Ceres Gleann PUD

Mr. Wyatt,

Dallas Golf Course, LLC is the contract purchaser of the Dallas Golf Club. We are scheduled to close escrow the 4th of January, 2008. Dallas Golf Course, LLC acknowledges the commitments made by the previous owners regarding open space requirements and walking paths for the use and enjoyment of the Ceres Gleann property owners. To that extent, Dallas Golf Course, LLC will cooperate with the installation of the walking path and preserving any necessary open space requirement for the enjoyment of not only the current Ceres Gleann property owners, but the eventual owners of the residential lots created under proposed modification.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Regards,

Eric Jamieson, Manager
Dallas Golf Course, LLC

Cc: The FIFE Group, Inc.

M:\DEVELOPMENT\LEGAL\Property\Dallas Golf Course\Purchase - Willson\ltr Wyatt PUD Amend-Open Space.doc

10-01-07A11:43 RCVD

October 1, 2007

Jerry Wyatt, Director of Community Development
City of Dallas
Community Development Department
City Hall
Dallas, OR 97338

RE: Modification of Conditional Use for a Planned Development – Ceres Gleann at 510 Fir Villa Road

Dear Mr. Wyatt,

We recognize the right of FIFE to build homes on this above mentioned location if this project is in conformance with planning and zoning codes. We actually are in favor of more +55 homes next to us rather than other less compatible uses. We do have a few questions we think the Planning Commission needs to address and consider before approving this project (It is important to note that we have not been able to see a copy of the submitted project or the staff report so we have no idea if some of our questions have already been answered.):

(1) How will this project affect the homeowners in the existing Ceres Gleann 55+ development either favorably or unfavorably?
   a. Will the same level of standards for homes/lots be maintained?
   b. Will the fencing, landscaping, color palette be the same or compatible to those used in the existing Ceres Gleann phases 1-5?
   c. Will the CC&Rs of Phases 1-5 also govern Phases 6-9? If separate CC&Rs, are they compatible?
   d. Will Phases 6-9 residents become members of our existing Homeowners Association?
   e. Will Phases 6-9 residents be required to assume a portion of the debt of the existing HOA residents? Or visa versa?
   f. Will the development of Phases 6-9 postpone Phase 1-5 residents from being able to govern themselves when Phases 1-5 are 100% built out?
   g. Will there be separate clubhouses? Separate finances? Or combined?

(2) We have not seen a proposed street layout for this area but have heard St. Andrews Ln. and Stoneridge Ln. will connect Ceres Gleann streets to the proposed project. Where do these north/south bound streets ultimately connect to in the master plan of the area? Driving through Ceres Gleann could become an alternate route used by north/south traffic instead of Fir Villa, e.g., Sunday morning church traffic using the entries of both the new and old Ceres Gleann projects to access the proposed Lutheran Church off of Fir Villa.

(3) Does the FIFE group plan on using the existing Ceres Gleann clubhouse, golf course access and any other amenities in the future as part of heir marketing strategy? Although this should not directly impact the planning commission's

decision it needs to be mentioned that it could put a strain on current neighborhood resources, e.g., the clubhouse, parking spaces at clubhouse and future traffic patterns through our community when accessing the golf course. Any neighboring homes outside of CG have the right to publicly pass through our community but if there are ways to make it more negligible then those ways should be explored.

(4) Is the FIFE group proposing to combine with the existing Phases 1-5 in order to circumvent any regulations that would require a 2nd access point from a project? Is this allowing them more lots on which to build rather than the developer being required to have two accesses on to Fir Villa within the Phase 6-9 boundaries?

(5) What are the current levels of service on Fir Villa, Ellendale and Miller Roads? Has a current traffic study been done to determine the cumulative impacts of all proposed, approved, and existing residential, commercial, and industrial projects on these roads? Taking in to consideration the cumulative impacts, how will this project impact the levels of service on these roads? What does the City and other relevant government agencies have in mind to lessen the impacts on these roads and will these plans adequately address the impacts? With the amount of traffic from other already approved but not yet built projects, it would seem that development should be required to install a stop light somewhere between Miller and Ellendale. Has this been analyzed? We are concerned that seniors as well as other residents in the area will have a difficult and dangerous time getting out on Fir Villa or back to their homes as traffic increases.

(6) Why is this development project being presented as an amendment to the the Ceres Gleann PUD with Phases 6-9? Could it not be presented on its own merit and not under the name Ceres Gleann? Why wasn't a lot(s) or plot map included with the notice of hearing so that neighboring property owners can fully understand the impact on them at this time or will that be a separate process?

(7) We were not living here at the time, but we assume that some type of environmental impact report or study was done before Ceres Gleann Phases 1-5 were approved. It has been a good number of years since the current Ceres Gleann development was approved. Is the FIFE Group looking to "piggyback" on this old environmental assessment by calling the project Phases 6-9? Given the age of any environmental assessment and the fact that the Phase 6-9 property was probably not adequately assessed in the prior document; shouldn't the FIFE Group be required to either do a separate and complete environmental assessment or at the very minimum be required to do a supplemental assessment?

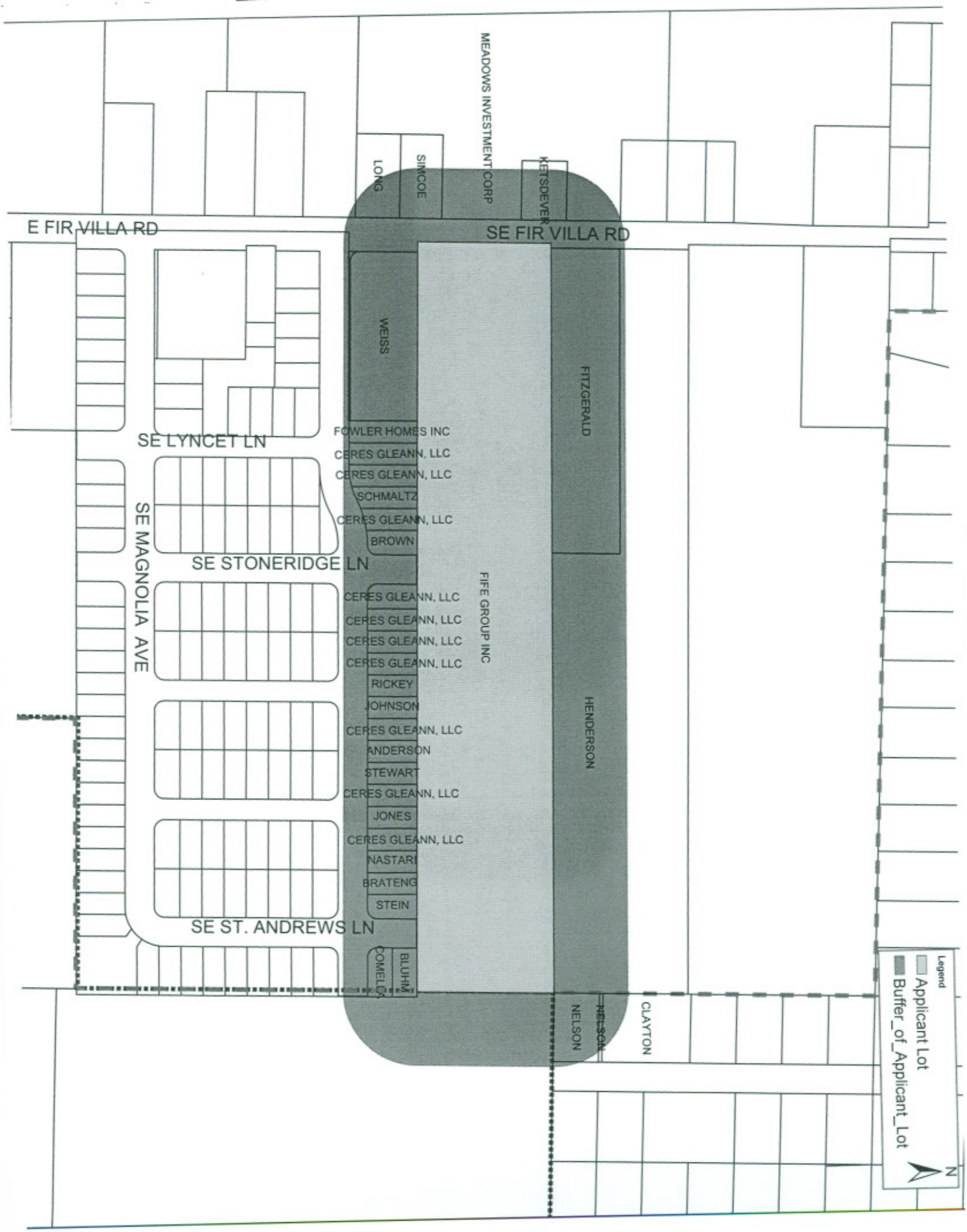
(8) What portion or portions of the property is legally considered wet lands? If this land is approved and brought in as an amendment of the Ceres Gleann PUD is there any implication that the wet land portions in the future will inadvertently become the responsibility of the Ceres Gleann HOA? What expertise would this require of an HOA, what regulations would have to be followed, and what would be a "ballpark" or estimated costs of maintaining such a wetland?

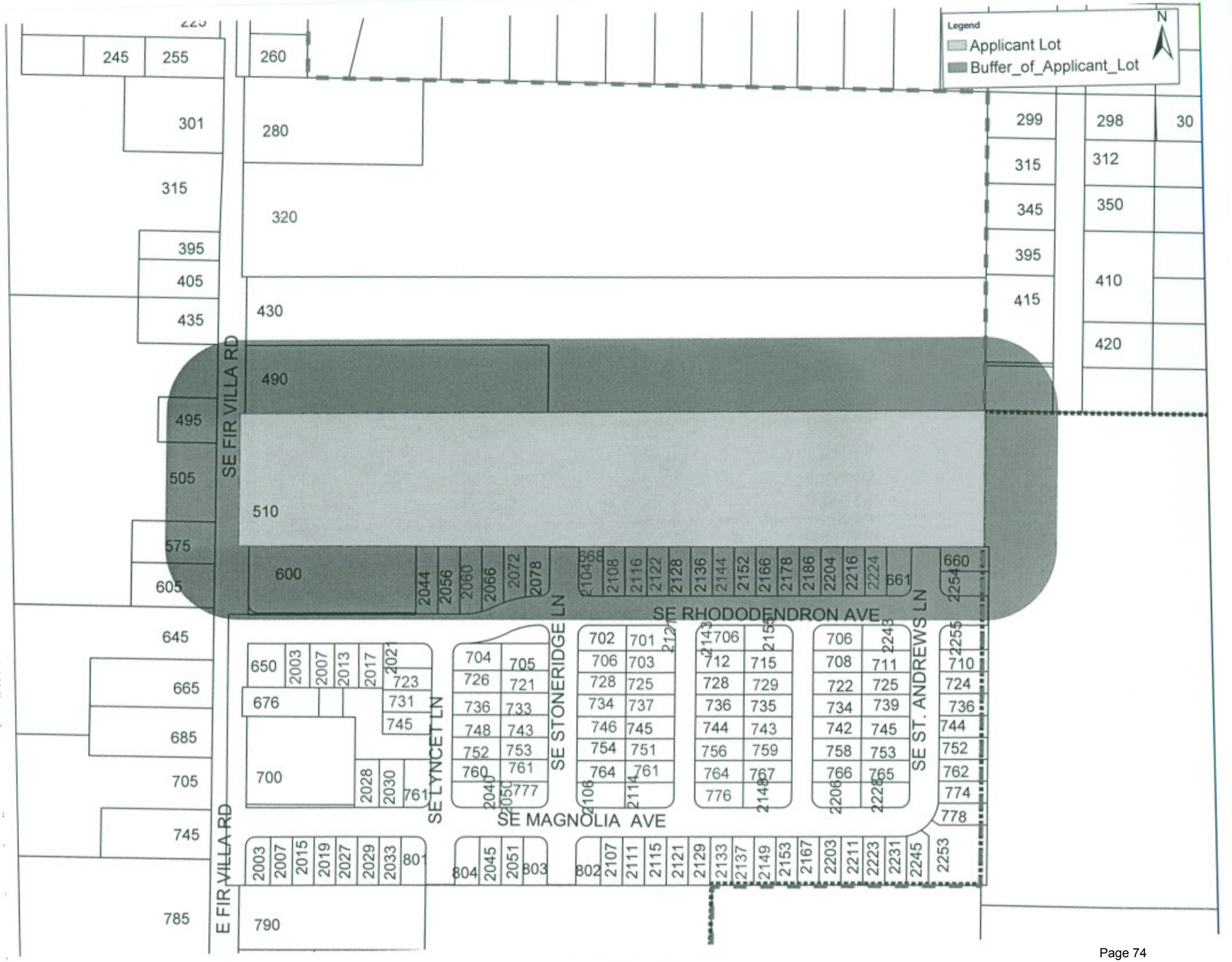
(9) Several residents within the existing Ceres Gleann development Phases 1-5 have had issues with water standing under their homes. This problem for the most part is being addressed. The FIFE Group, however, while a major part of the development project, did not do the actual building of the majority of the existing homes. (A "fix" with higher foundations and gravel under newer homes rather than lower foundations and plastic lined under initial phase homes has been put in place.) With the known water/wetland problems on this Phase 6-9 property and the creek coming through the Phase 6-9 property onto Phase 1-5 properties, we would like to know what the City and the FIFE group have in mind to address not only the creek but what could be an even more prevalent issue of water under these future homes?

We appreciate the City of Dallas allowing the public to provide input on development projects. Thank you for your consideration of our questions. If you have any questions, please feel free to give us a call.

Ray and Sue Olmstead

Ray and Sue Olmstead
2231 SE Magnolia Ave.
Dallas, OR 97338
(503) 831-1586


E FIR VILLA RD
SE FIR VILLA RD
SE LYNCET LN
SE STONERIDGE LN
SE MAGNOLIA AVE
SE ST. ANDREWS LN
CLAYTON
LONG
SIMCOE
MEADOWS INVESTMENT CORP
KETSDEVER
WEISS
FITZGERALD
FOWLER HOMES INC
CERES GLEANN, LLC
CERES GLEANN, LLC
SCHMALTZ
CERES GLEANN, LLC
BROWN
FIFE GROUP INC
CERES GLEANN, LLC
CERES GLEANN, LLC
CERES GLEANN, LLC
CERES GLEANN, LLC
RICKEY
JOHNSON
CERES GLEANN, LLC
ANDERSON
STEWART
CERES GLEANN, LLC
JONES
CERES GLEANN, LLC
NASTARI
BRATENG
STEIN
HENDERSON
COMELLO
BLUHM
NELSON
NELSON
Legend
Applicant Lot
Buffer_of_Applicant_Lot
N


Legend
Applicant Lot
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N
SE FIR VILLA RD
E FIR VILLA RD
SE RHODODENDRON AVE
SE MAGNOLIA AVE
SE LYNCET LN
SE STONERIDGE LN
SE ST. ANDREWS LN

MAP_TAXLOT	OWNER	AGENT	M_ADDRESS	M_CITY	M_STATE	ZIP	PRIMARY_SI
753500 900	WYANT FAMILY TRUST	WYANT DONALD R SR, TR	PO BOX 17008	SALEM	OR	97305	
7534A0 2400	HENDERSON BROCK & JANE F		430 FIR VILLA RD SE	DALLAS	OR	97338	430 FIR VILLA RD SE DALLAS
7534A0 800	MEADOWS INVESTMENT CORP		PO BOX 968	DALLAS	OR	97338	505 FIR VILLA RD SE DALLAS
7535BB 2300	CLAYTON LIVING TRUST	CLAYTON HAROLD E & CLAYTON NINA R, TRS	415 ORCHARD VIEW LN SE	DALLAS	OR	97338	415 ORCHARD VIEW LN SE DALLAS
7534A0 2401	FITZGERALD GARY L & KIMBERLY M		490 FIR VILLA RD SE	DALLAS	OR	97338	490 FIR VILLA RD SE DALLAS
7535BB 2301	NELSON WAYNE R & LUCY C		465 ORCHARD VIEW LN	DALLAS	OR	97338	
7535BB 2200	~~NELSON WAYNE R & LUCY C~~ DUPL		465 ORCHARD VIEW LN	DALLAS	OR	97338	465 ORCHARD VIEW LN SE DALLAS
7534A0 804	KETSDEVER HENRY G		495 FIR VILLA RD SE	DALLAS	OR	97338	495 FIR VILLA RD SE DALLAS
7534A0 2300	FIFE GROUP INC		PO BOX 968	DALLAS	OR	97338	510 FIR VILLA RD SE DALLAS
7534A0 802	SIMCOE DARRELL C & ALICE		575 FIR VILLA RD SE	DALLAS	OR	97338	575 FIR VILLA RD SE DALLAS
7534A0 2201	WEISS LARRY & MCCLURE CHARLENE F		600 FIR VILLA RD SE	DALLAS	OR	97338	600 FIR VILLA RD SE DALLAS
7534AD13400	FOWLER HOMES INC		PO BOX 823	DALLAS	OR	97338	2044 RHODODENDRON AVE SE DALLAS
7534AD13300	CERES GLEANN, LLC		P O BOX 489	DALLAS	OR	97338	2056 RHODODENDRON AVE SE DALLAS
7534AD13200	~~CERES GLEANN, LLC~~ DUPL		P O BOX 489	DALLAS	OR	97338	
7534AD13100	SCHMALTZ JAMES N & RHONDA L		2066 RHODODENDRON AVE SE	DALLAS	OR	97338	2066 RHODODENDRON AVE SE DALLAS
7534AD13000	~~CERES GLEANN, LLC~~ DUPL		P O BOX 489	DALLAS	OR	97338	
7534AD12900	BROWN DAVID L & KATHLEEN		2078 RHODODENDRON AVE SE	DALLAS	OR	97338	2078 RHODODENDRON AVE SE DALLAS
7534AD14200	~~CITY OF DALLAS~~ X		P O BOX 67	DALLAS	OR	97338	
7534AD12800	~~CERES GLEANN, LLC~~		P O BOX 489	DALLAS	OR	97338	
7534AD12700	~~CERES GLEANN, LLC~~		P O BOX 489	DALLAS	OR	97338	
7534AD 8500	~~CERES GLEANN, LLC~~ DUPL		P O BOX 489	DALLAS	OR	97338	
7534AD 8400	~~CERES GLEANN, LLC~~		P O BOX 489	DALLAS	OR	97338	
7534AD 8300	RICKEY STANTON MICHAEL, 1989 LVG TRUST	RICKEY STANTON MICHAEL, TR	2128 RHODODENDRON AVE SE	DALLAS	OR	97338	2128 RHODODENDRON AVE SE DALLAS
7534AD 8200	JOHNSON CHRIS E & MARY A		2136 RHODODENDRON AVE SE	DALLAS	OR	97338	2136 RHODODENDRON AVE SE DALLAS
7534AD 8100	~~CERES GLEANN, LLC~~ DUPL		P O BOX 489	DALLAS	OR	97338	
7534AD 8000	ANDERSON KALLENBACH RVC LVG TRUST	KALLENBACH CLIFFORD H ETAL, TRS	2152 RHODODENDRON AVE SE	DALLAS	OR	97338	2152 RHODODENDRON AVE SE DALLAS
7534AD 7900	STEWART WILLIAM & ELAINE G		2166 RHODODENDRON AVE SE	DALLAS	OR	97338	2166 RHODODENDRON AVE SE DALLAS
7534AD 7800	~~CERES GLEANN, LLC~~ DUPL		P O BOX 489	DALLAS	OR	97338	2178 RHODODENDRON AVE SE DALLAS
7534AD 7700	JONES ARTHUR L ET AL, 1996 RVC TRUST	JONES SHIRLEY L, TR	2186 RHODODENDRON AVE SE	DALLAS	OR	97338	2186 RHODODENDRON AVE SE DALLAS
7534AD 7600	~~CERES GLEANN, LLC~~ DUPL		P O BOX 489	DALLAS	OR	97338	2204 RHODODENDRON AVE SE DALLAS
7534AD 7500	NASTARI A JOHN & JACKWELYN L		2216 RHODODENDRON AVE SE	DALLAS	OR	97338	2216 RHODODENDRON AVE SE DALLAS
7534AD16500	BRATENG THOMAS & MARSH DIANNE		1086 FORESTRY LN SW	DALLAS	OR	97338	2224 RHODODENDRON AVE SE DALLAS
7534AD16400	STEIN MARK B & ROSEMARY		661 ST ANDREWS LN SE	DALLAS	OR	97338	661 ST ANDREWS LN SE DALLAS
7534AD14100	~~CITY OF DALLAS~~ X		P O BOX 67	DALLAS	OR	97338	
7534AD16300	BLUHM LIVING TRUST	BLUHM GARY D & BLUHM RUTH A, TRS	660 ST ANDREWS LN SE	DALLAS	OR	97338	660 ST ANDREWS LN SE DALLAS
7534A0 801	LONG JOSEPH D & PATRICIA I		605 FIR VILLA RD SE	DALLAS	OR	97338	605 FIR VILLA RD SE DALLAS
7534AD16200	COMELLA ROBERT L, RVC LVG TRUST ETAL	COMELLA ROBERT L, TR ETAL	2254 RHODODENDRON AVE SE	DALLAS	OR	97338	2254 RHODODENDRON AVE SE DALLAS
7534A0 900	FAST JERRY A & LINDA E		645 FIR VILLA RD SE	DALLAS	OR	97338	645 FIR VILLA RD SE DALLAS

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CITY OF DALLAS
PLANNING COMMISSION

APPLICATION COMPLETE
SEPTEMBER 20, 2007

STAFF REPORT
DATE: OCTOBER 2, 2007

FILE NO.	**PUD 2-07**
HEARING DATE	**OCTOBER 9, 2007** **7:30 P.M. CITY HALL** **COUNCIL CHAMBERS** **187 SE COURT STREET** **DALLAS, OREGON 97338**
OWNER	**EL FAMILY, LLC / MILLENNIUM HOMES INC.**
REQUEST	**PLANNED UNIT DEVELOPMENT** **43 LOT, POLK STATION ESTATES PHASE II**
LOCATION	**TL 7.5.28A 301**
RECOMMENDATION	**APPROVAL WITH CONDITIONS**

CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT

HEARING DATE:	**OCTOBER 9, 2007**
APPLICATION TYPE:	**PLANNED UNIT DEVELOPMENT**
OWNERS:	**El Family LLC / Millennium Homes, Inc.**
APPLICATION:	**43 LOT DEVELOPMENT – POLK STATION ESTATES PHASE II**
LOCATION:	**TL 7.5.28A 301**

PROJECT DESCRIPTION: This is a request for approval of Phase II of a Planned Unit Development called Polk Station Estates located east of Polk Station Road and north of Kings Valley Highway. The development will contain a variety of single-family homes, including cottage-style homes. The PUD request includes reductions to the following subdivision standards; minimum lot area for zero lot line dwellings, minimum lot area, minimum lot width, and minimum lot width for zero lot line lots less than 6,000 square feet. The PUD includes a modification to Phase I for the location of the interior park. The construction of the park was a condition of Phase I and is located in the Phase II plan area. Due to the reconfiguration of the lots in Phase II from the conceptual plan the park property was relocated to the south. The park is a 6,414 square foot (0.15 acre) park near the center of the development, at the intersection of NE LaCreole Drive and NE Evergreen Avenue.

Zoning:	RS – Residential Single Family
Comprehensive Plan Map No. 1 Land Use Designation:	Single Family
Floodplain:	The subject property is not located in the 100-year floodplain or identified on the National Wetlands Inventory Map.
Adjacent Land Uses:	Residential
Size:	10.11 Acres
Units Per Acre:	4.0
Average Lot Size:	6,233
Open Space:	3.14 Acres

CRITERIA:

Street.

Adjoining the subject property on the west side is NE Polk Station Road, an improved collector street with curbs and sidewalks, on the south side is Kings Valley Highway, an improved arterial street without curbs and sidewalks, which is under ODOT jurisdiction. Along Kings Valley Highway the applicant will need to obtain the proper permits from ODOT for access and install sidewalk and curbs. NE Evergreen Avenue is an improved local street with curbs and sidewalks. The applicant has proposed 2 one-way streets designed for rear access and the proposal consists of a Right-of-Way of 30 feet, a PUE of 10 feet (behind right-of-way each side), curb to curb surface improvement of 20 feet (one 12 foot travel lane and parking along one side), a minimum radius at curves of 20 feet (inside curb), sidewalks at 5 foot minimum width along each side and no parking within 30 feet of intersection or corner/curve.

Section 4.2.30 Street Standards

Complies. The street is improved to serve the property.

FINDINGS: The street system is adequate to serve the subject property.

Water. Existing is an 8" CI water line in NE Polk Station Road and a 6" DI line in NE Evergreen Avenue. The water system will need to be extended to provide a circulatory water system to serve any development of this property and the surrounding area.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The lots could be serviced with an approved water service.

FINDINGS: The water system will need to be extended to serve the subject property.

Storm. Existing is a 15" concrete storm line in NE Polk Station Road and a 12" PVC line in NE Evergreen Avenue. The storm system will need to be designed and constructed for storm laterals to the properties.

Section 3.2.30 (5) Adequate Public Facilities

Complies. With the extension of the public storm system the lots could be serviced with an approved storm system.

FINDINGS: The storm system will need to be extended to serve the subject property.

Sanitary. Existing is an 8" concrete and PVC sanitary line in NE Polk Station Road and a 8" PVC line in NE Evergreen Avenue. The sanitary system for the subdivision will need to be designed and constructed to provide an adequate gravity system to the sanitary main line.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The lots could be serviced with an approved sanitary sewer system.

FINDINGS: The sanitary sewer system will need to be extended to serve the subject property.

Transportation. A transportation impact and mitigation report has not been submitted with the application. The streets meet the preliminary layout and the extension of LaCreole Drive is as shown on the LaCreole Node Plan.

Parks / A 6,414 square foot (0.15 acre) park is provided near the center of the

Open Space development, at the intersection of NE LaCreole Drive and NE Evergreen Avenue. A 107,729 square foot (2.47 acre) open space area is located at the east end of the development.

FINDINGS: The open space requirements are met.

General Criteria.

- All Public improvements must be constructed according to City Standards and Specifications.
- No building permits will be issued until all public improvements are operational and approved by the City.
- The owners/applicant must sign and record at the Polk County Clerk's office a notice to potential purchasers of the proposed lots that approval does not guarantee the availability of building permits.
- The owners/applicant is aware that building permits will be allocated as per Ordinance #1635, Public Facilities Strategy, and the owners agree to sign and record a notice to that effect at the Polk County Clerk's Office at the owner's expense.
- Any fill placed on the lots must be an engineer-controlled fill with separation of vegetative material from the select compacted material.
- A soils report approved by a soils engineer specific to the subdivision is required addressing expansive soil conditions for the subject property prior to the plat being signed.
- Street trees are required on every lot or at 30' intervals in the street right-of-ways throughout the subdivision.
- A wetlands determination and delineation will need to performed and approved by Division of State Lands.
- Sidewalks will need to be installed on all right-of-ways or a deposit for completion will be provided to the City.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

Fire Chief's Report:

The hydrant placement shall be at a maximum of 500', at every intersection and connected to the looped water system.

Standards for Review:

Standards	Standard RS-Residential Single Family	Proposed
Front Setback	20'	10'
Rear Setback (alley access)	25'	20'
Street Side Yard	15'	10'
Side Setback	5'	5'
Min. Lot Width	60'	40'
Min. Lot Depth	90'	90'

Min. Lot Area Zero lot line	6,000 Sq. Ft.	4,000 Sq. Ft.
Min. Lot Area	6,000 Sq. Ft.	4,000 Sq. Ft.
Max. Building Lot Coverage	40%	
Max. Building Height	24'	24'
Corner Lots:		
Front Setback	20'	10'
Rear Setback	15'	20'
Street Side Yard	15'	10'
Side Setback	5'	5'

Dallas Development Code

Article I Procedures:
1.3.40 Complete Application Required
Complies. A complete application has been filed.
1.3.60-1.3.140 Public Hearings
Complies. Proper notice was issued.
Article II Zoning Districts and Use Categories:
Chapter 2.2 Single Family Residential Zoning Districts
Complies. A Planned Development is listed as a conditional use, Type III.

Article III Specific Land Use Review Procedures:
Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.
Chapter 3.4 Conditional Uses

Chapter 3.8 Planned Developments
3.8.50 Modification to Approved Planned Developments
Complies. A major modification is being requested with the application.
3.8.70 Design Standards and Requirements.
Complies. Open space of 20% of the gross space is required and provided for Phase I and II.

Article IV Development Standards:
Chapter 4.1 General Development Standards
Complies. The lots presented are unique to the proposed PUD.
Chapter 4.2 Street & Accessway Design
Complies. The developed property must be located off of an improved street with curbs and sidewalks. Improvements must be made prior to plat signature
Chapter 4.4 Landscaping and Screening
Complies. Street trees are required with the subdivision.

The Planned Development review process allows flexibility in design and creative site planning, while providing for the orderly development of the City consistent with the Dallas Comprehensive Plan. The Development Code Planned Unit Development section allows for flexibility in site design and development consistent with the following objectives:

(1) Encourage creative, efficient uses of land that may include development clustering and density transfer to buildable areas.
(2) Provide and ensure preservation and enhancement of riparian areas and usable open spaces.
(3) Ensure that pedestrian and vehicular circulation facilities, parking facilities, and other pertinent amenities are integrated into the project design.
(4) Ensure that recreational areas (active and passive) are dispersed throughout the development and easily accessible from all dwelling units.

(5) Preserve and enhance natural landscape features of the site; avoid development on steep riverbanks, wetlands and riparian areas; and protect and enhance riparian vegetation and habitat areas.
(6) Within limits approved by the approval authority: allow latitude in building design and placement, open spaces, circulation facilities and off-street parking to best use the physical features of land within the development.
(7) Facilitate the economical and adequate provision of public services and utilities.
(8) Provide an attractive living and working environment for Dallas's residents and work force.
(9) Maintain surface and ground water quality.
(10) Provide for a multi-modal transportation systems.
(11) Minimize adverse impacts to neighboring properties.

Conclusions:
The staff has concluded the following regarding this Planned Unit Development request:

1) A proper application has been made and hearing notice given.
2) The application is in conformance with the standards listed above.
3) A Subdivision plat must be filed within one year.
4) The application meets the intent of the Planned Development review guidelines.

Summary and Conditions:
If it appears to the Planning Commission that based on the findings of facts the criteria for approval have been met, then this Planned Unit Development request could be approved subject to the following suggested conditions:

1) That the project must be completed in accordance with the plans and specifications, documents, and all other information presented to/or modified by the Planning Commission.
2) That the owners/applicant must sign and record at the Polk County Clerk's office a notice to potential purchasers of the proposed lots that approval does not guarantee the availability of building permits.
3) That the owners/applicant is aware that building permits will be allocated as per Ordinance #1635, Public Facilities Strategy, and the owners agree to sign and record a notice to that effect at the Polk County Clerk's Office at the owner's expense.
4) That a soils report by a soils engineer specific to the subdivision is required addressing the expansive index rating, soil bearing pressure and fill soil conditions for the subject property.
5) That any wetlands located on the subject property will need to be determined and delineated and comply with State and Federal permitting prior to the plat being signed.
6) That sidewalks are installed on all right-of-way or a deposit for completion is provided to the City.
7) That all Public improvements must be constructed according to City and ODOT Standards and Specifications.
8) That no building permits will be issued until all public improvements are operational and approved by the City.
9) That street trees be planted as shown on submitted plans. Along Kings Valley Highway street trees need to be planted at 30' intervals and on all lots in the development.
10) That the plat for this land division be filed and recorded within one year.
11) That the lots will need to meet the approved design and grading plan, with storm laterals to an approved public storm system.
12) That any fill placed on the lots must be an engineer-controlled fill with separation of vegetative material from the select compacted material.
13) That Kings Valley Highway is under ODOT jurisdiction and the applicant will need to obtain the proper permits from ODOT for access and improvements.

14) That the CC & R's and Home Owners Association Bylaws be reviewed and approved by the City Attorney with the provision that the City become a party to enforce the maintenance of the common open spaces, play area and equipment.
15) That the Home Owner's Association maintains the open spaces, play area and equipment.
16) That each lot is required to have at least one 9' X 19'off street parking space.
17) That conditions #2, 3, 4, 5, 6, 9, 13 and 14 must be complied with prior to or in conjunction to the land division plat being signed.

COMMUNITY DEVELOPMENT TEAM

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Polk Station Estates
(Phase II, 43 Lots)

Dallas, Oregon

Request for

Type III Planned Development Preliminary Approval

Prepared for

Millennium Homes, Inc.

Prepared by

Otak, Incorporated

August 31, 2007

Otak Project No. 14199

APPLICATION SUMMARY

APPLICANT/OWNER:	EL Family, LLC/Millennium Homes, Inc. 18601 E Burnside Street Portland, OR 97233-5318 Contact: John Marquardt (503) 489-0763 jmarquardt@millhomes.net
PLANNER:	Otak, Inc. 17355 SW Boones Ferry Road Lake Oswego, OR 97035 Planner: Heather Van Dyke, LEED AP (503) 635-3618 heather.vandyke@otak.com
CIVIL ENGINEER:	Otak, Inc. 435 NW 5th Street, Suite B Corvallis, OR 97330 Engineer: Janelle Poe, PE (541) 738-1611 janelle.poe@otak.com
SUBJECT PROPERTY:	The subject property consists of a portion of Tax Map 7.5.28A, Lot 301. The subject property is 10.11 acres in size.
REQUESTED APPROVALS:	The requested approvals include: • Type III Planned Development Preliminary Approval

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Sheet P1.3 – Preliminary Plat
Sheet P1.4 – Preliminary Utility Plan
Sheet P1.5 – Preliminary Grading Plan – Overall Site
Sheet P1.6 – Preliminary Street Tree and Open Space Improvements Plan

APPENDICES

Appendix A — Application Form
(application fees included in original application packet)

Appendix B — City Pre-Application Comments

Appendix C — Legal Description, description, provided by AmeriTitle

Appendix D — Polk County Assessor's Map, provided by AmeriTitle

Appendix E — List of Property Owners Within 100 Feet of the Subject Property, provided by AmeriTitle
(two sets of mailing labels included in original application packet)

Appendix F — Brickworks Plans, Typical Cottage Elevations and Floor Plans

I. REQUEST

This request is for the preliminary approval of a single-phase, 43-lot planned development consisting of single-family dwellings. The site consists of a portion of Tax Map 7.5.28A, Lot 301. The site, located on Kings Valley Highway east of Polk Station Road, is 10.11 acres in size. The site is zoned RS, Residential Single Family.

The Preliminary Plat, please see Sheet P1.3, establishes the 43 lots to be platted. The lots range in size from 3,915 square feet (Lot 58) to 8,063 square feet (Lot 60) in size. The Preliminary Plat also establishes the public right-of-way to be dedicated: five public streets—NE La Creole Road, NE Evergreen Avenue, NE Fern Avenue, Street A, and Street B—will be dedicated as public right-of-way. A portion of NE Evergreen Avenue was constructed as part of Phase I. The site has frontage on Kings Valley Highway and NE Polk Station Road. Primary access to the site is from Kings Valley Highway and NE Polk Station Road, via NE LaCreole Drive.

II. PROJECT DESCRIPTION

Overall Design and Development Objectives

The proposed development is a planned development comprised of 43 single-family residential lots. The development will contain a variety of single-family homes, including cottage-style homes. Typical elevations and floor plans of the cottage style homes are attached as Appendix F. This product type will be located on Lots 40 to 56, with some lots having zero lot lines. Please note that these elevations and floor plans are not representative of an actual product to be constructed in the proposed development. Rather, the elevations and floor plans are intended to be representative of the style of possible future dwellings.

Over two-and-one-half acres of open space are provided. A 6,414 square-foot (0.15 acres) park is provided near the center of the development, at the intersection of NE LaCreole Drive and NE Evergreen Avenue. The park will contain a play structure, benches, and be fully landscaped. A 107,729 square-foot (2.47 acre) open space area is located at the northeast end of the development. The open space area contains a soft surface trail and several benches. The soft surface trial connects to the north and south end of Street B. To further facilitate pedestrian circulation, a pedestrian connection is provided between Lot 54 and Lot 55 from Street B to NE LaCreole Drive.

Roads

Five public streets—NE La Creole Road, NE Evergreen Avenue, NE Fern Avenue, Street A, and Street B—will be dedicated as public right-of-way. A portion of NE Evergreen Avenue was constructed as part of Phase I; the remaining streets will be constructed as part of Phase II. Primary access to the site is from Kings Valley Highway and NE Polk Station Road via LaCreole Drive. Please see Sheet P1.2 for an illustration.

As requested by the City of Dallas, a 10-foot public right-of-way dedication along the site frontage on NE Polk Station Road is provided. Half-street improvements will be provided along the site frontage on NE Polk Station Road and Kings Valley Highway.

Sanitary Sewer
Existing sanitary sewer service is available in NE Evergreen Avenue. Proposed sanitary sewer service will connect to the existing sanitary sewer lines and be extended to the edge of the site. Please see Sheet P.1.4 for an illustration.

Water Service
Existing water service is available in NE Evergreen Avenue and NE Polk Station Road. The proposed water service will be connected to the existing water lines and be stubbed to the northern property line to allow for future extension. Meters will be provided with the future development of each lot. Please see Sheet P.1.4 for an illustration.

Storm Drainage Service
Existing stormwater drainage was constructed with Phase I and is available in NE LaCreole Drive. Please see Sheet P.1.4 for an illustration.

Other Utilities
Electricity, phone, natural gas, and television cable services are currently available to serve the site.

Site Grading
Sheet P1.5 illustrates the proposed grading. At the time each proposed lot is developed, site preparation and grading will be provided in accordance with all applicable City of Dallas standards.

III. COMPLIANCE WITH CITY OF DALLAS STANDARDS

The proposed planned development meets the applicable approval standards contained in the City of Dallas Development Code as follows; direct citations of the applicable approval standards are shown in *italics.*

ARTICLE 1 PROCEDURES

Chapter 1.3 Land Use Decision-Making Procedures

Section 1.3.30 Pre-Application Conference
Response: A Pre-Application Conference was held June 27, 2007. A copy of City comments are attached as Appendix B.

Section 1.3.40 Complete Application Required
Response: The following items are included in this submittal: a signed application form, a legal description, and a Polk County Assessor Map illustrating properties within 100 feet with a list of those property owners. The signed application form is attached as Appendix A. The legal description, provided by AmeriTitle, is attached as Appendix C. The assessor map and list of property owners, also provided by AmeriTitle, are attached as Appendices D and E. Two sets of mailing labels for the properties within 100 feet are provided with the original submittal only.

ARTICLE 2 ZONING DISTRICTS AND USE CATEGORIES

Chapter 2.2 Single Family Residential Zoning Districts

Section 2.2.40 Uses Allowed in Single Family Zoning Districts
Response: Per Table 2.2.1, Single Family Zones – Permitted, Limited and Conditional Uses, Planned Developments are a conditional use in the RS (Residential Single Family) zone and subject to a Type III review process. The standards of Chapter 3.8, Planned Developments, are addressed in this narrative.

Section 2.2.50 Limited Use Standards in Single Family Zones

Section 2.2.50(11) Land Divisions
Response: The proposed Planned Development is a land division. The standards of Section 3.3, Land Division, are addressed in this narrative.

Section 2.2.60 Dimensional Standards in Single Family Zones
Response: Table 2.2.2, Single-Family Residential District Dimensional Standards, defines lot area, width, and depth standards; building setback, height, and coverage standards; and density standards. All exterior yards have been provided in accordance with the standards of the (Residential Single Family) zone. Interior yards have been reduced as permitted through the planned development process in Chapter 3.8.70(8) and are illustrated on the Sheet P1.2, Preliminary Site Plan. The following chart compares the applicable RS lot standards (per Table 2.2.2) to the minimum lot standards in the proposed planned development. Reductions to the following standards are proposed: minimum lot area for zero lot line dwellings, absolute minimum lot area, average maximum lot area for new lots, minimum lot width, and minimum lot width for zero lot line lots less than 6,000 square feet. Since these are subdivision standards, a variance is requested; the standards of Chapter 3.5, Adjustments and Variances, are addressed in this narrative.

Table 2.2.2: Single Family Residential District Dimensional Standards

	RS Lot Standard (feet)	*Proposed Lot Standard (feet)*
RS Lot Standards		
Minimum Lot Area for Lots with Alleys	*6,000*	NA
Minimum Lot Area for Zero-Lot Line Dwellings	*6,000*	3,920
Absolute Minimum Lot Area	*6,000*	3,915
Duplex Lot	*8,000*	NA
Corner Lot	*8,000*	NA
Row House Lot	*6,000*	NA
Average Maximum Lot Area (new lots)	*10,000*	4,909
Manufactured Dwelling Park	*NA*	NA
Lot Width and Depth		
Minimum Lot Width	*60*	40
Minimum Lot Width Cul-de-sac	*50*	NA
With alley access and rear garage	*50*	NA
With row house and alley access	*60*	NA
Minimum Lot Depth	*90*	90
With alley access and rear garage	*90*	NA
Maximum Lot Depth	*150*	140.90
Covered Front Porch Standards – Zero Lot Line or Row House Lots Less Than 6,000 square feet	*60 (minimum)*	40

Per the Pre-Application Conference, Phase II is separate from Phase I for the purposes of calculating density.

The areas for Phase II are as follows:

	(acres)
Gross Site Size	10.11
Total Open Space	3.14
Total Public Right-of-Way	2.48
Net Site Size	**4.49**

(gross site size minus total open space and minus total public right-of-way)

Per Table 2.2.2, PUD density in the RS zone is 7 units per gross acre. Therefore, the density for Phase II is 71 (70.77) units; no density transfer or bonus is proposed. The proposed 43 lots are within the permitted maximum density.

Building height and lot coverage will be confirmed at the time of building permit application.

Section 2.2.80 Parking Requirements
Response: The standards of Chapter 4.5, Off-Street Parking Standards, are addressed in this narrative.

ARTICLE 3 SPECIFIC LAND USE REVIEW PROCEDURES, CRITERIA AND APPLICATION REQUIREMENTS

Chapter 3.1 Introduction

Section 3.1.10 Land Use Review Types
Response: Per Table 3.1.1, Applicable Procedure, Planned Developments are processed as a Type III procedure. The standards of Chapter 3.8, Planned Developments, are addressed in this narrative.

Section 3.1.20 Multiple Applications
Response: The requested Development Review is a Type III procedure per Section 3.2.20 as approval for a planned development is also requested. Therefore, the requested variance will be reviewed concurrently under the Type III procedure.

Chapter 3.2 Development Review

Section 3.2.20 Review Procedures, Compliance & Responsibility
Response: This request is for the preliminary approval of a single-phase, 43-lot planned development. Therefore, in accordance with the standards of this Section, the associated development review will be consolidated with the planned development request and reviewed under a Type III procedure.

Section 3.2.30 Applicability
Response: As required, adequate public facilities will be provided. It is anticipated the public facilities will be provided prior to the issuance of building permits; if this is the case, financial assurance for the improvements will be provided prior to final plat approval.

Section 3.2.40 Site Plan Contents

Section 3.2.40(1)
Response: The vicinity map is found on Sheet P1.0.

Section 3.2.40(2)
Response: Lot dimensions are found on Sheets P1.2 and P1.3.

Section 3.2.40(3)
Response: There are no existing structures located on the site. At this time, no structures are proposed. Building permits for each proposed lot will be obtained prior to beginning the construction of any dwelling.

Section 3.2.40(4)
Response: Existing topographic information is found on Sheet P1.1. Proposed topographic information is found on Sheet P1.5.

Section 3.2.40(5)
Response: Existing vegetation and landscaping are found on Sheet P1.1. Proposed vegetation and landscaping are found on Sheet P1.6.

Section 3.2.40(6)
Response: A landscaping plan is found on Sheet P1.6. The plan includes proposed street tree locations and addresses the method of permanent irrigation.

Section 3.2.40(7)
Response: Existing fences and signs are found on Sheet P1.1. No fencing or signs are proposed at this time. Each proposed lot will be fenced in compliance with City standards in conjunction with construction of the dwelling.

Section 3.2.40(8)
Response: Proposed rights-of-way are found on Sheets P1.2 and P1.3.

Section 3.2.40(9)
Response: Existing circulation is found on Sheet P1.1. Proposed circulation is found on Sheet P1.2. No off-street parking, other than private driveways and garages, is proposed.

Section 3.2.40(10)
Response: Existing lighting is found on Sheet P1.1. Proposed lighting is found on Sheet P1.4.

Section 3.2.40(11)
Response: Existing utility lines are found on Sheet P1.1. Proposed utility lines are found on Sheet P1.4.

Section 3.2.50 Professional Plans Required
Response: To date, the City has not required any of these studies or plans from the applicant.

Section 3.2.60 Public Facility and Buffering Requirements

Section 3.2.60(1) Riparian Area Conservation
Response: No riparian areas are located on the site; therefore this requirement is not applicable.

Section 3.2.60(2) Land Dedication
Response: All land needed for a public facility is shown to be dedicated to the City on the Preliminary Plat, Sheet P1.3.

Section 3.2.60(3) Utility Easements
Response: Ten-foot-wide private utility easements are provided along the front property line of all lots. To date, no other public utility easements have been recommended by the City.

Section 3.2.60(4) Underground Utilities
Response: All proposed utilities are located underground. Please see Sheet P1.4 for an illustration of proposed utilities.

Section 3.2.60(5) Erosion Control
Response: A Preliminary Grading Plan is provided as Sheet P1.5. Prior to the commencement of any vegetation removal or grading, an erosion control and dust mitigation plan will be prepared and approved.

Section 3.2.60(6) Local Streets
Response: Sheet P1.3 provides a local street section. The proposed local street section has been provided as required by the standards of Chapter 4.2, which are addressed in this narrative.

Section 3.2.60(7) Streets
Response: NE LaCreole Drive is identified on the Comprehensive Plan as an undeveloped collector and illustrated extending north though the site. This application provides for the extension of NE LaCreole Drive, as a collector, in the approximate location shown by the Comprehensive Plan. Sheet P1.3 illustrates the alignment of NE LaCreole Drive and provides a section of the right-of-way.

Section 3.2.60(8) Exterior Streets)
Response: As requested by the City of Dallas, a 10-foot public right-of-way dedication along the site frontage on NE Polk Station Road is provided. Half-street improvements will be provided along the site frontage on NE Polk Station Road and Kings Valley Highway.

Section 3.2.60(9) Landscaped Setbacks from Buildings
Response: Setbacks have been provided as required by the RS (Residential Single Family) zone and are addressed in this narrative. All exterior yards are provided in accordance with the standards of the RS zone. Interior yards have been reduced as permitted by the Planned Development process and are illustrated on the Sheet P1.2, Preliminary Site Plan.

Section 3.2.60(10) Outdoor Storage and Display
Response: No outdoor storage or display area is proposed; therefore, this requirement is not applicable.

Section 3.2.60(11) Access Limitations
Response: The proposed planned development does not contain any arterial streets. No driveway access to an arterial street is proposed.

Section 3.2.60(12) Landscaping Standards
Response: The standards of Chapter 4.4, Landscaping and Screening Standards, are addressed in this narrative.

Chapter 3.3 Land Divisions and Development

Section 3.3.20 Applicability
Response: This request is for the preliminary approval planned development within the limits of the City. Therefore, this Chapter is applicable.

Section 3.3.30 Review Procedure
Response: This request is for the preliminary approval planned development within the limits of the City. The planned development and associated land division will be reviewed as a Type III procedure.

Section 3.3.40 Application Requirements
Response: The proposed planned development name, Polk Station Estates Phase II, is not duplicative of any previous name shown on a plat in Polk County. Please note that this application is for Phase II, Phase I received approval in 2005. This narrative and the associated submittal materials (engineering plans and appendices) include the information required by this section.

Section 3.3.50 Development Criteria

Section 3.3.50(1)
Response: The submitted plans, narrative, and appendices address the applicable approval criteria of the City Development Code.

Section 3.3.50(2)
Response: The submitted plans, narrative, and appendices address the applicable general and design standards of Article IV, Development Standards.

Section 3.3.50(3)
Response: No public facility projects are identified on the site. All public facilities are available to provide service to the site; it is anticipated the public facilities will be provided prior to the issuance of building permits.

Section 3.3.50(4)
Response: Sanitary sewer, public water, and stormwater management distribution systems have been designed to serve the proposed development. Please see Sheet P1.4 for an illustration of proposed utilities.

Section 3.3.50(5)
Response: To date, the City has not required a transportation impact study or bicycle lanes. All proposed streets have curbs, gutters, and minimum five-foot-wide sidewalks. No proposed driveway grade exceeds 15 percent.

Section 3.3.80 Adjustments and Variances
Response: A variance is requested; the standards of Chapter 3.5, Adjustments and Variances, are addressed in this narrative.

Section 3.3.90 Street & Accessway Design Standards
Response: The standards of Chapter 4.2, Street & Accessway Design, are addressed in this narrative.

Section 3.3.100 Other Public Facilities
Response: All proposed lots will be served by the City's sewer and water system. All permanent utility services will be located underground within ten-foot-wide public utility easements, which are illustrated on the final plat.

Chapter 3.5 Adjustments and Variances

Section 3.5.30 Procedures and Conditions
Response: The proposed planned development is a Type III procedure and requires a public hearing before the Planning Commission; therefore, per the requirements of this section, the variance will be consolidated with the Type III application. The variance request has been initiated by the applicant. A signed Land Use Application form is attached as Appendix A; the applicable fee is also included. This narrative and the associated submittal materials (engineering plans and appendices) include the basic and supplemental information required by this section.

Section 3.5.50 Criteria for Granting a Variance

Section 3.5.50(1) Extraordinary Conditions
Response: The site has special circumstances that are not typical of surrounding properties. The applicant has no control over these circumstances; they result from an unusually shaped site containing an existing drainage channel, the extension of a collector through the site, and utility connection challenges.

The site is generally triangular in shape, with an atypical property line along the northwest property line. An existing drainage channel extends northwest-southeast in the eastern portion of the property. The site is bordered to the northeast by a parcel zoned RA (Residential Agricultural) and designated Single Family on the Comprehensive Plan, to the west by NE Polk Station Road, and to the south by Kings

Valley Highway. NE LaCreole Drive is identified on the City Comprehensive Plan as an undeveloped collector and illustrated extending north though the site. The proposed planned development provides for the extension of NE LaCreole Drive, as a collector, in the approximate location shown by the Comprehensive Plan. Together, these two factors place limitations on lot layout possibilities.

An existing sanitary sewer line, constructed as part of Phase I, is located in NE Evergreen Avenue; Phase I was filled to allow gravity flow of this line. The fill resulted in a finished street grade elevation of 350 feet at the terminus of the portion of NE Evergreen Avenue constructed with Phase II. The sanitary sewer line is located approximately three feet under the street grade. Phase II must connect to the existing sanitary sewer line in NE Evergreen Avenue and Kings Valley Highway. Overall, the site slopes to the east; however, the existing sanitary sewer line slopes to the southwest. This creates a conflict in providing gravity flow to the connection point in NE Evergreen Avenue; the site is falling where it needs to rise. In order to connect to the existing sanitary sewer line via gravity flow, finished lot elevations to the northwest and west of the connection point must be a minimum of 350 feet. The proposed lots in this location require a maximum of six feet of fill. In contrast, should the remainder of Tract A be developed with dwellings, fill depths could reach up to 25 feet. To avoid prohibitively expensive site development and potentially unsafe geotechnical conditions, the applicant has chosen to preserve the portion of the site requiring pumping of sanitary sewer service and substantial fill as open space. This open space will be developed with a soft surface trail and several benches.

Section 3.5.50(2) Substantial Property Right
Response: The applicant possesses a property right as the owner of the property to develop the property in accordance with applicable standards. These standards include City standards regarding planned developments and variances to subdivision standards to facilitate the development of a planned development. Therefore, the variance request is in keeping with the preservation of an existing property right.

Section 3.5.50(3) No Material Detriment
Response: The site is bordered to the north by the city limits and Urban Growth Boundary; a parcel, zoned RA (Residential Agricultural) and designated Single Family on the Comprehensive Plan, is located to the northeast of the site. The site is bordered by NE Polk Station Road to the west and Kings Valley Highway to the south and east. All exterior yards have been provided in accordance with the standards of the RS (Residential Single Family) zone; interior yards have been reduced as permitted by Chapter 3.8, Planned Developments. This provides an exterior appearance consistent with other developments in the RS zone while allowing the flexibility permitted though the planned development process. In addition, the exterior yards help to reduce any detrimental impacts to surrounding properties. There is no evidence within the record to suggest that the proposed planned development will be materially detrimental to surrounding properties or uses.

Section 3.5.50 (4) Minimum Necessary
Response: Reductions to the following subdivision standards are requested: minimum lot area for zero lot line dwellings, absolute minimum lot area, average maximum lot area for new lots, minimum lot width, and minimum lot width for zero lot line lots less than 6,000 square feet. The requested variances are the minimum necessary to alleviate the hardship and allow the applicant to develop a planned development containing a variety of housing types. As discussed in Section 3.5.50(1), a planned development is the preferred method with which to develop the property.

Section 3.5.50(5) Hardship Not Self-Imposed
Response: As discussed in Section 3.5.50(1), the applicant has no control over the circumstances requiring the variance; they result from an unusually shaped site, the extension of a collector through the site, and utility connection challenges. Therefore, the hardship is not self-imposed.

Chapter 3.8 Planned Developments

Section 3.8.20 Approval Procedure
Response: The applicant recognizes that the use of the planned development process is optional and has chosen to utilize this process for the site. The site is 10.11 acres in size and located outside all City-designated nodes. This application is for a preliminary review of the proposed planned development; the application will be reviewed under a Type III procedure. Following the preliminary review, a final site plan will be submitted. The standards of Chapter 3.3, Land Divisions, are addressed in this narrative. Reductions to the following standards are requested: minimum lot area for zero lot line dwellings, absolute minimum lot area, average maximum lot area for new lots, minimum lot width, and minimum lot width for zero lot line lots less than 6,000 square feet. Since these are subdivision standards, a variance is also requested.

Section 3.8.30 Information Requirements
Response: The site does not contain a riparian corridor. A variance to certain dimensional standards found in Chapter 2.2, Single Family Residential Zoning Districts, is requested; the standards of Chapter 3.5, Adjustments and Variances, are addressed in this narrative.

The standards of Chapter 3.2, Development Review, are addressed in this narrative. Five copies of the narrative, plans, and associated materials (exhibits and appendices) have been submitted. These materials include the applicable items identified in this section. Items that do not apply to the site, such as multi-family and non-residential structures, 100-year flood plains and floodways, public off-street parking facilities, sensitive lands, wetland and wetland buffers, fish and wildlife habitat areas, areas subject to landslides and slumping, stream corridors, and riparian areas are not addressed.

Section 3.8.40 Permitted and Accessory Uses
Response: Per Table 2.2.1, Single Family Zones – Permitted, Limited and Conditional Uses, Planned Developments are a conditional use in the RS (Residential Single Family) zone and subject to a Type III review process. The standards of Chapter 3.8, Planned Developments, are addressed in this narrative.

Section 3.8.50 Modifications to Approved Planned Developments
Response: This request is for the preliminary approval of a single-phase, 43-lot planned development. This application is for Phase II, Phase I received approval in 2005. No modifications to an approved planned development are requested; therefore, this section is not applicable.

Section 3.8.60 Density Transfers and Bonuses
Response: No density transfer or bonus is requested; therefore, this section is not applicable.

Section 3.8.70 Design Standards and Requirements

Section 3.8.70(1) Natural Landscape
Response: A 107,729 square-foot (2.47 acre) open space area is located at the northeast end of the development. This open space area is proposed to primarily remain in its natural state, with improvements limited to those necessary to create a pedestrian friendly environment. These improvements include a soft surface trail and several benches. The soft surface trial connects to the north and south end of Street B. To further facilitate pedestrian circulation, a pedestrian connection is provided between Lot 54 and Lot 55 from Street B to NE LaCreole Drive. All proposed streets have minimum five-foot-wide sidewalks to provide easy internal pedestrian circulation and provide connections to the site boundary.

Section 3.8.70(2) Recreation
Section 3.8.70(3) Open Space
Response: Over two-and-one-half acres of active open space is provided. A 6,414 square-foot (0.15 acres) park is provided near the center of the development, at the intersection of NE LaCreole Drive and NE Evergreen Avenue. A 107,729 square-foot (2.47 acre) open space area is located at the northeast end of the development. The open space area contains a soft surface trail and several benches. The soft surface trial connects to the north and south end of Street B. To further facilitate pedestrian circulation, a pedestrian connection is provided between Lot 54 and Lot 55 from Street B to NE LaCreole Drive.

The open space located in Phase II will serve as open space for the entirety of Polk Station Estates, Phase I and Phase II. Therefore, a minimum of 20 percent of the gross land area of Phase I and Phase II must be devoted to open space. Combined, Phase I and Phase II have a gross land area of 14.81 acres (645,124 square feet). Accordingly, 2.96 acres (129,025 square feet) of open space must be provided. Over two-and-one-half acres of open space is provided in Phase II. A 6,414 square-foot (0.15 acre) park, an 107,729 square-foot (2.47 acre) open space area at the north-east end of the

development, an 18,059 square-foot (0.41 acre) open space tract along Kings Valley Highway, and a 3,814 square-foot (0.09 acre) open space tract along the northern property line are provided as open space. This totals 3.14 acres (136,996 square feet) of open space, which exceeds the required 20 percent, 2.96 acres (129,025 square feet).

Section 3.8.70(4) Improvements and Amenities
Response: The provisions for all proposed improvements and amenities are described in this narrative and associated submittal materials (engineering plans and appendices).

Section 3.8.70(5) Street Design
Response: To the extent possible, a "grid" pattern of streets has been provided. The extensions of NE Evergreen Avenue and NE Fern Avenue parallel each other and terminate at NE LaCreole Drive since further extension of the streets to the northeast is not feasible due to grading issues. No local street access to Kings Valley Highway; therefore, access to the highway is limited to NE LaCreole Drive, a collector.

As requested by the City of Dallas, a 10-foot public right-of-way dedication along the site frontage on NE Polk Station Road is provided. Half-street improvements will be provided along the site frontage on NE Polk Station Road and Kings Valley Highway.

Two one-way streets, Street A and Street B, are proposed. Street A serves three units and Street B serves 17 units; neither street is greater than 600 feet in length. Signage will be placed at each intersection. All proposed streets will be constructed to City standards.

No private streets or parking areas are proposed. No riparian areas are located on the site.

Section 3.8.70(6) Attachment of Conditions
Response: The applicant recognizes that the conditions will be attached to the approval of the proposed planned development.

Section 3.8.70(7) Perpetual Maintenance
Response: A Homeowners Association will own and maintain all common open space.

Section 3.8.70(8) Minimum Yards and Setbacks
Response: All exterior yards are provided in accordance with the standards of the (Residential Single Family) zone. Interior yards have been reduced as permitted by this section and are illustrated on the Sheet P1.2, Preliminary Site Plan. The following chart compares the RS building setback standards (per Table 2.2.2) to the minimum interior yards in the proposed planned development.

Table 2.2.2: Single Family Residential District Dimensional Standards

	RS Building Setbacks (feet)	*Proposed Interior Yards (feet)*
Building Setbacks		
Minimum Front Yard	*20*	10
Along new collector or arterial street	*20*	10
Along existing collector or arterial street	*25*	NA
Alley Access, ***Rear Garage****, Street Side Yard Garage and Front Porch*	*20*	10
Maximum Front Yard	*NA*	NA
Minimum Side Yard	*5*	5
Minimum Street Side Yard	*15*	10
Minimum Rear Yard	*25*	20
Corner Lots		
Minimum Front Yard	*20*	10
Minimum Side Yard	*5*	5
Minimum Street Side Yard	*15*	10
Minimum Rear Yard	*15*	20
Minimum Lot Depth	*80*	90

Section 3.8.70(9) Maximum Building Height
Response: Building height will be confirmed at the time of building permit application.

Section 3.8.70(10) Storage Standards
Response: All storage will be within a closed building.

Section 3.8.70(11) Refuse Storage
Response: No common outdoor trash, garbage, or refuse storage areas are proposed. Each dwelling will be responsible for its own garbage service.

Section 3.8.70(12) Mechanical Equipment
Response: No rooftop mechanical equipment is proposed; therefore, this section is not applicable.

Section 3.8.70(13) Utilities
Response: All proposed utilities are located underground. Please see Sheet P1.4, Utility Plan, for an illustration.

Section 3.8.70(14) Pedestrian and Bicycle Circulation Facilities
Response: To date, the City has not required connection to a regional trail system. All proposed streets have minimum five-foot-wide sidewalks, which will be constructed to City standards.

Section 3.8.70(15) Traffic Impacts
Response: To date, the City has not required a traffic study be conducted. One collector, NE LaCreole Drive, extends though the site; no driveway access is to this street is proposed. While Lots 49 to 56 have frontage on NE LaCreole Drive, access is from Street B, a proposed one-way street. To the extent possible, a "grid" pattern of streets has been provided. The extensions of NE Evergreen Avenue and NE Fern Avenue parallel each other and terminate at NE LaCreole Drive since further extension of the streets to the northeast is not feasible due to grading issues. No local street access to Kings Valley Highway; therefore, access to the highway is limited to NE LaCreole Drive, a collector.

Section 3.8.70(16) Attractive Streetscapes
Response: An attractive streetscape is provided along all proposed streets. Kings Valley Highway, NE LaCreole Drive, and all local streets will be improved with curbs, gutters, minimum five-foot-wide sidewalks, and planter strips containing street trees. Lots 49 to 56 have frontage on NE LaCreole Drive. These dwellings are rear-loaded, meaning the garage is located at the rear of the dwelling. Across the street, the side yards of Lots 36, 39, 57, and 60 abut NE LaCreole Drive. This combination of rear-loaded dwellings and side yards minimize the appearance of garages along a NE LaCreole Drive, a collector.

Section 3.8.80 Land Division Approval Required
Response: The requested planned development includes a land division for the creation of 43 lots. The standards of Chapter 3.3, Land Divisions, and Chapter 4.2, Street and Accessway Design, are applicable and are addressed in this narrative.

Section 3.8.100 Filing or Recording
Response: The final plat will be recorded with Polk County following final approval and fulfillment of the conditions of approval.

Chapter 4.1 General Development Standards

Section 4.1.20 Fences
Response: Fencing on residential lots will be provided in accordance with the requirements of this Section. No recreational court is proposed; no wire fencing is proposed. No fence in excess of six feet in height or retaining wall in excess of four feet in height is proposed; therefore, no building permit is required.

Section 4.1.40 Access
Response: All proposed lot abut a public street for a minimum of 25 feet.

Section 4.1.50 Vision Clearance
Response: The required vision clearance area is provided at all street intersections and all street and driveway intersections. The vision clearance areas do not contain the prohibited items specified in this section. Sheet P1.2, Site Plan, illustrates a typical vision clearance area.

Chapter 4.2 Street and Accessway Design Standards

Section 4.2.20 Compliance with Adopted Plans

Response: NE LaCreole Drive is identified on the Comprehensive Plan as an undeveloped collector and illustrated extending north though the site. The proposed planned development provides for the extension of NE LaCreole Drive, as a collector, in the approximate location shown by the Comprehensive Plan. Sheet P1.3 illustrates the alignment of NE LaCreole Drive and provides a section of the right-of-way.

All proposed streets have minimum five-foot-wide sidewalks.

One pedestrian accessway is proposed. An open space area is located at the northeast end of the development. The open space area contains a soft surface trail and several benches. The soft surface trial connects to the north and south end of Street B. To foster pedestrian circulation, an accessway is provided between Lot 54 and Lot 55 from Street B to NE LaCreole Drive. The accessway is located in a ten-foot-wide tract and will contain a five-foot-wide paved surface.

To date, the City has not required a transportation impact study or bicycle lanes.

Section 4.2.30 Streets

Section 4.2.30(1) Streets and Highways

Response: Three existing streets intersect the boundary of the site: NE LaCreole Drive, NE Fern Avenue, and NE Evergreen Avenue. The extensions of these streets have been designed to continue the center line of the existing streets. All streets intersect at or as near to a right angle as possible.

Section 4.2.30(2) Dedication of a Right-of-Way

Response: All proposed internal streets will be dedicated to the City. As requested by the City of Dallas, a 10-foot public right-of-way dedication along the site frontage on NE Polk Station Road is provided. Half-street improvements will be provided along the site frontage on NE Polk Station Road and Kings Valley Highway.

Section 4.2.30(3) Continuation of Dead-End Streets

Response: NE LaCreole Drive has been stubbed to the northwest property line to allow for future extension.

Section 4.2.30(4) Street & Residential Driveway Grades

Response: No proposed street grade exceeds 12 percent; no proposed driveway grade exceeds 15 percent. The maximum proposed street grade is 11 percent; the maximum proposed driveway grade is 3 percent.

Section 4.2.30(5) Radius at Street Intersection

Response: Prior to construction, the Public Works director will review and approve the property line radius at street intersections.

Section 4.2.30(6) Reserve Block
Response: No reserve blocks are proposed and none have been requested by the City. Therefore, this section is not applicable.

Section 4.2.30(7) Minimum Street, Sidewalk and Bikeway Standards
Response: All proposed streets (collector, local, and one-way) have been designed in conformance with the standards of this section. Please see Sheet P1.3, Preliminary Plat, for an illustration of street sections.

Section 4.2.30(8) Two-Level Streets
Response: No two level streets are proposed; therefore, this section is not applicable.

Section 4.2.30(9) Street Improvements
Response: Prior to construction, the Public Works director will review and approve the proposed street improvements.

Section 4.2.30(10) Subdivision Blocks
Response: No proposed block exceeds 600 feet in length. Single-depth blocks are less than 200 feet in width for the following reasons: the location of Kings Valley Highway, prohibitions against individual driveway access to the highway, and the unique property line configuration in the northwest corner of the site.

Section 4.2.30(11) Lot Size
Response: Setbacks have been provided as required by the RS (Residential Single Family) zone and are addressed in this narrative. All exterior yards are provided in accordance with the standards of the RS zone. Interior yards have been reduced as permitted by this section and are illustrated on the Sheet P1.2, Preliminary Site Plan.

Section 4.2.30(12) Curved Front Lot Lines
Response: The front line distance for front lot lines on a curve or arc will be indicated by bearing and chord distance on the final plat.

Section 4.2.30(13) Lot Line
Response: Where practical, side lot lines are as close to right angle to the front street line. No rear lot lines are less than one-half the width of the front lot line.

Section 4.2.30(14) Building Lines Along Streets
Section 4.2.30(15) Yard Requirements
Response: Setbacks have been provided as required by the RS (Residential Single Family) zone and are addressed in this narrative. All exterior yards are provided in accordance with the standards of the RS zone. Interior yards have been reduced as permitted by this section and are illustrated on the Sheet P1.2, Preliminary Site Plan.

Section 4.2.30(16) Private Streets
Response: No private streets are proposed; therefore, this section is not applicable.

Section 4.2.40 Accessways
Response: One pedestrian accessway is proposed. A 107,729 square-foot (2.47 acre) open space area is located at the northeast end of the development. The open space area contains a soft surface trail and several benches. The soft surface trial connects to the north and south end of Street B. To further facilitate pedestrian circulation, an accessway is provided between Lot 54 and Lot 55 from Street B to NE LaCreole Drive. The accessway is located in a ten-foot-wide tract and will contain a five-foot-wide paved surface. As the accessway is located between the side yards of two dwelling units, it will be fenced. The Homeowners Association will own and maintain the accessway and all other common open space.

Chapter 4.4 Landscaping & Screening Standards

Section 4.4.30 General Standards

Section 4.4.30(3) Existing Trees
Response: Where practical, existing trees located in proposed yards and common open space will remain. Please see Sheet P1.5 for an illustration of existing trees to remain.

Section 4.4.30(5) Vision Clearance
Response: No shrubs, trees, or other screening will be located in a vision clearance area.

Section 4.4.40 Minimum Landscaped & Buffer Areas
Response: The standards of Chapter 4.5, Off-Street Parking, are addressed in this narrative.

Section 4.4.50 Required Tree Planting
Response: Street trees selected from the City-approved list are proposed along all public street frontages; see Sheet P1.6, Street Tree and Open Space Improvements Plan, for an illustration. The proposed street trees are located within the street right-of-way. No proposed street trees have been placed in a restricted location.

Section 4.4.60 Irrigation
Response: Irrigation will be addressed at the time of building permit application.

Section 4.4.90 Landscaping Between Public Street and Property Lines
Response: Front yards will be landscaped at the time of occupancy.

Chapter 4.5 Off-Street Parking Standards

Section 4.5.40 General Provisions
Response: All proposed off-street parking is located on the same lot as the main structure.

Section 4.5.60 Off-Street Motor Vehicle Parking Requirements

Response: Per Table 4.5.1, each single-family dwelling must provide one off-street parking space. At a minimum, each dwelling will provide four off-street parking spaces, two in a driveway and two in a garage.

Chapter 4.6 Public Right-of-Way Landscaping Requirements

Section 4.6.40 Planting Regulations
Response: The proposed street trees have been provided in conformance with the standards of this section. Please see Sheet P1.6, Street Trees and Open Space Improvements Plan, for an illustration.

Section 4.6.50 Prohibited Trees
Response: No prohibited trees are proposed as street trees. All proposed street trees have been selected from the City-approved list. Please see Sheet P1.6, Street Trees and Open Space Improvements Plan, for an illustration.

IV. CONCLUSION

The applicant has met the burden of proof that the proposed planned development preliminary approval complies will all applicable criteria and respectfully requests approval of this application.

FRONT ELEVATION 'A'

FRONT ELEVATION 'B'

BRICKWORKS PLAN 5

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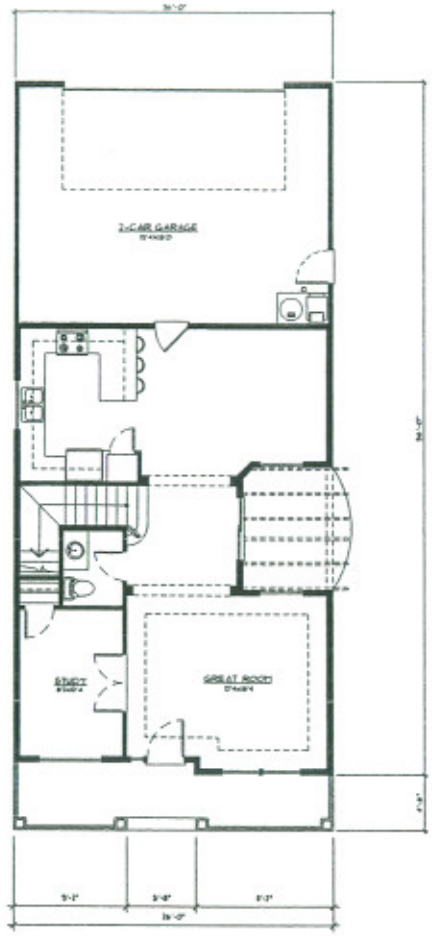
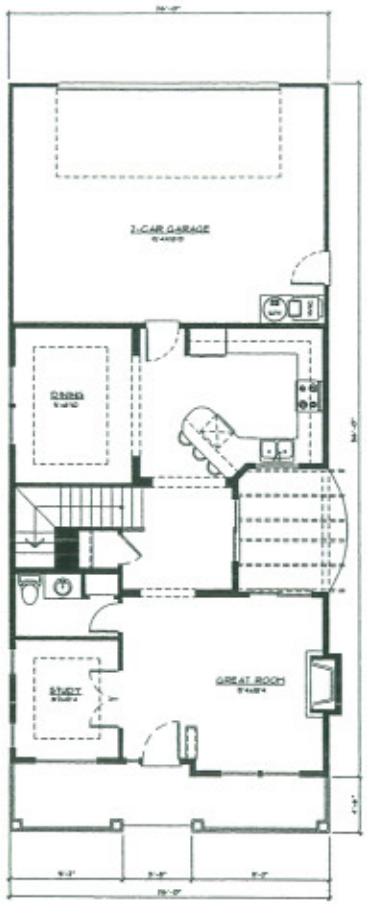


MAIN FLOOR OPT.1



MAIN FLOOR OPT. 2

AREA CALCULATIONS

MAIN FLOOR 1	[illegible] SQ. FT.
MAIN FLOOR 2	[illegible] SQ. FT.
UPPER FLOOR 1	[illegible] SQ. FT.
UPPER FLOOR 2	[illegible] SQ. FT.
OPTIONAL LOFT:	[illegible] SQ. FT.
GARAGE:	[illegible] SQ. FT.

3281 ft²

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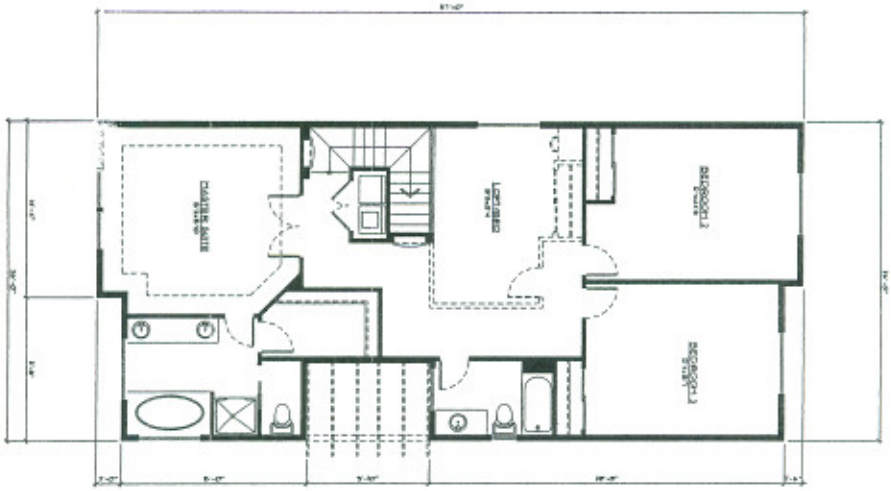
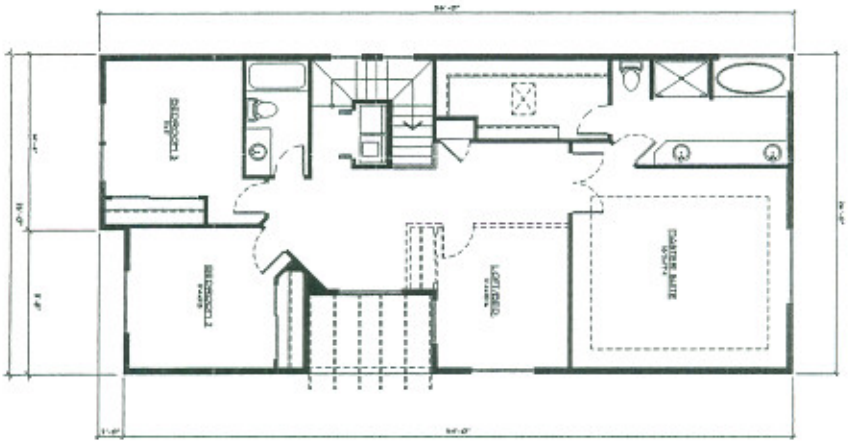


UPPER FLOOR OPT.1



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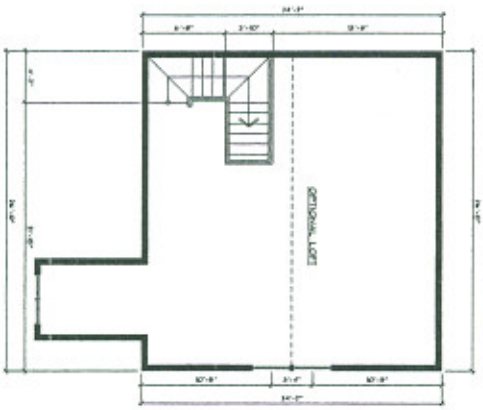

LOFT OPT.

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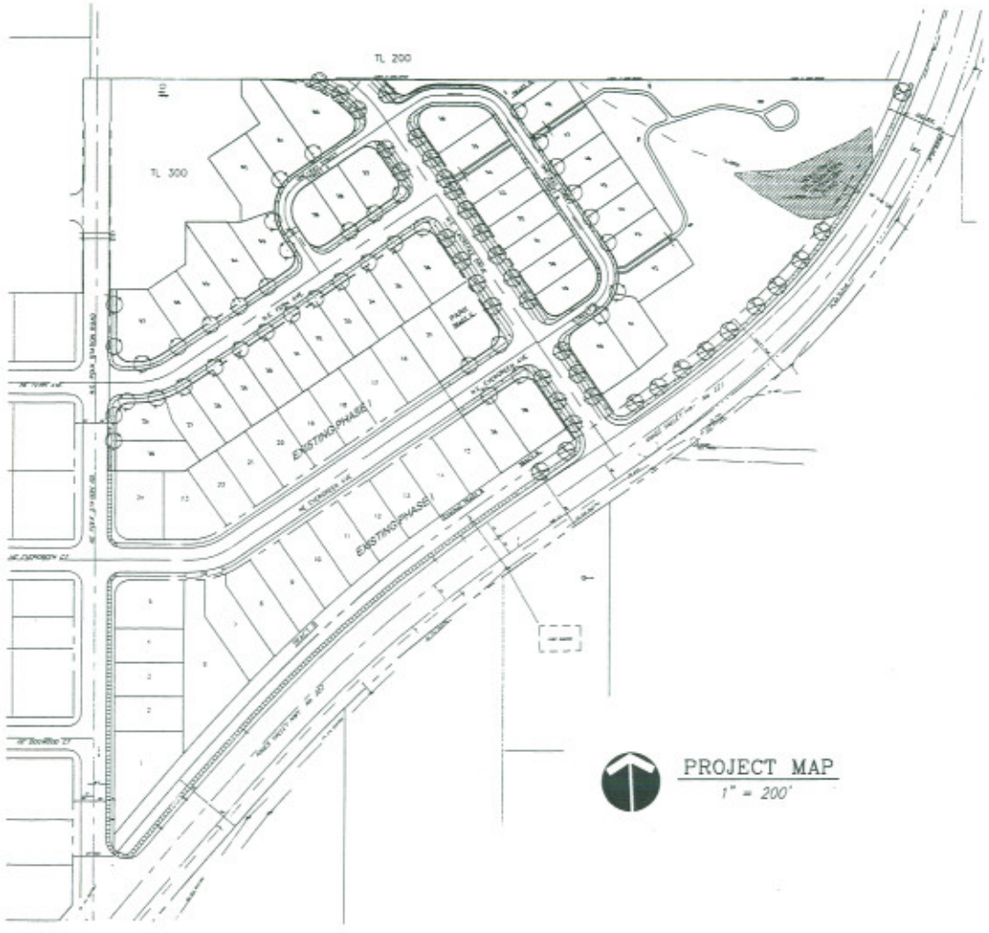
POLK STATION ESTATES PHASE II

TYPE III PLANNED DEVELOPMENT, PRELIMINARY APPROVAL

PHASE II - 43 LOTS

DALLAS, OREGON



PROJECT MAP
1" = 200'

SHEET INDEX

P1.0	COVER SHEET
P1.1	EXISITING CONDITIONS
P1.2	PRELIMINARY SITE PLAN
P1.3	PRELIMINARY PLAT
P1.4	PRELIMINARY UTILITY PLAN
P1.5	PRELIMINARY GRADING PLAN
P1.6	PRELIMINARY STREET TREE AND COMMON OPEN SPACE IMPROVEMENTS

OWNER/DEVELOPER

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PHONE: (503) 489-0763
FAX: (503) 666-3047

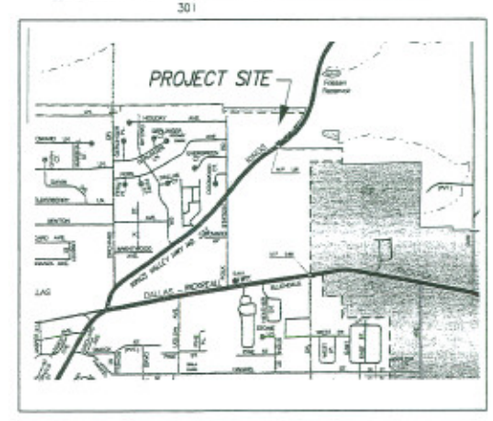
PROJECT TEAM

NAME: OTAK, INC.
17355 SW BOONES FERRY RD.
LAKE OSWEGO, OR 97035

PLANNER: HEATHER VAN DYKE, LEED AP
ENGINEER: JANELLE POE, PE
PHONE: (503) 635-3618
FAX: (503) 635-5395

SUBJECT SITE

SIZE:	10.11 ACRES (PHASE II ONLY)
LOCATION:	NORTH OF KINGS VALLEY HIGHWAY, EAST OF NE POLK STATION ROAD
ZONING:	RS (RESIDENTIAL SINGLE FAMILY)
EXISTING USE:	VACANT
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
LEGAL DESCRIPTION:	TAX MAP 7.5.28A, A PORTION OF TAX LOT 301



VICINITY MAP
N.T.S.

NO.	DATE	BY	REVISION COMMENTS

Design	Drawn	Checked	Date	Initial Issue	Date
PM	PID	Reviewed		Revised	Yr. 2007

Planning Submittal – August 30, 2007

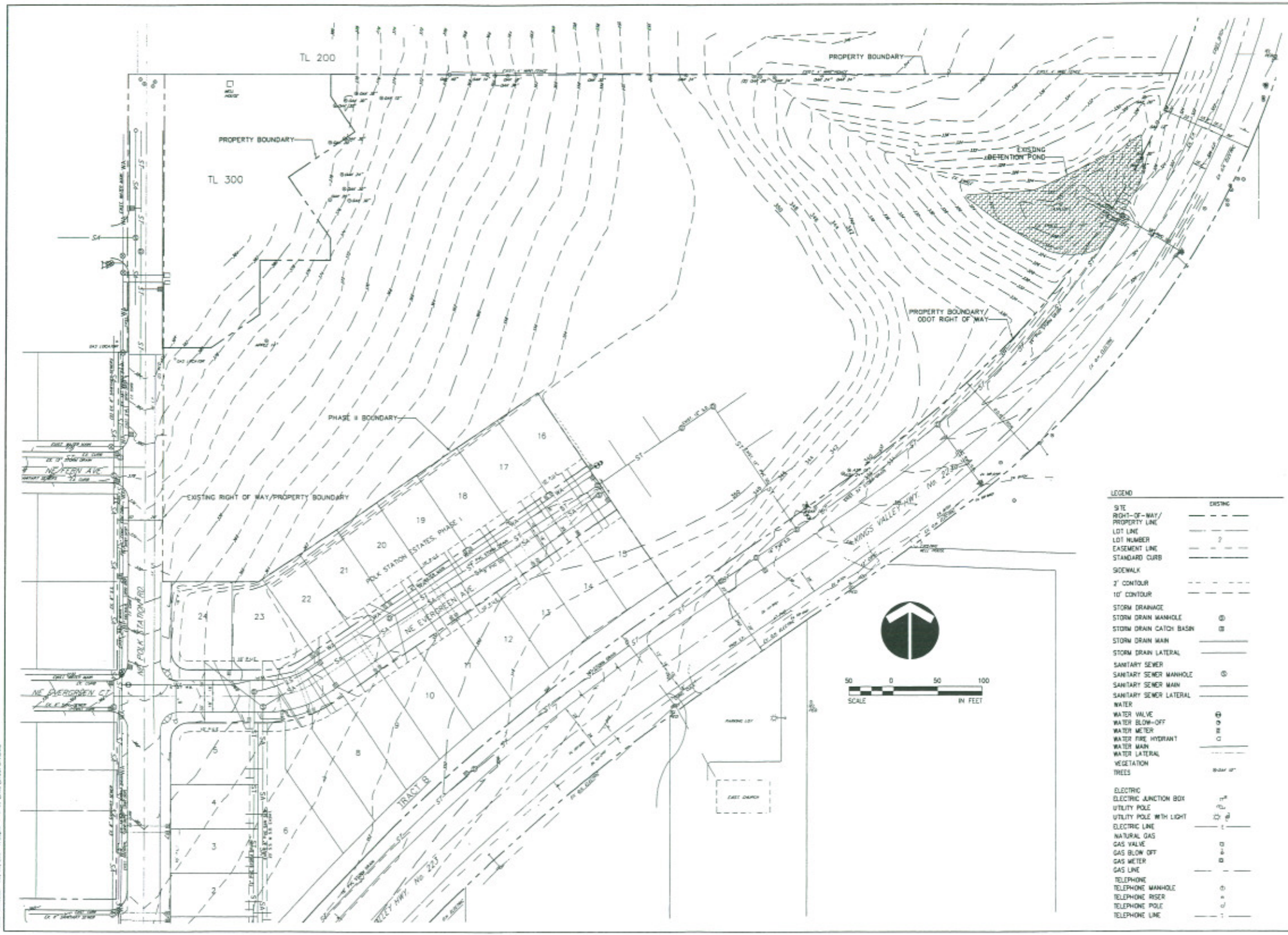
POLK STATION ESTATES PHASE II
TYPE III PLANNED DEVELOPMENT

COVER SHEET

otak Incorporated
435 SW 5th St., Suite 3
Corvallis, Oregon 97333
Phone: (541) 738-1531
FAX: (541) 738-1602
Internet: WWW.otak.com

14199 D199P01
Project No.

P1.0
Sheet No.



Planning Submittal – August 30, 2007

POLK STATION ESTATES PHASE II

TYPE III PLANNED DEVELOPMENT

EXISTING CONDITIONS

otak Incorporated

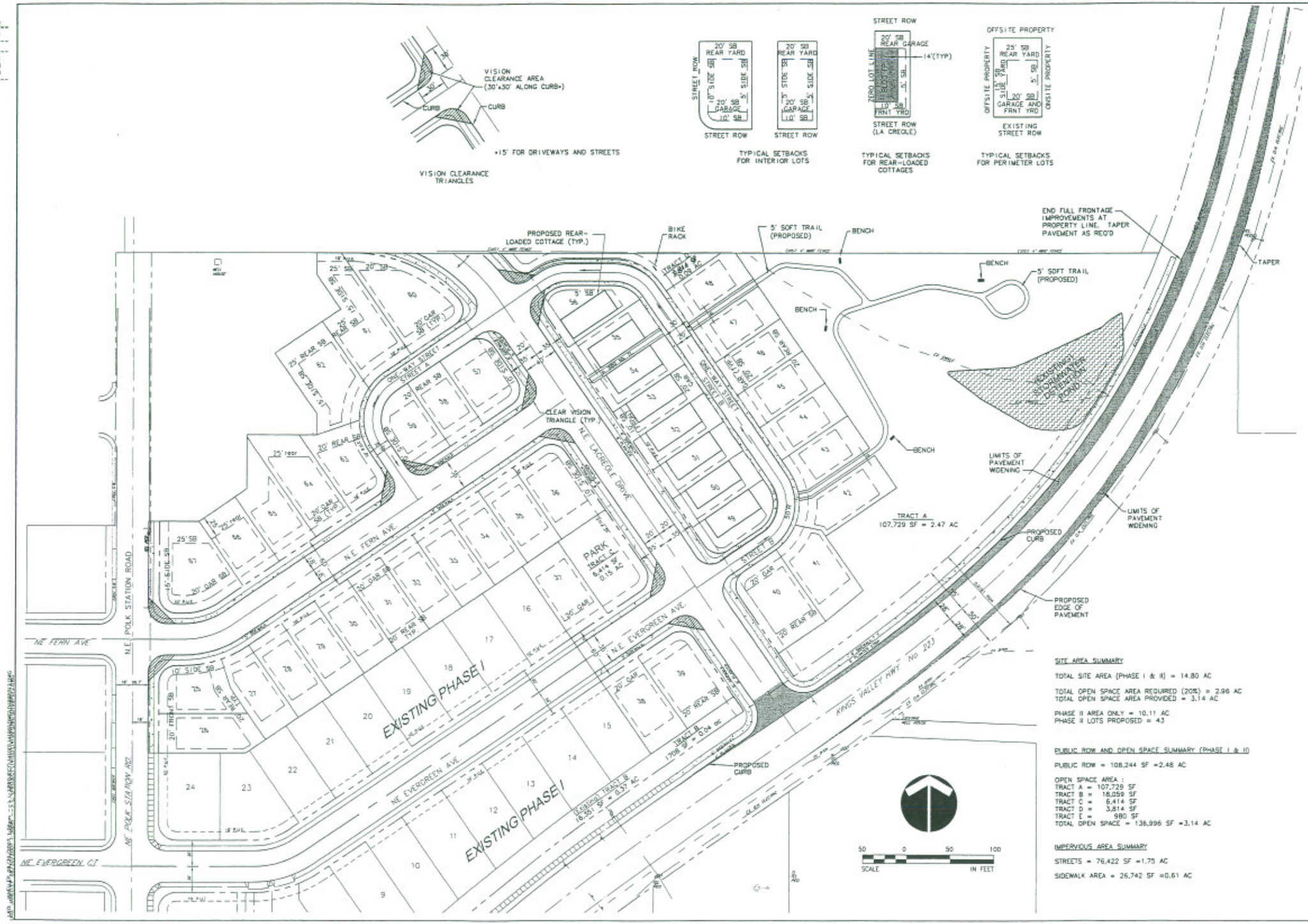
426 SW 5th St., Suite 3
Corvallis, Oregon 97333
Phone: (541) 738-1011
FAX: (541) 738-1012
Internet: WWW.Otak.COM

14199 D199P01
Project No.

P1.1
Sheet No.

NO.	DATE	BY	REVISION COMMENTS

Design | Draw | Reviewed | Date | Initial Issue Date



SITE AREA SUMMARY

TOTAL SITE AREA (PHASE I & II) = 14.80 AC

TOTAL OPEN SPACE AREA REQUIRED (20%) = 2.96 AC
TOTAL OPEN SPACE AREA PROVIDED = 3.14 AC

PHASE II AREA ONLY = 10.11 AC
PHASE II LOTS PROPOSED = 43

PUBLIC ROW AND OPEN SPACE SUMMARY (PHASE I & II)

PUBLIC ROW = 108,244 SF =2.48 AC

OPEN SPACE AREA :
TRACT A = 107,729 SF
TRACT B = 18,259 SF
TRACT C = 6,414 SF
TRACT D = 3,814 SF
TRACT E = 980 SF
TOTAL OPEN SPACE = 136,996 SF =3.14 AC

IMPERVIOUS AREA SUMMARY

STREETS = 76,422 SF =1.75 AC

SIDEWALK AREA = 26,742 SF =0.61 AC

NO.	DATE	BY	REVISION COMMENTS

Planning Submittal - August 30, 2007

POLK STATION ESTATES PHASE II

TYPE III PLANNED DEVELOPMENT

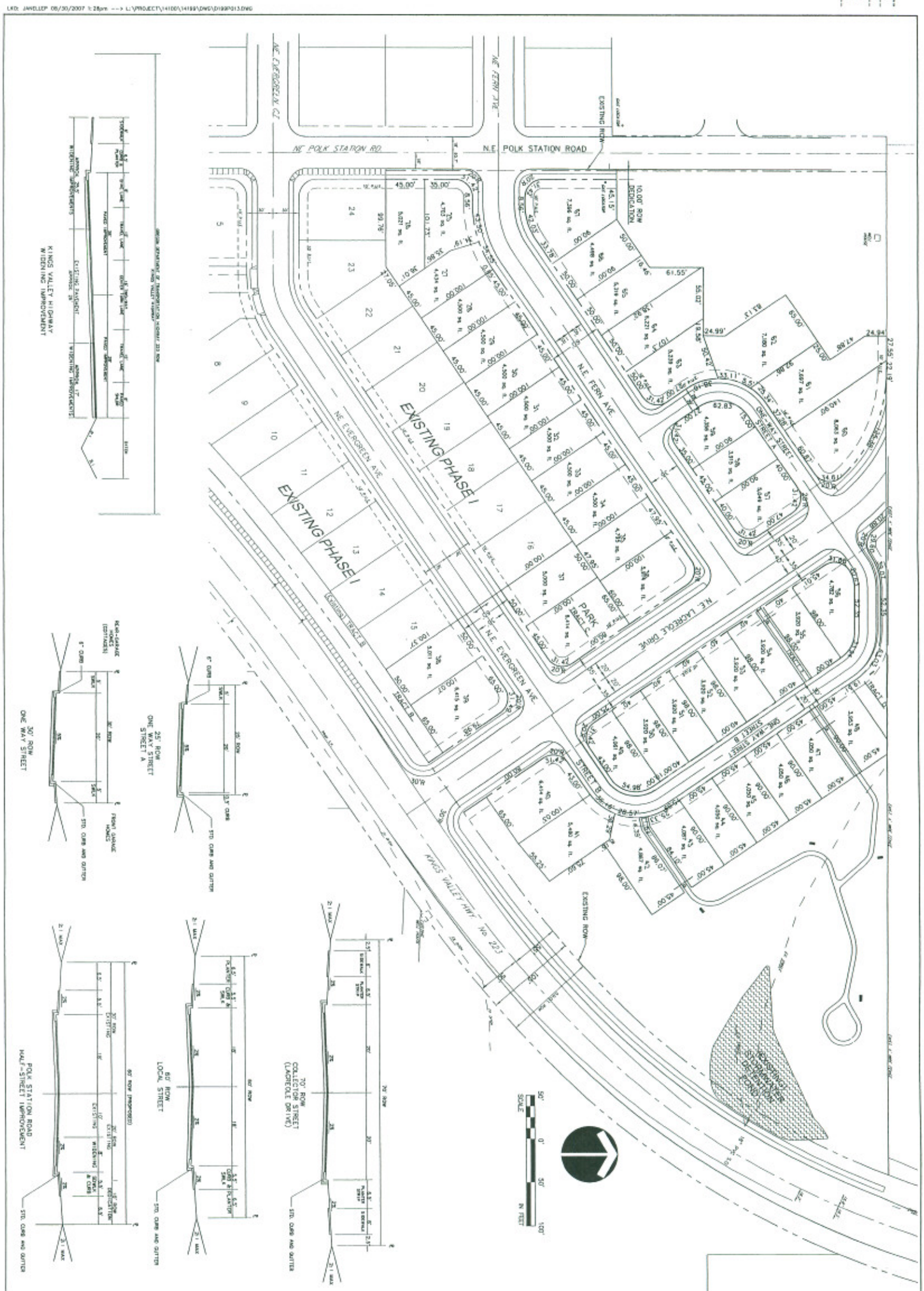
PRELIMINARY SITE PLAN

otak Incorporated

435 SW 5th St., Suite B
Corvallis, Oregon 97333
Phone: (541) 738-1811
FAX: (541) 738-1812
Internet: WWW.Otak.COM

14199 D199P012
Project No.

P1.2
Sheet No.



Planning Submittal - August 30, 2007

otak Incorporated
419 SW 11th Ave., Suite 8
Portland, Oregon 97205
Phone: (503) 723-1001
FAX: (503) 723-1011
Internet: www.otak.com

POLK STATION ESTATES PHASE II

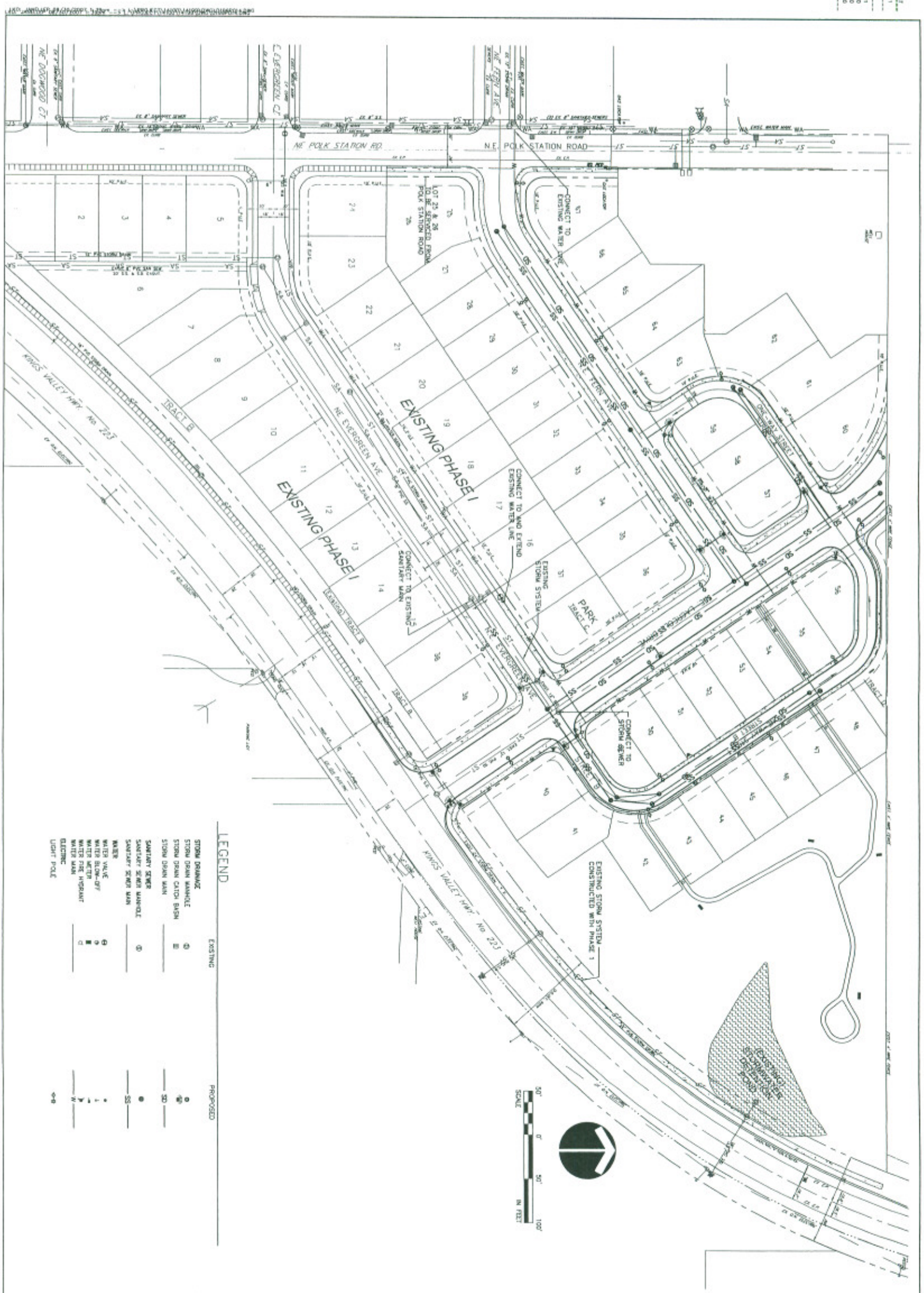
TYPE III PLANNED DEVELOPMENT

PRELIIMINARY PLAT

NO.	DATE	BY		REVISION COMMENTS
Design	Drawn	Checked	Date	Initial Issue Date :

Project No. 14199 D199P01

Sheet No. P1.3



Planning Submittal – August 30, 2007

otak Incorporated

POLK STATION ESTATES PHASE II

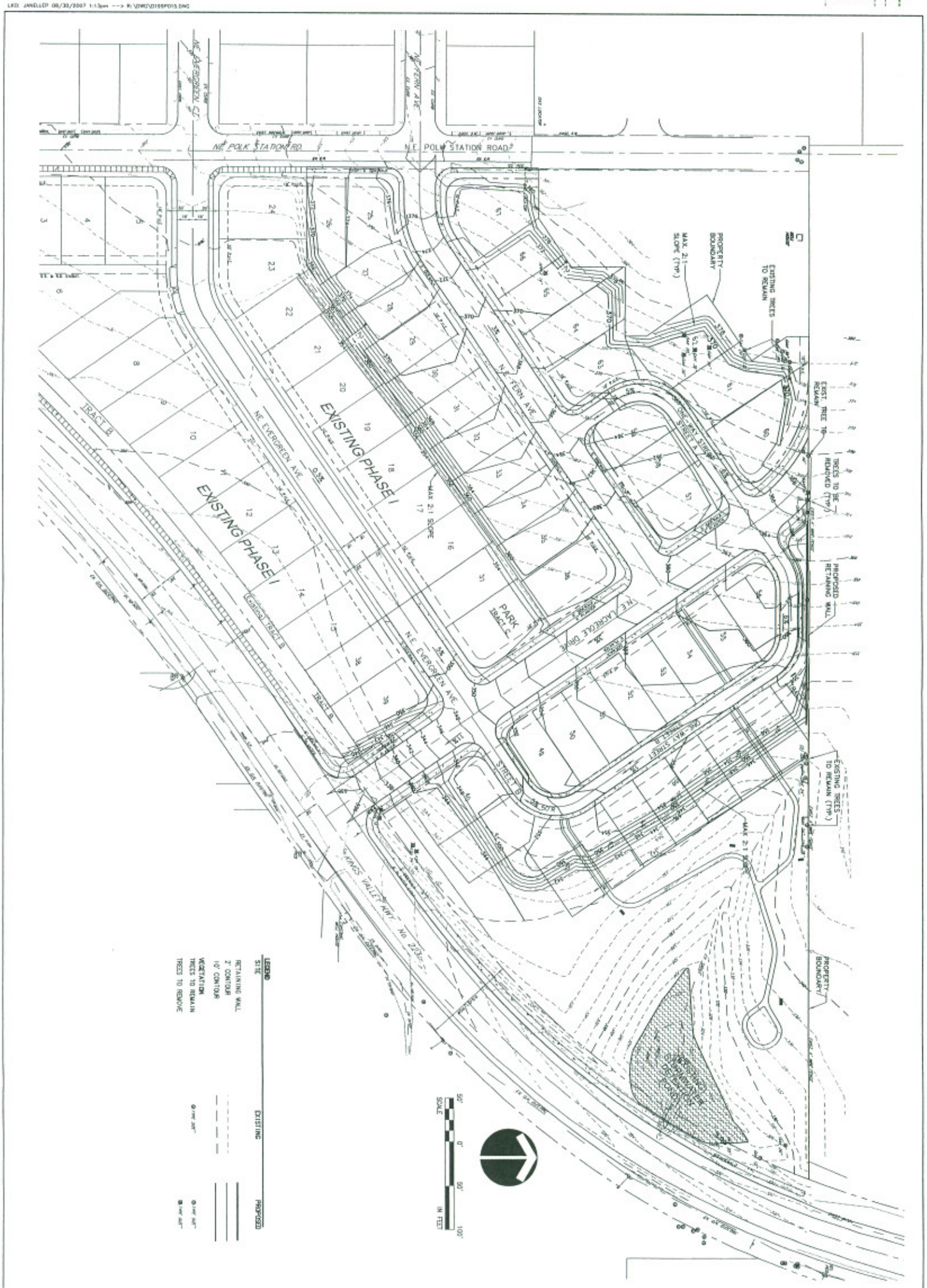
TYPE III PLANNED DEVELOPMENT

PRELIMINARY UTILITY PLAN

NO.	DATE	BY		REVISION COMMENTS
Design	Drawn	Checked	Date	Initial Issue Date :
JDP	JDP	MAP	8/29/07	August 30, 2007

Project No. 14199 D199P01

Sheet No. P1.4



Planning Submittal – August 30, 2007

otak Incorporated

POLK STATION ESTATES PHASE II

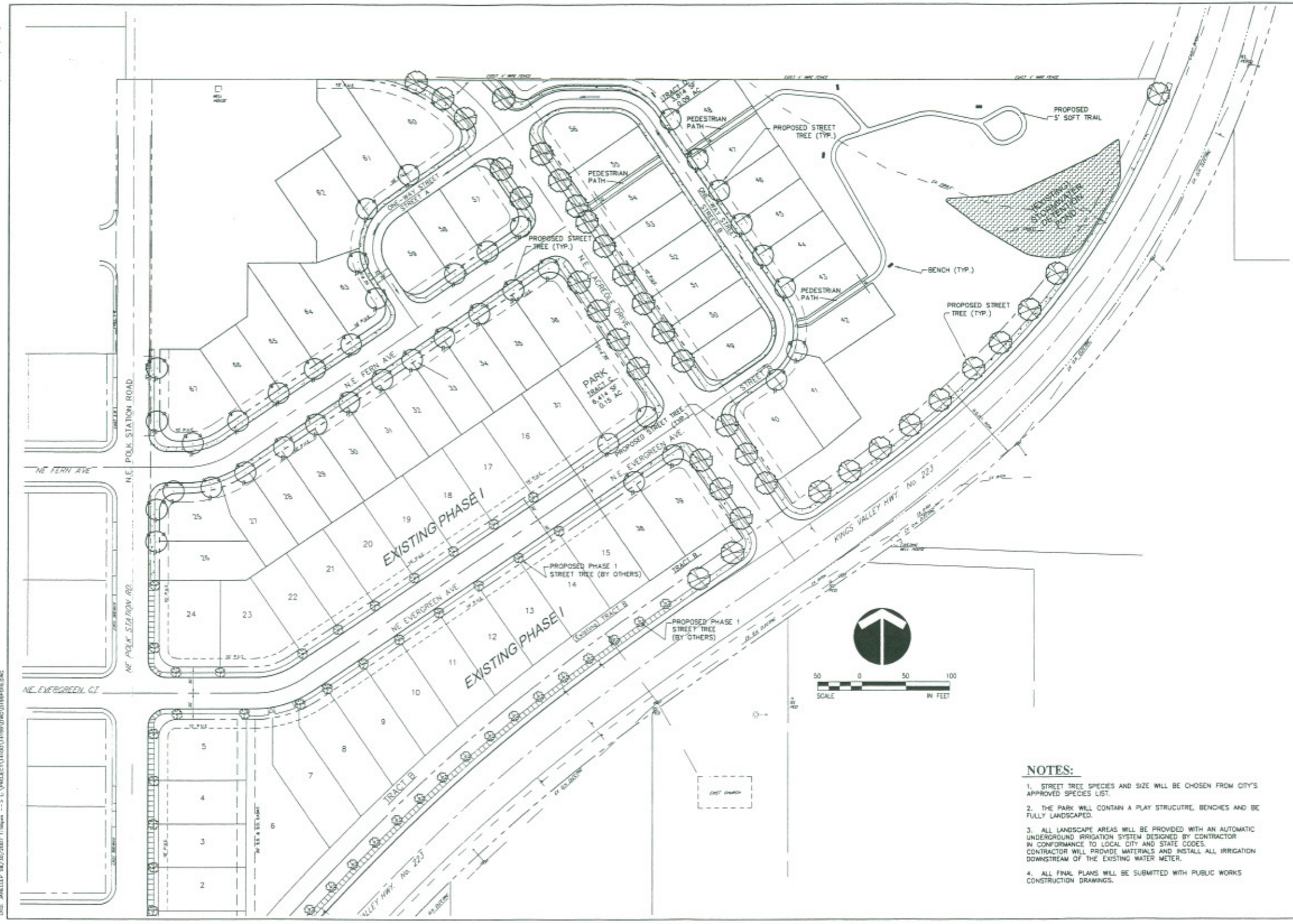
TYPE III PLANNED DEVELOPMENT

PRELIMINARY GRADING PLAN

NO.	DATE	BY		REVISION COMMENTS
Design	Drawn	Checked	Date	Initial Issue Date :

Project No. 14199 D199P01

Sheet No. P1.5



NOTES:

1. STREET TREE SPECIES AND SIZE WILL BE CHOSEN FROM CITY'S APPROVED SPECIES LIST.
2. THE PARK WILL CONTAIN A PLAY STRUCUTRE, BENCHES AND BE FULLY LANDSCAPED.
3. ALL LANDSCAPE AREAS WILL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY CONTRACTOR IN CONFORMANCE TO LOCAL CITY AND STATE CODES. CONTRACTOR WILL PROVIDE MATERIALS AND INSTALL ALL IRRIGATION DOWNSTREAM OF THE EXISTING WATER METER.
4. ALL FINAL PLANS WILL BE SUBMITTED WITH PUBLIC WORKS CONSTRUCTION DRAWINGS.

Planning Submittal – August 30, 2007

POLK STATION ESTATES PHASE II

TYPE III PLANNED DEVELOPMENT

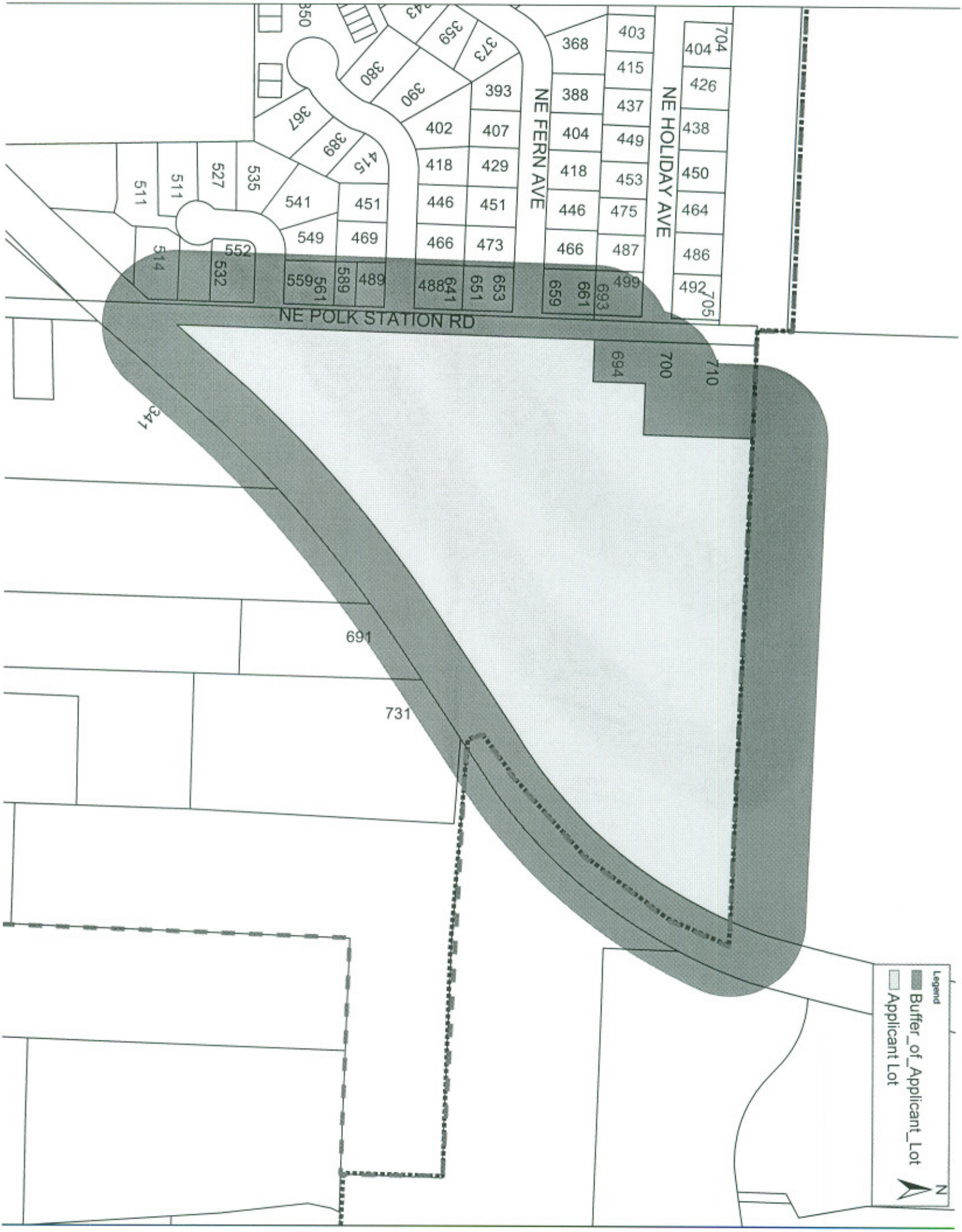
PRELIMINARY STREET TREE AND OPEN SPACE IMPROVEMENTS

otak Incorporated

435 SW 5th St., Suite B
Corvallis, Oregon 97333
Phone: (541) 738-1611
FAX: (541) 738-1612
Internet: www.otak.com

14199 D199P01
Project No.

P1.6
Sheet No.


NE POLK STATION RD
NE FERN AVE
NE HOLIDAY AVE
350
343
359
373
380
390
367
389
415
393
402
407
418
429
446
451
466
473
368
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Legend
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Applicant Lot
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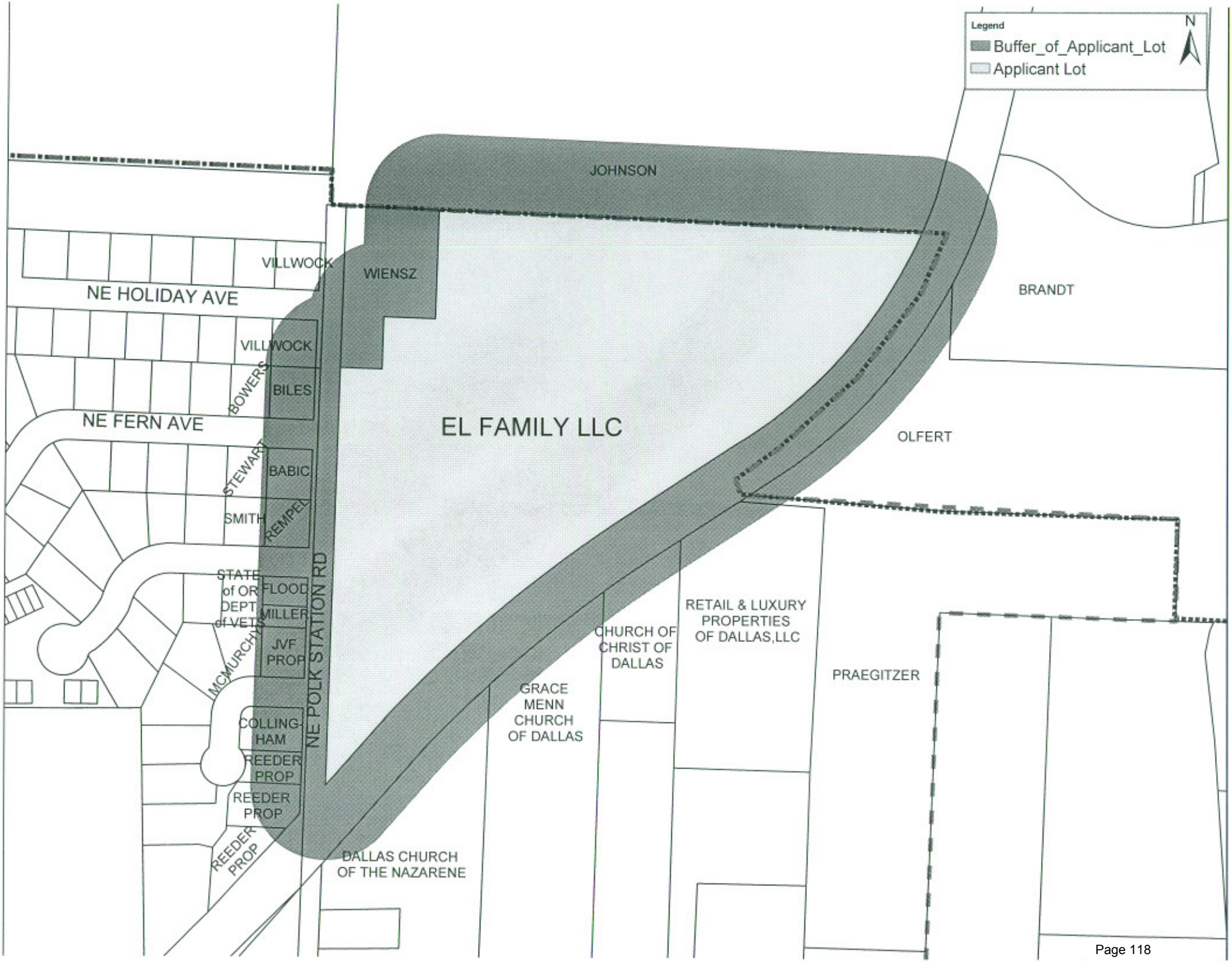
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Applicant Lot
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JOHNSON
WIENSZ
BRANDT
VILLWOCK
NE HOLIDAY AVE
VILLWOCK
BOWERS
BILES
NE FERN AVE
EL FAMILY LLC
OLFERT
STEWART
BABIC
SMITH
REMPEL
STATE of OR DEPT of VETS
FLOOD
MILLER
MCMURCHY
JVF PROP
NE POLK STATION RD
RETAIL & LUXURY PROPERTIES OF DALLAS,LLC
CHURCH OF CHRIST OF DALLAS
PRAEGITZER
GRACE MENN CHURCH OF DALLAS
COLLING-HAM
REEDER PROP
REEDER PROP
REEDER PROP
DALLAS CHURCH OF THE NAZARENE

MAP_TAXLOT	OWNER	AGENT	M_ADDRESS	M_CITY	M_STATE	ZIP	PRIMARY_SI
7528A0 200	JOHNSON CHARLES H & MARGARET A		790 POLK STATION RD NE	DALLAS	OR	97338	790 POLK STATION RD NE DALLAS
7528A0 801	BRANDT EDGAR A & MARYLOUISE		390 NORTH KINGS VALLEY HWY	DALLAS	OR	97338	390 NORTH KINGS VALLEY HWY DALLAS
7528A0 300	WIENSZ GLENN S & BETTY L		710 POLK STATION RD NE	DALLAS	OR	97338	710 POLK STATION RD NE DALLAS
7528BA 3500	VILLWOCK PAUL & SANDRA		600 PERRYDALE RD	DALLAS	OR	97338	
7528A0 700	OLFERT MELVIN J		380 NORTH KINGS VALLEY HWY	DALLAS	OR	97338	380 NORTH KINGS VALLEY HWY DALLAS
7528BA 3700	~~VILLWOCK PAUL & SANDRA~~ DUPL		600 PERRYDALE RD	DALLAS	OR	97338	
7528BA 3600	~~VILLWOCK PAUL & SANDRA~~ DUPL		600 PERRYDALE RD	DALLAS	OR	97338	
7528BD11300	BOWERS JOSEPH C & CAROLYN L		466 FERN AVE NE	DALLAS	OR	97338	466 FERN AVE NE DALLAS
7528BD11400	BILES REBECKA H		6431 FAIRWAY AVE SE	SALEM	OR	97306	659 POLK STATION RD NE DALLAS (M)
7528BD 9600	STEWART GARY & MARGARET		473 FERN AVE NE	DALLAS	OR	97338	473 FERN AVE NE DALLAS
7528BD 9500	BABIC MARKO		6280 THIRD ST #337	LOS ANGELES	CA	90036	651 POLK STATION RD NE DALLAS (M)
7528A0 500	PRAEGITZER ROBERT L, RVC LIVING TRUST	BERGERON MATTHEW, SUCC TR	1498 TECH CENTER PL SE #110	VANCOUVER	WA	98683	
7528BD 9300	SMITH JAMES JOSEPH		466 EVERGREEN CT NE	DALLAS	OR	97338	466 EVERGREEN CT NE DALLAS
7528BD 9400	REMPEL DANIEL, RVC LIVING TRUST ET AL	REMPEL DANIEL, TR	PO BOX 853	DALLAS	OR	97338	488 EVERGREEN CT NE DALLAS (M)
7528A0 401	RETAIL & LUXURY PROPERTIES OF DALLAS,LLC		1499 TECH CENTER PLZ #14	VANCOUVER	WA	98683	731 NORTH KINGS VALLEY HWY NE DALLAS
7528D0 1300	CHURCH OF CHRIST OF DALLAS		P O BOX 48	DALLAS	OR	97338	691 NORTH KINGS VALLEY HWY NE DALLAS
7528BD 8200	STATE OF OREGON, DEPT OF VETS	SCOTT DANNY N & SCOTT B J, AGT	469 EVERGREEN CT NE	DALLAS	OR	97338	469 EVERGREEN CT NE DALLAS
7528BD 8101	FLOOD MICHAEL E & JOANNE L		7960 RACQUET CT	WILSONVILLE	OR	97070	489 EVERGREEN CT NE DALLAS
7528D0 1400	GRACE MENN CHURCH OF DALLAS		P O BOX 69	DALLAS	OR	97338	588 ELLENDALE AVE E DALLAS (M)
7528BD 8100	MILLER JAMES W		589 POLK STATION RD NE	DALLAS	OR	97338	589 POLK STATION RD NE DALLAS
7528BD 7500	MCMURCHY JACK A & BARBARA J		549 DOGWOOD CT NE	DALLAS	OR	97338	549 DOGWOOD CT NE DALLAS
7528BD 7400	JVF PROPERTIES LLC		PO BOX 518	DALLAS	OR	97338	559 DOGWOOD CT NE DALLAS (M)
7528D0 2000	DALLAS CHURCH OF THE NAZARENE		P O BOX 8	DALLAS	OR	97338	341 NORTH KINGS VALLEY HWY NE DALLAS
7528BD 8000	COLLINGHAM EVERETT S & SALLY C		246 WALNUT AVE SE	DALLAS	OR	97338	532 DOGWOOD CT NE DALLAS (M)
7528BD14100	REEDER PROPERTIES LLC		PO BOX 1807	MEDFORD	OR	97501	
7528BD14000	~~REEDER PROPERTIES LLC~~ DUPL		PO BOX 1807	MEDFORD	OR	97501	
7528BD13900	~~REEDER PROPERTIES LLC~~ DUPL		PO BOX 1807	MEDFORD	OR	97501	

Millenium_CU-PUD_10-9-07

23
1 Applicant
24

CITY OF DALLAS
PLANNING COMMISSION

APPLICATION COMPLETE
SEPTEMBER 19, 2007

STAFF REPORT
DATE: OCTOBER 2, 2007

FILE NO.	VAR 9-07
HEARING DATE	OCTOBER 9, 2007 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	MICHAEL & LINDA MOLING
REQUEST	VARIANCE
LOCATION	331 NE HOLIDAY AVENUE
RECOMMENDATION	APPROVAL WITH CONDITIONS

CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT

HEARING DATE: OCTOBER 9, 2007
APPLICATION TYPE: VARIANCE
OWNERS: MICHAEL & LINDA MOLING
LOCATION: 331 NE HOLIDAY AVENUE

Project Description: The applicant is requesting a variance to the RS-Residential zone required side yard setback. The applicant has proposed a variance to reduce the side yard setback to 2' from the required 5' to allow construction of a covered parking area. All exterior structures must meet building code requirements.

Zoning:	RS – Residential Single Family
Comprehensive Plan Map No. 1 Land Use Designation:	Residential
Floodplain / Wetlands:	The subject property is not located in the 100-year floodplain or identified on the National Wetlands Inventory Map for wetlands
Adjacent Land Uses:	Residential
Lot Size:	7,339 Sq. Ft.

CRITERIA:

Street. NE Holiday Avenue is an improved 60' street with curbs and sidewalks.

Section 4.2.30 Street Standards

Complies. The street is improved to street standards with curbs and sidewalks.

FINDINGS: NE Holiday Avenue is adequate to serve the subject property for the proposed use.

Water. Existing is an 8" DI water line in NE Holiday Avenue.

Section 3.2.30 (5) Adequate Public Facilities
Complies. The lot is serviced with an approved water service.

FINDINGS: The water system is adequate to serve the subject property.

Storm. Existing is a 10" PVC storm line in NE Holiday Avenue.

Section 3.2.30 (5) Adequate Public Facilities
Complies. The lot is serviced with an approved public storm service.

FINDINGS: The storm system is adequate to serve the subject property.

Sanitary. Existing is a 6" PVC sanitary line in NE Holiday Avenue.

Section 3.2.30 (5) Adequate Public Facilities
Complies. The lot is serviced with an approved sanitary sewer system.

FINDINGS: The sanitary sewer system is adequate to serve the subject property.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

FINDINGS: The public hearing notice requirements have been met.

Public Comments. None

Standards For Review.

Dallas Development Code Analysis:

Residential Single Family	Required	Proposed
Min Lot Area	6,000 Sq. Ft.	Existing - 7,339 Sq. Ft.
Building Height	24'	Under 24'
Front Yard Setback	20'	20'
Street Side yard setback	NA	NA
Side yard setback	5'	2'
Rear yard setback	25'	25'

Article I Procedures:
1.3.40 Complete Application Required
Complies. A complete application has been filed.

1.3.60-1.3.140 Public Hearings
Complies. Proper notice was issued.

Article II Zoning Districts and Use Categories:
Chapter 2.4 Commercial General Zoning District
2.4.40 Uses Allowed
Complies. The proposed use is an allowed use in the zone, however a variance is required due to the setback encroachment.

Article III Specific Land Use Review Procedures:
Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.

Chapter 3.5 Adjustments & Variances
Complies. The applicant has applied for a variance to reduce the street side yard setback to 2' from the required 5' to allow construction of a covered parking area.

Conclusions: The staff has concluded the following regarding this Variance request:
1) A proper application has been made and hearing notice given.
2) The application is in conformance with the standards listed above.
3) The variance will not be materially detrimental to the Development Code, injurious to property in the zone or vicinity in which the property is located, or otherwise detrimental to the objectives of the Dallas Comprehensive Plan.

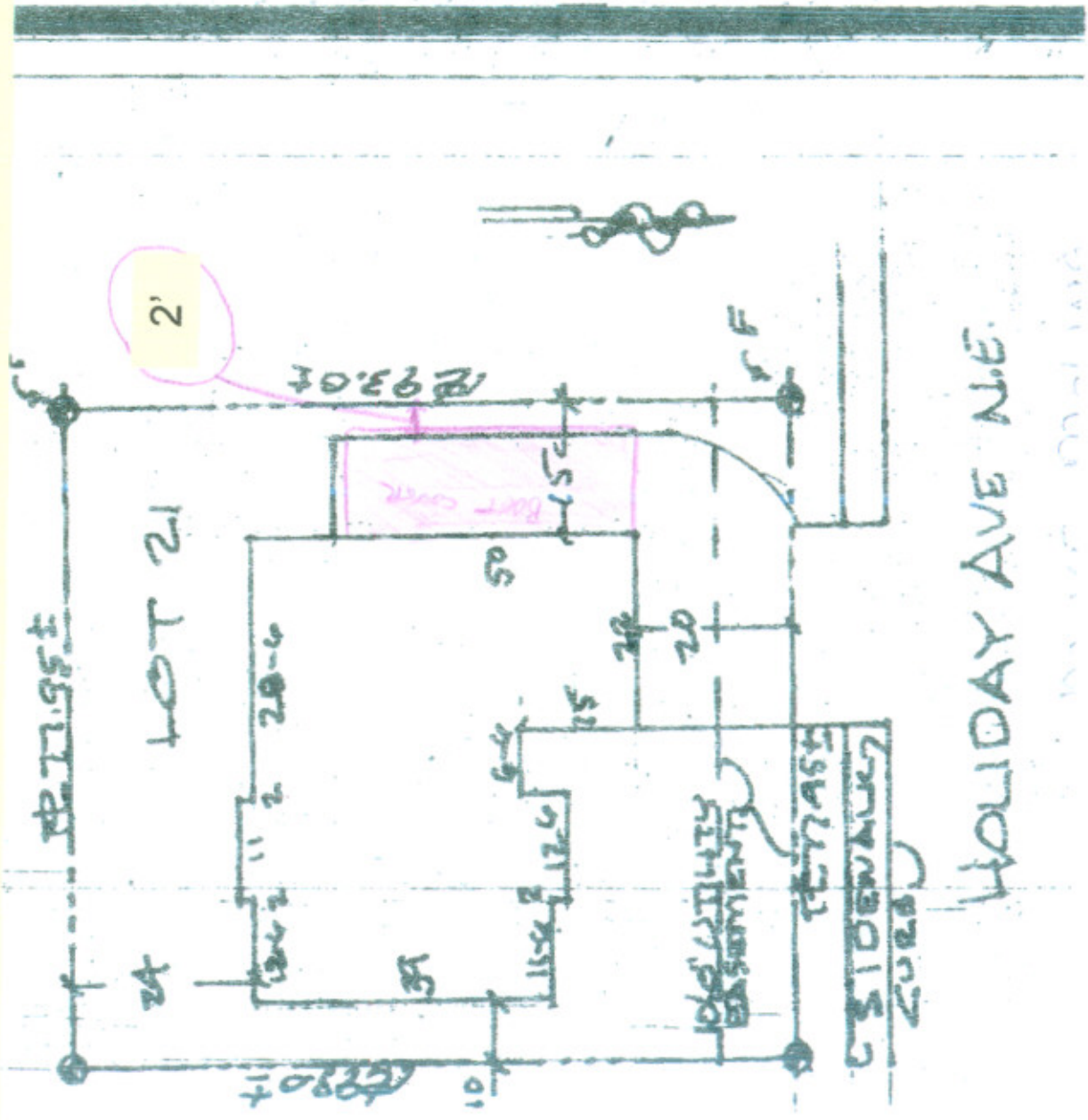
Summary and Conditions:

If it appears to the Planning Commission that based on the findings of facts the criteria for approval have been met, then this Variance request could be approved subject to the following suggested conditions:

1) That the project must be completed in accordance with the general criteria, plans and specifications, documents, and all other information presented to/or modified by the Planning Commission.
2) That all structures must meet building codes requirements.
3) That no walls be constructed to restrict fire access within 3' of the property line.
4) That variance approvals are void after twelve months if no substantial construction has occurred or a one-time extension has not been granted.

COMMUNITY DEVELOPMENT TEAM

Holiday Ave - Variance



LAND USE APPLICATION

City of Dallas

187 SE Court Street

Dallas, OR 97338 • 503-831-3571

PLEASE TYPE OR PRINT IN INK ONLY

FOR STAFF USE ONLY

- ☐ SITE PLAN REVIEW:
  - __ PARKING
  - __ SITE DEVELOPMENT
- ☐ LOT LINE ADJ (Type I)
- ☐ ADJUSTMENT (Type II)
- ☐ CONDITIONAL USE (Type III)
- ☐ SUBDIVISION (Type III)
- ☐ PARTITION (Type III)
- ☑ VARIANCE (Type III)
- ☐ ANNEXATION (Type IV)
- ☐ COMP PLAN (Type IV)
- ☐ ZONE CHANGE (TYPE IV)
- ☐ UGB EXPANSION (TYPE IV)

File No: VAR 9-07
Date Received: 8/28/07
Fee $ 350.00
Hearing Date: 10/9/07
Staff Member: JW
Zone: RS
Comp. Plan: SF

APPLICANT INFORMATION

◆ Applicant-Please attach the following required information to this Land Use Application:

Initial

- ☐ NA $100 Pre-application Conference Fee, only as applicable. (DDC 1.3.30)
- ☐ ✓ Completed Supplemental Application.
- ☐ ✓ Supplemental Land Use fee.
- ☐ ✓ Property deed with legal description. Land divisions also require a preliminary title search.
- ☐ ✓ Plot Plan drawn to scale and a copy of any related information and/or maps. (No larger than 11"x17".)

Project Description ON WEST SIDE OF HOUSE A COVER extending 24' long AND OUT 13' FROM SIDE OF HOUSE OVER CEMENT PAD thats existing.

Site Address 331 N.E. Holiday Ave Total Land Area:

Present Use of Property Single Family Dwelling

OWNER(S):
Name(s) Mike & Linda Moling
Mailing Address 331 N.E. Holiday Ave City Dallas ST ZIP 97338
Applicant Phone: Work Mobile Fax: Home 503-623-8097

APPLICANT(S): (if not owner)
Name(s)
Mailing Address City ST ZIP
Owner Phone: Work Mobile Fax: Home
Applicant is: ☐ Legal Owner ☐ Contract Buyer ☐ Option Buyer ☐ Agent

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Signatures (Required):
Owner(s) Michael E Moling Date 8-28-07 Applicant(s) Linda M. Moling Date 8-28-07

Rev. 4/16/07

08-28-07A10:10 RCVD

SUPPLEMENTAL APPLICATION
VARIANCE
(Type III Procedure)

APPLICANT INFORMATION MICHAEL E. MOLING **Fee** $350.00

Name Michael E. Moling Date 8-28-2007
Linda M. Moling Linda M. Moling 8-28-07

VARIANCE:
The Development Code allows for variances from the dimensional standards (such as setback, height and lot size requirements) of the ordinance under certain conditions. Standards may be modified when strict compliance would cause an undue or unnecessary hardship.

NEEDED FOR APPROVAL:
All variances are discretionary and MAY be permitted after evaluation according to criteria in the Development Code. The Planning Commission must make written findings to support their decision. The applicant is responsible for providing evidence to support the variance request, according to the criteria in Article III, Chapter 3.5 of the Development Code.

CHANCES FOR APPROVAL:
Staff cannot predetermine the decision on this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in the code. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and complete as possible.

APPLICATION PROCESS:
Variance permits are subject to the public hearing process and public notice. Public comments received from property owners, agencies and other interested parties may affect the decision on the application. Special conditions may be attached to any approval. All variance applications are reviewed at a public hearing before the Planning Commission. The Planning Commission decision may be appealed to the Dallas City Council, and to the State Land Use Board of Appeals (LUBA) by the applicant or any other interested person.

HOW LONG IT MAY TAKE TO GET A FINAL DECISION ON AN APPLICATION:
It takes approximately 60 days for applications scheduled before the Planning Commission or 90 days if appealed to the Dallas City Council.

COMPLETE APPLICATION REQUIREMENTS:

1. Land Use Application – Information on applicant and land involved in application.

2. Supplemental Application – Information requested on this form. Please be as complete and thorough as possible. Use additional sheets as necessary.

3. Application Fee- $350.00

4. Deed- providing proof of ownership and legal description.

5. Plot Plan- drawn to scale on 8.5" x 11" or 8.5" x 14" paper, showing the property and your proposal. See sample plot plan.

6. Type of Variance Requested.

7. Buffer Analysis Map and Property Ownership List containing properties within 100' of the subject property obtained from the Polk County Assessor's Office.

Please answer the following:

93' x 77.95	Lot Size	Required _____	Reduced to _____
_____	Road Frontage	Required _____	Reduced to _____
_____	Front Setback	Required _____	Reduced to _____
_____	Rear Setback	Required _____	Reduced to _____
5'	Side Setback	Required 5'	Reduced to 2'
_____	Other	Required _____	Reduced to _____
_____	Building Size		Expanded to _____

JUSTIFICATION CRITERIA:

See the Development Code for specific requirements. Then describe the following:

1. Hardship – How will compliance with zoning requirements create a hardship? Describe AT LEAST ONE of the following that apply:

   A. Physical characteristics: What are the exceptional or extraordinary circumstances that apply to the property, which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of the property, since the enactment of the ordinance, have had no control?

There is A 5' (APPROX) DROP IN elevation FROM ajoining property ON WEST SIDE OF 331 N.E. Holiday which would NOT impact the Neighbor ON the WEST SIDE OF PROPERTY AS much AS IF there WAS NO elevation DIFFERENCE.

   B. Limits on Development: Why is the variance necessary for the preservation of a right that is possessed by others in the same zone?

ON Holiday Ave there is Also other homes with Similar structures in place At this Time which Are closer to property line than my Request.

2. Address ALL of the following:

A. Explain how this variance would not be materially detrimental to the purpose of this ordinance, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

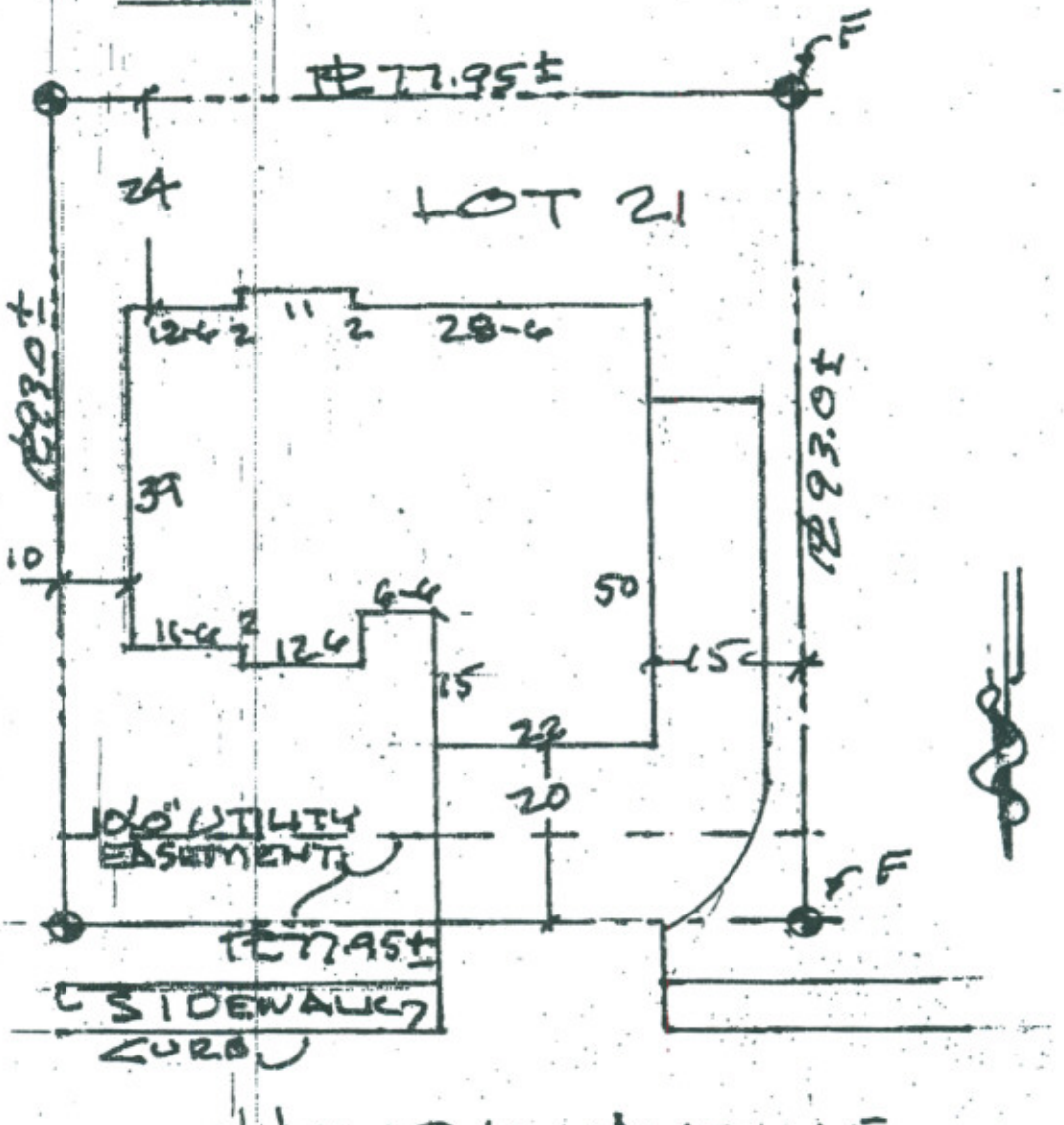
The west side of the property is on a 5' (approx) down slope and would not affect the ajoining piece of property.

B. Explain why the identified hardship is not self-imposed.

C. Explain why the requested variance is the minimum variance which would alleviate the hardship.

I wish to cover my boat and thus preserve it for years from the elements. By getting 2 more feet on the west side of the house for the cover.

SITE INSPECTION OF DEVELOPMENT IN POLK COUNTY
PROPERTY OWNER BOWAN CONST. INC. TO MOUNG
TAX ACCOUNT # 568874 STREET ADDRESS 331 HOLIDAY AVE NE
ZONE ____ MAP ____ CITY DALLAS, OR 97338
SEC ____ TOWN S. ____ RANGE ____
LOT 21 BLK ____ SUBDIVISION VISTA VIEW NORTH #2
NO ACRES ____ ESCROW FILE 20060822G COMPANY TICOR TITLE DALLAS



NO ENCROACHMENT FOUND

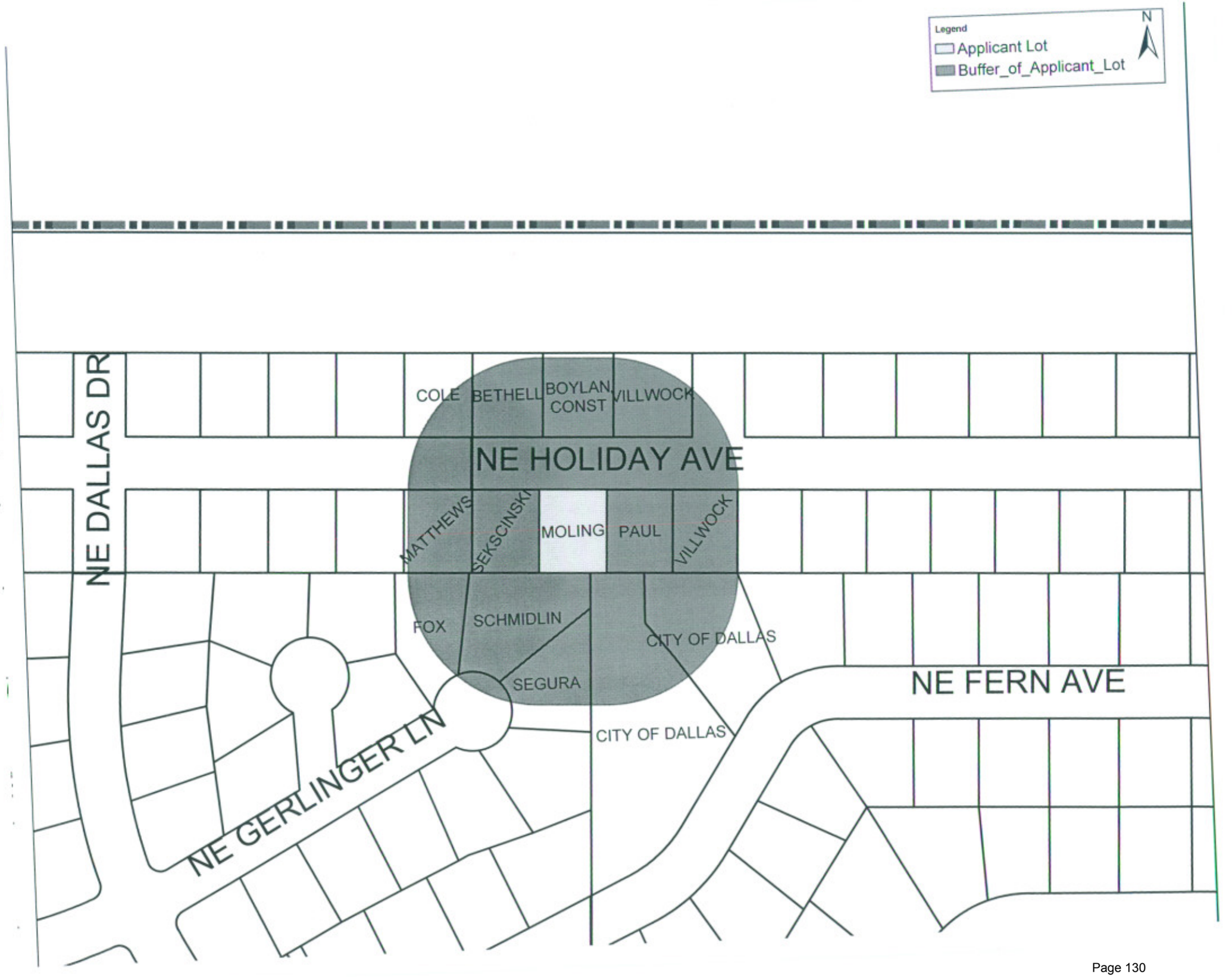
F= MONUMENT FOUND

CENTRAL PLAN & DESIGN
2366 D STREET N.E.
SALEM, OR. 97301
503-581-6837

FAX 503-581-6426

SCALE 1"=20'
DATE 6-28-99
DRAWN BY CHRIS MYHILL

Central plan & design hereby certifies that this site plan is according to details as of this date. No warranty or guarantee for adjoining [illegible] unless stated. No warranty as to correctness of said measurements and no liability is assumed if said measurements are [illegible]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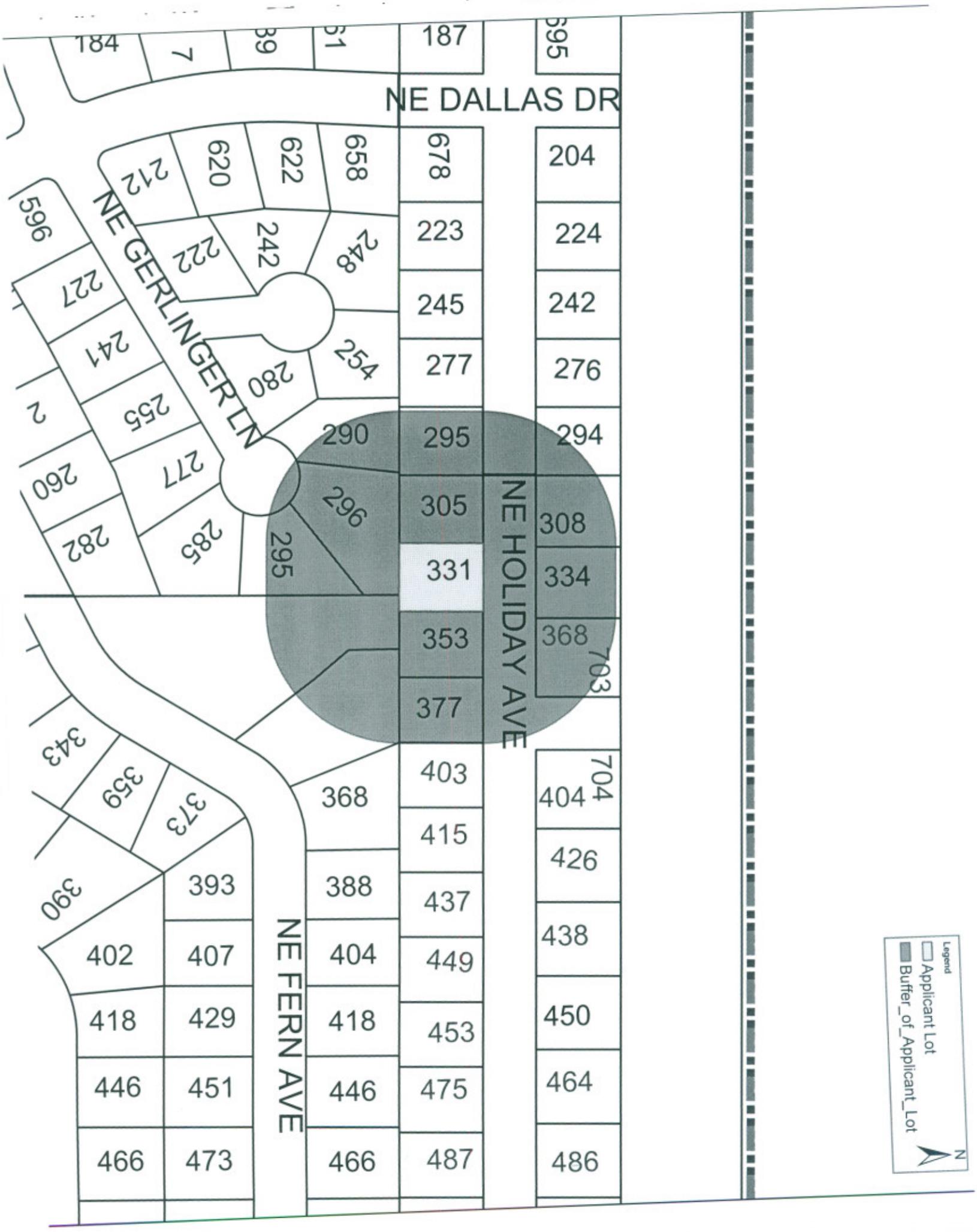
NE DALLAS DR
NE HOLIDAY AVE
NE FERN AVE
NE GERLINGER LN
COLE
BETHELL
BOYLAN CONST
VILLWOCK
MATTHEWS
SEKSCINSKI
MOLING
PAUL
VILLWOCK
FOX
SCHMIDLIN
SEGURA
CITY OF DALLAS
CITY OF DALLAS


NE DALLAS DR
NE GERLINGER LN
NE HOLIDAY AVE
NE FERN AVE
Legend
Applicant Lot
Buffer_of_Applicant_Lot
N

MAP_TAXLOT	OWNER	AGENT	M_ADDRESS	M_CITY	M_STATE	ZIP	PRIMARY_SI
7528BA 1400	COLE JOE LEE & MARIE		294 HOLIDAY AVE NE	DALLAS	OR	97338	294 HOLIDAY AVE NE DALLAS
7528BA 2600	BETHELL JAMES W JR, RVC LIVING TRUST	BETHELL JAMES W JR ETAL, CO-TR	112 HOLIDAY AVE NE	DALLAS	OR	97338	308 HOLIDAY AVE NE DALLAS
7528BA 2700	BOYLAN CONSTRUCTION INC		610 REED LN NW	DALLAS	OR	97338	334 HOLIDAY AVE NE DALLAS
7528BA 2800	VILLWOCK PAUL & SANDRA		600 PERRYDALE RD	DALLAS	OR	97338	
7528BA 1700	MATTHEWS ROBERT H & MARJORIE A		PO BOX 157	RICKREALL	OR	97371	295 HOLIDAY AVE NE DALLAS
7528BA 4700	SEKSCINSKI ROBERT & SUSAN E		305 HOLIDAY AVE NE	DALLAS	OR	97338	305 HOLIDAY AVE NE DALLAS
* 7528BA 4600	MOLING MICHAEL E & LINDA M		331 HOLIDAY AVE NE	DALLAS	OR	97338	331 HOLIDAY AVE NE DALLAS
7528BA 4500	PAUL VALENTINA M & SUNITSCH KEMBERLEA K		353 HOLIDAY AVE NE	DALLAS	OR	97338	353 HOLIDAY AVE NE DALLAS
7528BA 4400	~~VILLWOCK PAUL & SANDRA~~ DUPL		600 PERRYDALE RD	DALLAS	OR	97338	377 HOLIDAY AVE NE DALLAS
7528BD 1200	FOX JAMES S & VICTORIA L		290 GERLINGER LN NE	DALLAS	OR	97338	290 GERLINGER LN NE DALLAS
7528BD 1300	SCHMIDLIN PATRICK PAUL		296 GERLINGER LN NE	DALLAS	OR	97338	296 GERLINGER LN NE DALLAS
7528BD10600	~~CITY OF DALLAS~~		P O BOX 67	DALLAS	OR	97338	
7528BD10700	~~CITY OF DALLAS~~		P O BOX 67	DALLAS	OR	97338	
7528BD 1400	SEGURA JUDITH A		295 GERLINGER LN NE	DALLAS	OR	97338	295 GERLINGER LN NE DALLAS

Moling_VAR_10-9-07

11

CITY OF DALLAS
PLANNING COMMISSION

APPLICATION COMPLETE
SEPTEMBER 19, 2007

STAFF REPORT
DATE: OCTOBER 2, 2007

FILE NO.	TYPE III - 1-07
HEARING DATE	OCTOBER 9, 2007 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	MUIR & MCDONALD
REQUEST	LISA KOLOEN
LOCATION	505 SW LEVENS STREET
RECOMMENDATION	APPROVAL WITH CONDITIONS

CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT

HEARING DATE:	**OCTOBER 9, 2007**
APPLICATION TYPE:	**TYPE III**
OWNERS:	**MUIR & MCDONALD**
APPLICANT:	**LISA KOLOEN**
LOCATION:	**505 SW LEVENS**

Project Description: The applicant is requesting to demolish and remove all structures and materials from the site. The request also includes removal from the Historic Register and the Dallas Development Code Historic Resources Inventory.

Zoning:	RS – Residential Single Family
Comprehensive Plan Map No. 1 Land Use Designation:	Multi Family
Floodplain / Wetlands:	The subject property is located in the 100-year floodplain or identified on the National Wetlands Inventory Map for wetlands
Adjacent Land Uses:	Residential
Lot Size:	122,839 Sq. Ft.

CRITERIA:

Street. SW Levens Street is an improved 60' street with curbs and sidewalks.

Section 4.2.30 Street Standards

Complies. The street is improved to street standards with curbs and sidewalks.

FINDINGS: SW Levens Street is adequate to serve the subject property for the proposed use.

Water. Existing is a 12" DI water line in SW Levens Street.

Section 3.2.30 (5) Adequate Public Facilities
Complies. The lot is serviced with an approved water service.

FINDINGS: The water system is adequate to serve the subject property.

Storm. Existing is a storm lateral to the creek.

Section 3.2.30 (5) Adequate Public Facilities
Complies. The lot is serviced with an approved public storm lateral.

FINDINGS: The storm system will need to be constructed with any development of the property.

Sanitary. Existing is an 8" concrete sanitary line in SW Levens Street.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The lot is serviced with an approved sanitary sewer system.

FINDINGS: The sanitary sewer system is adequate to serve the subject property.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

FINDINGS: The public hearing notice requirements have been met.

Public Comments. None

State Historic Preservation Office Comments. There is no state prohibitions on the demolition of the structures on this property.

Standards For Review.

Article I Procedures:
1.3.40 Complete Application Required
Complies. A complete application has been filed.

Public Hearings
Complies. Proper notice was issued.

Article III Specific Land Use Review Procedures:
Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.

Chapter 3.10 Historic Preservation

3.10.80 Demolition Review.

Demolition requests shall be reviewed by the Commission under the Type III procedure. No permit for the demolition of a structure identified in the inventory shall be issued by the City without review by the Commission.

Complies. The applicant has filed for a Type III review prior to filing for a demolition permit from the city.

DDC 3.10.90 Hearing by Planning Commission.

The Commission's decision at the hearing for demolition of a structure shall address the following findings:

(1) The degree of historic significance in terms of persons or events in Dallas' history.

FINDINGS: The building is a significant part of Dallas' history.

(2) The degree of architectural uniqueness or representation of an important building style.

FINDINGS: The structure does represent uniqueness of style.

(3) The availability of a Federal or State programs to assist in the preservation of the building.

FINDINGS: No assistance for building preservation has been located.

(4) The economic feasibility of preservation.

FINDINGS: The buildings appears to be in poor structural condition and the applicant claims that the repair would not be economically feasibility.

(5) The extent to which preservation will deprive the owner of the ability to sell the property.

FINDINGS: The building was used as a tannery and the use would be limited due to the previous use, stability of the structure, location, size and zoning restrictions.

DDC 3.10.100 Decision Options.

(1) Based on the considerations in DDC 3.10.90, the Commission shall either:
   (a) Allow the alteration, change, or demolition to occur;
   (b) Allow the alteration, change, or demolition to occur subject to conditions protecting the resource; or
   (c) Require a delay, not to exceed 90 days, for the applicant or interested parties to develop and examine alternatives that protect the historic resource and present those alternatives to the Commission.
(2) An interested party who desires to present an alternative proposal shall deliver the proposal in writing before the end of the delay period. The Commission, the applicant, parties who have participated, and any other person who has requested, in writing, shall be served with a copy of an alternative proposal.
(3) The Commission shall set a further public hearing at a date not more than 30 days after the end of the period of delay. If no alternatives are presented or if all alternatives presented are demonstrated to be unreasonable under the criteria of 3.10.90, the Commission shall approve the application. If the Commissions determines that a reasonable alternative has been presented it shall order that the alternative proposal be implemented and the original application shall be denied.

Conclusions: The staff has concluded the following regarding this Type III:

1) A proper application has been made and hearing notice given.
2) The application is in conformance with the standards listed above and no alternative proposals have been received.

Summary and Conditions:

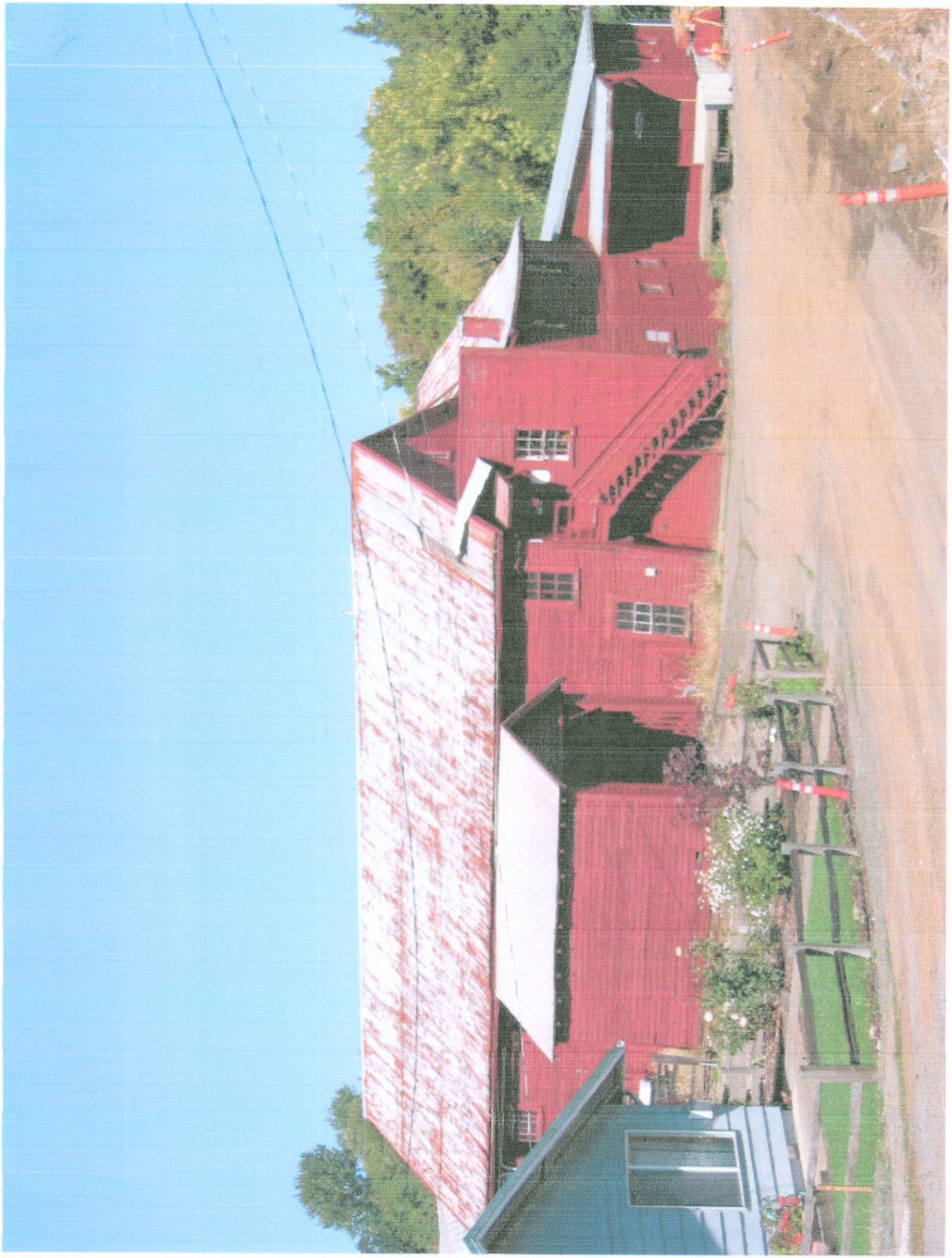
If it appears to the Planning Commission that based on the findings of facts the criteria for approval have been met, then this Type III request could be approved subject to the following suggested conditions:

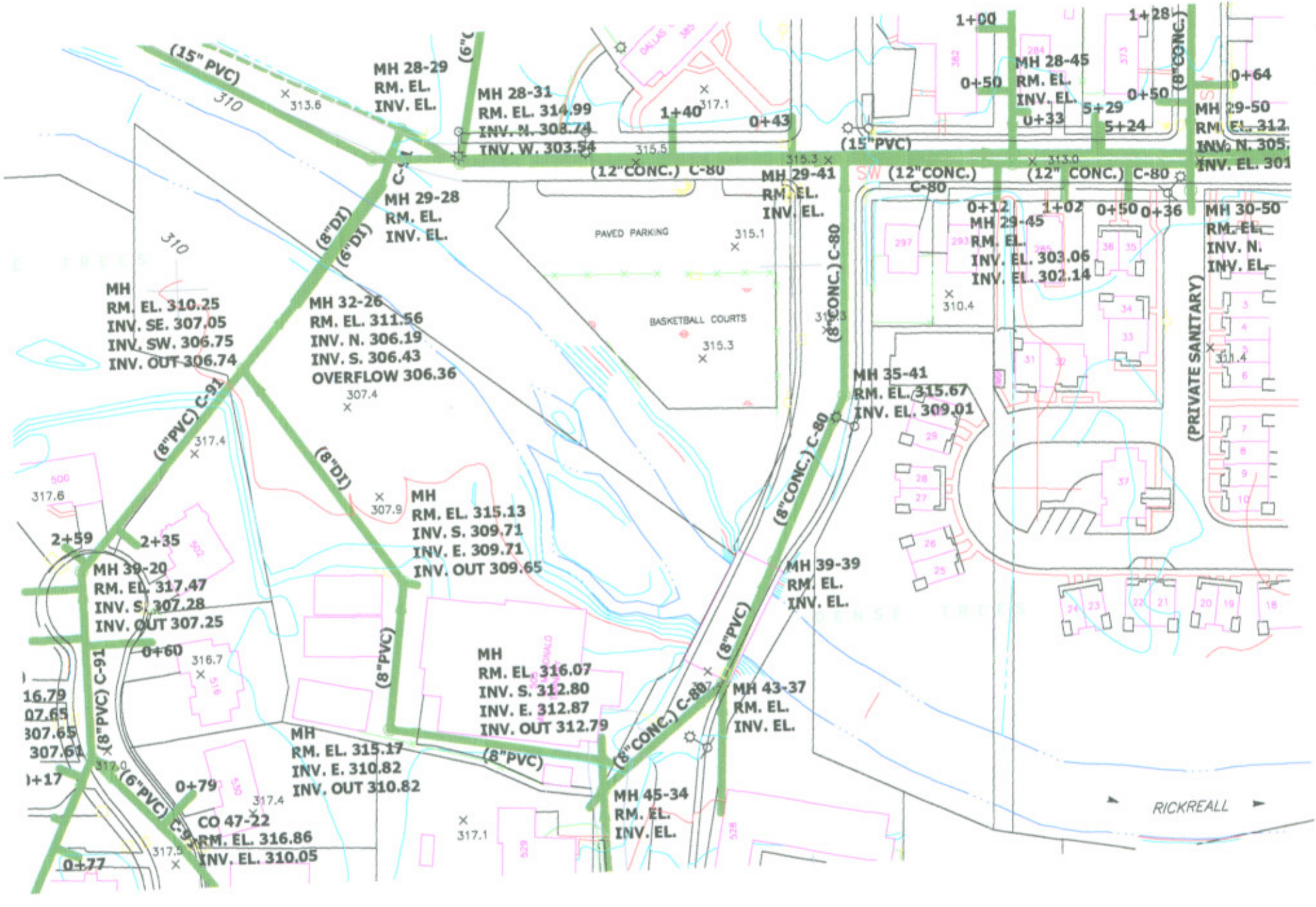
1) That all structures be demolished, site cleared and the property removed from the Historic Resource Inventory in accordance with the general criteria, plans and specifications, documents, and all other information presented to/or modified by the Planning Commission.
2) That Type III approvals are void after twelve months if demolition has not occurred or a one-time extension has not been granted.
3) That the property be clear of all structures and debris and material within 90 days of the issuance of the demolition permit.

COMMUNITY DEVELOPMENT TEAM

Tannery – Type III Demolition, Removal From Historical Resource Inventory List

SW LEVENS STREET
ALLEY
1901
1500
2400
2600
0.31 AC
4300
200
302
0.37 AC
1700
1800
1900
2100
2400
ST.




(15" PVC)
MH 28-29
RM. EL.
INV. EL.
MH 28-31
RM. EL. 314.99
INV. N. 308.74
INV. W. 303.54
1+40
0+43
(12"CONC.) C-80
MH 29-41
RM. EL.
INV. EL.
(15"PVC)
1+00
0+50
MH 28-45
RM. EL.
INV. EL.
0+33
5+29
5+24
1+28
0+50
0+64
MH 29-50
RM. EL. 312.
INV. N. 305.
INV. EL. 301
(12"CONC.) C-80
(12"CONC.) C-80
0+12
MH 29-45
RM. EL.
INV. EL. 303.06
INV. EL. 302.14
1+02
0+50
0+36
MH 30-50
RM. EL.
INV. N.
INV. EL.
(PRIVATE SANITARY)
MH 29-28
RM. EL.
INV. EL.
(8"DI)
(6"DI)
PAVED PARKING
BASKETBALL COURTS
(8"CONC.) C-80
MH
RM. EL. 310.25
INV. SE. 307.05
INV. SW. 306.75
INV. OUT 306.74
MH 32-26
RM. EL. 311.56
INV. N. 306.19
INV. S. 306.43
OVERFLOW 306.36
MH 35-41
RM. EL. 315.67
INV. EL. 309.01
(8"PVC) C-91
(8"DI)
MH
RM. EL. 315.13
INV. S. 309.71
INV. E. 309.71
INV. OUT 309.65
2+59
2+35
MH 39-20
RM. EL. 317.47
INV. S. 307.28
INV. OUT 307.25
MH 39-39
RM. EL.
INV. EL.
0+60
(8"PVC)
MH
RM. EL. 316.07
INV. S. 312.80
INV. E. 312.87
INV. OUT 312.79
(8"PVC)
(8"CONC.) C-80
MH 43-37
RM. EL.
INV. EL.
(8"PVC) C-91
(8"PVC)
MH
RM. EL. 315.17
INV. E. 310.82
INV. OUT 310.82
0+79
(6"PVC)
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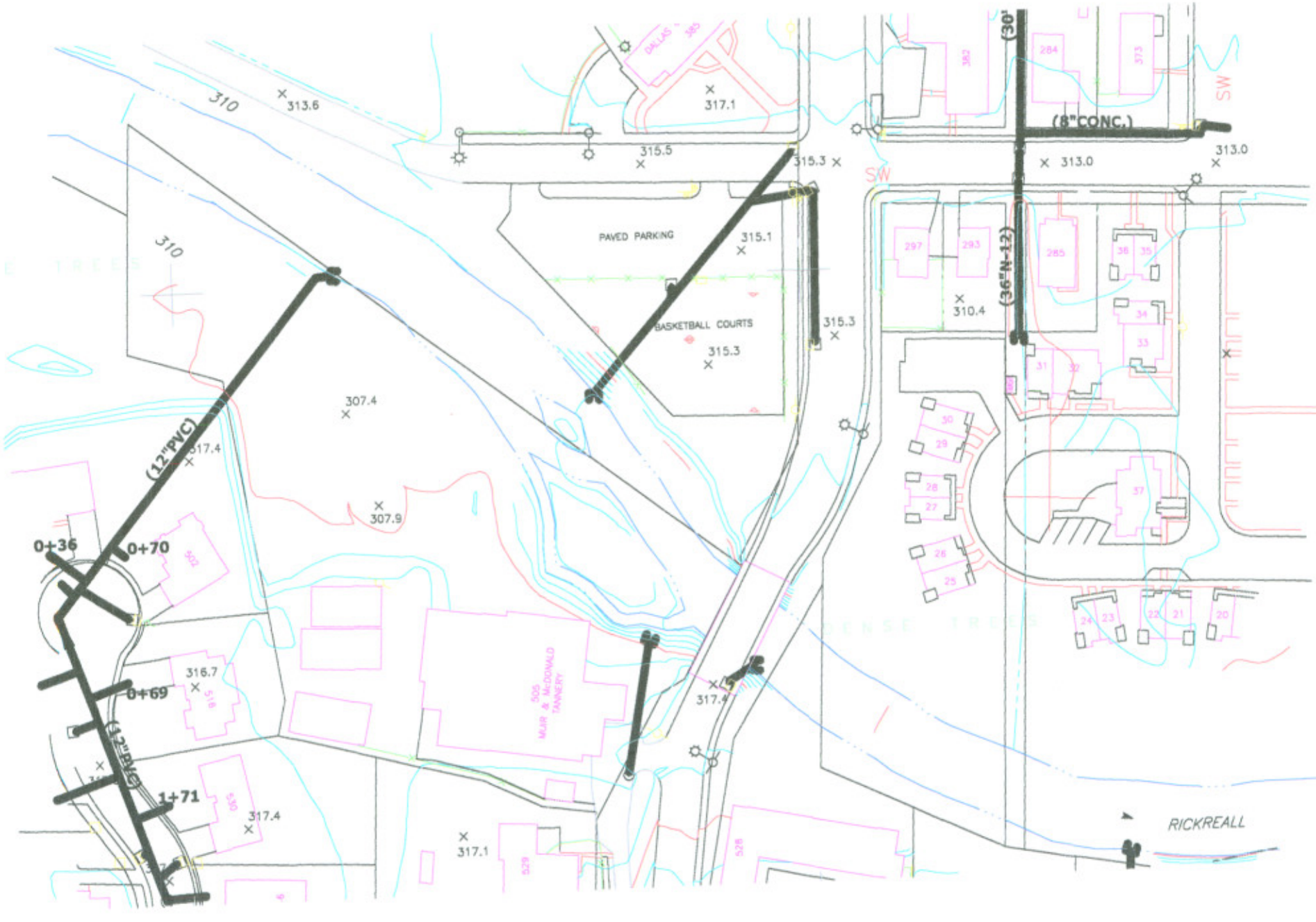
RM. EL. 316.86
INV. EL. 310.05
MH 45-34
RM. EL.
INV. EL.
0+77
RICKREALL


(30')
(8"CONC.)
(36"N-12)
(12"PVC)
(12"PVC)
0+36
0+70
0+69
1+71
310
313.6
317.1
315.5
315.3
313.0
313.0
SW
SW
PAVED PARKING
315.1
BASKETBALL COURTS
315.3
315.3
310.4
307.4
317.4
307.9
316.7
317.4
317.4
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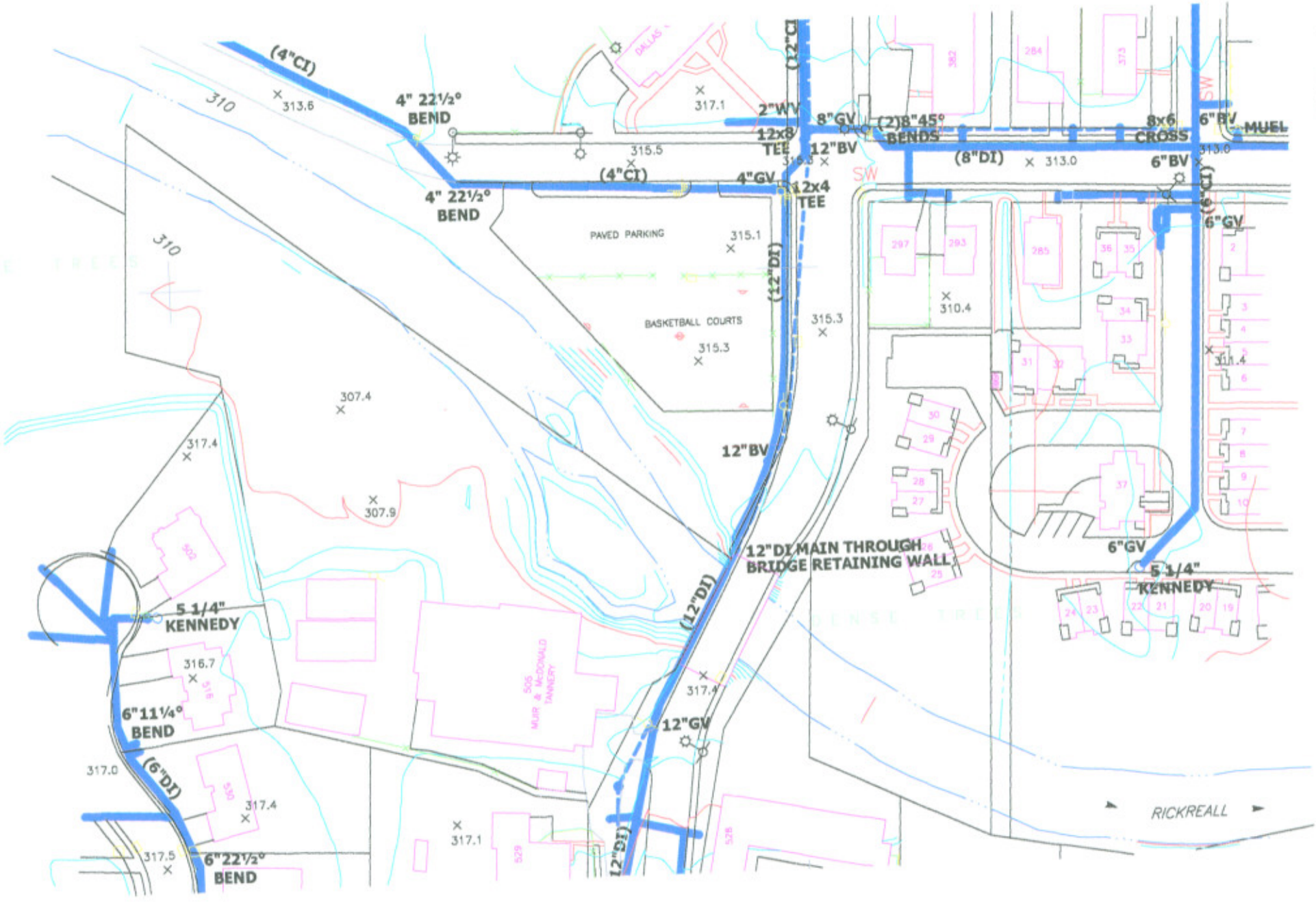
DENSE TREES
RICKREALL
MUIR & McDONALD TANNERY


(4"CI)
4" 22½° BEND
4" 22½° BEND
(4"CI)
4"GV
2"WV
12x8 TEE
8"GV
12x4 TEE
12"BV
(2)8"45° BENDS
(8"DI)
8x6 CROSS
6"BV
6"BV
MUEL
(6"CI)
6"GV
(12"CI)
(12"DI)
PAVED PARKING
BASKETBALL COURTS
12"BV
12"DI MAIN THROUGH BRIDGE RETAINING WALL
6"GV
5 1/4" KENNEDY
5 1/4" KENNEDY
6"11¼° BEND
(6"DI)
6"22½° BEND
12"GV
(12"DI)
(12"DI)
MUIR & McDONALD TANNERY
RICKREALL
310
310
313.6
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317.1
315.1
315.3
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SW
SW

LAND USE APPLICATION

City of Dallas

187 SE Court Street

Dallas, OR 97338 • 503-831-3571

PLEASE TYPE OR PRINT IN INK ONLY

FOR STAFF USE ONLY

- ☐ SITE PLAN REVIEW:
  - __ PARKING
  - __ SITE DEVELOPMENT
- ☐ LOT LINE ADJ (Type I)
- ☐ ADJUSTMENT (Type II)
- ☒ ~~CONDITIONAL USE~~ (Type III)
- ☐ SUBDIVISION (Type III)
- ☐ PARTITION (Type III)
- ☐ VARIANCE (Type III)
- ☐ ANNEXATION (Type IV)
- ☐ COMP PLAN (Type IV)
- ☐ ZONE CHANGE (TYPE IV)
- ☐ UGB EXPANSION (TYPE IV)

File No: _____
Date Received: _____
Fee $ _____
Hearing Date: _____
Staff Member: _____
Zone: _____
Comp. Plan: _____

APPLICANT INFORMATION

◆ Applicant-Please attach the following required information to this Land Use Application:

Initial

- ☒ ____ $100 Pre-application Conference Fee. (DDC 1.3.30)
- ☐ ____ Completed Supplemental Application and a copy of all maps and relative information. (No larger than 11"x17".)
- ☐ ____ Supplemental Land Use fee.
- ☐ ____ Title Search that includes property deed and a legal description.

Project Description Request removal of Historical Status

Site Address 505 SW Levens St. Total Land Area: 2.91 acres

Present Use of Property Muir + McDonald Co.

OWNER(S):
Name(s) Muir + McDonald Co. Inc.
Mailing Address PO Box 136 City Dallas ST OR ZIP 97338
Applicant Phone: Work 503-623-2428 Mobile 503-510-0936 Fax: _____ Home _____

APPLICANT(S): (if not owner)
Name(s) _____
Mailing Address _____ City _____ ST ____ ZIP _____
Owner Phone: Work _____ Mobile _____ Fax: _____ Home _____
Applicant is: ☐ Legal Owner ☐ Contract Buyer ☐ Option Buyer ☐ Agent

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Signatures (Required):

Owner(s)	Date	Applicant(s)	Date
Lisa E Koloen, Pres.	9-4-07		

Rev. 1/1/07

09-04-07P02:27 RCVD

deny any [illegible]

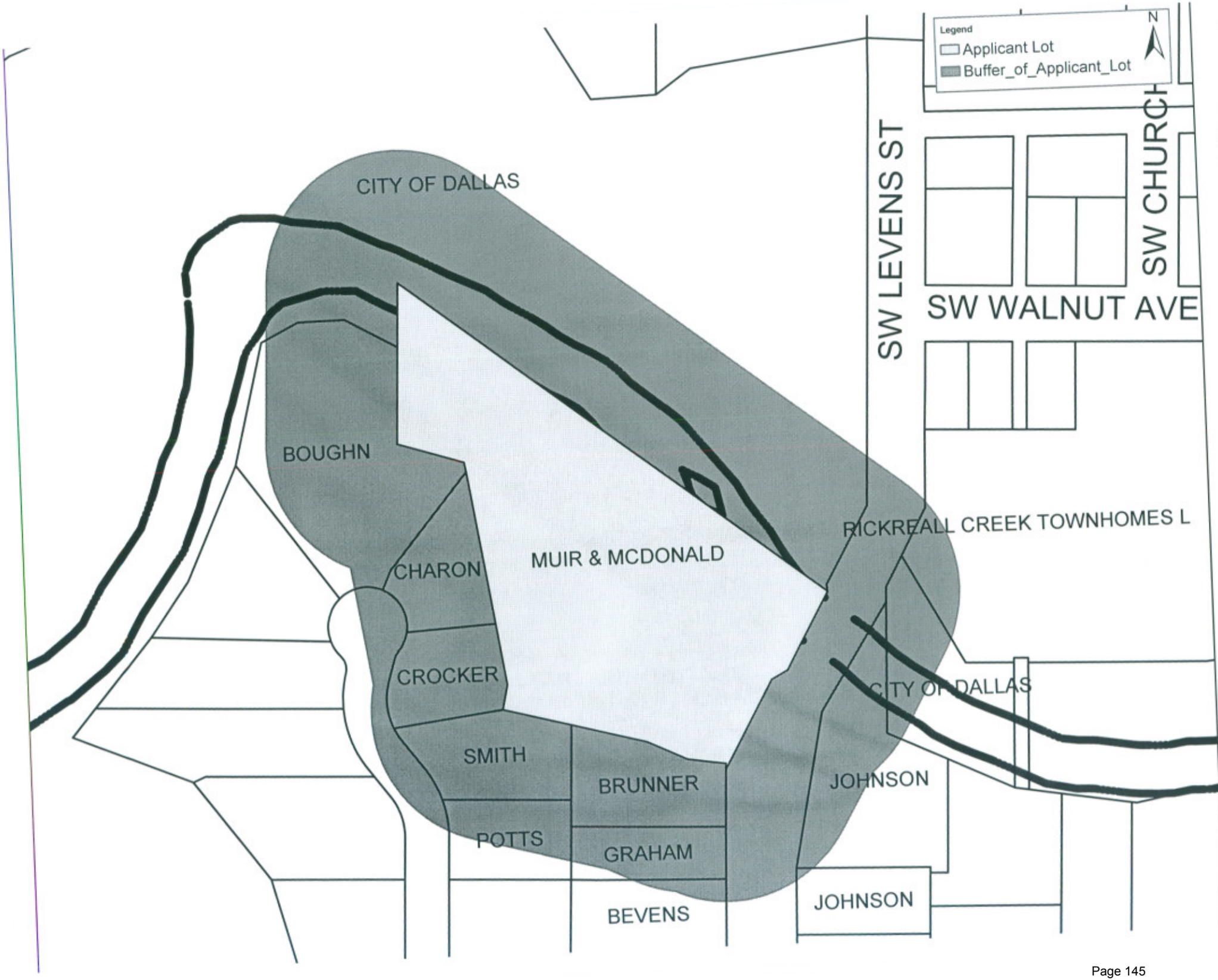
From: "Ian Johnson" <Ian.Johnson@state.or.us>
To: <CITY.MGR@ci.dallas.or.us>
Date: 9/13/2007 11:18 AM
Subject: Demolition of National Register property

Mr. Jordan,

My name is Ian Johnson and I am a Historian with the National Register program here at the Oregon State Historic Preservation Office. I just wanted to let you know that a Lisa Koloen called me about the Dallas Tannery located at 505 SW Levens St. She was asking about prohibitions on the demolition of National Register properties, there are none unless they are receiving money from our office. I supplied her with the requested information, but I thought that you may want to know about this developing situation.

I am in the office until 3:30 today, feel free to call.

Ian Johnson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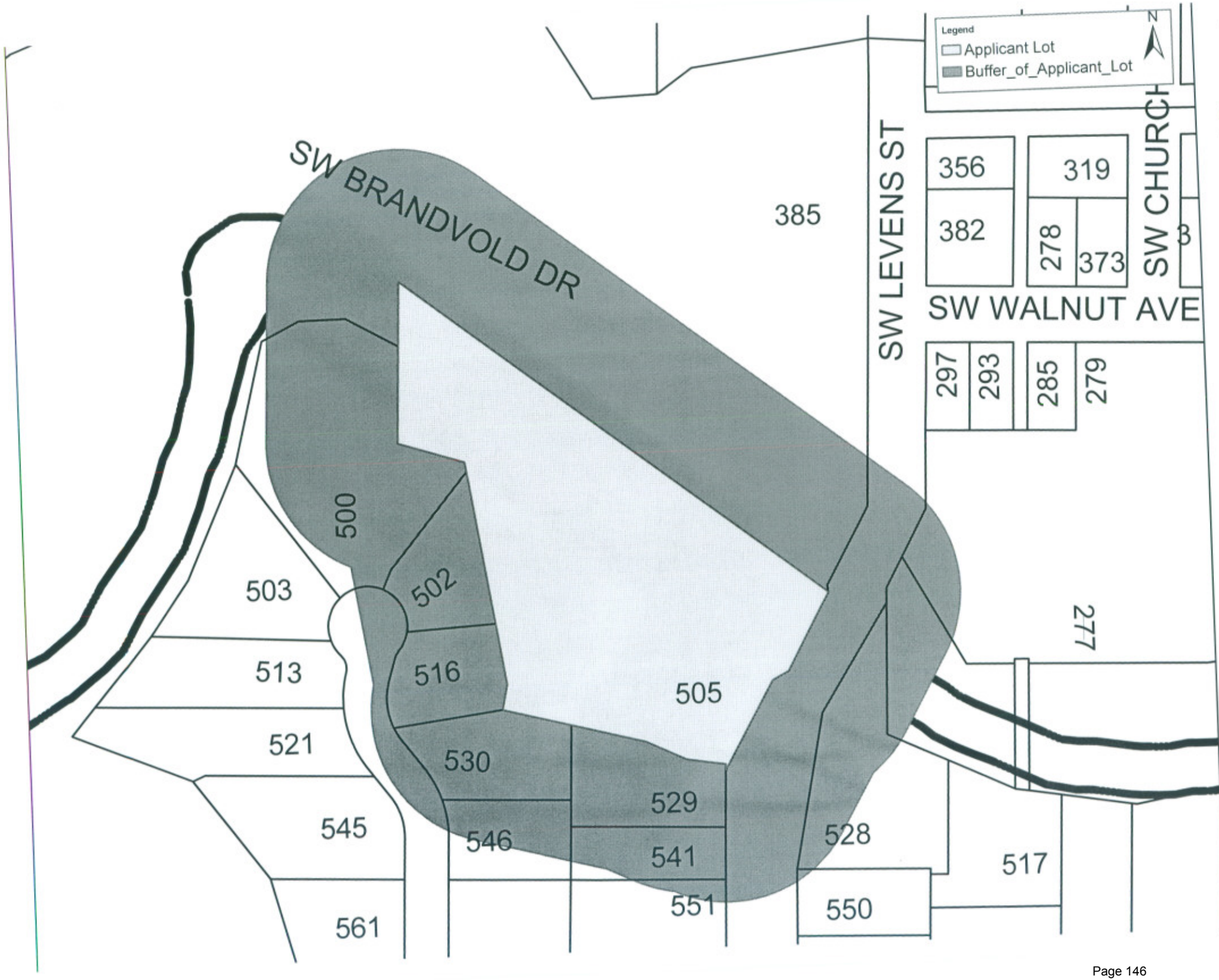
CITY OF DALLAS
SW LEVENS ST
SW CHURCH
SW WALNUT AVE
BOUGHN
CHARON
MUIR & MCDONALD
RICKREALL CREEK TOWNHOMES L
CROCKER
CITY OF DALLAS
SMITH
BRUNNER
JOHNSON
POTTS
GRAHAM
JOHNSON
BEVENS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SW BRANDVOLD DR
SW LEVENS ST
SW CHURCH
SW WALNUT AVE
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277
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502
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541
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517
551
550
561

MAP_TAXLOT	OWNER	M_ADDRESS	M_CITY	M_STATE	ZIP	PRIMARY_SI
7532AB 100	~~CITY OF DALLAS, PARK~~	P O BOX 67	DALLAS	OR	97338	
7532AB 200	MUIR & MCDONALD	P O BOX 136	DALLAS	OR	97338	505 LEVENS ST SW DALLAS
7532AB 2000	BOUGHN GARY E & KATHLEEN B	500 HAYTER ST SW	DALLAS	OR	97338	500 HAYTER ST SW DALLAS
7532AA 2100	RICKREALL CREEK TOWNHOMES L P	657 MAIN ST SW	DALLAS	OR	97338-3188	277 WALNUT AVE SW DALLAS (M)
7532AB 1900	CHARON RICHARD P & JOELLEN	502 HAYTER ST SW	DALLAS	OR	97338	502 HAYTER ST SW DALLAS
7532AA 2600	~~CITY OF DALLAS~~	P O BOX 67	DALLAS	OR	97338	
7532AA 4400	JOHNSON MICHAEL P & KATHLEEN	31131 WINDMILL LN	ALBANY	OR	97321	528 LEVENS ST SW DALLAS (M)
7532AB 1800	CROCKER JACK & MARIE	516 HAYTER ST SW	DALLAS	OR	97338	516 HAYTER ST SW DALLAS
7532AB 1700	SMITH LARRY DELON & MICHELLE TRACY	530 HAYTER ST SW	DALLAS	OR	97338	530 HAYTER ST SW DALLAS
7532AB 302	BRUNNER GREGORY T & JANET M	529 LEVENS ST SW	DALLAS	OR	97338	529 LEVENS ST SW DALLAS
7532AB 1600	POTTS JOHN H & CATHLYNN MARIE	546 HAYTER ST SW	DALLAS	OR	97338	546 HAYTER ST SW DALLAS
7532AB 400	GRAHAM CHARLES E II & CHRISTINA A ETAL	2755 JAMES HOWE RD	DALLAS	OR	97338	541 LEVENS ST SW DALLAS
7532AA 5400	JOHNSON MICHAEL P & KATHLEEN	31131 WINDMILL LN	ALBANY	OR	97321	550 LEVENS ST SW DALLAS (M)
7532AB 500	BEVENS ELDON E & LOIS E	561 LEVENS ST SW	DALLAS	OR	97338	551 LEVENS ST SW DALLAS (M)

Kohlen_TIII_10-9-07

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CITY OF DALLAS
PLANNING COMMISSION

APPLICATION COMPLETE
SEPTEMBER 19, 2007

STAFF REPORT
DATE: OCTOBER 2, 2007

FILE NO.	PTN 8-07
HEARING DATE	OCTOBER 9, 2007 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	EUGENE AND DOROTHY COLLINS
REQUEST	2-LOT PARTITION
LOCATION	241 NE DENTON AVENUE
RECOMMENDATION	APPROVAL WITH CONDITIONS

CITY OF DALLAS
PLANNING COMMISSION
COMMUNITY DEVELOPMENT TEAM
STAFF REPORT

HEARING DATE:	**OCTOBER 9, 2007**
APPLICATION TYPE:	**PARTITION**
OWNERS:	**EUGENE AND DOROTHY COLLINS**
APPLICATION:	**2 LOT PARTITION**
LOCATION:	**241 NE DENTON AVENUE**

PROJECT DESCRIPTION: This is a request to partition a legal lot into two lots at 241 NE Denton Avenue. The approximate size of the lots would be 11,250 and 14,250 square feet, with the existing house remaining on parcel 1.

Zoning:	RS – Residential Single Family
Comprehensive Plan Map No. 1 Land Use Designation:	Multi Family
Floodplain:	The subject property is not located in the 100 year floodplain or located on the National Wetlands Inventory Map for wetlands
Adjacent Land Uses:	Residential
Size:	25,500 square feet

PUBLIC FACILITIES:

Street. Adjoining the subject property on the north side is NE Denton Avenue an improved local street with curbs and sidewalks.

Section 4.2.30 Street Standards

Complies. The street is improved to serve the property.

FINDINGS: The street system is adequate to serve the subject property.

Water. Existing is a 6" CI line in NE Denton Avenue.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The lots are serviced with an approved water service.

FINDINGS: The existing water system is adequate to serve the subject property.

Storm. Existing is a 6" PVC storm line located west of the property in NE Denton Avenue and a 15" PVC storm line located in NE Dallas Drive.

Section 3.2.30 (5) Adequate Public Facilities

Complies. With the extension of the public storm system the lots can be serviced with an approved storm system.

FINDINGS: The storm system will need to be extended by the applicant to serve the

subject property.

Sanitary. Existing is an 8" concrete sanitary line in NE Denton Avenue.

Section 3.2.30 (5) Adequate Public Facilities

Complies. The lots are serviced with an approved sanitary sewer system.

FINDINGS: The sanitary sewer system is adequate to serve the subject property.

General Criteria.

- The owners/applicant will need to sign and record at the Polk County Clerk's office a notice to potential purchasers of the proposed lots that approval does not guarantee the availability of building permits.
- The owners/applicant are aware that building permits will be allocated as per Ordinance #1635, Public Facilities Strategy, and the owners have signed and record a notice to that effect at the Polk County Clerk's Office.
- Any fill placed on the lots must be an engineer-controlled fill with separation of vegetative material from the select compacted material.

Public Notice: The City has provided public notice identifying the owner/applicant, describing the project, location, and the scheduled date of the public hearing. The notice has been mailed to all property owners within 100 feet of the subject property.

FINDINGS: The public hearing notice requirements have been met.

Standards for Review:
Dallas Development Code

Article I Procedures:
1.3.40 Complete Application Required
Complies. A complete application has been filed.
1.3.60-1.3.140 Public Hearings
Complies. Proper notice was issued.

Article II Zoning Districts and Use Categories:
Chapter 2.3 Residential Zoning Districts

Article III Specific Land Use Review Procedures:
Chapter 3.2 Development Review
Complies. The applicant has submitted a proper site plan for review.
Chapter 3.3 Land Divisions
Complies. The applicant has submitted a proper partition request with adequate public facilities and development criteria.

Article IV Development Standards:
Chapter 4.1 General Development Standards
Complies. The lots conform to the minimum standards.
Chapter 4.2 Street & Accessway Design
Complies. The subject property is located off of an improved street with curbs.
Complies. Street trees are required with the partition.

Article I Procedures:
Chapter 3.2 Development Review

Article IV Development Standards:
Chapter 4.1 General Development Standards

Conclusions:
The staff has concluded the following regarding this Partition request:

1) A proper application has been made and hearing notice given.
2) The application is in conformance with the standards listed above.
3) A Partitioning plat must be filed within one year.

Summary and Conditions:
If it appears to the Planning Commission that based on the findings of facts the criteria for approval have been met, then this partitioning request could be approved subject to the following suggested conditions:

1) That the project must be completed in accordance with the general criteria, plans and specifications, documents, and all other information presented to/or modified by the Planning Commission.
2) That all buildings will need to meet an approved design and grading plan, with storm and sewer laterals to an approved public system.
3) That the plat for this partitioning be filed and recorded within one year.
4) The owners/applicant must sign and record at the Polk County Clerk's office a notice to potential purchasers of the proposed lots that approval does not guarantee the availability of building permits.
5) The owners/applicant is aware that building permits will be allocated as per Ordinance #1635, Public Facilities Strategy, and the owners agree to sign and record a notice to that effect at the Polk County Clerk's Office at the owner's expense.
6) That street trees be planted along the street right-of-way for both lots at 30' intervals.
7) That conditions #5, 6 and 7 must be complied with prior to or in conjunction to the land division plat being signed.

COMMUNITY DEVELOPMENT TEAM

LAND USE APPLICATION

City of Dallas

187 SE Court Street
Dallas, OR 97338 • 503-831-3571

PLEASE TYPE OR PRINT IN INK ONLY

FOR STAFF USE ONLY

- ☐ SITE PLAN REVIEW:
  - __ PARKING
  - __ SITE DEVELOPMENT
- ☐ LOT LINE ADJ (Type I)
- ☐ ADJUSTMENT (Type II)
- ☐ CONDITIONAL USE (Type III)
- ☐ SUBDIVISION (Type III)
- ☐ PARTITION (Type III)
- ☐ VARIANCE (Type III)
- ☐ ANNEXATION (Type IV)
- ☐ COMP PLAN (Type IV)
- ☐ ZONE CHANGE (TYPE IV)
- ☐ UGB EXPANSION (TYPE IV)

File No: PTN 8-07
Date Received: 9/10/07
Fee $ 600.00
Hearing Date: 10/9/07
Staff Member: JW/lee
Zone: RS
Comp. Plan: SF

APPLICANT INFORMATION

◆ Applicant-Please attach the following required information to this Land Use Application:

Initial
- ☐ B.C. $100 Pre-application Conference Fee, only as applicable. (DDC 1.3.30)
- ☐ B.C. Completed Supplemental Application.
- ☐ B.C. Supplemental Land Use fee.
- ☐ B.C. Property deed with legal description. Land divisions also require a preliminary title search.
- ☐ B.C. Plot Plan drawn to scale and a copy of any related information and/or maps. (No larger than 11"x17".)

Project Description: Single family dwelling

Site Address: 241 N.E Denton Ave Total Land Area: 25,500 sq ft

Present Use of Property: One single family dwelling 800 sq ft (pole barn 2400 sq ft)

OWNER(S):
Name(s): Eugene C. and Dorothy E. Collins
✓ Mailing Address: 642 N.W. Byers Ln City: Dallas ST: Or. ZIP: 97338
Applicant Phone: Work (503) 623-6163 Mobile (503) 931-4344 Fax: Home 503-623-4444

APPLICANT(S): (if not owner)
Name(s)
Mailing Address City ST ZIP
Owner Phone: Work Mobile Fax: Home
Applicant is: ☐ Legal Owner ☐ Contract Buyer ☐ Option Buyer ☐ Agent

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Signatures (Required):

Owner(s)	Date	Applicant(s)	Date
Eugene C. Collins	9-07-07	Eugene C. Collins	9-7-07
Dorothy Collins			

Rev. 4/16/07

09-10-07A08:36 RCVD

LAND USE APPLICATION

City of Dallas

187 SE Court Street, Dallas, OR 97338 • 503-831-3571

PLEASE TYPE OR PRINT IN INK ONLY

FOR STAFF USE ONLY

- ☐ ANNEXATION (Type IV)
- ☐ COMP PLAN (Type IV)
- ☐ CONDITIONAL USE (Type III)
- ☐ SUBDIVISION (Type III)
- ☐ PARTITION (Type III)
- ☐ VARIANCE (Type III)
- ☐ ZONE CHANGE (TYPE IV)
- ☐ UGB EXPANSION (TYPE IV)

CITY OF DALLAS Oregon

File No: _____
Date Received: _____
Fee $ _____
Hearing Date: _____
Staff Member: _____
Zone: _____
Comp. Plan: _____

APPLICANT INFORMATION

WHAT IS PROPOSED Divide one Lot 150' x 170' into Two Lots 75' x 150' and 95 x 150'

NAME OF APPLICANT Collins (LAST) Eugene (FIRST)

MAILING ADDRESS 642 N.W. Byers Ln. CITY Dallas ST OR. ZIP 97338

APPLICANT IS: ☒ LEGAL OWNER ☐ CONTRACT BUYER ☐ OPTION BUYER ☐ AGENT

NAME OF OWNER (If other than applicant) _____

MAILING ADDRESS _____ CITY _____ ST ___ ZIP _____

APPLICANT PHONE: Work 503 931-4344 Home 503 623-4444 OWNER PHONE: Work same Home same

SITE ADDRESS 241- N.E Denton Ave. TOTAL LAND AREA: 25,500 sq. ft.

PRESENT USE OF PROPERTY: residential

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Eugene Collins — OWNER'S SIGNATURE — 9-7-07 DATE
Eugene Collins — APPLICANT'S SIGNATURE — 9-7-07 DATE

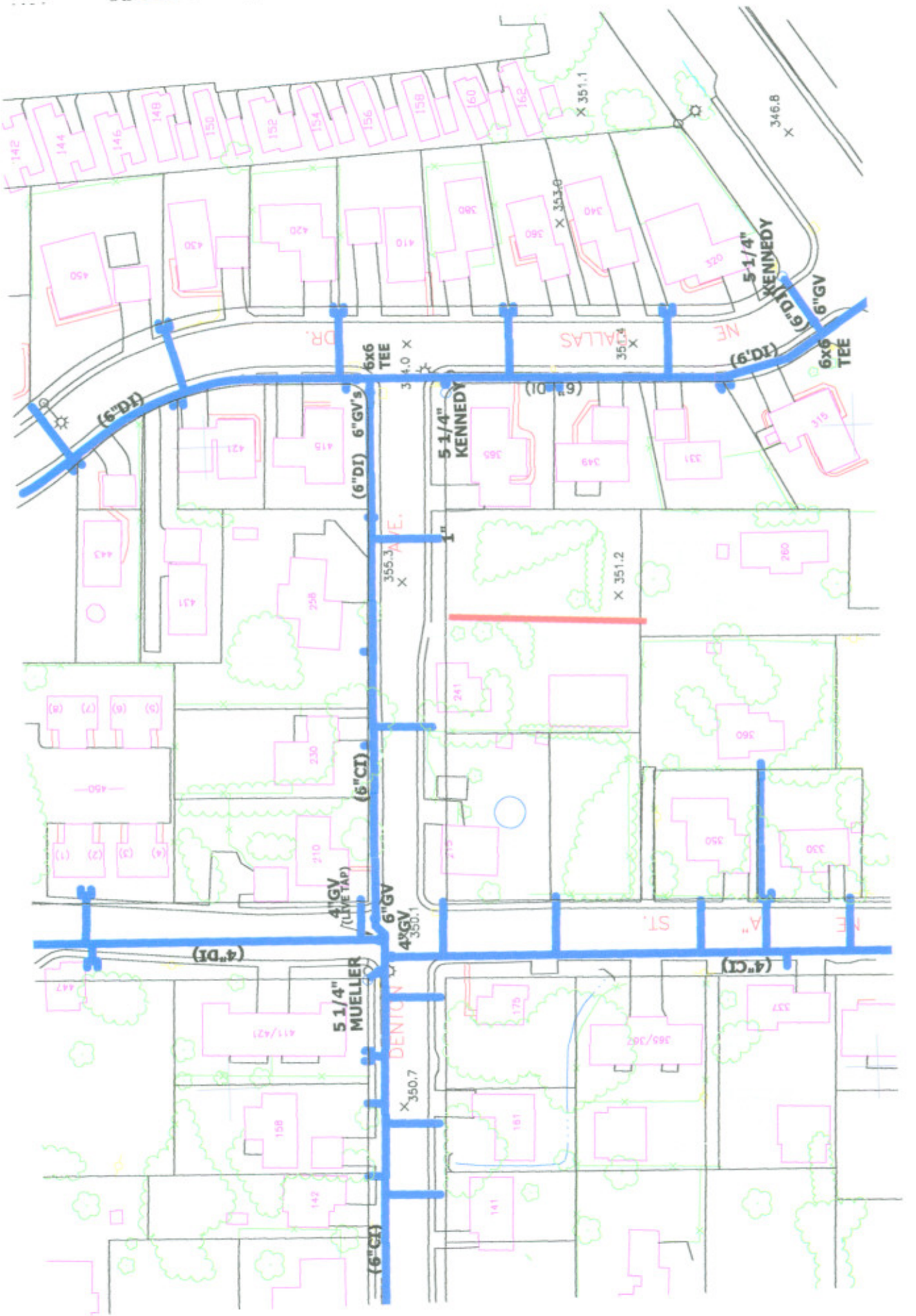
◆ **Required Information** (Applicant, please initial completed documentation:)

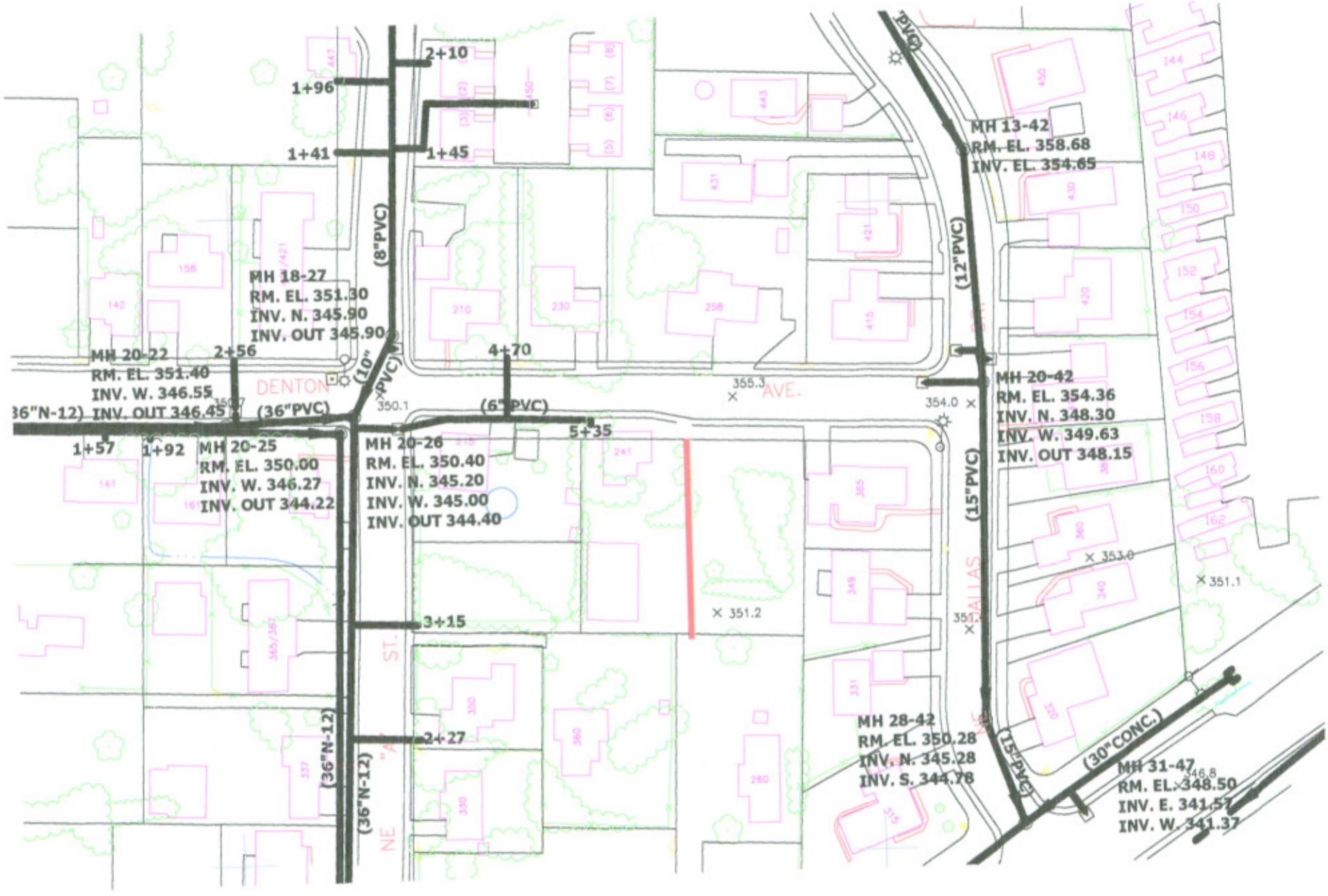
Initial

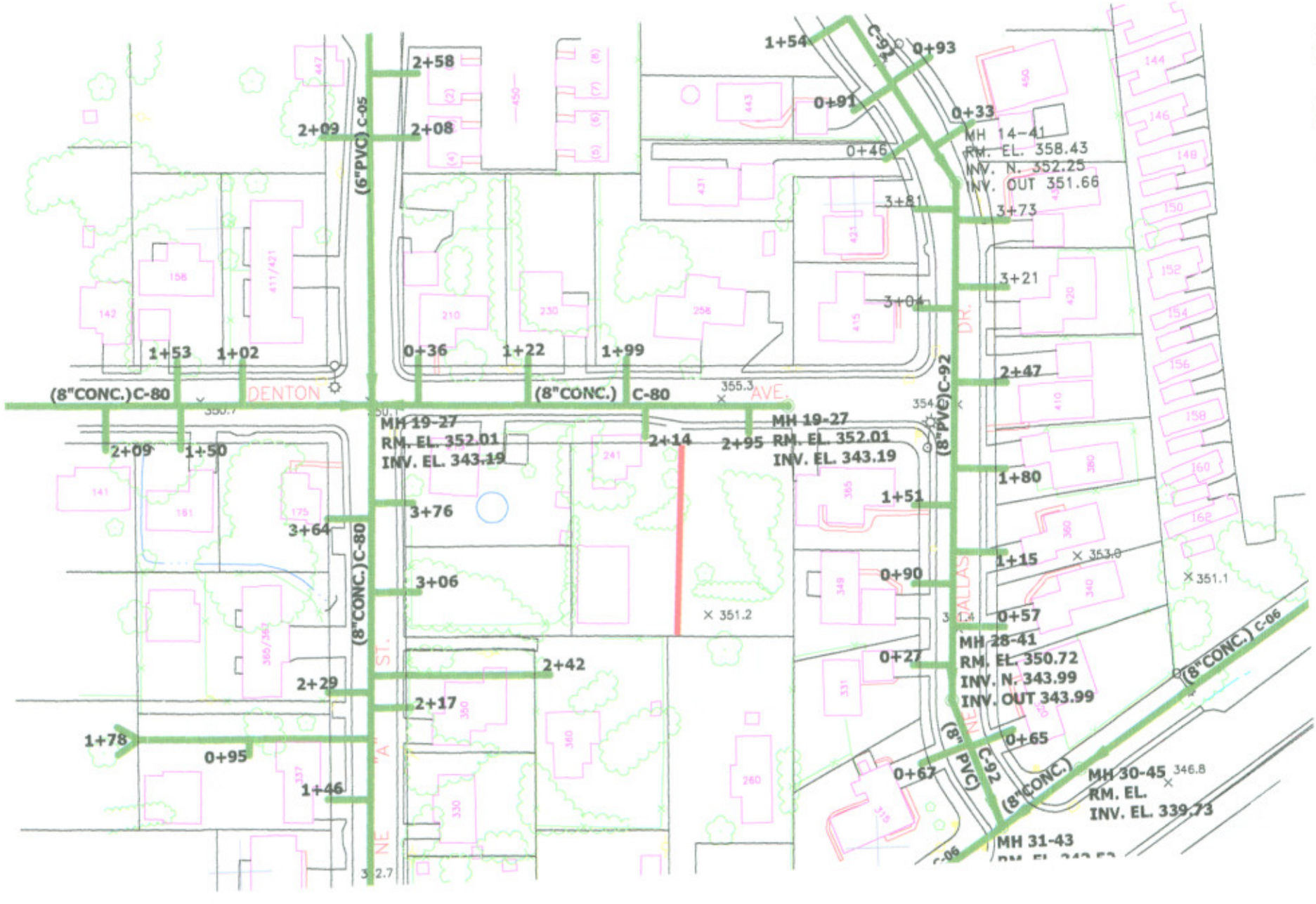
- ☒ EC Property deed and a legal description from Polk County, title company or licensed surveyor.
- ☒ EC Plot Plan.
- ☐ JW A current Polk County Assessor map showing the properties within 100 feet of the subject site, and a list of the names and addresses of owners of all such properties, certified as accurate and complete.
- ☒ E.C. Required Supplemental Application response for each Land Use Action.
- ☒ EC Applicable fee. Applicant acknowledges fee includes a non-refundable $100 Development Review fee.

07-30-07P03:59 RCVD

Collins, 241 NE Denton Avenue - partition


(6"DI)
6"GV'S
6x6
TEE
5 1/4"
KENNEDY
(6"DI)
(6"DI)
6"GV
6x6
TEE
5 1/4"
KENNEDY
(6"DI)
(6"CI)
4"GV
(LIVE TAP)
6"GV
4"GV
(4"DI)
(4"CI)
5 1/4"
MUELLER
(6"CI)
DENTON
DALLAS
AVE.
ST.
NE
351.1
346.8
353.8
355.4
354.0
355.3
351.2
350.1
350.7


2+10
1+96
1+41
1+45
(8"PVC)
MH 18-27
RM. EL. 351.30
INV. N. 345.90
INV. OUT 345.90
MH 20-22
RM. EL. 351.40
INV. W. 346.55
INV. OUT 346.45
2+56
4+70
(10" PVC)
DENTON
(36"PVC)
350.1
(6" PVC)
5+35
1+57
1+92
MH 20-25
RM. EL. 350.00
INV. W. 346.27
INV. OUT 344.22
MH 20-26
RM. EL. 350.40
INV. N. 345.20
INV. W. 345.00
INV. OUT 344.40
3+15
2+27
(36"N-12)
(36"N-12)
NE
ST.
355.3
AVE.
354.0
(12"PVC)
MH 13-42
RM. EL. 358.68
INV. EL. 354.65
MH 20-42
RM. EL. 354.36
INV. N. 348.30
INV. W. 349.63
INV. OUT 348.15
(15"PVC)
DALLAS
AVE.
353.0
351.1
351.2
MH 28-42
RM. EL. 350.28
INV. N. 345.28
INV. S. 344.78
(15"PVC)
(30"CONC.)
MH 31-47
RM. EL. 348.50
INV. E. 341.57
INV. W. 341.37


1+54
0+93
0+91
0+33
0+46
MH 14-41
RM. EL. 358.43
INV. N. 352.25
INV. OUT 351.66
3+81
3+73
3+21
3+04
2+47
1+80
1+51
1+15
0+90
0+57
0+27
0+65
0+67
MH 28-41
RM. EL. 350.72
INV. N. 343.99
INV. OUT 343.99
MH 30-45
RM. EL.
INV. EL. 339.73
MH 31-43
2+58
2+09
2+08
(6"PVC) C-05
1+53
1+02
0+36
1+22
1+99
(8"CONC.)C-80
DENTON
(8"CONC.) C-80
AVE.
MH 19-27
RM. EL. 352.01
INV. EL. 343.19
2+14
2+95
MH 19-27
RM. EL. 352.01
INV. EL. 343.19
2+09
1+50
3+76
3+64
3+06
(8"CONC.)C-80
ST.
2+42
2+29
2+17
1+78
0+95
1+46
(8"PVC)C-92
DR.
DALLAS
(8" PVC)
C-92
(8"CONC.)
(8"CONC.) C-06
C-92
351.2
353.0
351.1
346.8
355.3
354
351.4
312.7

SUPPLEMENTAL INFORMATION
PARTITION
(Type III Procedure)

$600.00
Fee ~~$200.00~~

APPLICANT INFORMATION

Name Eugene Collins Date ~~7-26~~ 9-7-07

A PARTITION:

A Partition is dividing an area of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such calendar.

APPLICATION PROCESS:

A completed application, including all required information and the fee, must be filed with the Development Official no later than 28 days prior to the Planning Commission meeting. The applicant shall address each of the approval criteria listed in Article #3, Chapter 3.3 of the Dallas Development Code.

HOW LONG IT MAY TAKE TO GET A FINAL DECISION ON AN APPLICATION:

It will take approximately 30-60 days for applications scheduled before the Planning Commission.

COMPLETE APPLICATIONS REQUIRE THE FOLLOWING:

1. Land Use Application – Information on applicant and land involved in application.
2. Supplemental Application – Information requested on this form. Please be as complete and thorough as possible when completing the application. Use additional sheets as necessary.
3. Application Fee - **~~$200~~** 300 **for each lot of the partitioning as planned. $400 minimum.**
4. Deed – Providing proof of ownership and legal description.
5. Plot Plan drawn to scale on 8.5" x 11" or 8.5" x 14" paper, showing the property and your proposal. See sample plot plan.
6. Additional Information

A. Describe how the proposed partition complies with the development and dimensional standards of the underlying zoning district. Zoned residential - Bare lot will be 95'x150' with 1 dwelling built later.

B. If any of the property is capable of redevelopment, you must describe and show your redevelopment plan.

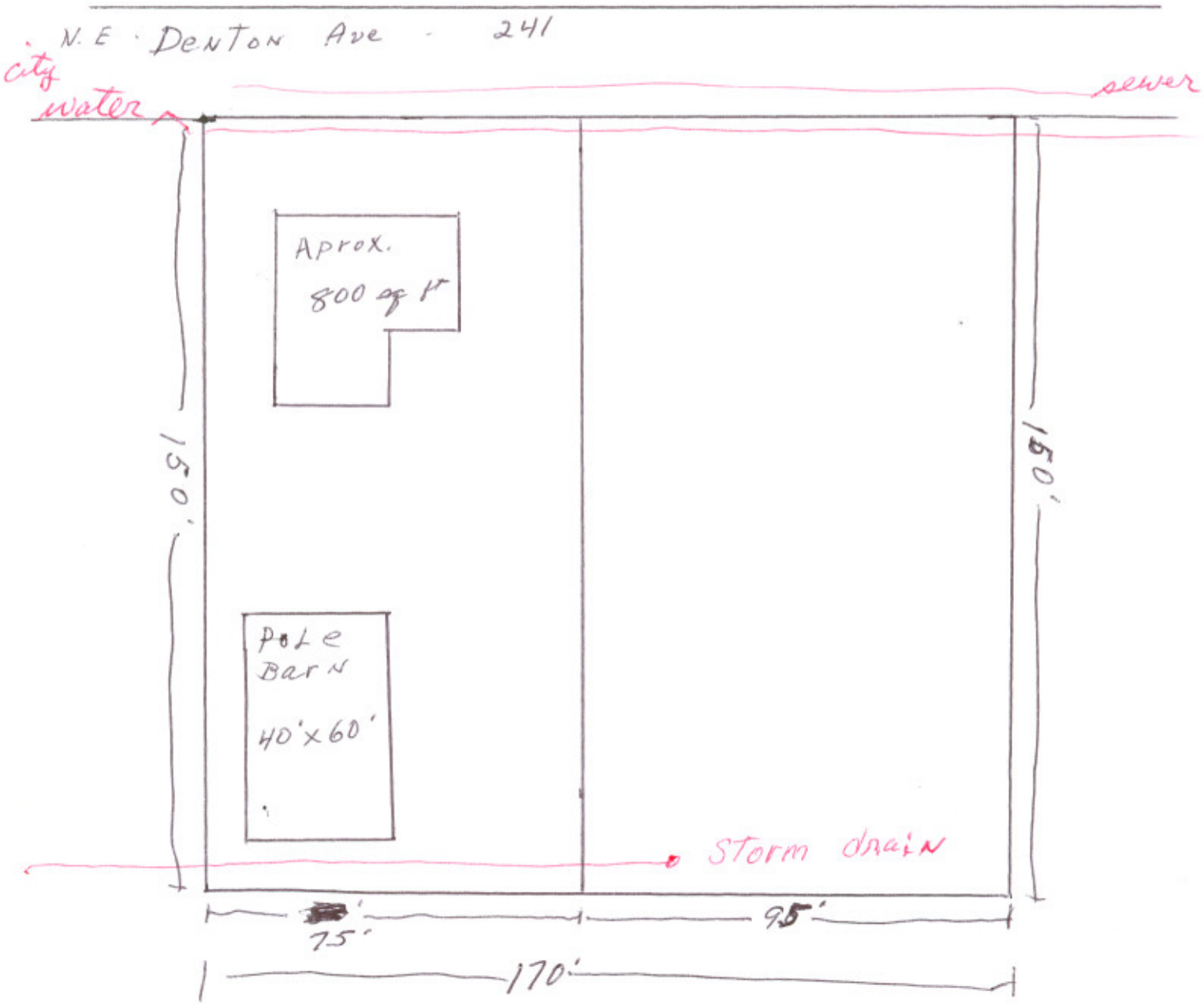
none

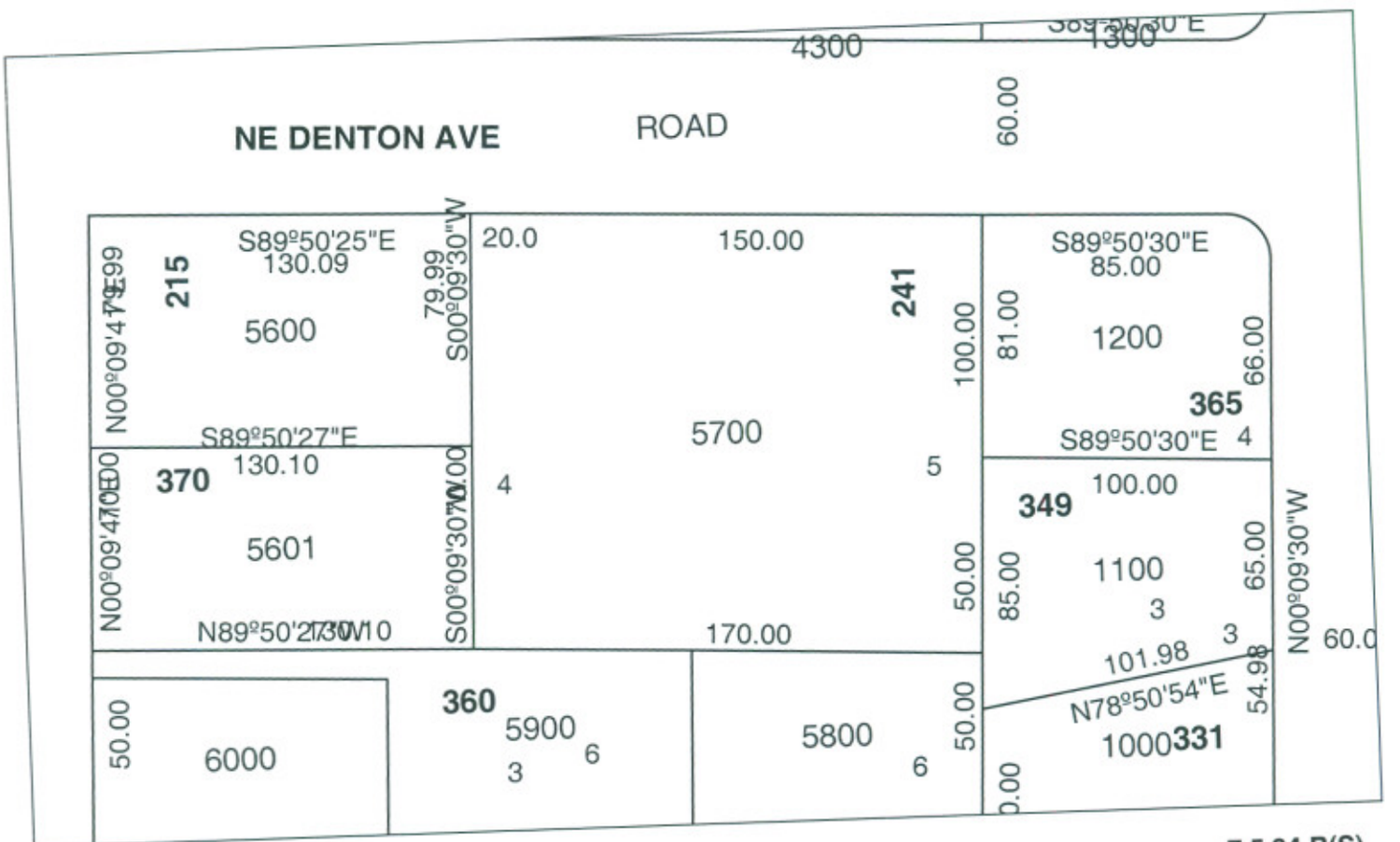
C. Describe the location and adequacy of the water supply, sewage disposal and storm drainage facilities necessary to accommodate the proposed development and any redevelopment.

COMMUNITY DEVELOPMENT DEPARTMENT
187 SE Court Street • Dallas, OR 97338 • (503) 831-3571

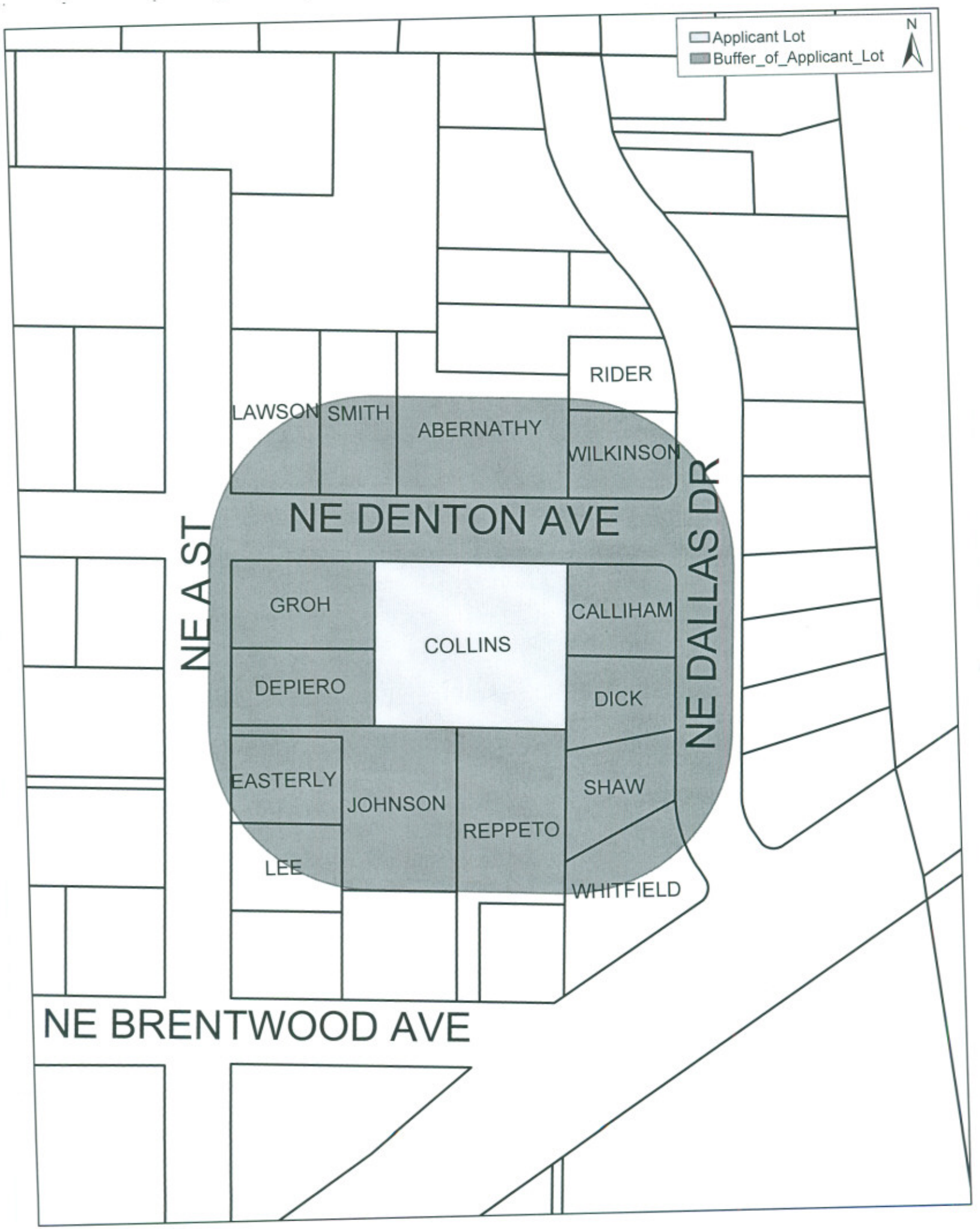
city water supply - sewage ~~disp~~ disposal at street north end of lot. storm drain North & South end of property.

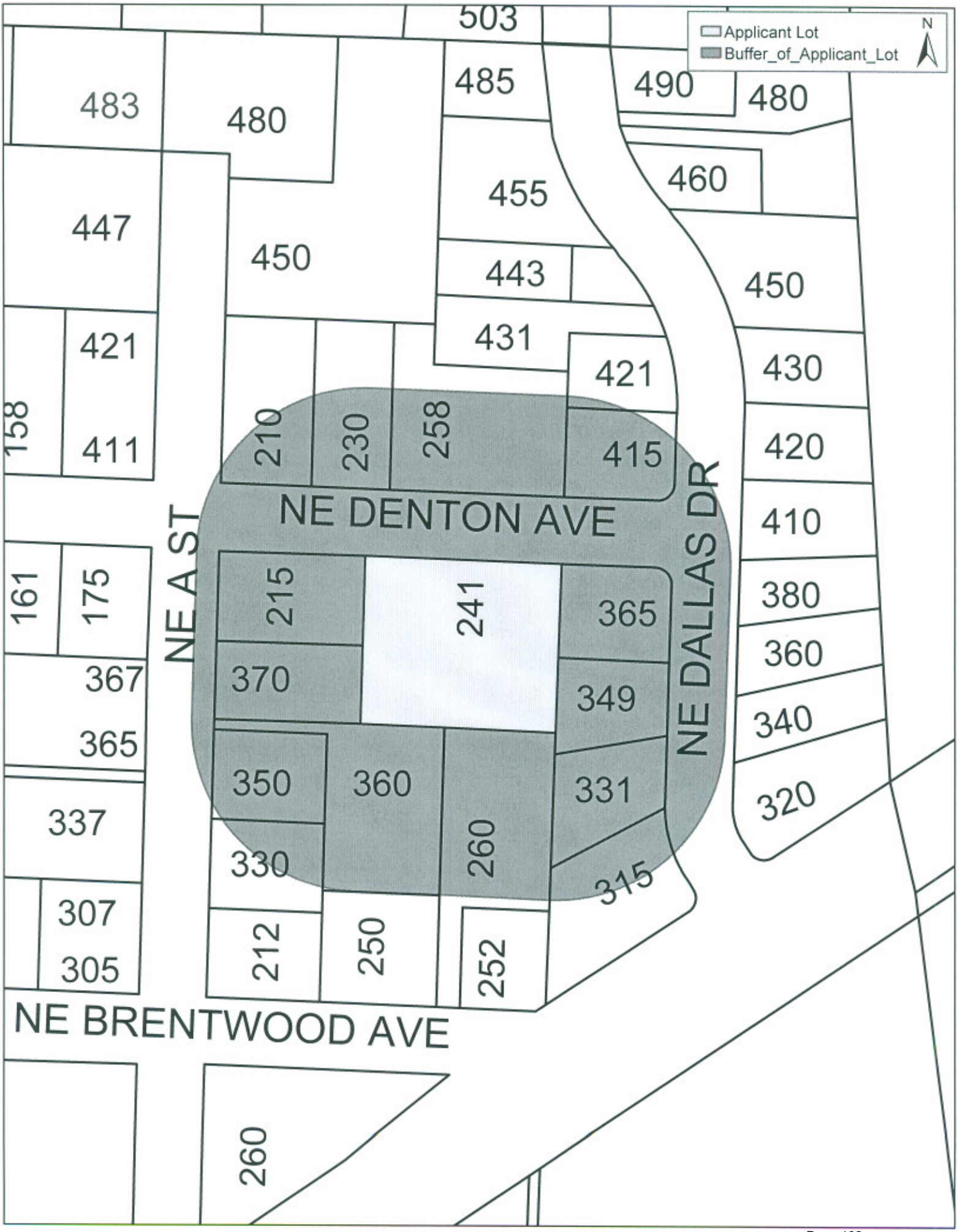
N.


N. E · DeNTON Ave · 241
city water
sewer
Aprox.
800 sq ft
150'
150'
Pole
Barn
40'x60'
Storm drain
75'
95'
170'



7.5.34 B(S)
7.5.34 BC
7.5.34 BD


Applicant Lot
Buffer_of_Applicant_Lot
N
RIDER
LAWSON
SMITH
ABERNATHY
WILKINSON
NE DENTON AVE
NE A ST
NE DALLAS DR
GROH
COLLINS
CALLIHAM
DEPIERO
DICK
EASTERLY
JOHNSON
REPPETO
SHAW
LEE
WHITFIELD
NE BRENTWOOD AVE


Applicant Lot
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N
503
483
480
485
490
480
447
450
455
460
443
450
431
421
430
158
421
411
210
230
258
415
420
NE DENTON AVE
NE A ST
NE DALLAS DR
410
161
175
215
241
365
380
367
370
349
360
365
340
350
360
331
320
337
330
260
315
307
305
212
250
252
NE BRENTWOOD AVE
260

MAP_TAXLOT	OWNER	AGENT	M_ADDRESS	M_CITY	M_STATE	ZIP	PRIMARY_SI
7528CA 4600	LAWSON DAVID M & JACQUELINE Y		569 WALNUT AVE SE	DALLAS	OR	97338	210 DENTON AVE NE DALLAS
7528CA 4500	SMITH NOREEN C		230 DENTON AVE NE	DALLAS	OR	97338	230 DENTON AVE NE DALLAS
7528CA 4300	ABERNATHY JACK W & CATHERINE M		258 DENTON AVE NE	DALLAS	OR	97338	258 DENTON AVE NE DALLAS
7528CA 1400	RIDER REBECCA E		421 DALLAS DR NE	DALLAS	OR	97338	421 DALLAS DR NE DALLAS
7528CA 1300	WILKINSON MILDRED A		415 DALLAS DR NE	DALLAS	OR	97338	415 DALLAS DR NE DALLAS
7528CA 5600	GROH ANDREW W		215 DENTON AVE NE	DALLAS	OR	97338	215 DENTON AVE NE DALLAS
7528CA 5700	COLLINS EUGENE C & DOROTHY E		P O BOX 1164	DALLAS	OR	97338	241 DENTON AVE NE DALLAS
7528CA 1200	CALLIHAM JOHNNY K & EVONNE L		365 DALLAS DR NE	DALLAS	OR	97338	365 DALLAS DR NE DALLAS
7528CA 5601	DEPIERO DONALD L & YVONNE L		647 HARRINGTON RD	FALLS CITY	OR	97344	370 A ST NE DALLAS (M)
7528CA 1100	DICK THOMAS E		349 DALLAS DR NE	DALLAS	OR	97338	349 DALLAS DR NE DALLAS
7528CA 5900	JOHNSON MARJIE ELLEN		360 A ST NE	DALLAS	OR	97338	360 A ST NE DALLAS
7528CA 5800	REPPETO VICTOR T & ELIZABETH J		260 BRENTWOOD AVE NE	DALLAS	OR	97338	260 BRENTWOOD AVE NE DALLAS
7528CA 6000	EASTERLY CLARENCE & PATRICIA		PO BOX 737	DALLAS	OR	97338	350 A ST NE DALLAS
7528CA 1000	SHAW ELLEN		331 DALLAS DR NE	DALLAS	OR	97338	331 DALLAS DR NE DALLAS
7528CA 900	WHITFIELD CHRIS D		315 DALLAS DR NE	DALLAS	OR	97338	315 DALLAS DR NE DALLAS (M)
7528CA 6700	LEE CLINT S		330 A ST NE	DALLAS	OR	97338	330 A ST NE DALLAS

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