



Community Development
Planning Division
501 SW Madison Avenue
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****CORRECTED** NOTICE OF DISPOSITION**

**MINOR REPLAT, TENTATIVE SUBDIVISION PLAT MODIFICATION, AND MINOR
MODIFICATION TO AN APPROVED DETAILED DEVELOPMENT PLAN**

ORDER NO. 2005-139a

CASE: Stoneybrook Phase III
**Minor Replat, Tentative Subdivision Plat Modification, Minor Planned
Development Modification (MRP05-00008, SUB05-00003, PLD05-
00016)**

REQUEST:
Approval of a Minor Replat, Tentative Subdivision Plat Modification, Minor Planned
Development Modification (MRP05-00008, SUB05-00003, PLD05-00016).

APPLICANT: Terri Valiant Pahlisch Homes for Matrix Development 515 SW Western Boulevard Corvallis, OR 97333	OWNER: Matrix Development 12755 SW 69 th Avenue, Suite 100 Portland, OR 97223
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LOCATION:
Multiple properties are involved with this request. The properties associated with the Minor Replat are located along SW Birdsong Drive, and are noted as Tax Lots 16300, 16400, 16500, and 16600 on Benton County Assessor's Map 12-5-09BD (see map). The properties associated with the Tentative Subdivision Plat Modification are located: (1) south of SW Birdsong Drive, and accessed from SW Hollyhock Circle (noted as Tax Lots 601, 12701, and 12800 on Benton County Assessor's Map 12-5-09BD); and (2) north of SW Birdsong Drive, and accessed from SW Hollyhock Circle (noted as Tax Lot 12600 on Benton County Assessor's Map 12-5-09BD). The Minor Planned Development Modification applies to all of the subject properties. The Stoneybrook Phase III site is generally located south of SW Country Club Drive and west of SW 45th Street.

COMMENTS RECEIVED:
A total of 173 public notices were mailed on October 12, 2005, and no comments were received as of October 27, 2005.

DECISION:
Based on the information submitted by the applicant and conclusions reached through

subsequent City Staff review, it is the decision of the Community Development Director that the requests for the Minor Replat, Tentative Subdivision Plat Modification, and Minor Planned Development Modification be approved, as outlined below, and shown in **Attachment C**, subject to the following Findings and Conditions of Approval.

ATTACHMENTS:

Attachment A – Excerpt of Notice of Disposition approving Stoneybrook Phase III, cases PLD03-00004 and SUB03-00002 (ORDER 2003-85)

Attachment B – Recorded Stoneybrook Phase III Final Plat

Attachment C – Current request for a Minor Replat, Tentative Subdivision Plat Modification, and Minor Planned Development Modification to the Detailed Development Plan

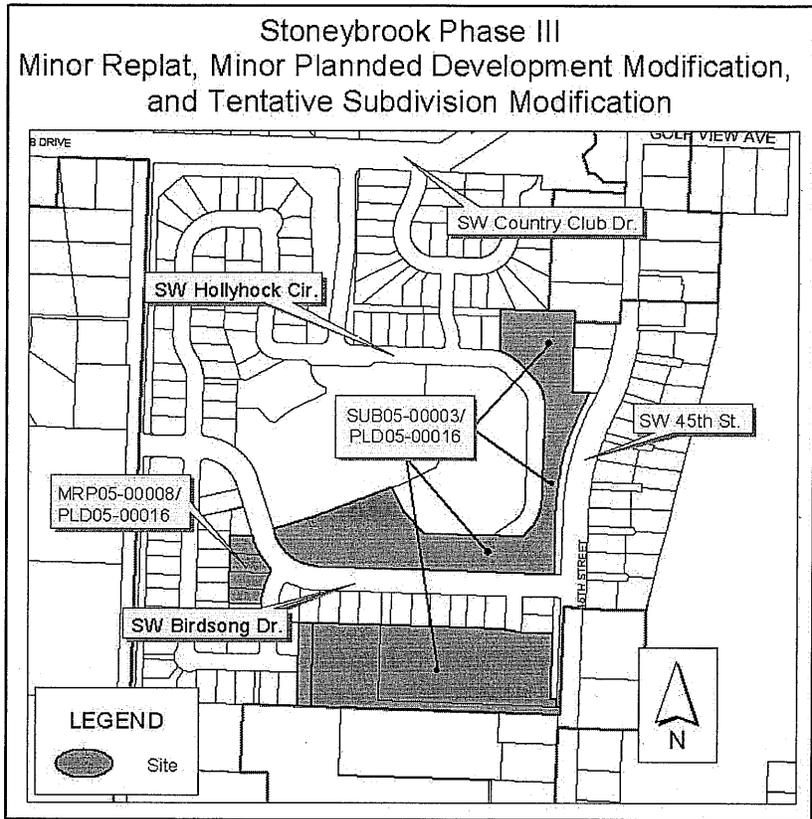
Attachment D – Excerpts from the Staff Report and application for PLD03-00004 and SUB03-00002.

Attachment E – Stoneybrook Circulation Plan (EX-16) and Street Section Plan (EX-15) from PLD03-00004 and SUB03-00002

Attachment F – Pages 5 and 6, Order 2005-139.

FINDINGS:

1. **Background:** On July 7, 2003, the City Council denied an appeal of the Planning Commission's decision of approval for Stoneybrook Phase III, and approved, with modified Conditions of Approval, a Major Conceptual Development Plan Modification and Detailed Development Plan (PLD03-00004), and a Tentative Subdivision Plat (SUB03-00002) to construct 89 single family dwellings on 17.35 acres of a 19.46 acre site. The Detailed Planned Development requested variations to minimum lot sizes, maximum lot coverage and reduced



setbacks, and a partial waiver of solar access requirements.

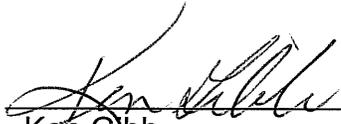
On October 27, 2005, the Community Development Director issued a decision (Order No. 2005-139) approving a request for a Minor Replat and a Tentative Subdivision Plat Modification, and a Minor Planned Development Modification request as it applied to the Minor Replat and Plat Modification. However, a request to use Tract "H" (originally referred to as Tract "E") as a combined pedestrian and vehicular accessway was denied as a Minor Planned Development Modification due to the request not qualifying as a Minor Modification (**Attachment F**).

After this decision was issued, further review of application materials submitted for the 2003 Detailed Development Plan for Stoneybrook Phase III (PLD03-00004/SUB03-00002) indicated that Tract "H" had already been approved for use as a combined pedestrian and vehicular accessway (**Attachment E**). Therefore, the request made through the Minor Planned Development Modification denied by Order 2005-139 was not necessary. As a result, the decision issued through Order 2005-139 is hereby clarified to re-establish the approval for using Tract "H" as a combined pedestrian and vehicular accessway, as shown in **Attachment E**.

CONDITIONS OF APPROVAL:

1. **Previous Conditions of Approval** – The applicant is subject to all Conditions of Approval established by the July 11, 2003, Detailed Development Plan approval for Stoneybrook Phase III (PLD03-00004/SUB03-00002), except as expressly modified by this approval.
2. **Consistency with Plans** – Development shall comply with the narrative and plans in the applicant's proposal as identified in **Attachments C and E**, except as expressly modified by this approval.
3. **Public Improvements** - In accordance with LDC 4.0.80, all development sites shall be provided with public water, sanitary sewer, storm drainage, and street lights. In accordance with 4.0.30 1), each proposed lot shall have required public and franchise improvements installed or secured in accordance with the provisions of LDC 2.4.40.09 prior to approval of the final plat.
4. **Connections to Public Utility Mainlines and Driveway Approach Installation** – As part of the removal or installation of public service lateral connections and installation of driveway approaches for lots considered through this application, the developer shall resurface disturbed portions of existing public streets (i.e., SW Birdsong Drive and SW Peony Street) in accordance with City construction standards, and utilize a half-street resurfacing, at a minimum, resulting in no more than three seams with the existing asphalt.

October 31, 2005
Date of Decision



Ken Gibb
Community Development Director

APPEALS

If you wish to appeal this decision, the appeal must be filed within 12 calendar days from the date of the decision. When the final day of the appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent working day. All appeals must be submitted in writing to the City Recorder and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact this office at (541)766-6908.

PLD05-00016
Notice of Disposition Mailed – October 31, 2005

Appeal Deadline – November 15, 2005

CONDITIONS OF APPROVAL

Stoneybrook Phase III
(PLD03-00004, SUB03-00002)
July 8, 2003

Cond #	CONDITIONS	Pg # Ref.
1	<p><u>Consistency With Plans</u> - Development shall comply with the plans identified in staff report Attachments A, G and H and as amended by applicant's letter dated May 7, 2003 (i.e., Single Homeowners Association for all of Stoneybrook), except as modified by the following conditions of approval and as allowed to be changed through the Minor Planned Development Modification process outlined in the Land Development Code Chapter 2.5 and the subdivision modification process outline in Chapter 2.4. of the Land Development Code.</p>	all
2	<p><u>Trees</u></p> <p>A. Protection - As proposed by the applicant (and shown on Attachment A-5), 12 of the 43 existing trees located south of Birdsong Drive shall be preserved. An arborist shall specify the provisions necessary to assure survival and to provide occasional oversight of construction activities. As part of these provisions, there shall be no cutting, filling, trenching, nor compaction of the soil under tree canopies and to a minimum distance of 5 feet outside the canopy's dripline, consistent with Section 4.2.20.c of the Land Development Code. To assure this protection, a minimum 5-foot high construction fence shall be installed 10 feet outside the canopy's dripline prior to any grading and excavation of the development site. Existing trees and construction protection fences shall be illustrated on all site plans submitted for permit.</p> <p>B. Mitigation - To meet City codes and to mitigate for the significant trees removed due to development, large canopy street trees (as defined in the Land Development Code) shall be planted at 1/50 lineal feet along 45th Street and along both sides of Birdsong Drive and in Tract J. In addition, a row of medium canopy trees shall be planted in the 20' wide through lot planting buffer along 49th Street in addition to the medium canopy trees planted in the 12' wide planting strip. Those trees in the planting strip shall not be central leader trees.</p>	13
3	<p><u>The 20' Buffers Along 45th and 49th Streets</u> - The 20' wide planting area in Tracts A, C, and D, shall be fully planted for a width of 20' and consisting of mostly shrubs and trees consistent with Code provisions. Fencing, at least 4' high, shall be constructed along the rear property lines of the lots abutting these buffers.</p>	15

4	<p><u>South Property Line Fence</u> - A fence shall be constructed along the site's entire south property line. The fence shall be of a non-reflective material, of a unified design for the entire length of the south property line, of a design that effectively blocks visibility into yards (i.e., not a good neighbor fence) and one that is at least 5' high so that it obscures much of the proposed buildings from users located south of the site. The fence shall be reviewed and approved by the Community Development Department prior to construction. It shall be constructed prior to or concurrent with building permits for individual lots.</p>	16
5	<p><u>Building Setbacks</u> - Setback standards shall be as follows:</p> <p>Front Yard: 10 feet minimum Rear Yard 15 feet minimum Front + Rear 30 feet minimum Side Yard 5 feet min. (with 4 feet min. for a maximum of 25 feet along the length of the house to allow for architectural room projections)</p> <p>*See condition # 28 for additional setbacks.</p>	
6	<p><u>Bedrooms on the Main</u> - At least 50% of the lots shall contain dwellings with bedrooms on the main (i.e., where 2 bedrooms [one may be an office], the kitchen, livingroom/family room and bath are located on the main floor). Concurrent with building permit request, the developer shall provide a site plan illustrating the developed lots that meet this requirement and those that are still available to meet the requirement. The issuance of permits for structures that do not qualify as "bedrooms on the main" will be on a first come first serve basis).</p>	20
7	<p><u>Phase 6 Additional Parking</u> - Since on-site parking standards work in conjunction with off-site supply, when Phase 6 is developed through the Planned Development process, the parking needs for Phase 6 shall be evaluated considering the absence of on-street parking availability.</p>	17
8	<p><u>Lot Coverage</u> - Single story buildings are those with all the rooms on the same level of the building. The lot coverage for these lots is illustrated below as is the coverage for lots where development is two stories high:</p> <p><u>Single Story and 1½ Story</u> - 60% Maximum Lot Coverage <u>Two Story</u> - 50% Maximum Lot Coverage</p> <p>* 1 ½ Story = dwellings that have living space within the roof line of a single story home. More specifically described, the homes will have a single plate line, side walls and roof lines of a single story home, with steeper pitched roofs to accommodate some living space within the roof line (see example in Attachments A-15m to A-15s)</p>	20

Pedestrian Oriented Design. Garage Orientation Design. etc -

Note: All submittals for individual building permits shall provide document/calculations showing compliance with the following provisions:

Windows and Doors - Any facade facing streets, sidewalks, and multi-use or separated paths (including garage facades but excluding vehicle doors) shall contain a minimum area of 15 percent windows and/or doors. Gabled areas need not be included in the base wall calculation when determining this minimum percent calculation. The minimum percentage may be 20% if that menu item (see below) is chosen:

Side Yard Fencing Next to Paths - On lots abutting a tract established for pedestrian circulation, the "exterior side yard fence" shall be no higher than 4' and shall be constructed concurrent with development of the lot.

Menus for Pedestrian Features and Design Variety:

(Applicant's shall indicate proposed options on plans submitted for building permits)

A) **Covered Entry** - Provide a front porch or combined porch and patio at a minimum size of 6' deep by 10' wide, and covered by a minimum of 60% to provide weather protection (i.e., a 60 sq ft floor area but where only 36 sq ft of the area needs to be covered), OR, provide a minimum 44 sq ft covered porch that is 6 feet deep, OR, provide a minimum 16 sq ft covered entry porch with a sidewalk that is a minimum 3'- wide and constructed of a permanent hard surface (not gravel) and located directly between the street sidewalk and the covered front door entry (the walk can not be part of the driveway area).

B) **Additional Design Features** - Each home shall incorporate a minimum of four of the following seven design features.

1. **Window Area** - A minimum area of 20 percent windows and/or dwelling doors on facades (including garage facades but excluding vehicle doors) facing streets, sidewalks, and multi-use or separated paths. Gabled areas need not be included in the base wall calculation when determining this minimum 20 percent calculation;
2. **Building Materials** - At least 2 different types of building materials (including, but not limited to, stucco and wood, brick and stone, etc.) on facades facing the street or adjacent path. The two building materials shall not be the same material and pattern which has just been turned in different directions. These requirements are exclusive of foundations and roofs and pertain only to the walls of a structure.
3. **Trim** - A minimum of 2.25-inch trim or recess around windows and doors that face the street. Although not required, wider trim is strongly encouraged;

4. Increased Roof Pitch - A minimum 6:12 roof pitch for 80% of the roof area.
5. Eaves - Eaves with a minimum 18-inch overhang;
6. Architectural Features - At least one architectural feature shall be included on dwelling facades that face the street. Architectural features are defined as bay windows, covered porches greater than 60 sq ft in size, 6' deep balconies connected to living spaces above the 1st floor, dormers related to living space, or habitable cupolas. If a dwelling is oriented such that its front facade (facade with the front door) is oriented to a sidewalk and no facades of the dwelling face a street (ex: a flag lot or interior townhouses that are perpendicular to a street), then the architectural feature may be counted if it is located on the front facade.
7. Architectural Details - Architectural details used consistently on dwelling facades. Architectural details are defined as exposed rafter or beam ends, eave brackets, windows with grids or divided lights, or pergolas/trellis work integrated into building facades. If a dwelling is oriented such that its front facade (facade with the front door) is oriented to a sidewalk and no facades of the dwelling face a street, then the architectural feature may be counted if it is located on the front facade.

Garage Standards:

For lots greater than or equal to 50' wide -For dwellings with front-loaded garages/carports (i.e., where the garage opening faces the same street as the dwelling's front entrance), the width of the garage or carport facing the street shall be no more than 54% of the length of the dwelling's street-facing facade. On 6 of the lots, this percentage can be increased to 62% to allow for 3-car garages, provided the lot width is at least 60 feet in width and the garage is recessed a minimum of 4 feet behind any habitable living space of the residence.

For lots less than 50 feet wide - For dwellings with front-loaded garages (attached garages with entrances facing the same street as the dwelling's entrance), the width of the garage wall facing the street shall not exceed 22 feet. (i.e., the interior of the garage would determine the width of the garage facade, not just the garage doors). For dwellings with front-loaded carports, the carports shall be subject to the same restrictions and menu options as specified in the above.

Exceptions for dwellings that are less than 24 feet wide can be granted by the Community Development Director consistent with Condition 1.

Landscape Plans and Maintenance:

- a. **Landscape Construction Documents** -Prior to recording of the final plat or, when a plat is not proposed, prior to the issuance of building permits, the applicant shall submit for approval by the Community Development Director, landscape construction documents for this site (e.g., limited to all common area tracts and street planting strips). This submittal shall contain a specific planting plan (including correct plant names in the Latin format), construction plans, irrigation plans, details, and specifications for the site, including irrigated tree planted medians. Plantings shall comply with Land Development Code Section 4.2 and other conditions of this approval. Additionally, street tree locations shall be illustrated on the PIPC plans and species spacing and attributes may be discussed to help minimize potential conflicts with utilities. Required street trees shall have at least a 1½" trunk diameter at the time of installation. The landscape plans shall address the following additional requirements:
- b. **Landscape Installation and Maintenance** - Through lot landscaping, and street tree plantings for 45th Street, 49th Street, and for both sides of Birdsong Drive shall be planted concurrent with public improvements. Landscaping on the tracts shall also be installed concurrent with public improvements. The revised street tree plan for local streets (to be approved prior to public improvements), shall be used to install trees prior to final inspection of the dwelling. All plantings shall be designed to achieve a minimum of 90% ground coverage within 3 years. A maintenance plan for all plantings shall be provided prior to the City's on-site approval of the plantings. This plan shall provide measures to assure all new plantings will be healthy and well established three years from the date of installation approval.
- c. **Through Lot Plantings & Other Tract Plantings** - Through lot plantings shall be planted across the entire 20 foot wide planting area (see Condition 3). Plantings for the other path and landscape Tracts shall meet Code standards.
- d. **Birdsong Drive Planting Strip** - The north side planting strip along Birdsong Drive shall be 12' wide as is the standard for neighborhood collectors. This area shall be planted with large canopy trees and appropriate ground cover.
- e. **Local Street Trees** - Local street tree spacing shall be ~25' on center instead of the large canopy tree spacing illustrated in the applicant's submittal. Tree space may vary to avoid negative impacts on water meters and other utilities.

11	<p><u>Overhead Power Lines on 45th Street</u> Power lines, along the portion of 45th Street that abuts the site, shall be placed underground or the poles located within the 20' wide landscape buffer (Tracts C and D) and at 5 feet from the rear property lines of lots abutting this buffer.</p>	13
12	<p><u>Plans for Public Improvements</u> - Prior to issuance of any structural or site utility construction permits, the applicant shall obtain approval of, and permits for, engineered plans for public improvements from the City's Engineering Division. The plans shall conform to the City of Corvallis Standard Construction Specifications, including provision of appropriate easements and all-weather surface access to manholes, and shall be accompanied by engineered calculations supporting proposed line sizing. Engineered studies for all utility systems shall be provided to ensure that development of adjacent properties and drainage basins is accommodated by line sizes, grades, and locations. If during review of public improvement plans it is determined by the City Engineer that waterline extensions and/or looping are required to meet pressure or fire flow demands or water quality criteria, then the developer shall extend the waterline as necessary. Water quality features, such as trapped catch basins, shall be incorporated into the public storm drainage plans. Paved paths / walkways indicated on the Tracts shall be constructed concurrent with public improvements (Note: It is not the intent of this condition that offsite storm water flows will be directed to the private Stoneybrook detention facility).</p>	
13	<p><u>SW 45th Street Improvements (Frontage)</u> - Concurrent with initial development, the applicant shall;</p> <p>A. Construct the missing 12-ft planter strip (west) and 5-ft sidewalk (west) along the site's full frontage.</p> <p>B. For the section of SW 45th Street frontage not already improved to City standards, construct two 10-ft travel lanes, two 6-ft bike lanes, 12-ft planter strip (west), curb and gutter (east and west side), and related pavement striping. The applicant in their design of the SW 45th Street section, shall confirm that subbase, rock base and asphalt sections represent City standards for a 20-yr structure life. A soils report shall be provided which substantiates the street section design.</p>	28
14	<p><u>SW 45th Street Improvements (Off-site)</u> - Concurrent with initial development, the applicant shall;</p>	28

	<p>A. Improve SW 45th Street to neighborhood collector street standards approximately 40-ft south of the site's southern property line to the northern property line of the site as described in MLP03-00002. These improvements shall include the construction of two 10-ft travel lanes, two 6-ft bike lanes, 12-ft planter strip (west), curb and gutter (east and west side), 5-ft sidewalk (west) and related street striping. A curbside sidewalk and a narrow planter strip will be allowed if the ROW needed for a 12-ft planter strip on the west side is not available. The applicant in their design of the SW 45th Street section, shall confirm that subbase, rock base and asphalt sections represent City standards for a 20-yr structure life. A soils report should be provided which substantiates the street section design. Note: As is typical, the applicant is not required to purchase additional ROW or easements to meet this requirement.</p> <p>B. Construct the missing 12-ft planter strip (west) and 5-ft sidewalk (west) for approximately 220-ft north of the site's northern property line if the improvements have not yet been established by other developments.</p> <p>C. Improve SW 45th Street to neighborhood collector street standards beginning approximately 220-ft north of the site's northern property line, north to SW Country Club Drive. The applicant shall construct two 10-ft travel lanes, two 6-ft bike lanes, curb and gutter (east and west side), 5-ft sidewalk (west), enclosed drainage system and related street striping. A curbside sidewalk and no planter strip may be allowed if the right-of-way needed for a planter strip on the west side is not available. The applicant in their design of the SW 45th Street section, shall confirm that subbase, rock base and asphalt sections represent City standards for a 20-yr structure life. A soils report shall be provided which substantiates the street section design.</p>	
15	<p><u>SW Birdsong Drive Improvements</u> - As proposed by the applicant and concurrent with initial development, the applicant shall extend two 10-ft travel lanes, two 6-ft bike lanes, an 8-ft parking lane (south), two 12-ft planter strips and two 5-ft sidewalks from the existing terminus east to SW 45th Street. The applicant shall be allowed to bond for the north side planter strip and sidewalk for up to a period of 2 years after acceptance of public improvements.</p>	29, 31
16	<p><u>ROW Dedication</u> - Concurrent with any final plat, the applicant shall dedicate the necessary ROW to accommodate the street improvements required in Condition 15. The ROW for local streets in Phases 4 and 5 shall be dedicated concurrent with platting of phase development.</p>	29

17	<u>Environmental Assessment</u> - Prior to approval of the final subdivision plat, the applicant shall submit an environmental site assessment, in accordance with Land Development Code criteria, to the City's Engineering Division for review and approval.	30, 31
18	<u>SW Hollyhock Circle and Other Local Streets</u> - As proposed by the applicant and concurrent with development of Phase 4 and Phase 5, the local street improvements shall consist of 28-ft pavement, curb and gutter (both sides), two 6-ft planter strips and two 5-ft sidewalks.	30
19	<u>Frontage and Off-site 12-in Waterline Construction</u> - Concurrent with initial development, the applicant shall construct a 12-inch waterline in SW 45 th Street through the property frontage. Provisions for existing development shall be incorporated into the design. Additional off-site water line improvements shall include the extension of the 12-inch water line to the south approximately 40-ft to meet the water line improvements conditioned with MLP03-00002, concurrent with initial development	35
20	<u>Public Storm Drain Improvements (Offsite) along SW 45th Street</u> -The off-site public storm drain improvements shall include enclosure of the west roadside ditch along SW 45 th Street from the site's southern property line north to SW Country Club Drive where not already enclosed. The public storm drain shall be located in the street and constructed to City standards concurrent with initial development.	36
21	<u>Water Quality Features</u> -In addition to the water quality benefits provided with the existing detention facility, the applicant shall install oil/water separating devices in all of the public curb inlets to be constructed with the project. As part of the plans for public improvements the applicant shall provide engineered calculations for storm water quality facilities demonstrating compliance with both criteria outlined in Appendix F of the Storm Water Master Plan, and criteria outlined in the King County, Washington Surface Water Design Manual. Infiltration facilities are a recommended means of meeting water quality requirements where soil and slope conditions (not more that 10%) permit the use of infiltration facilities and where the facilities will not have an adverse impact on the subject site or adjacent or downhill properties. The water quality analysis shall contain a discussion on the feasibility of implementing infiltration during both wet and dry seasons.	36

22	<p><u>Franchise Utility Easements</u> - Easements for franchise utilities shall be provided adjacent to all street right-of-way, per Land Development Code Section 4.0.110.b, concurrent with the final plat.</p>	36
23	<p><u>Solar Access Affected Lots</u> Lots that don't otherwise meet the solar access protection standard (lots 32, 39, 45-49, 56-61-, 76, 77, 88, 89 meet the standard), 2 of the following 3 standards shall apply:</p> <ol style="list-style-type: none"> 1. The home will exceed minimum UBC energy efficiency standards by 5% 2. Have hip or east-west roof orientation so as to gain solar access from south facing roof surface. 3. When two lots abut each other along an east-west lot line, and the lot to the north is already built on, the lot to the south be a single or single and ½ story house. 	41
24	<p><u>Phasing Options</u> - The applicant shall have the option of creating several smaller phases provided the extension of SW Birdsong Drive and improvements to SW 45th Street are completed with the first phase and provided that the Community Development Director finds the proposal to be consistent with provisions of this Planned Development and fire and utility provisions of the City.</p>	
25	<p><u>Age Constraint</u> - The applicant has voluntarily agreed to the age constraints as set forth hereafter. Therefore, it shall be a condition based on this representation. The recorded Covenants, Conditions and Restrictions (CC&R's) shall remain consistent with the applicant's representation that the proposed development shall be for senior citizens who's age is 55 or older, consistent with the existing Stoneybrook CC&R's. The City shall review the final plat to assure the CC&R provisions for age restrictions established in the earlier phases of development remain applicable to phases 4, 5, and 6 (originally identified as Phase III) and consistent with the rules and definitions of the Federal Fair Housing Amendments Act, and the Housing for Older Persons Act of 1995, as may be amended. However, enforcement will be a matter between the various private parties involved. The subdivision plat shall include a reference to the age limitation and related CC&R's.</p>	
26.	<p><u>Lot Line Adjustments</u> - Lot Line Adjustments (LLA) shall be permitted outright in order to deal with the applicant's revised proposal to establish housing intended for those over 55 years in age. No LLA shall not affect the roads and/or trails established for this site.</p>	
27.	<p><u>Construction Traffic</u> - All construction traffic greater than 10,000 lbs GVW shall utilize a circular access pattern entering via 49th Street and exiting via</p>	

	45th Street. Signage for implementing this pattern shall be incorporated into the traffic control plan.	
28	<p><u>Special Setbacks for Lots 79, 80, and 81</u> - The following building setbacks apply to Lots 79, 80, and 81:</p> <p>Front Yard 10' min. to house, 19' min. to garage Rear Yard 5' min. Rear + Front 15' min. Side Yard 5' min. (with 4' min. permitted for a maximum of 25' along the length of the house to allow for architectural room projections).</p>	
29	<u>Public Access Easements for Trails</u> - Public access easements shall be provided over Tracts A, E, J and I, as shown on the final Plat(s)	

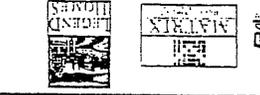
**Most of the above conditions of approval have page references in the far right column which indicate where in the staff report a discussion and analysis is provided relative to that specific condition.*

Other Development Related Concerns:

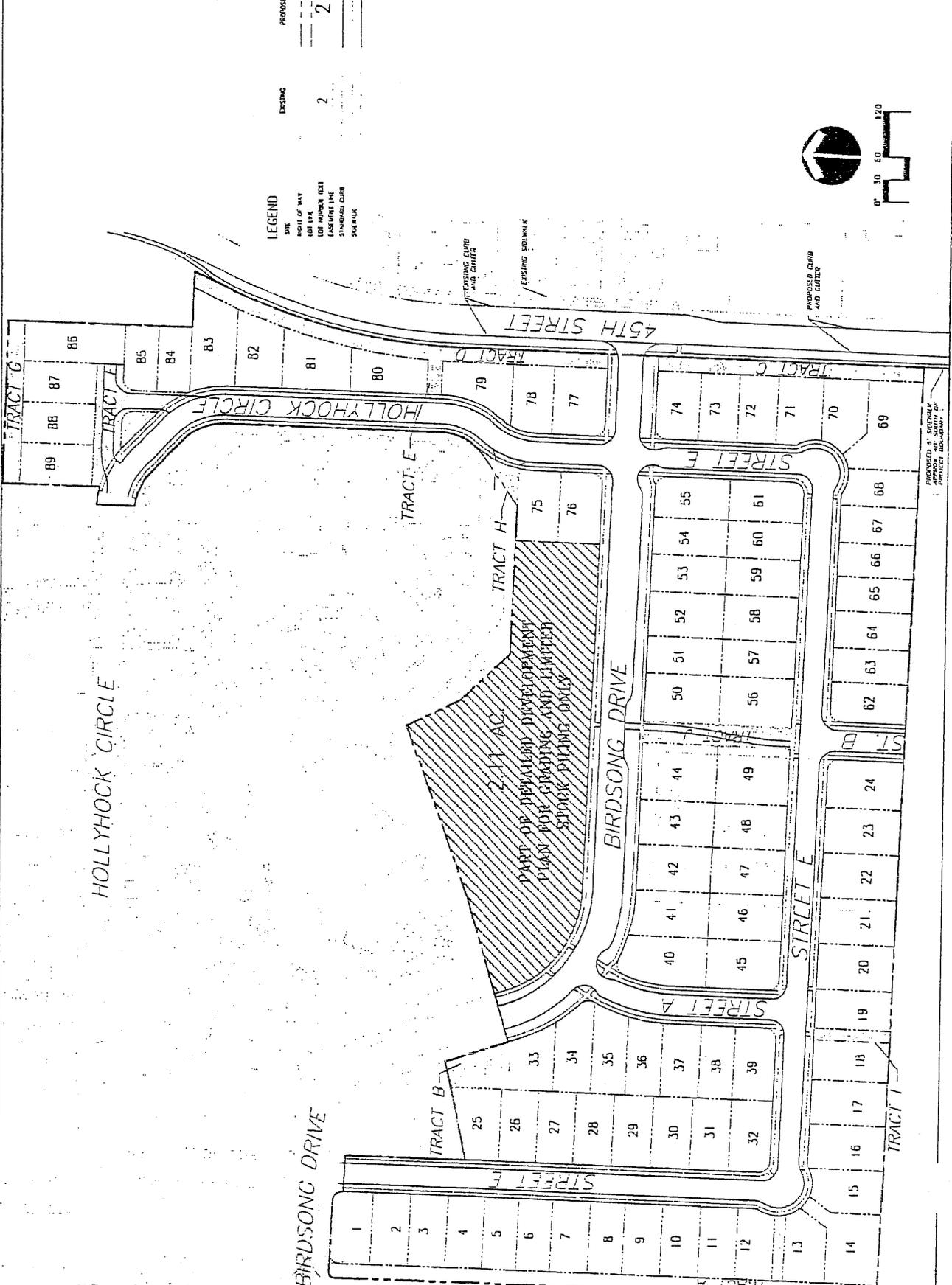
- A. Mailbox Locations - As part of the plans for public improvements, the applicant shall show proposed mailbox locations as approved by the Post Office.
- B. Excavation and Grading Plans - Prior to issuance of any construction permits, the applicant shall submit an excavation and grading plan, including erosion control methods, to the City's Development Services Department for review and approval. Excavation and Grading permits shall not be approved and issued until the erosion control methods have been installed and approved in the field.
- C. Other Permits - Prior to issuance of any construction permits, the applicant shall be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit if construction activity will disturb, through clearing, grading, and/or excavation, one or more acres of the site. Additionally, any permits required by other agencies such as the Division of State Lands; Army Corps of Engineers; Railroads; County; or Oregon Department of Transportation, shall be approved and submitted to the City prior to issuance of any City permits.
- D. SDC Reimbursement - Where it is anticipated that there will be System Development Charge reimbursements from City funds to the developer for qualifying extra-capacity facilities built by the developer, the developer shall obtain a written agreement with the City regarding the monetary amount of the requested reimbursement as well as the anticipated construction time line for the qualifying improvements, prior to initiating construction of these facilities. A written request for SDC reimbursement may be directed to the City Engineer, who will review and forward the request to City Council.
- E. Zone of Benefit Applications (ZOB) - The applicant may apply for a cost recovery for improvements that benefit other property owners adjacent to the improvements as outlined

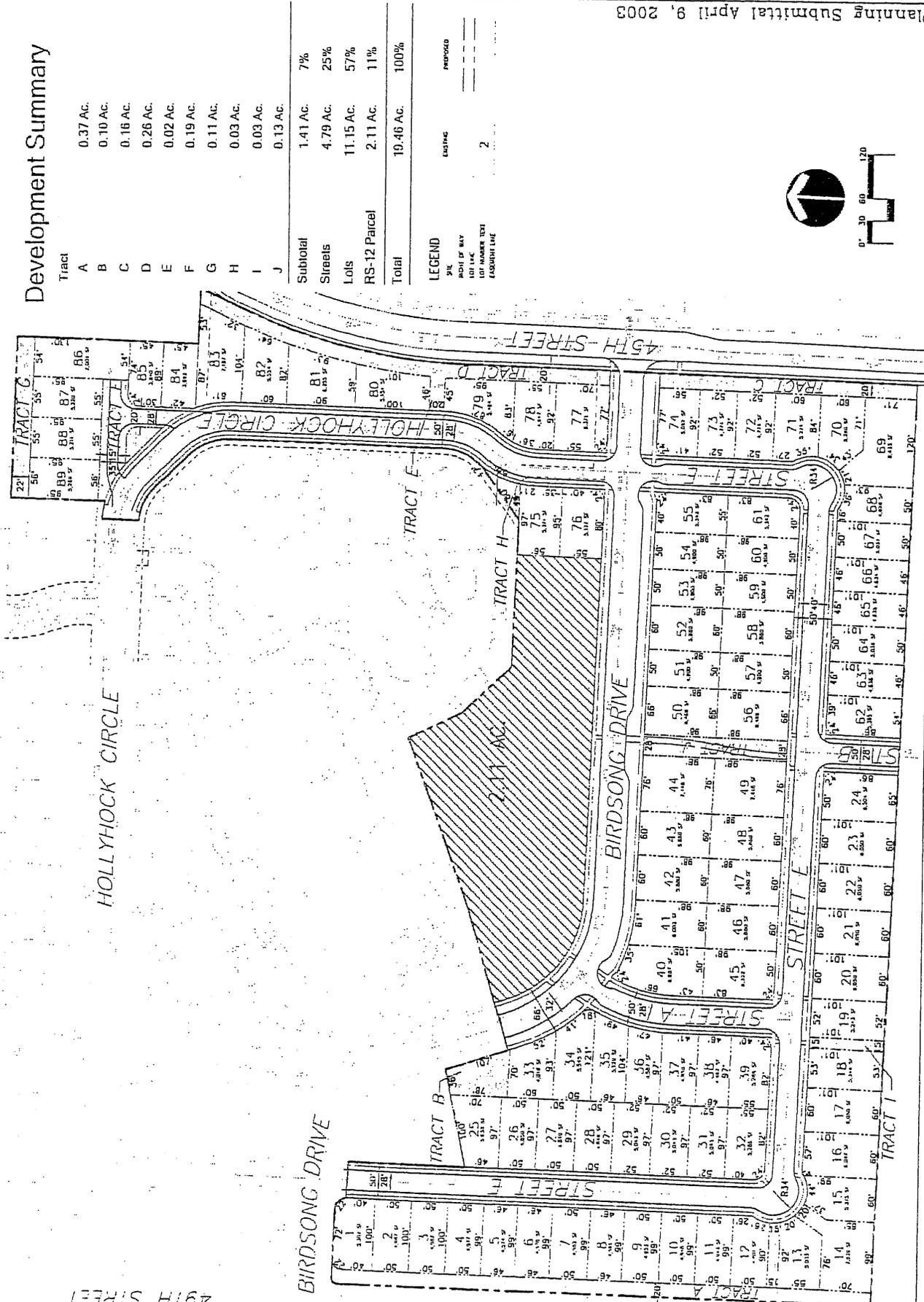
in chapter 2.16 of the Corvallis Municipal Code. The applicant must submit a written request within one year from the acceptance of the public improvements. The applicant may be subject to a ZOB cost recovery for the existing 12-in water line and street improvements in SW 45th Street installed by the Fairway View Commons development and the 8-in sanitary sewer line in SW 45th Street installed by the Fairway View Estates development.

- F. Franchise Utility Plans - Prior to issuance of public improvement permits, the applicant shall submit, as part of the public improvement plan set, an overall site utility plan that shows existing and proposed franchise utility locations, including vaults, poles, and pedestals. The proposed franchise utilities shall conform to requirements outlined in Land Development Code Section 4.0.100 - Franchise Utility Installations.
- G. Irrigation Plans - Prior to issuance of public improvement permits, the applicant shall submit, and obtain approval of, irrigation plans. Separate irrigation meters shall be provided for individual medians and park strip areas.
- H. Signing and Striping Plans & Street Tree Locations - As part of the public improvement plans, the applicant shall include a plan for street striping and signing. On the signing and striping plans, the applicant shall specify the proposed locations for the street trees. The applicant shall minimize conflicts with proposed utilities, signing, lighting, mailbox locations and vision clearances associated with the public street intersections. All striping and signing shall conform to the MUTCD and City standards and policies. All costs associated with striping and signing shall be borne by the developer.
- I. Street Names & Assigning Street Addresses - All street names need final approval from the Development Services Division prior to filing of final plat. Street addresses are assigned by the Development Services Division. Requests for street addresses are to be submitted in writing to the Development Services Division accompanied by a copy of the approved tentative plat with the proposed street names (a minimum of 3 proposed names, in order of preference, for each street). The scale of the drawing shall be 1" to 100'. Street addresses will be assigned within 15 working days of receipt of a complete request



Planning Submittal April 9, 2003
 Project No: EX-8
 Drawing No: [Blank]



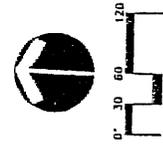


Development Summary

Tract	Area (Ac.)
A	0.37 AC.
B	0.10 AC.
C	0.16 AC.
D	0.26 AC.
E	0.02 AC.
F	0.19 AC.
G	0.11 AC.
H	0.03 AC.
I	0.03 AC.
J	0.13 AC.

Subtotal	1.41 AC.	7%
Streets	4.79 AC.	25%
Lot	11.15 AC.	57%
RS-12 Parcel	2.11 AC.	11%
Total	19.46 AC.	100%

LEGEND
 SIX
 RIGHT OF WAY
 LOT NUMBER TEXT
 EASEMENT LINE
 EXISTING
 PROPOSED
 2



DATE: 3/24/03
 DESIGNED BY: JAS
 DRAWN BY: JAS
 CHECKED BY: JAS

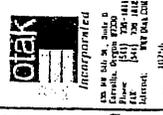
COMPILED BY: JAS
 DATE: 3/24/03
 PROJECT: EX-9
 SHEET: PLD05-00016

Date: 2/22/02
 Prepared: [Signature]
 Drawn: [Signature]
 Checked By: [Signature]

CONVALL'S DRIVE
 1115 W. MOUNTAIN AVENUE
 FAYETTEVILLE, NC 28404
 PHONE: 704.336.1111
 FAX: 704.336.1112
 WWW: WWW.CONVALLS.COM

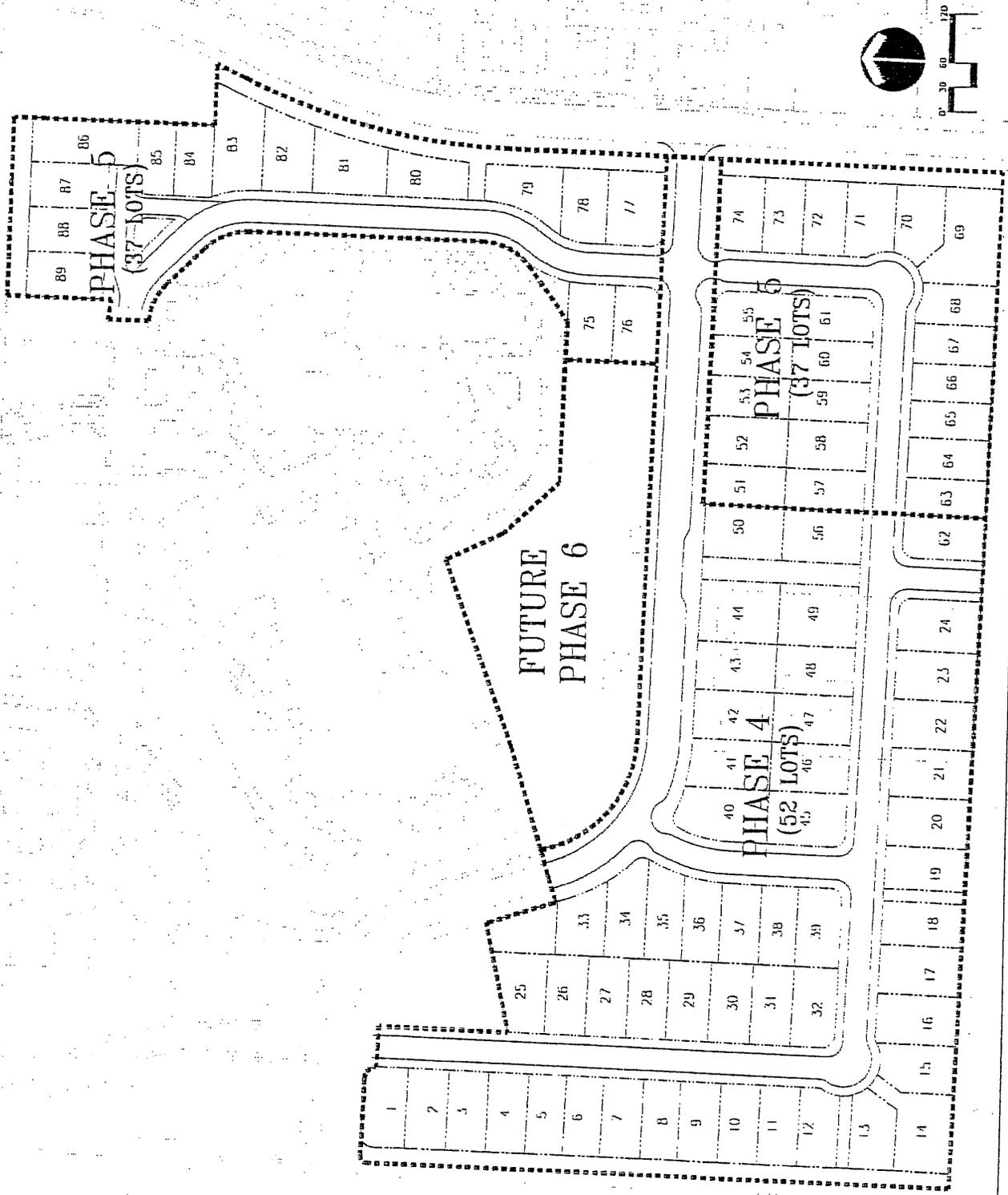


PHASING PLAN
Stoneybrook
 PHASING PLAN
 PROJECT NO. 05-0016



EX-10
 Project No.

Planning Submittal April 9, 2008



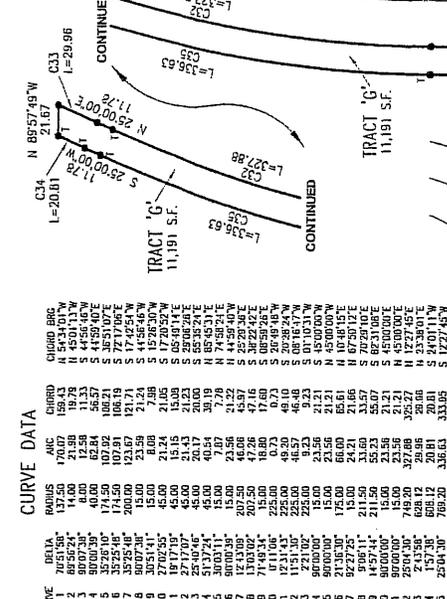
STONEBROOK

BEING A REPLAT OF PORTIONS OF PARCELS 1 AND 2,
 PARTITION PLAT NO. 2003-29 AND OTHER LANDS
 IN THE GEORGE W. BETHERS D.L.C. NO. 49
 NW1/4 SECTION 9, T.12S., R.5W., W.M.
 CITY OF CORVALLIS
 BENTON COUNTY, OREGON
 SURVEYED JANUARY 28, 2004

SHEET 1 OF 2

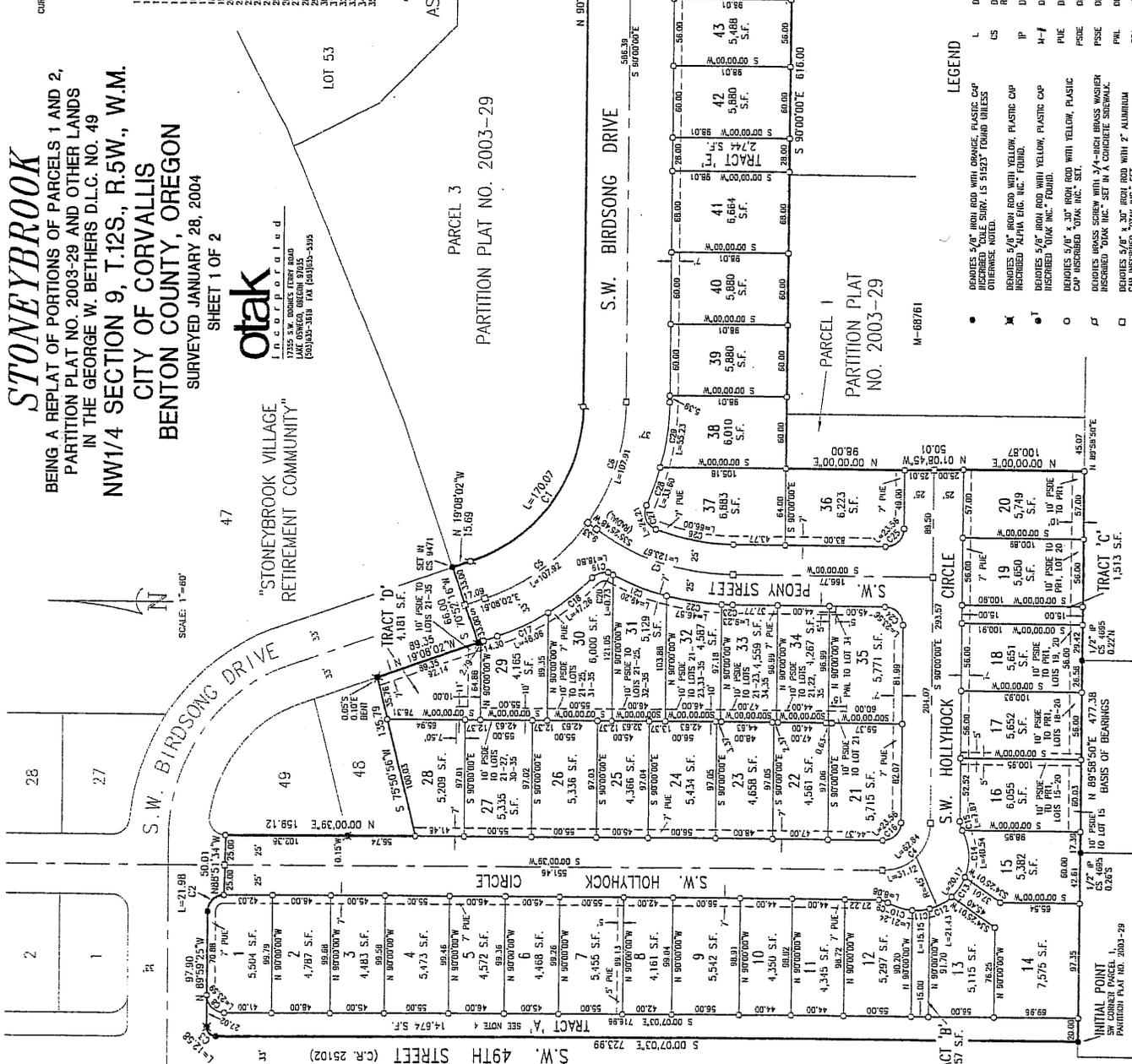


"STONEBROOK VILLAGE
 RETIREMENT COMMUNITY"



"STONEBROOK VILLAGE
 ASSISTED LIVING PHASE 1"

PARCEL 3
 PARTITION PLAT NO. 2003-29



LEGEND

- DENOTES 5/8" IRON ROD WITH ORANGE PLASTIC CAP INScribed "OLE SURV. LS 51923 TOWARD UNLESS OTHERWISE NOTED.
- ✱ DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INScribed "ALPHA ENG. INC." FOUND.
- ⊙ DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INScribed "YORK INC." FOUND.
- DENOTES 5/8" x 3/8" IRON ROD WITH YELLOW PLASTIC CAP INScribed "YORK INC." SET.
- ⊠ DENOTES BRASS SCREW WITH 1/4"-DIAM BRASS WASHER INScribed "YORK INC." SET IN A CONCRETE SURROUND.
- DENOTES 5/8" x 3/8" IRON ROD WITH 1" ALUMINUM CAP INScribed "YORK INC." SET.

L DENOTES ARC LENGTH
 CS DENOTES COUNTY SURVEY, BENTON COUNTY SURVEY RECORDS
 IP DENOTES IRON PIPE
 P DENOTES PUBLIC UTILITY EASEMENT
 PUE DENOTES PRIVATE STORM DRAINAGE EASEMENT
 PSSE DENOTES PRIVATE SANITARY SEWER EASEMENT
 PWL DENOTES PRIVATE WATERLINE EASEMENT
 PRT DENOTES PARCELS 1, PARTITION PLAT NO. 2003-29

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 GARY E. PAUL
 20080
 RENEWAL 12/31/2008
 THIS IS AN EXACT COPY OF
 THE ORIGINAL PLAT
 STONEBROOK.
 P.L.S. NO. 2689

STONEYBROOK PHASE III

Community Development

**Minor Modification to the Detailed Development Plan, Tentative
Subdivision Plan, and Minor Replat of Phase IV**

Request: We are requesting approval of a Minor Modification to the Stoneybrook Phase III (PLD03-0004) Detailed Development Plan and Tentative Plat approval (Notice of Disposition #2003-85), as well as a Minor Replat for the recorded plat Phase IV for the following changes:

1. Elimination of 3 lots, 2 in the forthcoming Phase V, and 1 in the already platted phase IV;
2. Modification of lot orientation for proposed lots 50 and 51 (referenced as lots 75 and 76 in the original tentative subdivision / Detailed Development Plan submittal); and
3. Use of tract H (referenced as Tract E in the original tentative subdivision / Detailed Development Plan submittal) as a driveway for lots 54 and 55 (referenced as lots 79 and 80 in the original tentative subdivision / Detailed Development Plan submittal) and a shared pedestrian access way.

Property Location and Surrounding Development: Phase III is located in the south and southeast portions of the Stoneybrook development. Stoneybrook is generally located south of SW Country Club Drive, and located between SW 45th and SW 49th Streets. The Corvallis Country Club and Golf Course is located to the east, across SW 45th Street, behind Fairway View Commons.

Note: (While the overall proposal is referred to as Phase III of Stoneybrook, a previous developed portion of Stoneybrook was referred to as Phase IIIa. The Phasing Plan within the overall Phase III area will be referred to as Phases 4, 5 and 6. So while the Conceptual Plan identified this phase as Phase III, the internal documents and detailed phasing plans identify the phasing as 4, 5, and 6)

Applicable Comprehensive Plan Policies

- 3.2.1 *The desired land use pattern with the Corvallis Urban Growth Boundary will emphasize:*
 - a. *Preservation of significant open space and natural features;*
 - b. *Efficient use of the land;*
 - c. *Efficient use of energy and other resources;*
 - d. *Compact urban form;*
 - e. *Efficient provision of transportation and other public services; and*
 - f. *Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public access.*
- 3.2.3 *The City shall address compatibility conflicts through design and other transitional elements, as well as landscaping, building separation, and buffering.*
- 9.2.5 *Development shall reflect neighborhood characteristics appropriate to the site and area. New and existing residential, commercial, and employment areas may not have*

all of these neighborhood characteristics, but these characteristics shall be used to plan the development, redevelopment or infill that may occur in these areas. These neighborhood characteristics are as follows:

- a. Comprehensive neighborhoods have a neighborhood center to provide services within walking distance of homes. Locations of comprehensive neighborhood centers are determined by proximity to major streets, transit corridors, and higher density housing. Comprehensive neighborhoods use topography, open space, or major streets to form their edges.*
- b. Comprehensive neighborhoods support effective transit and neighborhood services and have a wide range of densities. Higher densities generally are located close to the focus of essential services and transit.*
- c. Comprehensive neighborhoods have a variety of types and sizes of public parks and open spaces to give structure and form to the neighborhood and compensate for smaller lots and increased densities.*
- d. Neighborhood development provides for compatible building transitions in terms of scale, mass, and orientation.*
- e. Neighborhoods have a mix of densities, lot sizes, and housing types.*
- f. Neighborhoods have an interconnecting street network with small blocks to help disperse traffic and provide convenient and direct routes for pedestrians and cyclists. In neighborhoods where full street connections cannot be made, access and connectivity are provided with pedestrian and bicycle ways. These pedestrian and bicycle ways have the same considerations as public streets, including building orientation, security-enhancing design, enclosure, and street trees.*
- g. Neighborhoods have a layout that makes it easy for people to understand where they are and how to get to where they want to go. Public, civic and cultural buildings are prominently sited. The street pattern is roughly rectilinear. The use and enhancement of views and natural features reinforces their neighborhood connection to the immediate and larger landscape.*
- h. Neighborhoods have buildings (residential, commercial and institutional) that are close to the street, with their main entrances oriented to the public areas.*
- i. Neighborhoods have public areas that are designed to encourage the attention and presence of people at all hours of the day and night. Security is enhanced with a mix of uses and building openings and windows that overlook public areas.*
- j. Neighborhoods have automobile parking and storage that does not adversely affect the pedestrian environment. Domestic garages are behind houses or otherwise minimized (e.g. by setting them back from the front façade of the residential structure.) Parking lots and structures are located at the rear or side of the buildings. On-street parking may be an appropriate location for a portion of commercial, institutional, and domestic capacity. Curb cuts for driveways are limited, and alleys are encouraged.*
- k. Neighborhoods incorporate a narrow street standard for internal streets which slows and diffuses traffic.*
- l. Neighborhood building and street proportions related to one another in a way that provides a sense of enclosure.*
- m. Neighborhoods have street trees in planting strips in the public right-of-way.*

Minor Modification to the Detailed Development Plan

2.5.60.02 - Thresholds that Separate a Minor Planned Development Modification from a Major Planned Development Modification

- a. *The factors identified here describe the thresholds that separate a Minor Planned Development Modification from a Major Planned Development Modification:*
1. *Change in use type, with the exception that for a valid (still active) Planned Development that existed or was approved before December 31, 2000, a modification request shall be considered as follows:*
 - (a) *A request to add uses permitted by the underlying zone to up to 25 percent of the total acreage within the Planned Development site shall be considered a Minor Planned Development Modification; and*
 - (b) *A request to add uses permitted by the underlying zone to greater than 25 percent of the total acreage within the Planned Development site shall be considered a Major Planned Development Modification;*
 2. *Change in dwelling unit density of 5 percent, except as noted in "3" below;*
 3. *Decrease in dwelling unit density by more than three units for development sites 1 acre or smaller in size, or decrease in dwelling unit density by more than five units or by more than 5 percent, whichever is less, for development sites larger than 1 acre;*
 4. *Change in the ratio of the different types of dwelling units;*
 5. *Change in the type or location of commercial or industrial structures that would result in a less pedestrian-friendly environment (e.g., a pedestrian walk is eliminated, a parking lot is placed to separate, or further separate, a building from pedestrian facilities, etc.);*
 6. *Change in the type and location of accessways and parking areas where offsite traffic would be affected or which results in a less pedestrian-friendly environment;*
 7. *Increase in the number of parking spaces where such increase adversely affects significant natural features or pedestrian amenities or is inconsistent with a condition of approval or an applicable development standard (e.g., required open space);*
 8. *Increase in the floor area proposed for nonresidential use by more than 10 percent;*
 9. *Decrease in the common and/or usable open space by more than 10 percent;*
 10. *Increase in the total ground area proposed to be covered by structures by more than 10 percent;*
 11. *Change in specific setback requirements by more than 25 percent or by 15 percent for setback requirements previously reduced;*
 12. *Decrease in project amenities for pedestrians or bicycles, recreational facilities, screening, and/or landscaping provisions by more than 10 percent;*
 13. *Modification of architectural building elevations where any of the following occurs:*
 - (a) *Percentage of window coverage per elevation is decreased by more than 20 percent (may affect the number and/or shape of windows); or windows are installed on a previously specified blank wall on the perimeter of the site;*
 - (b) *Building materials for the main walls of the facades are changed;*
 - (c) *Any architectural feature is reduced by more than 20 percent. Architectural features include such items as the number of windows with trim, the number of dormers, the number of columns, the number of shutters, the square footage of porches, the number of window boxes, the linear footage of porch or deck railings, and/or the linear footage and/or height of parapets, reveals, and/or cornices, etc.;*
 - (d) *Roof pitch is reduced by 20 percent or more;*
 - (e) *Building offsets or recesses are reduced by more than 20 percent; or*
 - (f) *Garages or carports are eliminated.*

- b. *A modification that equals or exceeds the thresholds identified in section 2.5.60.02.a shall be processed as major modification.*
- c. *A modification that falls below the thresholds identified in section 2.5.60.02.a or that decreases the amount of variation from a standard that was previously approved shall be processed as a minor modification.*
- d. *In addition, only three such minor modifications may be processed within one calendar year for any approved Conceptual or Detailed Development Plan. If more than three such modifications are proposed within a calendar year, the modifications, or any single such modification proposed following the third, shall be processed as a Major Planned Development Modification and shall follow the procedures contained in section 2.5.70.*
- e. *A modification to specific requirements established at the time of Planned Development approval, including conditions of approval, Code requirements, and all aspects of the Planned Development proposal, may be considered as a Minor Planned Development Modification only if it falls within the definition of a Minor Modification described in section 2.5.60.02.c.*

2.5.60.05 – Procedures for a Minor Planned Development Modification

- a. *An applicant may petition for review of previously approved plans for purposes of modifying a Planned Development, stating reasons for the change(s).*
- b. *Where the Director determines that the proposed changes qualify as a Minor Planned Development Modification in accordance with the thresholds described in section 2.5.60.06, the Director shall administratively process the application as a Minor Planned Development Modification. The Minor Planned Development Modification may be approved, conditionally approved, or denied by the Director. If the proposed changes equal or exceed the thresholds identified in section 2.5.60.02, the changes shall be processed as a Major Planned Development Modification, and the applicant shall follow the procedures described in section 2.5.70.*
- c. *In reviewing the proposed modification, the Director shall follow the procedures herein required for Minor Planned Development Modification submittal and review.*
- d. *To determine whether to authorize a Minor Planned Development Modification, the Director shall consider the review criteria in section 2.5.40.04 and the following additional review criterion:*
 - 1. *New benefits are provided that functionally compensate for any negative effects caused by the requested variations from the original project design. Applicants shall provide the Director with information substantiating the value of the new elements in comparison to the value of the elements to be changed.*
- e. *Upon finding that the application qualifies as a Minor Planned Development Modification, the Director may consider the redesign in whole or in part of any planned development, provided the redesign still qualifies as a minor modification.*
- f. *Notice for a Minor Planned Development Modification shall be provided in accordance with Chapter 2.16 - Request for Interpretation.*
- g. *The Director's action on the application, including issuance of the notice of disposition, processing of appeals, establishment of the effective date and the effective period of the Minor Planned Development Modification, shall be in accordance with Sections 2.12.20.07 through 2.12.30.11 of Chapter 2.12 – Lot Development Option.*

2.5.40.04 - Review Criteria 2.5.40.04 - Review Criteria

Requests for approval of a Conceptual Development Plan shall be reviewed to assure consistency with the purposes of this chapter, policies and density requirements of the

Comprehensive Plan, and any other applicable policies and standards adopted by the City Council. In addition, the following compatibility factors shall be considered:

- *Basic Site Design;*
- *Visual Elements;*
- *Noise Attenuation;*
- *Noxious Odors*
- *Lighting;*
- *Signage;*
- *Landscaping for Buffering and Screening;*
- *Traffic;*
- *Effects on off-street parking;*
- *Effects on air and water quality.*

FINDING: There is no change in use type, housing ratio, or change in setbacks. The proposal does not result in increases in parking spaces or ground covered by structures, modification of architectural features or decreases in project amenities associated with the proposed modification. Rather, the proposed modification includes the elimination of 3 lots, the 90 degree rotation of 2 lots and the joint use of tract H for both pedestrian access and driveway access for the two adjoining lots.

The proposed changes do not adversely affect pedestrian access in Tract H as a differentiated color concrete pedestrian walkway 5 feet in width will be constructed to visually separate the pathway from the access drive for lots 54 and 55 (lots 79 and 80 on original plans). This walkway will extend to the sidewalk on SW 45th Street, for a through pedestrian connection from the interior of the development to SW 45th Street.

Additionally, there have not been more than three requests within the last calendar year. Therefore the proposal falls within the thresholds for a minor modification.

As required by Section 2.5.40.04 of the Land Development Code, the following review criteria for Conceptual Development Plans and minor modifications are addressed:

Basic Site Design: The proposed and approved layout for Stoneybrook Phase III does not significantly change with the proposed minor modifications.

The lot area of the three lots to be eliminated will be absorbed by the adjoining lots, thereby increasing existing lot sizes to accommodate homes more suitable to the development and create additional private open space on each lot. Additionally, the lots to be eliminated are in three different locations so no significant change in the street façade will be noticed.

Lots orientation for lots 50 and 51 will be moved 90 degrees to have front entrances facing Birdsong rather than SW Hollyhock Circle. This creates more of a pedestrian oriented presence along Birdsong, which is the major street through the development and is intended to accommodate more pedestrian and vehicular traffic.

The adjoining lots to Tract H are wide lots with little depth, which make home design and garage placement difficult. Use of Tract H as a shared driveway/access way to lots 55 and 54 will further enhance the pedestrian oriented design of the development by allowing side entry garages on these lots. Side entry garages have been found to be a priority in order to minimize the presence of the garages consistent with the Comprehensive Plan goal. Tract H was originally intended to be utilized as a driveway/access way however we inadvertently did not get this language into the originally submitted Burden of Proof. The tract will remain the same width and the pedestrian access easement over Tract H will remain in place. We propose utilizing a colored concrete for the walkway to clearly differentiate it from the driveway. This colored concrete pathway will extend to the sidewalk associated with SW 45th Street.

The street connections, architectural features, pedestrian connections, and block layout remains as proposed and approved by Notice of Disposition # 2003-85. The basic site design remains consistent with the approved Detailed Development Plan and proposes no additional negative impacts. Therefore no additional mitigation is necessary.

Visual Elements: The visual elements of the development will be improved by the requested modifications as side entry garages will be utilized on lots 54 and 55 due to the use of Tract H as a shared driveway. This will give greater architectural interest to the front façade of the houses, increase pedestrian oriented design elements on these lots, and be consistent with the Comprehensive Plan goal that calls for minimizing garage appearances.

Visual elements of the development will be improved through the reduction of 3 lots as the adjoining lots will increased in size allowing for both an increase in private open space on the lots and allowing for the construction of houses that are more suitable to the development (i.e., single story homes in the retirement community). Single story homes also provide for greater solar access protection on adjoining lots.

Modifying the lot orientation 90 degrees for lots 50 and 51 will improve the visual effects along Birdsong Drive, which is a neighborhood collector and the major street serving this portion of the development. Rather than having the side elevation of the house and a side yard fence exposed to Birdsong Drive, the front façade of the houses will face Birdsong Drive. The front facades have greater architectural interest through increased variety of building materials, window trim, offsets and recesses, covered front porches etc. Additionally, front yard landscaping will be provided which adds additional visual benefit. As such, the pedestrian oriented design elements of the home and development are emphasized and improved over the original house/lot orientation. Therefore, no additional mitigation is necessary.

Noise Attenuation: No additional noises will occur as a result of the requested minor modification. Rather, noise will be slightly reduced to the reduction of 3 lots within the overall development. Therefore, no additional mitigation is necessary.

Noxious Odors and Lighting: Impacts associated with typical residentially generated odors and lighting will be reduced as a result of the reduction of 3 lots. Therefore, no additional mitigation is necessary.

Signage: Signage will not change from the original proposal as a result of the requested Minor Modification. Therefore, no additional mitigation is necessary.

Landscaping for Buffering and Screening: Front yard landscaping will be provided for lots 50 and 51, thereby providing a more attractive street presence along Birdsong and greater buffering between the public right-of-way and the homes. Therefore, no additional mitigation is necessary.

Traffic: Traffic generation will be slightly reduced from the original proposal due to the reduction of the 3 lots. Therefore, no additional mitigation is necessary.

Effects on off-street parking: The proposed Minor Modification does not affect off-street parking; as such no additional mitigating measure are necessary.

Effects on air and water quality: The proposed Minor Modification will reduce the temporary effect of construction dust and other air and water quality issues through the 3 lot reduction. As such, no additional mitigation measures are necessary.

2.5.60.05 – Procedures for a Minor Planned Development Modification

- h. To determine whether to authorize a Minor Planned Development Modification, the Director shall consider the review criteria in section 2.5.40.04 and the following additional review criterion:*
- 1. New benefits are provided that functionally compensate for any negative effects caused by the requested variations from the original project design. Applicants shall provide the Director with information substantiating the value of the new elements in comparison to the value of the elements to be changed.*

FINDING: The proposal falls within the threshold for a minor modification and there are no negative effects of the requested modifications. Rather new benefits are incurred and include the following:

- improved pedestrian oriented design through the use of side entry garages;
- wider , larger lots able to accommodate single story homes that are more suitable to the development;
- greater opportunity for solar access protection on adjoining lots;
- greater amount of private open space on individual lots;
- reduced traffic, lighting and noise impacts;
- a greater emphasis on pedestrian oriented design along Birdsong Drive, the major street serving the development and the street which will accommodate the greater amount of pedestrian and vehicular traffic and

- increased landscaping/buffering between the public right-of-way for Birdsong Drive and the homes on lots 50 and 51.

As such, no additional mitigation is necessary.

Minor Modification to the Tentative Plat Approval

Section 2.4.80 - TENTATIVE SUBDIVISION PLAT MODIFICATION

2.4.80.01 - Purposes of a Tentative Subdivision Plat Modification

- a. *Provide a limited amount of flexibility with regard to site planning for approved tentative subdivision plats; and*
- b. *Provide elements within the development site that compensate for requested variations from approved tentative subdivision plats such that the intent of the original approval is still met.*

2.4.80.02 - Thresholds Separating a Tentative Subdivision Plat Modification from the Requirement for a New Tentative Subdivision Plat

Within one calendar year, up to three factors identified in "a" through "i" below, which do not exceed the thresholds outlined in these provisions, may be proposed for modification under this section. If more than three such factors are proposed for modification within a calendar year, or if modifications are proposed that exceed the thresholds identified in "a" through "i" below, the changes shall be processed as a new tentative subdivision plat and shall follow the procedures identified in section 2.4.30. No modifications to specific requirements established at the time of tentative subdivision plat approval, including conditions of approval, Code requirements, and all aspects of the tentative subdivision plat proposal, may be made as a tentative subdivision plat modification, unless they fall below the thresholds identified in items "a" through "i" below. The thresholds for determining a tentative subdivision plat modification are as follows:

- a. *Increase in the number of lots;*
- b. *Decrease in the number of lots resulting in a decrease in dwelling unit density by more than three units for development sites 1 acre or smaller in size; or resulting in a decrease in dwelling unit density by more than five units or more than 10 percent, whichever is less, for development sites larger than 1 acre; in no case shall density fall below the minimum density required for the district;*
- c. *Change in the ratio of different types of lots;*
- d. *Change in lot pattern that would result in a less pedestrian-friendly environment (e.g., a pedestrian walk is eliminated, a parking lot is placed to separate (or further separate) a building from pedestrian facilities, etc.);*
- e. *Change in the type and location of accessways and parking areas where offsite traffic would be affected or which results in a less pedestrian-friendly environment;*
- f. *Change in lot pattern that adversely affects significant natural features or pedestrian amenities, or is inconsistent with a condition of approval or an applicable development standard (e.g., required open space);*
- g. *Increase by more than 10 percent in the potential floor area for nonresidential use;*
- h. *Decrease by more than 10 percent in the common and/or usable open space; and*
- i. *Decrease by more than 10 percent in project amenities for pedestrians and/or bicycles, recreational facilities, screening, and/or landscaping provisions.*

2.4.80.03 - Procedures for a Tentative Subdivision Plat Modification

- a. *An applicant may petition for review of previously approved plans for purposes of modifying a tentative subdivision plat, stating reasons for the changes.*

- b. *Where the Director determines that the proposed changes qualify as a tentative subdivision plat modification in accordance with the thresholds outlined in section 2.4.80.02, the Director shall administratively process the application as a tentative subdivision plat modification. The tentative subdivision plat modification may be approved, conditionally approved, or denied by the Director. If the proposed changes exceed the thresholds outlined in section 2.4.80.02, the changes shall be processed as a new tentative subdivision plat and the applicant shall follow the procedures outlined in section 2.4.30.*
- c. *In reviewing the proposed modification, the Director shall follow the procedures herein required for tentative subdivision plat modification.*

2.4.80.03 - Procedures for a Tentative Subdivision Plat Modification

- d. *To determine whether to authorize a tentative subdivision plat modification, the Director shall consider the review criteria in section 2.4.30.04 and the following additional review criterion:*
 - 1. *New elements are provided that compensate for any negative effects caused by the requested variations from the original project design. New elements used to compensate for a negative effect shall be of at least equal value to the elements proposed to be changed. Applicants shall provide the Director with information substantiating the value of the new elements in comparison to the value of the elements to be changed. The value information shall be developed by a qualified professional in the field relevant to the elements being exchanged.*

FINDING: The proposed reduction of three lots falls within the thresholds of Minor Modification to the Tentative Subdivision Plat as it is less than 5 units, does not change the lotting pattern to create a less pedestrian friendly environment, neither decreases the amount of open space nor increases the amount of coverage by more than 10 percent, and does not change the use types.

Please refer to the Minor Modification to the Planned Development section above for a detailed discussion of benefits incurred by the proposed changes. These changes provide a greater benefit than what currently exists under the approval as it provides for a more pedestrian friendly environment, increases lot sizes, reduced the amount of site coverage and increases solar access potential. The proposed lot sizes will accommodate homes that are more compatible with and similar to the existing homes in the neighborhood. Therefore, the request for a Minor Modification for a Tentative Subdivision Plat is appropriate and meets the stated criteria.

Minor Replat of Phase IV

Section 2.14.50 - MINOR REPLAT PROCEDURES

- a. *An application for a minor replat shall be administered in accordance with the tentative partition plat review procedures contained in Section 2.14.30.*
- b. *A final minor replat shall be prepared by a licensed surveyor in accordance with Section 2.4.40 – Plat Review Procedures (Chapter 2.4 - Subdivision and Major Replats) except the Director shall sign the final plat instead of the Planning Commission Chair.*

2.14.30.05 - Review Criteria

Requests for approval of a tentative partition plat shall be reviewed to assure:

- a. *Consistency with the purposes of this chapter, pertinent development standards of the Code, policies and density requirements of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council; and*
- b. *Approval does not impede future development of property under the same ownership or on adjacent lands planned for urban densities including provision of City services and access from a public street.*

FINDING: The proposed minor replat will reduce on lot and distribute that lot area to the surrounding 3 lots, thereby making the affected three lots larger. The proposed replat is consistent with the Comprehensive Plan policies for residential development, meets the density, lot sizes and dimensions affirmed in the decision and does not impede future development of the remaining property or adjacent lands. Therefore, the proposal meets the review criteria and no additional mitigation is necessary.

Summary and Conclusions:

The proposed Minor Modifications to the Stoneybrook Phase III Detailed Development Plan and Tentative Subdivision Plat, and the Minor Replat is consistent with the applicable policies of the Comprehensive Plan, and the Land Development Code criteria. The proposed design and function of the changes is consistent with the original intent of the Planned Development. As such, we request APPROVAL of the requests.

RECEIVED

OCT 11 2005

Community Development

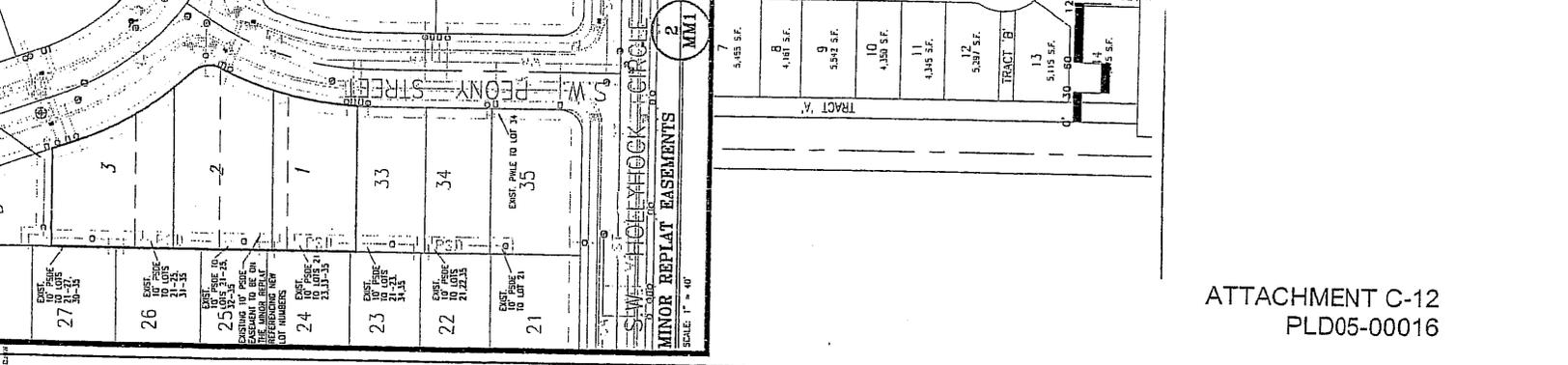
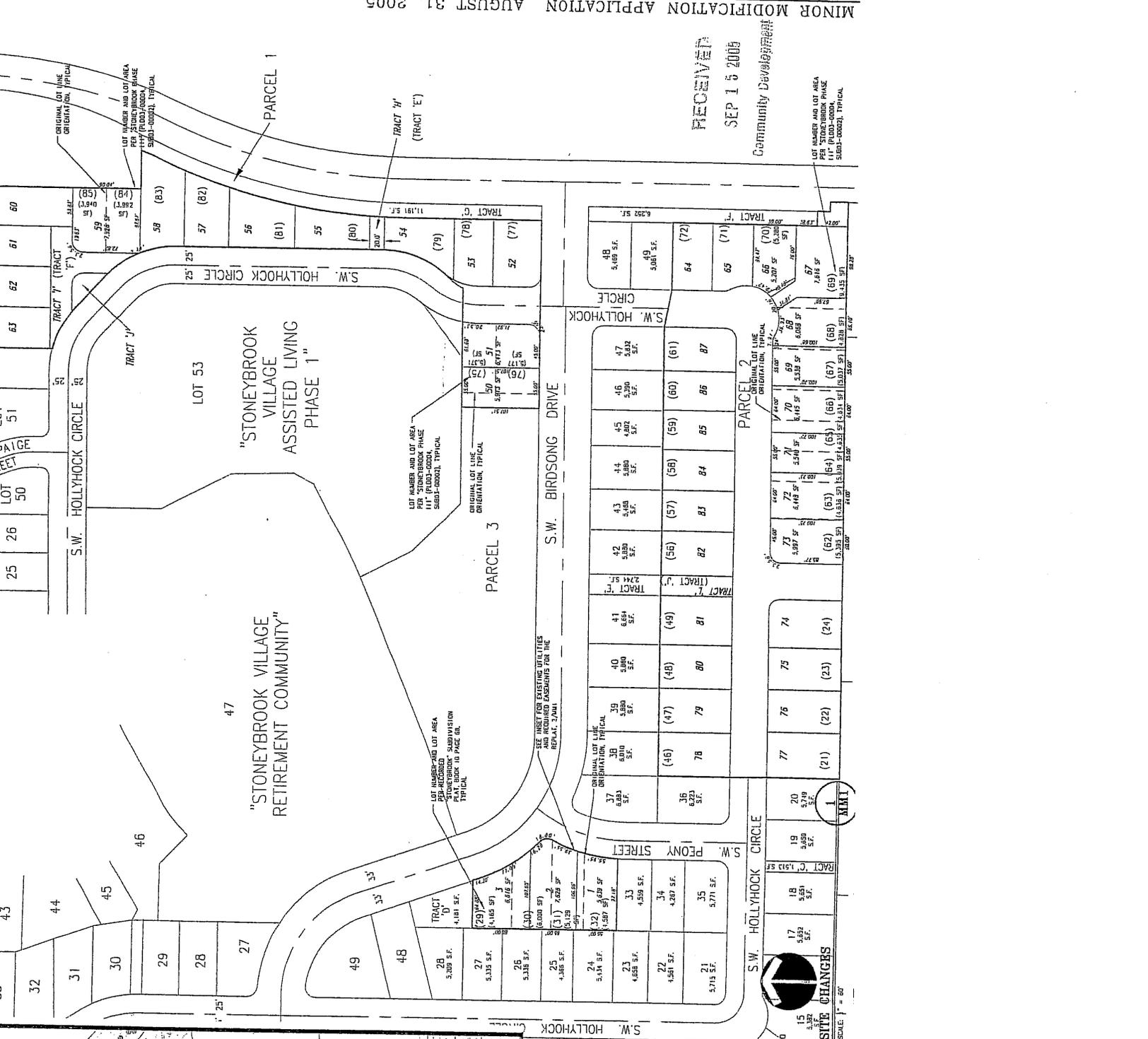
ADDENDUM TO
STONEBROOK PHASE III

Minor Modification to the Detailed Development Plan, Tentative Subdivision Plan, and
Minor Replat of Phase IV

The original planning document for Stoneybrook identified the RS-12 portion of the site being 2.11 acres, based on information available at the time.

Subsequent to this planning approval, construction of Birdsong Drive to city standards and aligning with existing streets resulted in the decrease of the RS-12 portion of the site to 2.06 acres.

A recently recorded partition plat, necessary for the creation of a parcel for future phases of construction, further reduced the RS-12 portion of land to 2.065 acres. The proposed modification which includes the 90 degree orientation change for lots 50 and 51 is consistent with the recently recorded partition plat.



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MINOR MODIFICATION APPLICATION AUGUST 31, 2005
STONEYBROOK PHASE 5

ATTACHMENT C-12
PLD05-00016

Garage Orientation Menu

Applicable Comprehensive Plan Policy

9.2.5-J Neighborhoods have automobile parking and storage that does not adversely affect the pedestrian environment. Domestic garages are behind houses or otherwise minimize. . .

All garages shall comply with one of the following four five options:

- Item # 1 - Ok as is
- Item # 2- ~~2-foot garage recess behind front of building~~ - delete (see Attachment I)
- Item # 3a- Garage recessed - The garage shall be recessed a minimum of 4 feet behind any habitable living space of the residence
- Item # 3b- Garage and a 60 sq ft Covered Front Porch - The garage is recessed behind the front of the house, or is flush with the house, or is in front of the house a maximum of 4 feet, if a covered porch entry extends a minimum of 6 feet from the face of the house and is a minimum of 60 square feet in area.
- Item # 3c- Garage and a 80 sq ft Covered Front Porch - The garage is in front of the house 6 feet, if a covered porch entry extends a minimum of 2 feet further towards the street than the garage face, and is a minimum of 80 sq ft in area.
- Item # 4- A side loaded garage - The garage door(s) are oriented away from the street at a minimum angle from the street of 90 degrees and the wall of the garage that faces the street has at least 15% glass.

The above garage menu provides more options than does the applicant's menu. The option that permits a garage to be 6' in front of a house, still maintains the garage setback behind a front porch. This permits the living area of a home to be set further back which creates a deeper front yard and will cause more offset between the row of buildings along a street. The garage is appropriately mitigated by having a larger front porch which, due to its size and projection in front of the garage, is dominate over the garage. Most of the other changes in this menu are intended to make the applicant's proposed standard clear and objective. When the two menus are combined, they provide more flexibility while providing consistency with Policy 9.2.4, 9.2.5J and LDC Section 2.5.60.01. These menus, as modified by **Condition 9**, can provide sufficient understanding of the buildings articulation to justify the applicant's desire to not meet the Planned Development provisions requiring review of building plans and elevations.

2. Landscaping - Landscaping is used to buffer development and mitigate potential negative impacts. The Land Development Code states that through lots are to be avoided but when they are necessary, a 20' wide landscape buffer shall be established to minimize the negative visual impacts of through lots. This buffer needs to be planted with trees, shrubs, and limited ground cover in order to accomplish this goal and minimize maintenance. The proposed planting plan illustrates some of this area as uncovered by plants which is not consistent with Code provisions. Similarly, it is necessary to have plantings in the pedestrian tracts that are throughout the development and for these plantings to meet Code provisions . In addition, the proposed 8' wide landscape strip along the north side of Birdsong Drive is not of sufficient

A single street connection to the south would divide the future buildable area into two buildable areas (blocks) of between approximately 305 (east) and 365 (west) feet in east west dimension, creating two shorter block areas rather than one larger one between two access points. Therefore, given the existing built environment and logical future development of the parcels to the south, the site plan proposes the extension of a single local street to the south, consistent with the original Conceptual Development Plan approval and the Comprehensive Plan policies and Land Development Code criteria (EX-16b). Access to the community garden lot, for purposes of soil/mulch delivery etc. will be accomplished via a curb cut to allow for trucks and or other vehicles to park on site without interrupting the flow of traffic or blocking the bicycle lane and sidewalk.

Additionally, pedestrian connections are proposed in four locations, as described below, to meet Comprehensive Plan Policy 11.6.13 which states that new residential development provide for a maximum block perimeter of 1,500 feet. Due to the existing street and existing development layout, complete blocks (where streets are located completely around all 4 sides) are not possible. However, in order to accommodate direct pedestrian access, we propose an 8-foot wide pedestrian connection within a 15-foot wide common area tract with a public access easement. The subdivision is planned in conformance with the requirements that pedestrian travel must be safe and convenient, avoiding long blocks. In addition to the sidewalks within the right-of-way, the following pedestrian connections are proposed:

- From Hollyhock Circle in the northwest corner of the site to SW 45th Street, between lots 79 and 80.
- From Street E to SW 49th Street, between lots 12 and 13.
- To the south for future connection to future development, between lots 18 and 19.
- Tract J, which extends from SW Birdsong Drive south to Street E, includes an 8-foot wide pedestrian trail, which will meander within a 28-foot wide tract to allow for the planting of large and medium canopy trees.

Because the RS-12 portion of the site is not yet designed for building layout, access, parking, utilities, etc., it is premature to address pedestrian connections to and through this site for ultimate connection to the north. However, we will work closely with the residents and owners of the already developed portions of Stoneybrook to address pedestrian circulation as it is in the best interests of all parties involved to provide for easy and direct pedestrian connections throughout the Stoneybrook development. It should be noted however, that the Retirement Center and Assisted Living Facility are on separate tax lots, the grounds of which are maintained privately. Therefore, the sidewalks serving these facilities are not maintained by the Stoneybrook Home Owners' Association, and as such, we do not currently have the ability to modify or make connections to these sidewalks.

On both the east and west sides of the Stoneybrook site, through lots are created along 45th (lots 69-83) and 49th (lots 1-14) streets due to the predetermined street network (49th and 45th Streets, Birdsong Drive and Hollyhock Circle.) As a result, consistent with the Land Development Code, there is a landscaped buffer area along the site's frontages

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 Checked By: [blank]
 Date: [blank]

CONALLS CORP.
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 FAX: (541) 754-1141

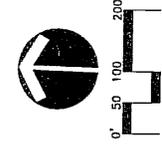


Stoneybrook
 CORVALLIS, OREGON
 CIRCULATION PLAN
 Planning Submittal April 9, 2003

oiaak
 Incorporated
 405 NW 5th St, Suite D
 Corvallis, Oregon 97330
 Phone: (541) 754-8812
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 Internet: WWW.OIAAK.COM

Project No. 02755
 Sheet No. EX-16

PEDESTRIAN CIRCULATION
 COMMUTER CIRCULATION
 (Dedicated Bicycle Lanes)



PEDESTRIAN CONNECTIONS
 THROUGHOUT THIS AREA
 DETERMINED WITH APPLICATION
 FOR FUTURE PHASE IV.

CONVALLS ENGINEERING
 513 SW Western Avenue
 Corvallis, Oregon 97331
 PHONE: (541) 754-1212
 FAX: (541) 754-1211



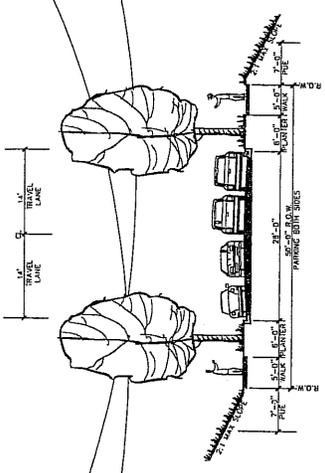
STREET SECTION PLANS (TYPICAL)
Stoneybrook
 CORVALLIS, OREGON



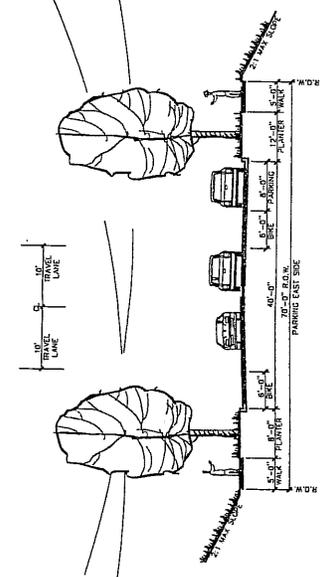
405 NW 5th St., Suite D
 Corvallis, Oregon 97330
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Project No. 0236
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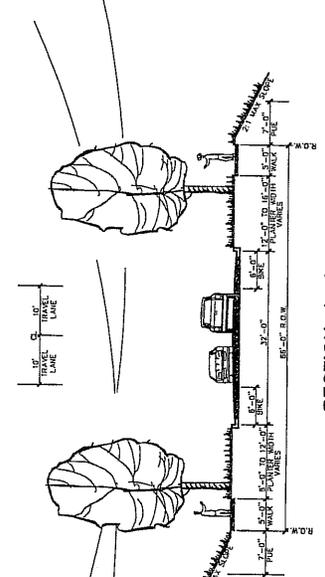
Planning/ Submitral April 9, 2003



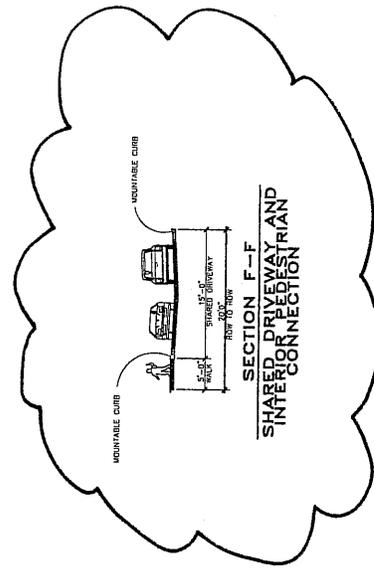
SECTION C-C
 HOLLYHOCK CIRCLE STREET A,
 STREET B, STREET C



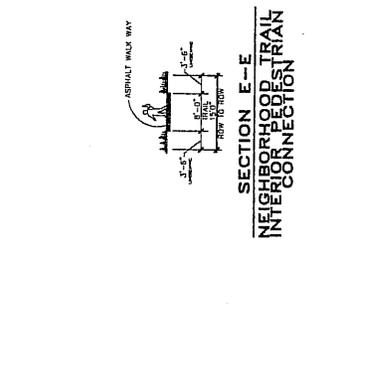
SECTION B-B
 PROPOSED BIRDSONG DRIVE FROM APPROX.
 STA 2+60 TO APPROX. STA 9+55



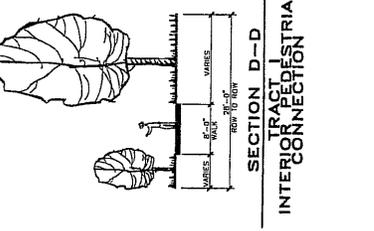
SECTION A-A
 EXISTING BIRDSONG DRIVE, PROPOSED BIRDSONG
 DRIVE FROM APPROX. STA 9+55 TO APPROX. STA 2+60 AND
 FROM APPROX. STA 9+55 TO APPROX. STA 10+50



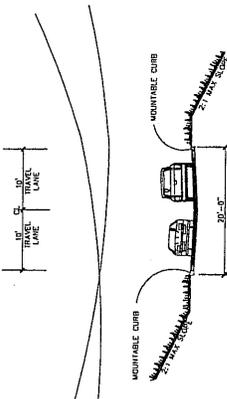
SECTION F-F
 SHARED DRIVEWAY AND
 INTERIOR PEDESTRIAN
 CONNECTION



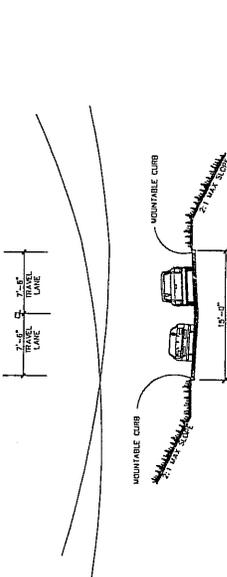
SECTION E-E
 NEIGHBORHOOD TRAIL
 INTERIOR PEDESTRIAN
 CONNECTION



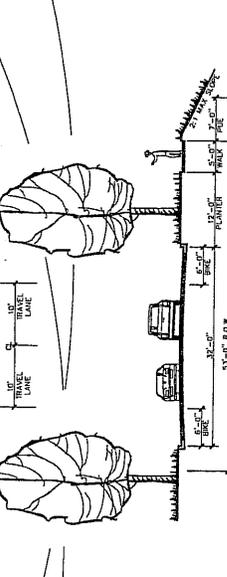
SECTION D-D
 TRAIL INTERIOR
 PEDESTRIAN
 CONNECTION



SECTION I-1
 20' PRIVATE ALLEY



SECTION H-H
 15' PRIVATE ALLEY



SECTION G-G
 NO EXISTING 49TH STREETS REQUIRED

NOTE: SEE CIRCULATION PLAN, EX-16, FOR
 CROSS SECTION ORIENTATION.

The requested alteration in use of Tract "H" does result in a decrease of common open space. A total of 1.41 acres (61,419 square feet) of open space was provided in tracts through the approved Detailed Development Plan. The width of Tract "H" has increased through this request from 15 feet to 20 feet, which increases the total area contained in tracts to 61,644 square feet. However, the introduction of a vehicular accessway within Tract "H" decreases the amount of common open space within the Tract by 675 square feet, which equates to a 1 percent decrease in total common open space for the development. Therefore, the request falls below this threshold.

10. **Increase in the total ground area proposed to be covered by structures by more than 10 percent;**

An increase in the total ground area proposed to be covered by structures is not proposed.

11. **Change in specific setback requirements by more than 25 percent or by 15 percent for setback requirements previously reduced;**

No change to the approved setback requirements is proposed.

12. **Decrease in project amenities for pedestrians or bicycles, recreational facilities, screening, and/or landscaping provisions by more than 10 percent;**

As discussed in the applicant's project narrative for Stoneybrook Phase III, and in the corresponding April 25, 2003, Staff Report to the Planning Commission, four tracts were proposed within the development (**Attachments D-1 and D-2**). Tracts "B", "C", "E" (now "H"), and "J" were placed in strategic locations throughout the development to address pedestrian connectivity, and to create block perimeters that are more consistent with Comprehensive Plan Policy 11.6.13. While Tract "H" is not being eliminated through this request, the proposed introduction of a vehicular use will preclude the provision of specific pedestrian amenities approved through PLD03-00004. Specifically, the applicant proposed to construct an 8-foot wide path within the Tract, and was additionally required through Condition of Approval 10(c) to provide landscaping within the Tract per LDC standards. Section 4.2.20 of the LDC stipulates that required landscaping shall provide a minimum 90 percent ground coverage within three years after being installed. Additionally, LDC Section 4.0.50(c) requires that pedestrian/bicycle facilities shall be 8 feet wide where long term bicycle and pedestrian usage is expected to be relatively low (i.e., a neighborhood facility rather than a community-wide facility). This standard is stipulated by LDC Section 4.0.40.b(2) for pedestrian connections passing through unusually long or oddly shaped blocks, that are either longer than 220 feet or serve more than 10 on-site dwellings. A total of 14 lots are located along the east side of the portion of SW Hollyhock Circle that Tract "H" connects to SW 45th Street, and the Stoneybrook Village Assisted Living Center is located on the west side of SW Hollyhock Circle.

Based on the review of the current application, Tract "H" will contain a 5-foot wide sidewalk and a 15-foot wide vehicular accessway. No information is provided in the applicant's narrative as to the pavement width of the proposed driveway, but it would presumably be wide enough to provide for two-way travel between SW Hollyhock Circle and Lots 54 and 55. The City's minimum driveway width for a single access drive serving two dwelling units is 18 feet. Therefore, the ability to provide the pedestrian amenities noted above is not possible through the proposed Modification, because the Tract is not wide enough to contain a path of reduced width and the access drive, and allow remainder area for buffer landscaping. This collectively results in the elimination of Tract "H" as a functional pedestrian amenity, as approved through PLD03-00004, and a corresponding 25 percent decrease in the total number of tracts approved within the

development to address connectivity and block perimeter design issues.

Given the above, this aspect of the request exceeds the threshold noted above for a Minor Planned Development Modification.

13. Modification of architectural building elevations where any of the following occurs:

- (a) Percentage of window coverage per elevation is decreased by more than 20 percent (may affect the number and/or shape of windows); or windows are installed on a previously specified blank wall on the perimeter of the site;
- (b) Building materials for the main walls of the facades are changed;
- (c) Any architectural feature is reduced by more than 20 percent. Architectural features include such items as the number of windows with trim, the number of dormers, the number of columns, the number of shutters, the square footage of porches, the number of window boxes, the linear footage of porch or deck railings, and/or the linear footage and/or height of parapets, reveals, and/or cornices, etc.;
- (d) Roof pitch is reduced by 20 percent or more;
- (e) Building offsets or recesses are reduced by more than 20 percent; or
- (f) Garages or carports are eliminated.

No reductions to architectural features are proposed through this Modification request.

In addition to the thresholds listed above, LDC Section 2.5.60.02(e) stipulates that requested Modifications of specific requirements established at the time of Planned Development approval, including Conditions of Approval, must fall within the thresholds listed in Section 2.5.60.02. Condition of Approval No. 9 from PLD03-00004 requires the construction of an exterior side yard fence between tracts established for pedestrian circulation and corresponding lots that abut these tracts (**Attachment A-4**). The applicant has not requested a modification to this requirement. Therefore, construction of these fences is still required, and consideration of Tract "H" for use as a vehicular accessway to Lots 54 and 55 is not possible at this time, as the fences would prevent vehicular access to the lots.

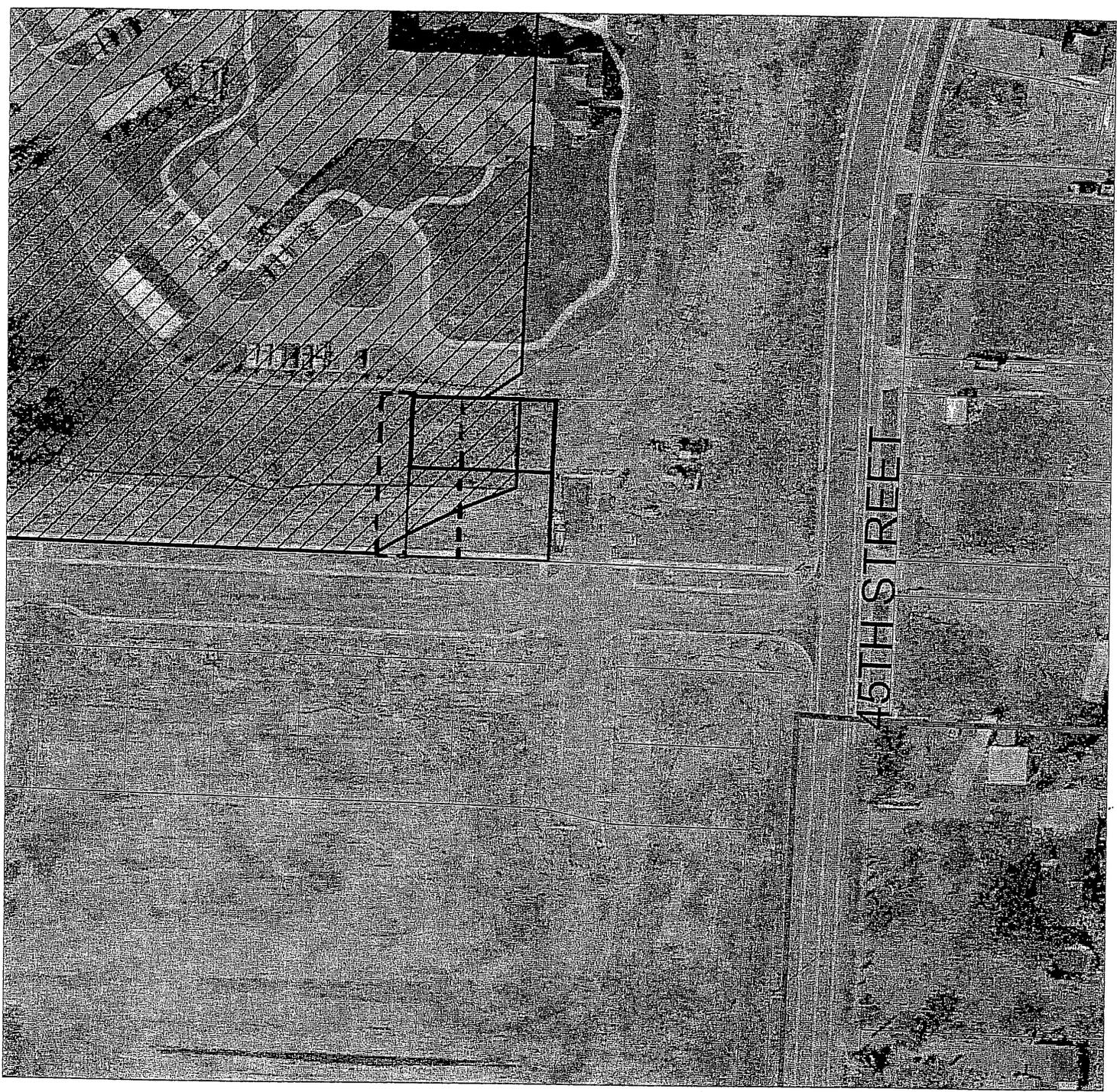
Conclusion on Planned Development Modification Thresholds

Given the above, the portion of the proposal relating to Tract "H" does not qualify as a Minor Planned Development Modification. However, all aspects of the request relating to dwelling unit density fall do within the thresholds for a Minor Planned Development Modification.

4. Determination of a Tentative Subdivision Plat Modification Rather Than a New Tentative Subdivision Plat

2.4.80.02 - Thresholds Separating a Tentative Subdivision Plat Modification from the Requirement for a New Tentative Subdivision Plat

Stoneybrook Phase III PD(RS-12) Area Occupied by Lots 50 and 51



LEGEND

-  PD(RS-12)
-  Lot Lines Per PLD03-00004
-  Lot Lines As Proposed



ATTACHMENT G
PLD05-00016

