

JERRY CARNIGLIA

PH-40
Rec'd 9/9/13 from Will Dixon

5510 Doyle Street, Emeryville, CA 94608
www.JerryCarniglia.com

March 12, 2007

Subject: Emeryville cohousing community

To whom it may concern:

My name is Jerry Carniglia. I own a house at 5510 Doyle Street in Emeryville, CA. In 1990, a cohousing community was proposed next door to my big, beautiful house that I designed and built.

When I first learned of the cohousing project, I was up in arms. I fought the project and, in fact, I was the lead organizer to counter the project. We had fears of traffic, noise, density, and loss of privacy. Despite our objections, the project was approved.

The cohousers now live next door to me, and I couldn't appreciate them more. Our fears turned out to be unwarranted. I've had dinner in their common house many times. They have hosted several neighborhood meetings. They have been the most contributing neighbors in our neighborhood - they have participated on our school board and they've participated on many town commissions.

If I had better understood what an immense contribution they would make and what absolutely great neighbors they would be, I would never have opposed this project, and I've let them know that.

If you have any questions, please call me at (510) 653-1340.

Sincerely,


Jerry Carniglia

Sept. 9th, 2013

To Hearings Official,

I was a member of the Oakleigh Meadow group for over a year before withdrawing because the unit price had increased beyond my financial means. I am concerned because I understand some resistance to the project from Oakleigh Lane neighbors has emerged since my departure in the spring.

As I understand it, there are two main concerns. One has been expressed by neighbors adjacent to the property and stems from a fear that the development will significantly block their sunlight. I believe one of the architects involved in the project has responded to this concern by stating that it is unfounded.

The second concern regards increased traffic on Oakleigh Lane. It is true that residents of Oakleigh Meadow will use Oakleigh Lane as the access road to the development. However, in planning the development, provisions for parking for both residents and guests were a high priority, and the site plan includes extensive plantings on Oakleigh Lane to reduce the visual impact of site parking on adjacent neighbors.

There is no doubt in my mind that the Oakleigh Meadow site will eventually be developed. The property is too valuable to continue to remain in its pristine state, no matter how much the neighbors would prefer this option. Oakleigh Meadow members are committed to good relations with the neighborhood in a way that the residents of a commercial apartment complex would never be.

The city of Eugene, as I understand it, is committed to curbing urban sprawl and encouraging infill. The group of households developing the Oakleigh Lane property will be responsible and responsive neighbors. I urge you to approve this project.

Sincerely,
Pat Bryan
250 North Polk Street
Eugene OR 97402

541-485-5972

PH-41

TAYLOR Becky G

From: TAYLOR Becky G
Sent: Monday, September 09, 2013 9:11 AM
To: TAYLOR Becky G
Subject: Fire Comments

Buildings 5 and 7 exceed the maximum 400 foot hose lay distance from the furthest point on each building to the nearest fire hydrant on Oakleigh Lane as shown on Plan Sheet A1.1 per 2010 Eugene Fire Code 507.5.1. (Building 6, although probably further away than Buildings 5 and 7, is only a duplex. As a 2-family dwelling, it's maximum distance allowed in the fire code is 600 feet per EFC 507.5.1, Exception 1). A couple of options:

1. Provide a fire hydrant within the maximum distance, or
2. Install an approved automatic sprinkler system in accordance with NFPA 13, NFPA 13R or NFPA 13D per EFC 507.5.1, Exception 2. This will increase the maximum allowable distance to 600 feet.

The cover sheet notes that a 2 hour fire wall will be between townhomes or a 1 hour wall with fire sprinklers per NFPA 13D meeting Oregon Residential Specialty Code (ORSC) R302.2. Most likely this will be the route chosen by the customer for Buildings 5 and 7.

As discussed last March with Bill, the minimum required fire flow for this development is 1,500 gpm at 20 psi residual pressure. This will require upgrading the existing water system to adequately serve this development.

Gilbert R. Gordon
Deputy Fire Marshal
Springfield Fire and Life Safety
225 Fifth Street
Springfield, Oregon 97477
Office Phone: 541-726-2293
Please note my new e-mail address:
ggordon@springfield-or.gov

PH-412

TAYLOR Becky G

From: TAYLOR Becky G
Sent: Monday, September 09, 2013 9:18 AM
To: TAYLOR Becky G
Subject: SFHA: Engineering Comments

A significant portion of the site is within the Special Flood Hazard Area (SFHA) Zone AE. Staff does not concur with the boundary of the floodplain shown on the proposed plan; however it is not significantly different. Buildings 1, 2, 4, the northernmost garage, the northernmost bike shed and the bike barn in their entirety and building 3 and 7 are partially within the SFHA. It has been noted that the bike barn has not been elevated. The upstream most Base Flood Elevation shall be used for the entire development site unless each structure shall has a separately determined and confirmed by City staff.

Development is allowed to occur within the SFHA, subject to review and approval for compliance with applicable development standards during the building permit process. All development within the SFHA is required to comply with the standards at EC 9.6707 through EC 9.6709. These standards generally require, for areas located in Zone AE, that structures be located at least one foot above the BFE among other requirements. At the time of development (i.e. building permits), these standards may be addressed through several alternatives, including elevated building foundations or, typically, placing fill on the building site. Specific measures for compliance with SFHA standards will be subject to further City review and approval at the time of building permits.

Prior to final plat approval, the applicant shall submit for City review and approval two paper copies of the final plat a floodplain declaration.

Example plat language has been included below. Alternative language must be submitted for review.

AS OF THE RECORDING DATE OF THIS PLAT A PORTION OF THIS DEVELOPMENT SITE LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ZONE 'AE' AS DETERMINED FROM THE ADOPTED FLOOD INSURANCE RATE MAP NUMBER 41039C AND PANEL 1128. THE FLOOD INSURANCE RATE MAP HAS AN EFFECTIVE DATE OF JUNE 2, 1999. THE BASE FLOOD ELEVATION HAS BEEN DETERMINED TO BE 401.7 FEET 1929 NGVD PER THE ADOPTED FLOOD INSURANCE STUDY.

Questions can be addressed to Quentin Blattler at (541) 682-8130.

PH-43
Rec'd 9/9/13

**Land Use Referral
City of Eugene**

Date: 9/6/13
File Number: PDT 13-1
From: Kristie Brown
Referral Group: Land Use Management

The Land Use Section has reviewed the proposed tentative Planned Unit Development application and has the following comments and recommended conditions for areas of non-compliance:

1. There are certain development standards in which compliance could not be verified based upon the Planned Unit Development application. Staff recommends a condition of approval that states that, compliance with the following applicable development standards will be determined at the time of building permit review:
 - Landscape Standards beginning in EC 9.6200
 - Garbage Screening contained in EC 9.6740
 - Bicycle Parking Standards contained in EC 9.6105
 - Outdoor Lighting Standards contained in EC 9.6725
 - Mutiple-Family Standards contained in EC 9.5500 (6)(b) & (7)

2. The interior yard setback along the west property line is less than the required 5 feet minimum from the adjacent property line. Staff recommends a condition of approval that states that, a recorded maintenance access easement adjacent to that side of the building is required at the time of building permit review.



MAINTENANCE ACCESS EASEMENT AGREEMENTS

A maintenance access easement agreement can be obtained for some development in residential zones that don't comply with the required interior yard setback.

Land Use Code Requirements

Eugene Code, Chapter 9, Section 9.2751(7)

Most development in residential zones is required to have interior yards of not less than five feet, except where buildings abut or share a common wall. The owner of a lot or parcel with an interior yard of less than 5 feet from the adjacent property line must secure and record in the office of the Lane County Recorder a maintenance access easement adjacent to that side of the building. The easement shall provide a 5-foot wide access the entire length of the building and 5 feet beyond both ends, and requires a 10-foot separation between buildings on separate lots. The easement shall be on a form provided by the city, shall be approved by city staff, and be subject to a review and payment of a fee set by the city manager.

Preparing an Agreement

The attached sample agreement is for **illustration purposes only** and will help to determine proper format and minimal legal requirements. Keep in mind that the specifics in this case listed in the *recitals* and *terms of agreement* are fictional. There may be additional terms to be considered depending on the nature of your request. These agreements are legal documents, so we recommend that you consult your attorney when composing the agreement to satisfy all parties. The legal descriptions may be provided using metes and bounds or lot, block, and subdivision (the map and tax lot numbers are not a legal description). Please leave a minimum of 2 inches at the top and bottom of the first page for official use. The agreement must be typed, since Lane County Deeds and Records will not accept hand-written documents for recording.

You will also need to submit a diagram labeled as "Exhibit A" with your agreement showing:

1. A plot plan to scale with both parcels of land under consideration.
2. The interior yard intrusion.
3. The location of the easement on the neighboring property. The length of the easement needs to be the length of the proposed intrusion and 5 feet beyond both ends plus 5 feet on either side (see example). This allows for access around both ends of the structure.

Review Process

The recorded agreement is required for approval of a building permit. A copy of the draft agreement must be submitted at the time of building permit application or as supplemental information (SI) if the application is already being reviewed. The agreement will be reviewed for completeness and consistency with the Code. Once staff has approved the agreement a final copy must then be signed in front of a notary public and recorded at Lane County Deeds and Records (125 E. 8th Ave.). A copy of the recorded document must be provided as supplemental information prior to permit approval. A review fee of \$95.92 (\$88.00 + 9% City Administration fee) per hour is required upon issuance of the associated building permit.

Please contact Land Use staff at 541-682-8336 or landuseinfo@ci.eugene.or.us for more information.

Note: This document should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this

After recording return to:
Don and Diane Brown
123 Main Street
Eugene, OR 97401

Note: This form below is provided as a guide for creating a Maintenance Access Easement Agreement. The entire document needs to be retyped with site specific information filled in the shaded areas. A legal description must be inserted in the text of the agreement (the map and tax lot numbers are not a legal description). A diagram to scale, showing the 5 foot easement area and the 5 foot non-buildable area must be attached as Exhibit A. Leave the top 2 inches of the first page blank for City and County approval and recording stamps.

Maintenance Access Easement Agreement

This is an Agreement dated this (month, day, year) among Don and Diane Brown (Browns), and Jim and Judy Smith (Smiths).

RECITALS:

A. Browns are the owner of a structure upon certain real property also owned by Browns and located at 123 Main Street, within the corporate limits of the City. The legal description of the real property (Browns) is:

(Include Lot and Block or metes and bounds description only)

B. Smiths are the owners of certain real property located at 125 Main Street, also within the corporate limits of the City. The legal description of the property (Smiths) is:

(Include Lot and Block or metes and bounds description only)

C. The Browns wish to build a single-family dwelling which includes a kitchen approximately eight feet in width within approximately one foot of the interior lot line of Browns property. Section 9.2750 of the Eugene Code, 1971, provides that all structures within residential zoning districts (within which Browns property is located), shall have interior yards of not less than five feet or a minimum of 10 feet between buildings.

D. Smiths have agreed to provide Browns with an easement, 4 feet in width by 25 feet in length, immediately adjacent to Browns structure. The purpose of the easement will be to provide Browns with the additional 4 feet of interior yard setback as required by City Code.

TERMS OF THE AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

- 1. Smiths hereby grant to Browns a perpetual easement, appurtenant to the Browns property, to be used by the Browns for access for the repair and maintenance of the Brown Property and the improvements thereon. A diagram of the easement is attached hereto, marked Exhibit A, and is incorporated herein.
- 2. Smiths agree that they will not construct or place improvements upon the easement strip, or within five feet of the boundary thereof, and that they will not physically restrict or impede the

www.eugene-or.gov/bps

Maintenance Access Easement Agreement

Jim Smith

Judy Smith

STATE OF OREGON)

)ss.

County of Lane)

This instrument was acknowledged before me on _____,

by _____.

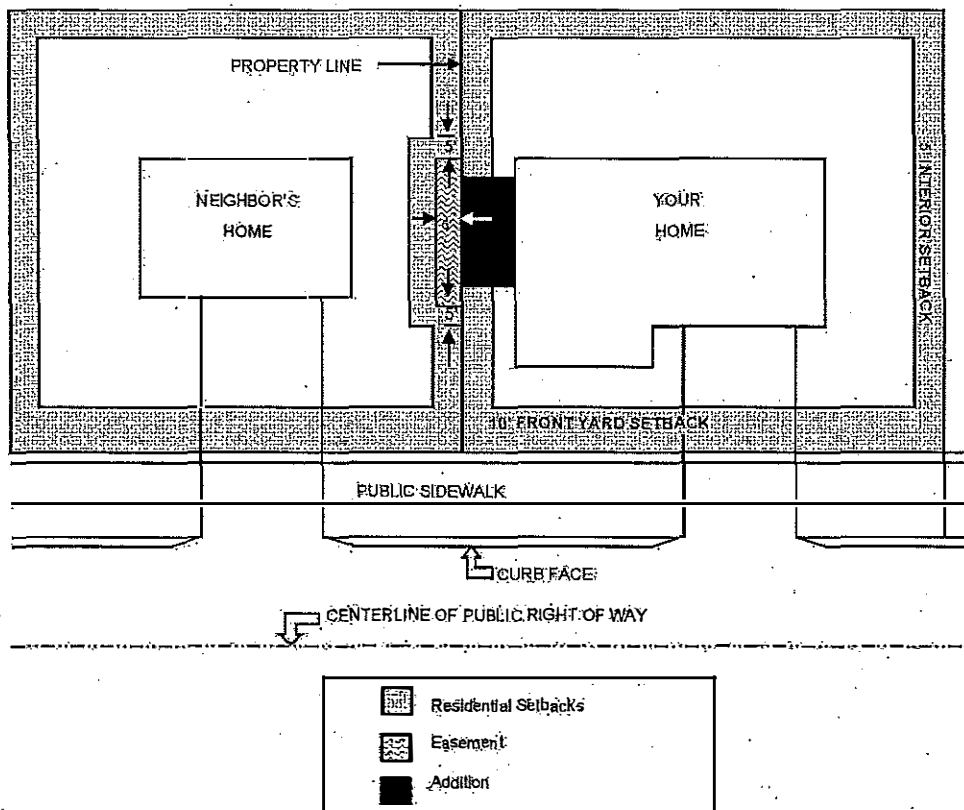
Notary Public for Oregon

My commission expires: _____

Maintenance Access Easement Agreement

**EXAMPLE
OF MAP REQUIRED FOR A
MAINTENANCE ACCESS EASEMENT AGREEMENT**
(Must be attached to Easement Agreement)

Exhibit "A"



- Total length of easement is length of addition plus 5 feet on each end
- Neighbor may not build within 5 feet of your easement line
- There must be at least 10 feet between buildings when project is finished
- Map shall be drawn to scale on an 8 1/2" x 11" or 8 1/2" x 14" sheet

TAYLOR Becky G

From: Rachel Stedman <dazzleshine@icloud.com>
Sent: Monday, September 09, 2013 9:27 PM
To: TAYLOR Becky G
Subject: No on Oakleigh Lane Co-housing

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Becky,

Can you please add this email to the public record.
Thank you,
Rachel Stedman

It has been brought to my attention the community has not heard the opposing views of the Oakleigh Lane Co-housing Project. In 2004, when I was buying my home across the street from Oakleigh Meadow on Oakleigh Lane, I inquired about the potential development that could occur on the empty property. I learned from the county that it was zoned for no more than two, four unit buildings. I did not want to purchase a home that could have apartments, condos, or large shopping buildings in my front yard. It was this understanding about what could be built here that influenced me to buy my home.

My husband, his parents, and myself went to the first co-housing meeting in the meadow. We were all concerned with our neighbors building project. They gave their sales pitch of that they were going to create something great for the neighborhood. They were going to build up to twelve single attached houses with one cookhouse and guest house. This was going to be a co-housing residence with shared chores and duties. All the residents would be hand picked for who lived there. This was going to be low impact on the meadow and everyone would be encourage to ride bikes so there was no need for mass parking. I told them that 12 dwellings was to many for the area. I told them last I checked there could be no more than eight units. They said that this was their plan of action and that this was better than someone developing apartments. It seemed odd to me, that how much they praised co-housing living they were going to continue living in their large family home and not actually living in the co-housing community.

My husband and I have been upset with the increase in traffic in front of our house for the Meadow meetings, and the eye soar of the yellow tape that they use to block traffic from our other neighbors property across the street from our front door. Sometimes the yellow tape is up for several days. There has been an increase of wandering strangers standing in front of my house looking over the meadow, and cars parked on my rock gravel pad next to my front lawn. We do not like all the poster, fliers, and advertisement around town and in the Eugene Weekly, etc; inviting people, strangers, to come down our dead end street, and in front of my house. We have felt that the owners of the property should be using their residential street, McClure Street, to invite their guests. The traffic reminds of a neighbor who has a yard sale every weekend.

McClure Street is a "private road", that is why the meadow meetings are directing their traffic on Oakleigh Lane. How do we make our street private? Our street is narrow and it is a Lane.

I have voiced my opinion to the Oakleigh Meadow Co-housing folks, and said it was too big, and not at all the same of what they first proposed of the 12 -single unattached low impact small dwellings, which I thought was too many at that time, a couple of years ago. As the project increased in size, I called the phone numbers from their fliers that they left on my door, and I left messages with no return phone calls, my father & father in law have sent emails with no response. I attended a meet & greet at the RR annex earlier in the year. At the meeting I was surprised how big the project became and was told by one of their members that I "was afraid of change." I felt unwelcome by the builder, the only one who really talked with me was Joan Connolly. I was concerned about the shade from the large, tall buildings, that would cast shade into my sun garden in the front yard, she said that they would do a shade study, but I have not heard anything regarding that.

This low impact project has turned into a huge thirty two unit apartments with parking garage and out builds that will be covering the entire meadow changing and destroying the community that we residents have established on quiet Oakleigh Lane. We are a community of parents and pet owners who fear that the car traffic increase and noise pollution will degrade our quality of life. It is not fair to those who live here.

Thank you,
Rachel & Scott Stedman
541/ 636.3941

My name is Rich Dambrov and I have owned my home at 119 Oakleigh Lane for over 8 years. I would like to voice my concerns to the Oakleigh Meadow Co-Housing (OMC) development as currently proposed.

The original scope of the project was much smaller than the current proposals. Though I was not excited about a new development on our quiet, dead-end street, I was attracted to and interested in the co-housing idea. I had accepted that landowners could develop the "meadow" someday and felt that the original plan for a much smaller co-housing development would be a better case scenario. When the project scope and size began to increase, I became much more concerned.

I feel that this scale of a project will have a huge impact on the local neighborhood. We are characterized as a quiet dead-end street that receives little traffic. A development such as this will likely cause traffic to, at the very least, double. The fact that the amount of units exceeds the current number of houses on Oakleigh Lane brings in safety concerns and raises the question as to potential further developments to compensate (such as widening the street, sidewalks, and lighting) for it. After we heard of the increase of units, my wife contacted OMC about these concerns and was told that they did not have answers and that these were decisions that the city would need to make. The OMC application suggests that the residents will take advantage of public transit and bicycle paths, but can't rely on these suggestions when planning for potential traffic increases. Personally, I commute by bicycle regularly, however I, as the residents of OMC am not bound to this choice and can choose to commute by car as needed or desired.

We recently received a mailing from the city detailing the project and providing the public with an opportunity to voice our concerns. I, as many of my neighbors, feel that this is an important issue that will not just affect us. It will become a further precedent for how land in the River Road community is used and developed. I do not oppose development; however, we need to limit the impact that developments have on current livability. I also do not oppose the people who are affiliated with OMC. I consider those affiliated who are currently neighbors to be friends and others whom I met seem to be good people. The issue, rather, involves land use. A scaled-back Oakleigh Meadow Co-Housing Project could perhaps provide an example for development that can co-exist with, and perhaps enhance, our neighborhood's unique qualities.

Please consider re-evaluating this project in light of the large impact that it, as currently proposed, will have on our community.

Thank you,

Rich Dambrov

9-8-13

To: Eugene Planning Official,

I have been a resident of the River Road neighborhood since July 20, 2013. I fully support the approval of the application of the Oakleigh Meadow Cohousing Project. I live at 130 McClure Lane at the end of the street. I purchased the last house on McClure Ln. on the south side of the street. I am positive it will increase my property value.

I have done some research about co-housing and know people who live in other co-housing around the country.

More important than my property value is the wholly positive results this project will bring to the neighborhood and the entire Eugene community.

Thank you

Patricia A. Waltz

Sept. 6th, 2013

Dear River Road Community Organization,

My family has lived on Oakleigh Lane for nearly 10 years. We choose this area because of many reasons; bike path, the quiet field across from us, dead end road, plenty of garden usage, many blackberries, large property lot size, and enjoyable neighbors and to be near schools. This allows us to enjoy the comfort of the neighborhood.

Two years ago, David and Joan purchased the meadow and had this small idea to help the community to have a small number of houses on their property, in the area of 7-10. Last July, David was out clearing the opening of the entrance of Oakleigh Lane Meadow. Before any approval from the city, David wanted to take out all the blackberries so the city could get a better picture of the area. That is one month before harvesting the berries; NOT REASONABLE TO THE COMMUNITY. David told us neighbors that we could have any kind of trees, shrubs where the berries were so we enjoy the landscape. NOT ANYMORE, WE HAVE NO SAY IN IT. One third of the property is in the flood plain, which creates concentrated construction closer to the North and West. OMC wants to butt up against the property. **You need 5 feet of clearance.**

When gatherings or meetings took place in the early months of this project, many people were encouraged to park on Oakleigh Lane in front of the blackberries. Well, cars were parked in front of our basketball hoops, and it was so congested it was hard to get out of our driveways. OMC took months to work with us. NOT REASONABLE. Then, the other property owner told them to not use the vacant lot for their parking, use your own land. NOT COMMUNITY THOUGHTWORTHY.

For months many of us neighbors have suggested things to Joan and David, which have not been accepted. Examples are: Two entrances to reduce traffic flow on Oakleigh Lane and for emergency vehicles. Driveways off Oakleigh Lane to new dwellings, not screens to shade our property. That will impact my garden which reduces our food bill, and the sun provides heat to our home. **Reduce the quantity and size condominiums, to save the continuity of the neighborhood, and to put in sidewalks to ensure the safety of many children and pedestrians.**

David and Joan are not planning on living in Oakleigh Meadows or to be active members. It is because of financial reasons. NOT REASONABLE. OMC has hired Will Dixon to be the Oregon Representative to the project. Is that why Will Dixon became so involved in RRCO? David and Joan are not informing the neighbors who will be mostly affected by this project of changes, or updating how many active members are present. Many children live on Oakleigh Lane which is a big concern for more than doubling traffic flow. In the middle of the lane, there is two units that have a number of visitors in a 24 hour period, which required the DEA, Law enforcement, Comcast, and emergency vehicles to visit frequently. OMC has not encouraged property owners to attend RRCO meetings. RRCO should be hearing more from the neighbors on how we feel about OMC. Communication has decreased overtime with David and Joan due to the gargantuan size of this co-housing. **The square footage costs will be over \$200 per foot.** NOT REASONABLE for this neighborhood. Most of the members drive to their meetings and gatherings, which creates strangled roads on either side of Oakleigh Meadow. Also,

OMC wants to support the community, then hire LOCAL CONTRACTORS.

We are asking you to hear property owners and renters on how we feel about Oakleigh Meadows. We all have a voice and need to be heard. We did not know of so many changes until the project became so large. Oakleigh Meadow members know how we feel, however they didn't share that with the RRCO. We as neighbors tried to compromise with David and Joan from the beginning. We all tried to be reasonable with their goals. **Only one sign has been posted which is standing just outside the opening to Oakleigh Meadows to inform people about the hearing. The other two signs went up after Becky was informed that the city was not in compliance. WE HAVE THE RIGHT TO A NEW HEARING DATE FROM THE TIME THE SECOND SIGN WAS PLACED, SEPT. 6TH.**

There are many children that live on Oakleigh Lane which is a huge concern to families that at least 29 more cars on Oakleigh Lane will increase accidents to our environment. Listed below are more concerns to Oakleigh Cohousing Project. Planning Unit Development ON Oakleigh Lane

TRAFFIC, ACCESS, AND ENVIRONMENT

9.8310(6) Impediments to emergency response, slope failure, and soil erosion. It is 220ft. from the fire turnaround to E10 unit. This distance could mean jeopardize a medical situation. Water mains are designed to meet Oregon Fire Codes with EWEB. Water lines will not support this size of construction. OMC talks about filling in, too much can have an impact on erosion.

9.8310(12) Shall have minimal off site impacts. Storm water runoff must be to code 9.8310(9)-Storm water runoff, with slope and erosion. How will the CO-housing support this? **PUD EXEMPTS SOLAR, YET NOT GREENHOUSE.**

DENSITY AND PHASING

9.8310/9.8320(4) #2 Density per acre (DPA), what about the guest house...Are they are over the DPA? That is considered a unit, so it is a total of 29. It is really adding up to 27 units on 1.9 acres. Local condos range from \$103K to \$130K, largely cost difference to \$203-\$220K in the OMC project. **There is no easement on the West side. Avoid unnecessary disruption or removal of attractive natural features & vegetation. OMC will need to removal most of the tress; EC 6.320**

ENVIRONMENT AND NATURAL RESOURCES/URBAN GROWTH BOUNDARY

9.9630 Significant visual impact. Example: Back of 28ft. Condos, etc. Shading my property.

COMPATIBILITY/ZONING R1 w/ PUD Overlap

9.8320(13) Reasonable compatible and harmonious with adjacent and nearby land uses. Provide adequate urban services and streets. Ex: sidewalks maintance: utilities and tree roots under sidewalks.
9.2751(7) Special Development Standards for Table 9.2750

Thank you for your time, Anne Love 133 Oakleigh Lane.

PH-48

TAYLOR Becky G

From: Water Judy <scott2758@comcast.net>
Sent: Wednesday, September 04, 2013 7:51 PM
To: TAYLOR Becky G
Cc: BELCHER Jon (SMTP); michael@dreamteammedia.com; Water Judy; saveoakleigh@gmail.com
Subject: Oakleigh Meadows Co-Housing

Hello Becky,

I received your voicemail which was a returned call from me. I appreciate you calling me back. This call was in regards to my input about the Oakleigh Meadows parking issue on McClure Lane. As requested, I will write down my concerns about the Oakleigh Cohousing vehicle problem.

I have lived on McClure Lane for 25 years, as many of the people have on the street. We are a tight-knit group who have watched each other's children grow up and elder neighbors pass and everything in between. We are much like a family. I love living here, am so very grateful for being close to the river and appreciate the relative quiet. McClure Lane is a one-lane, dead-end road. It is generally devoid of cars in the road because it IS a one-lane road. At times, there will be a car or two parked in front of someone's home who is visiting and that is to be expected. Since the Oakleigh Housing development plan started, the story is different. At the beginning, it was "rumored" that Oakleigh-interested visiting cars were not going to park on McClure Lane at all. This was not told directly to a lot of us; we found out by overhearing others speak. As time passed, more cars have appeared when an Oakleigh gathering has been planned. Then, a few weeks ago when there was an Oakleigh Meadows open house, there were cars in front of nearly every home on McClure Lane up to 7-11. When I say "in front of houses" I mean in the street. It would have been impossible for an emergency vehicle to pass if one would have come down McClure. It was difficult at certain points on McClure to even drive on the road and in some cases people had a difficult time getting out of their driveway. This is unacceptable and needless to say very irritating to many of the McClure residents. It has gotten out of hand and if this is a sign of future vehicle activities, we are in for a real mess on our street as well as Oakleigh. We did not ask for this.

This proposed housing development could alter neighborhood character with a substantial increase in traffic volumes on and around McClure Lane. As I said previously, it was said there would be no impact of vehicle activity on McClure, and this clearly has NOT BEEN THE CASE. It is my understanding the total number of units proposed at this development is 29 with 47 parking spaces. This means 47 more cars driving on Oakleigh Lane and possibly more parking on McClure for special events or if they run out of spaces in their assigned area.

I realize reasonable development is good for the community in many ways. Apartments or duplexes are a totally different thing than a development of this size, as Oakleigh Meadows looks like, one to accommodate 47 parking spaces. This is all a bit much.

Please consider the impact on our area streets from the present and possible future volume of vehicles.

Thank you for your consideration,

Judy Scott
105 McClure Lane
Eugene, Oregon 97404

September 1, 2013

To whom it may concern:

We would like to voice our concern and opposition to the Oakleigh Meadow Co-Housing development as currently proposed. We bought the residence at 109 Oakleigh Lane because of the quiet low-traffic street, fun and interesting neighbors, and for its proximity to the bike path.

Initially, the planners presented a 7-10 unit development to the neighborhood. This development was explained to us as 'low-impact', 'sustainable', and 'community oriented'. For example, the rhetoric was that the people interested in a co-housing arrangement would share a kitchen, eschew automobiles, be content with very small living spaces, all for a very low price point and the opportunity to create and enhance community. At that time, construction traffic seemed to be the largest impact to the neighborhood ... one that would be noticeable, but potentially short-lived.

Unfortunately, that is not the scenario which exists today. The initial tale of a small cohousing development has been replaced by what appears to be a traditional, albeit heavily 'green-washed', townhome complex:

- 28 proposed units – Currently there are 17 only homes on Oakleigh Lane
- 47 parking spaces – this lot will house more cars than currently reside on Oakleigh Lane, but strangely enough will not be sufficient to hold guest or maintenance traffic
- As stated on the OMC website, the proposed cost for each new condo is \$200,000-\$300,000. This is inconsistent in that it is more than double the current value of the homes on Oakleigh Lane. It also appears to contradict the original idea of an affordable cohousing community.

We have several concerns which are presented in detail on the next page (Appendix A). Our opposition is simple, and can be expressed in the following manner: Oakleigh Lane is a small, narrow, and dead-end street. Allowing this development to continue as proposed will have a negative and measurable impact on the people who reside there. There will be legitimate safety concerns associated with both the construction and residential traffic this development will create (as evidenced by traffic collision May 19, 2011 - please refer to Appendix B). In addition, the planning process has been (arguably) misleading and disingenuous; the current proposal maximizes profit / # units at the expense of the surrounding community.

These concerns are real, well defined, and come from citizens who will be impacted by this development. This is not a situation in which land use modification is acceptable. We encourage the RRCO to reconsider their support.

Sincerley,

Jean Darian
Laurie Trautman
Simon Trautman

Appendix A

Breakdown of Plan A1.1 – Oakleigh Meadows

Concerns with the plan as presented in design A1.1:

- Street traffic
 - Currently there are 17 homes on Oakleigh Lane. More than doubling the number of homes (current proposal is 28) will result in a significant increase in traffic volume.
- Oakleigh Lane – River Road intersection congestion
 - As it stands today, during peak traffic hours there are occasional lines to get from Oakleigh Lane onto River Road as well as from River Road onto Oakleigh Lane or into the Burrito Boy/River Road Second Hand parking lot. These lines can extend up to three cars or more ...resulting in significant hazards to car, bicycle and pedestrian traffic.
- Parking
 - The majority of current homes on Oakleigh Lane do not have garages and limited on-property parking resulting in the need utilize street parking. With the addition of 28 homes with only 47 planned parking spaces the probability of overflow parking onto the Lane is high. Note that on the OMC website it is suggested that the handful of garages can be used as storage units for those who are willing to purchase them. This would further reduce the available parking on the development site.
- Emergency traffic
 - With the on-street parking situation as it stands today, Oakleigh Lane is essentially a one-lane road in several areas where cars are parked directly across the lane from each other. With even one vehicle parked on the lane, neighbors yield to allow oncoming traffic right of way. In this multi-parked car scenario, there is barely room for passenger vehicles to pass, but could potentially prevent emergency vehicle access.
- Pedestrian traffic
 - There are no sidewalks on the Lane. All foot and bicycle traffic use the street. With vehicles parked on the street this results in pedestrian traffic using the middle of the lane. The significant increase of housing and resulting vehicle traffic would create a significant hazard to this pedestrian and bicycle traffic.
- Property cost
 - As stated on the OMC website, the proposed cost for each new condo is \$200,000-\$300,000. This is inconsistent in that it is more than double the current value of the homes on Oakleigh Lane as well as it diverging from the original plan of an affordable cohousing community.
- Utility access plan
 - How will utilities access the new development?

Appendix B

River Road Collision – May 19, 2011



Notes:

- This sketch depicts an accident that occurred at 0740 on the morning of May 19, 2011.
- River Road is a large artery and it can be difficult to merge from Oakleigh Lane.
- Current traffic control is poor, and it is common for 3-4 cars to be backed up at the stop sign on Oakleigh.
- A similar situation exists on Marion Lane.
- The difficulty encountered while merging with River Rd contributed to the accident depicted above... Notice that Marion and Oakleigh are offset – a reality that adds to the difficulty of assessing and merging with River Road.
- **Adding 47 cars to Oakleigh Lane will have a very real impact ... with a linear projection we will have 6-8 cars backed up instead of 3-4...**

September 2nd, 2013

To Hearings Official,

I'm writing to inform you that I fully support the Oakleigh Meadow Cohousing project.

I think it's a good size, in a wonderful location.

I don't think it will overwhelm the neighborhood.

I think once it is built the neighbors will be surprised at how much they like their new neighbors.

I also support Oakleigh Meadow's request to Chuck Durrett, asking him to delay any work on a downtown senior cohousing project until Oakleigh Meadow sells out. (I'm going to be starting this other cohousing development after OMC is up and running.) In today's economy it is enough of a challenge to assemble the number of buyers that will satisfy a bank's construction loan requirements without having to compete for buyers with another cohousing group.

Martin Henner
Eugene Downtown Cohousing
martyhenner@gmail.com

August 31, 2013

To Eugene Hearings Official:

Re: Support for Oakleigh Meadow Cohousing

I am writing this letter in support of Oakleigh Meadow Cohousing. I believe that cohousing is an ideal way to create community and that Oakleigh Meadow is a well-conceived and well-planned project that will be an asset to my neighborhood. The project is also consistent with the goals of Envision Eugene—in particular: compact growth and 20-minute neighborhoods.

I live on West Hilliard Lane about a mile from Oakleigh Meadow. I attended the kick-off meeting for the project that was held at the River Road Annex in fall 2011, and several subsequent planning meetings/potlucks that were held at the home of David and Joan Adee. I felt very welcome at these events and was impressed by the way they were organized. Since that time, two friends of mine have become members of the project. When the project is completed, I expect to occasionally eat meals in the commons area there and otherwise stay connected to Oakleigh Meadow Cohousing.

I hope that the City of Eugene will approve this important project.

Sincerely,

Steve Goldman
1495 W. Hilliard Lane
Eugene, OR 97404
Home: 541-686-3056
Cell: 541-852-3333
stevenjgoldman@gmail.com

PH-52

TAYLOR Becky G

From: INGRAM Daniel B <Daniel.Ingram@co.lane.or.us>
Sent: Thursday, August 29, 2013 11:56 AM
To: TAYLOR Becky G
Cc: MCKINNEY Lydia; WILKINSON Sarah W; CLARK Lynnae M
Subject: City of Eugene PDT-13-1, Oakleigh Meadow Cohousing PUD, Oakleigh Lane

TP File: 10529
File No: PDT-13-1
Applicant/Owner: Oakleigh Meadow LLC
Site Location: East end of Oakleigh Lane
Map & Tax Lots: 17-04-24-13-00400 & 17-04-24-24-05500

Proposal: Planned Unit Development (PUD) of approximately 2.3 acres. Proposes "Cohousing" with 28 one and two-story dwellings in a total of 7 buildings of 2 to 5 units each plus one two-story common building serving all residents. The said PUD proposal is known as Oakleigh Meadow Cohousing.

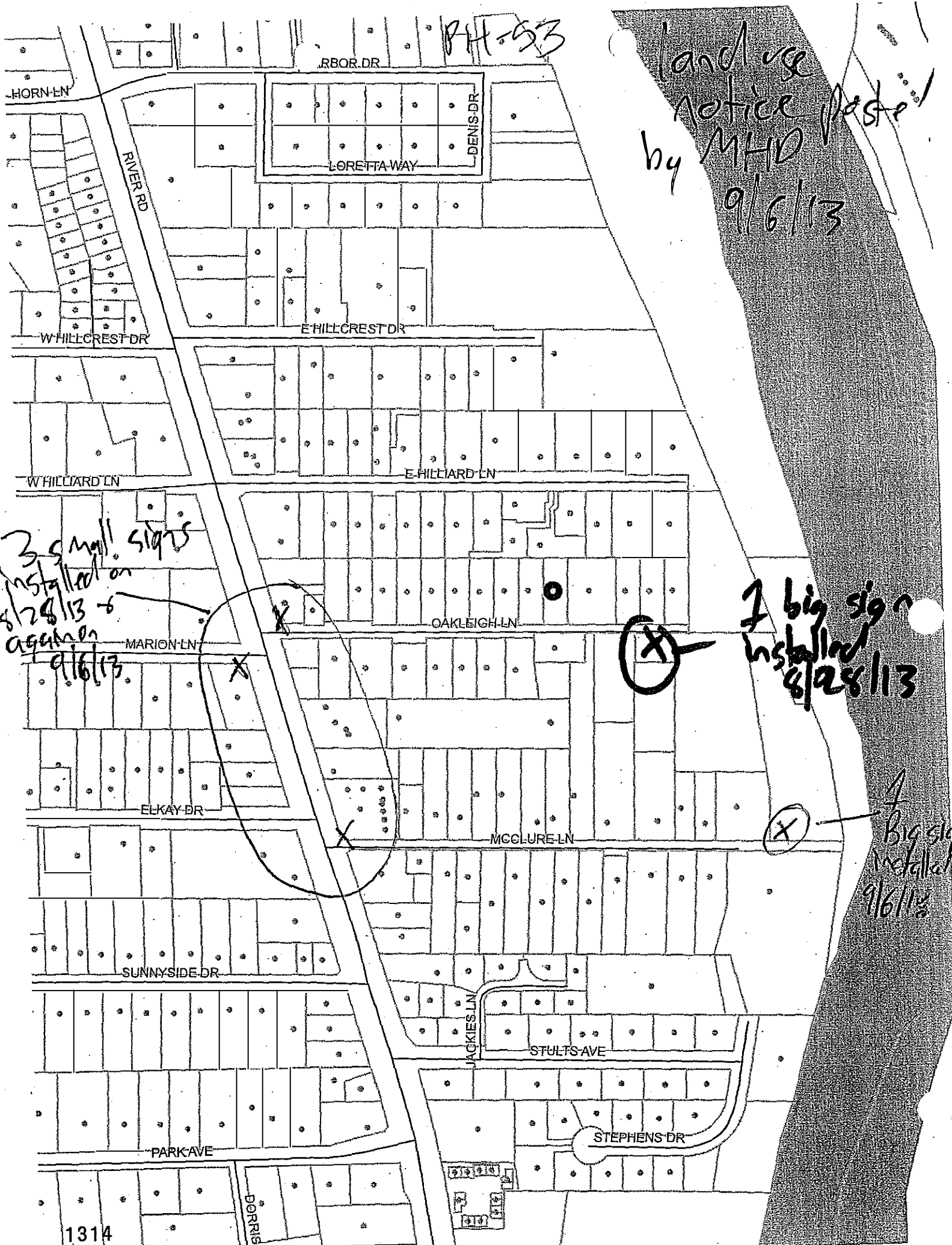
COMMENTS FROM LANE COUNTY TRANSPORTATION PLANNING:

Map & Tax Lot numbers 17-04-24-13-00400 & 17-04-24-24-05500 are contiguous properties with Map & Tax Lot No. 17-04-24-13-00400 having frontage on Oakleigh Lane. As per the application materials, access to the development will be from Oakleigh Lane. The section of Oakleigh Lane immediately adjacent to the subject contiguous properties is a City of Eugene Street. West of the City of Eugene portion of Oakleigh Lane, Oakleigh Lane is a Local Access Road (LAR) within the Eugene Urban Growth Boundary. Oakleigh Lane has an 18'-20' paved surface with no curb, gutter, nor sidewalk. Other than shallow roadside ditches that accommodate roadway storm water runoff, there are no public storm water facilities serving the property.

Local Access Roads are not maintained by Lane County. Transportation Planning has no further comment.

Thankyou for providing the opportunity to comment on this proposal.

*Daniel B. Ingram, P.E., P.L.S.
Senior Engineering Associate
Lane County Public Works
Phone: (541) 682-6996
e-mail: Daniel.Ingram@co.lane.or.us*



PH-53

Land use
Notice posted
by MHD
9/6/13

3 small signs
installed on
8/28/13 &
again
9/6/13

1 big sign
installed
8/28/13

1 Big sign
installed
9/6/13

1314

PUBLIC HEARING NOTICE

Land Use Change Being Proposed in Your Area

PH-54



Eugene Hearings Official
Wednesday, October 02, 2013 – 5:00 p.m.
Sloat Room - Atrium Building
99 West 10th Avenue
Eugene, OR 97401



APPLICATION DETAILS:

Application Name: Oakleigh Cohousing
File Number: PDT 13-1
Assessor's Map: 17-04-24-13
Tax Lot/s: 400
Assessor's Map: 17-04-24-24
Tax Lot/s: 5500
Location: East end of Oakleigh Lane
Request: Planned Unit Development and Willamette Greenway Permit approval for a cohousing development
Applicant: Oakleigh Meadow LLC
Applicant's Representative: Willard Dixon, Willard Dixon Architect
ad City Staff: Becky Taylor, Associate Planner
Telephone: (541) 682-5437
E-mail: becky.g.taylor@ci.eugene.or.us

HOW TO BE HEARD:

Listed below are ways you can state your opinion.

State your opinion to your neighborhood organization.

1. This application falls within the boundaries of the River Road Community Organization neighborhood association. To contact the neighborhood association, call the Neighborhood Liaison Office at 682-5009.
2. Send a written statement to the Hearings Official, c/o Becky Taylor, Associate Planner, Eugene Planning Division, 99 West 10th Avenue, Eugene OR 97401. Your statement should be received by the Planning Division no later than **5 p.m. on September 28, 2013**. Otherwise, it is noted that written testimony may also be submitted at the public hearing.
3. Attend the public hearing and state your concerns. At the hearing, the Hearings Official will ask for any testimony which supports the request, which neither supports nor opposes the request, and which opposes the request. Your spoken testimony will be recorded in the minutes of the hearing.

Further information on how to testify is found in the brochure "Speak Up!" available at the Planning Division and at the Permit and Information Center, 99 West 10th Avenue, Eugene, Oregon.

Keep in mind that failure to raise an issue at the public hearing, in person or by way of written testimony, or failure to provide statements or evidence with sufficient specificity to enable the Hearings Official to respond to the issue, precludes an appeal based on that issue. Only those issues raised by testimony, or letter, at the original hearing may be raised in subsequent appeals (to the Eugene Planning Commission, then to the State Land Use Board of Appeals).

ADDITIONAL INFORMATION:

The application, related documents, and approval criteria are available for inspection at the Planning Division at no charge; copies can be obtained for \$.25 per page. The City Planning staff will provide a written report to the Hearings Official on this application. The report will be available **after 3 p.m. on September 28, 2013**, at the Planning Division or you may visit our website at: www.eugeneplanning.org.

If you have concerns about the proposal described above, or if you would like more information about it, call or write to Becky Taylor, Associate Planner, Eugene Planning Division (682-5437) at the Eugene Planning Division **before the date of the public hearing**. The Planning Division is located at 99 West 10th Avenue, Eugene, OR 97401.

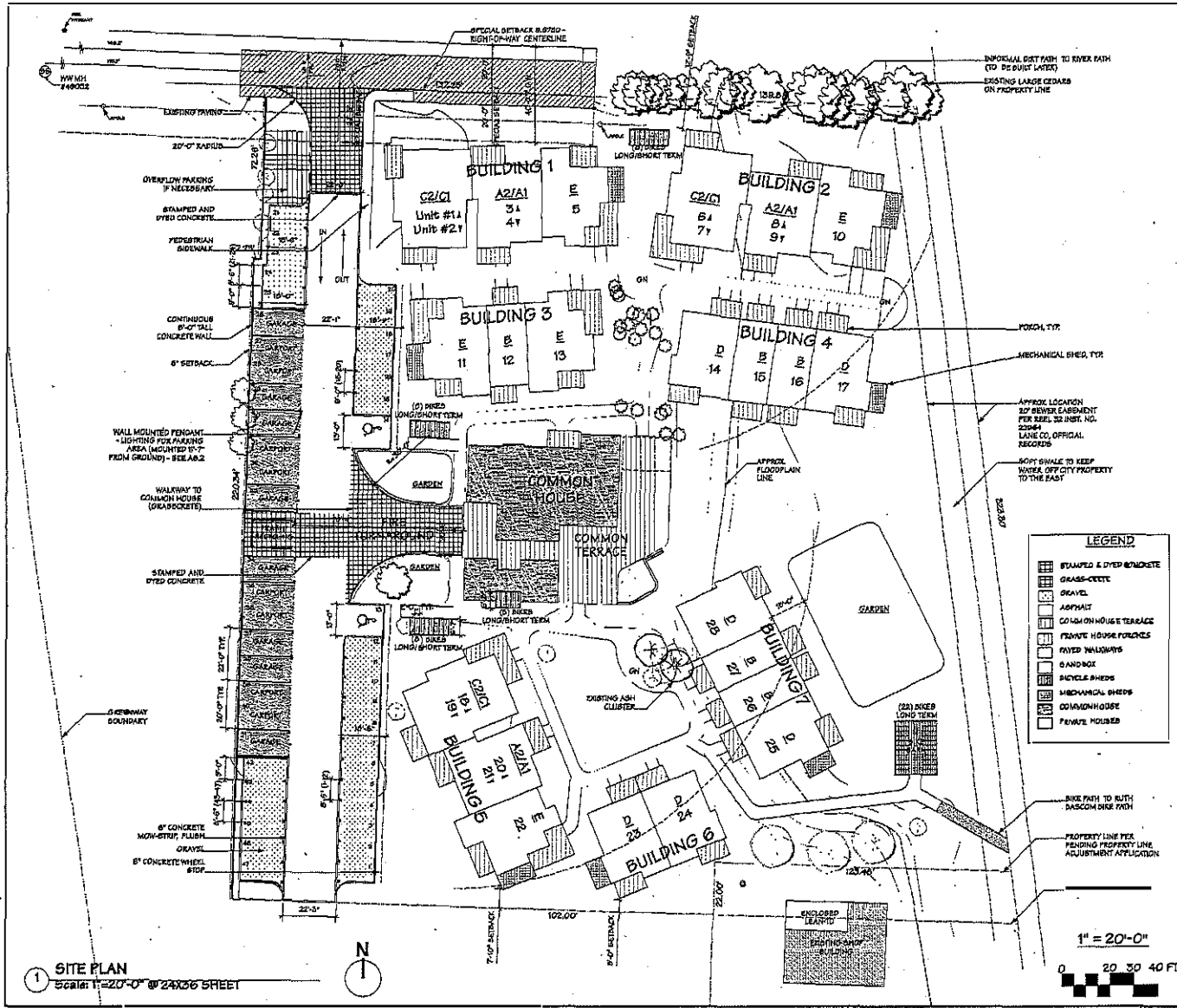
You are receiving this information because you own or occupy property very near the subject property shown on the attached map. The Eugene Code requires that you receive this notice so that you will have a chance to comment on land use changes being proposed in your area. You may also want to share this information with others in your neighborhood. For this type of land request, the City only provides direct mailing to property owners and occupants within 500 feet of the property on which the land use change is proposed, so some of your neighbors may not yet be aware of this proposal.

The public hearing is your only opportunity to submit factual information or raise issues concerning the application. The applicable Planned Unit Development (PUD) and Willamette Greenway Permit (WG) approval criteria are addressed at Section 9.8320 and EC 9.8800 of the Eugene Code, available at the City of Eugene Planning Division, 99 West 10th Avenue, or online at <http://www.eugene-or.gov/citycode>. The applicable adopted plans include the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and the River Road/Santa Clara Urban Facilities Plan. The Hearings Official's decision whether or not to approve the applicant's request will be based on compliance with the applicable approval criteria.

The Hearings Official will issue a written decision on the application, subsequent to the public hearing and closure of the public record, in accordance with procedural requirements of the Eugene Code. The applicable procedures are the Type III application requirements at Sections 7300-9.7340 of the Eugene Code. It is noted that the Hearings Official's decision can be appealed.

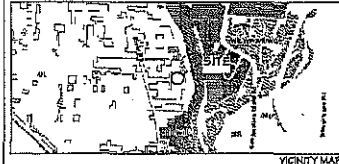
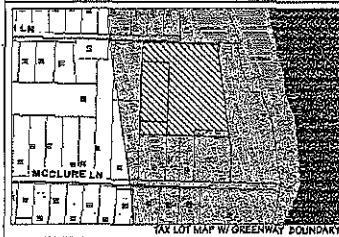
If a participant requests an additional opportunity to submit testimony, the City will accommodate that request either by continuing the hearing on another date or by holding the record open for more written testimony.

Mailed 8/27/13
Rhonda 1315



1 SITE PLAN
Scale: 1" = 20'-0" @ 24x36 SHEET

GENERAL NOTES



SITE COVERAGE

SITE COVERAGE	102,808.89 SF
BUILDINGS (includes carports & garages)	33,879.52 SF (33%)
PARKING	14,202.31 SF (14%)
OPEN SPACE (includes pathways)	54,727.06 SF (53%)

BUILDING TYPE MATRIX

BUILDING #	BUILDING TYPES	QUANTITY
5	D-D	1
3	E-B-E	1
4, 7	D-B-B-D	2
1, 2, 5	C-A-E	3
TOTAL		7

UNIT TYPE MATRIX

UNIT	BED	BATH	TYPE	QTY.	UNIT SF	UNIT TYPE SF
A1	2	1	FLAT	3	955	2865
A2	2	1	FLAT	3	955	2865
B	2	1.5	TOWNHOUSE	5	1088	5440
C1	3	2	FLAT	3	1218	3654
C2	3	2	FLAT	3	1218	3654
D	3	2	TOWNHOUSE	6	1305	7830
E	4	3	TOWNHOUSE	5	1632	8160
TOTALS				28		34,468

PARKING SUMMARY

TYPE	QUANTITY
GARAGES	8
CARPORTS	8
OPEN PARKING	31
TOTAL CAR PARKING	47
BIKE SHED PARKING	51 (788 SF)



PRELIMINARY DRAWINGS

McNamary & Durbin Architects
Architects & Planners
1000 NE Oregon Street, Suite 200
Portland, OR 97232
503.255.1111

DAVID HEARDY
CONSULTING
ENGINEER, OREGON 3744

SITE PLAN

PROJECT NO. 15-001
REVISION NO. 01
DATE: 12/04/2015
DRAWN BY: MLD
CHECKED BY: JFC
SCALE:

A1.1

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HO PUBLIC HEARING NOTICE MAILING LIST
MAILED 8/27/13

PH-55

Party_Name	Address1	City	ST	ZIP	maptaxlot	App No
1 TERRILL JESSICA MARIE OR OCCUPANT	103 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-07600	PDT 13-1/WG 13-1
2 SCOTT JUDY L OR OCCUPANT	105 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-07500	PDT 13-1/WG 13-1
3 WILT JOHN L & KATHLEEN S OR OCCUPANT	106 MCCLURE LN	EUGENE	OR	97404	17-04-24-31-01100	PDT 13-1/WG 13-1
4 OCCUPANT	107 1/2 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-07400	PDT 13-1/WG 13-1
5 OCCUPANT	107 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-07400	PDT 13-1/WG 13-1
6 OCCUPANT	108 MCCLURE LN	EUGENE	OR	97404	17-04-24-31-00800	PDT 13-1/WG 13-1
7 OCCUPANT	109 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-07300	PDT 13-1/WG 13-1
8 OCCUPANT	110 MCCLURE LN	EUGENE	OR	97404	17-04-24-31-00700	PDT 13-1/WG 13-1
9 OCCUPANT	110 MCCLURE LN 1	EUGENE	OR	97404	17-04-24-31-00700	PDT 13-1/WG 13-1
10 THOMAS JESSE MILTON OR OCCUPANT	111 MCCLURE LANE	EUGENE	OR	97404	17-04-24-24-07200	PDT 13-1/WG 13-1
11 THOMAS EDITH O OR OCCUPANT	111 MCCLURE LANE	EUGENE	OR	97404	17-04-24-24-07200	PDT 13-1/WG 13-1
12 OCCUPANT	112 MCCLURE LN	EUGENE	OR	97404	17-04-24-31-00600	PDT 13-1/WG 13-1
13 OCCUPANT	112 MCCLURE LN 1	EUGENE	OR	97404	17-04-24-31-00600	PDT 13-1/WG 13-1
14 GARCIA ANGEL JR OR OCCUPANT	112 OAK LEIGH LN	EUGENE	OR	97404	17-04-24-24-06300	PDT 13-1/WG 13-1
15 BUSCHELMAN BRUCE W & JILL E OR OCCUPANT	113 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-07100	PDT 13-1/WG 13-1
16 JOHNSON SHAWN OR OCCUPANT	113 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-04800	PDT 13-1/WG 13-1
17 WILKE SABINE A OR OCCUPANT	114 MCCLURE LN	EUGENE	OR	97404	17-04-24-31-00500	PDT 13-1/WG 13-1
18 HUTCHINSON ETHAN C & MARJORIE L OR OCCUPANT	114 OAKLEIGH LN A & B	EUGENE	OR	97404	17-04-24-24-06301	PDT 13-1/WG 13-1
19 OCCUPANT	114 OAKLEIGH LN B	EUGENE	OR	97404	17-04-24-24-06301	PDT 13-1/WG 13-1
20 ROSSMAN OLIVE A OR OCCUPANT	115 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-04900	PDT 13-1/WG 13-1
21 MATHIS DAN & DIANE OR OCCUPANT	1155 LAUREL AVE	SPRINGFIELD	OR	97478	17-04-24-24-06100	PDT 13-1/WG 13-1
22 VREIM LISA MAUREEN OR OCCUPANT	116 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00700	PDT 13-1/WG 13-1
23 BOVILSKY LARA OR OCCUPANT	116 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-06200	PDT 13-1/WG 13-1
24 CRAFTON TERRY & TAMMY OR OCCUPANT	117 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05000	PDT 13-1/WG 13-1
25 BAXTER-HEINTZ CECELIA A OR OCCUPANT	118 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00600	PDT 13-1/WG 13-1
26 BUCK DAVID W	1187 PARK AVE	EUGENE	OR	97404	17-04-24-24-00300	PDT 13-1/WG 13-1
27 OCCUPANT	119 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-05800	PDT 13-1/WG 13-1
28 MARLETTE JACQUELINE C & DAMBROV RICHARD C	119 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05001	PDT 13-1/WG 13-1
29 ANDERSON JEFFREY J & K M OR OCCUPANT	120 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-03400	PDT 13-1/WG 13-1
30 OCCUPANT	121 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-05700	PDT 13-1/WG 13-1
31 OCCUPANT	121 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05100	PDT 13-1/WG 13-1
32 OCCUPANT	122 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00500	PDT 13-1/WG 13-1

33 OCCUPANT	123 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05200	PDT 13-1/WG 13-1
34 KEEVER DOUGLAS E & GRETHE OR OCCUPANT	124 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-03201	PDT 13-1/WG 13-1
35 LYTTLE KAZUKO GRAVES OR OCCUPANT	125 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-00700	PDT 13-1/WG 13-1
36 CAMPBELL DAVID W & BARBARA OR OCCUPANT	125 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-05600	PDT 13-1/WG 13-1
37 GREENHOOT JOHN T & SONGSRI OR OCCUPANT	125 OAKLEIGH	EUGENE	OR	97404	17-04-24-24-05300	PDT 13-1/WG 13-1
38 ORSON LYNN MOORE OR OCCUPANT	126 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-10400	PDT 13-1/WG 13-1
39 UNRUH NANCY K OR OCCUPANT	126 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00400	PDT 13-1/WG 13-1
40 CUTTING DAVID W OR OCCUPANT	126 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00400	PDT 13-1/WG 13-1
41 OCCUPANT	127 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-00600	PDT 13-1/WG 13-1
42 TOWNE JANE R & ANTHONY D OR OCCUPANT	127 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-10200	PDT 13-1/WG 13-1
43 BERNARDI CYNTHIA	1272 WILLAMETTE 301	EUGENE	OR	97401	17-04-24-24-05200	PDT 13-1/WG 13-1
44 OCCUPANT	128 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-10500	PDT 13-1/WG 13-1
45 NUSSBAUM DEAN LARRY & BONITA OR OCCUPANT	128 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00300	PDT 13-1/WG 13-1
46 DUNCAN GALE M & DIANE Y	12821 STRATFORD DR APT 21	OKLAHOMA CITY	OK	73120	17-04-24-24-05100	PDT 13-1/WG 13-1
47 OCCUPANT	129 MCCLURE LN	EUGENE	OR	97404	17-04-24-24-10300	PDT 13-1/WG 13-1
48 SCOTT PERRIN OR OCCUPANT	130 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00200	PDT 13-1/WG 13-1
49 YAHNER TOM OR OCCUPANT	130 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00200	PDT 13-1/WG 13-1
50 OCCUPANT	130 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-06100	PDT 13-1/WG 13-1
51 STEDMAN RACHEL L OR OCCUPANT	131 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05302	PDT 13-1/WG 13-1
52 SQUARE ONE INVESTMENTS LLC	1311 LORANE HWY	EUGENE	OR	97405	17-04-24-24-07300	PDT 13-1/WG 13-1
53 OCCUPANT	132 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-10600	PDT 13-1/WG 13-1
54 HAYES RICK A OR OCCUPANT	132 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-06100	PDT 13-1/WG 13-1
55 ELLIS EDITH K LIFE ESTATE OR OCCUPANT	133 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-00500	PDT 13-1/WG 13-1
56 LOVE EDWARD TERRY & ANNE LORRAINE OR OCCUPANT	133 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05301	PDT 13-1/WG 13-1
57 THOMS RICHARD E	135 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-13-00200	PDT 13-1/WG 13-1
58 THOMS BRYN E & SANDY K OR OCCUPANT	135 OAKLEIGH LN	EUGENE	OR	97404	17-04-24-24-05400	PDT 13-1/WG 13-1
59 OCCUPANT	136 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-10700	PDT 13-1/WG 13-1
60 WILLIAMS LIVING TRUST OR OCCUPANT	137 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-00400	PDT 13-1/WG 13-1
61 OCAMPO MELLANI & CAESAR OR OCCUPANT	138 E HILLIARD	EUGENE	OR	97404	17-04-24-24-10700	PDT 13-1/WG 13-1
62 OCCUPANT	138 MCCLURE LN	EUGENE	OR	97404	17-04-24-42-00100	PDT 13-1/WG 13-1
63 OCCUPANT	139 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-00300	PDT 13-1/WG 13-1
64 BRADLEY JOAN OR OCCUPANT	140 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-02900	PDT 13-1/WG 13-1
65 HURLEY JOAN F OR OCCUPANT	144 E HILLIARD LN	EUGENE	OR	97404	17-04-24-24-02901	PDT 13-1/WG 13-1

66 MUNKRES-BLAINE FAMILY LIVING TRUST OR OCCL	147 E HILLIARD LN	EUGENE	OR	97404 17-04-24-24-00200	PDT 13-1/WG 13-1
67 OCCUPANT	150 E HILLIARD LN	EUGENE	OR	97404 17-04-24-24-02800	PDT 13-1/WG 13-1
68 ERMINI E DAVID	16 LOG CABIN ST	INDEPENDENCE	OR	97351 17-04-24-31-00700	PDT 13-1/WG 13-1
69 CLASON ELISE L	16 LOG CABIN ST	INDEPENDENCE	OR	97351 17-04-24-31-00700	PDT 13-1/WG 13-1
70 OCCUPANT	160 OAKLEIGH LN	EUGENE	OR	97404 17-04-24-24-05900	PDT 13-1/WG 13-1
71 BEST KENNETH N	2101 W 16TH CRT	EUGENE	OR	97402 17-04-24-31-00600	PDT 13-1/WG 13-1
72 CAREY GLORIA F	258 E 13TH AVE	EUGENE	OR	97401 17-04-24-24-00600	PDT 13-1/WG 13-1
73 REGAN LAUREN	259 E 5TH #300A	EUGENE	OR	97401 17-04-24-24-05900	PDT 13-1/WG 13-1
74 REGAN LAUREN	259 E 5TH AVE STE 300A	EUGENE	OR	97401 17-04-24-24-06000	PDT 13-1/WG 13-1
75 POUND CAROL LYNN	340 WESTRIDGE PL	PETALUMA	CA	94952 17-04-24-24-05800	PDT 13-1/WG 13-1
76 MINOR JOSEPH E	340 WESTRIDGE PL	PETALUMA	CA	94952 17-04-24-24-05800	PDT 13-1/WG 13-1
77 ZARZYCKI DAVID M	344 RIVER RD	EUGENE	OR	97404 17-04-24-42-00500	PDT 13-1/WG 13-1
78 PHAIGH RICH	35917 CAMP CREEK RD	SPRINGFIELD	OR	97478 17-04-24-24-10500	PDT 13-1/WG 13-1
79 BRANDT JAMES P	449 W AZALEA AVE	EUGENE	OR	97404 17-04-24-24-05700	PDT 13-1/WG 13-1
80 LEWMAN PEARL W	449 W AZALEA AVE	EUGENE	OR	97404 17-04-24-24-05700	PDT 13-1/WG 13-1
81 BRANDT BESSIE	449 W AZALEA AVE	EUGENE	OR	97404 17-04-24-24-05700	PDT 13-1/WG 13-1
82 BAUER RUBY A	449 W AZALEA AVE	EUGENE	OR	97404 17-04-24-24-05700	PDT 13-1/WG 13-1
83 OCCUPANT	844 STEPHENS DR	EUGENE	OR	97404 17-04-24-42-00800	PDT 13-1/WG 13-1
84 OCCUPANT	931 RIVER RD	EUGENE	OR	97404 17-04-24-24-07000	PDT 13-1/WG 13-1
85 BAIR BRENDA OR OCCUPANT	935 RIVER RD	EUGENE	OR	97404 17-04-24-24-07000	PDT 13-1/WG 13-1
86 OCCUPANT	939 RIVER RD 1	EUGENE	OR	97404 17-04-24-24-07000	PDT 13-1/WG 13-1
87 MANCINI JOHN R	PO BOX 41243	EUGENE	OR	97404 17-04-24-24-10300	PDT 13-1/WG 13-1
88 BRANDT JAMES P & SHARON I	PO BOX 885	SUTHERLIN	OR	97479 17-04-24-24-10100	PDT 13-1/WG 13-1
89 THOMAS STANLEY LEROY OR OCCUPANT	PO BOX 98	FOSSIL	OR	97830 17-04-24-24-07200	PDT 13-1/WG 13-1
90 OAKLEIGH MEADOW LLC	300 BLAIR BLVD	EUGENE	OR	97402 IP	PDT 13-1/WG 13-1
91 DAVID ADEE AND JOAN CONNOLLY	131 MCCLURE LN	EUGENE	OR	97404 IP	PDT 13-1/WG 13-1
92 WILLARD DIXON ARCHITECT CARLEEN REILLY	300 BLAIR BLVD	EUGENE	OR	97402 IP	PDT 13-1/WG 13-1
93 RIVER ROAD COMMUNITY ORG JON BELCHER	395 MARION LN	EUGENE	OR	97404 IP	PDT 13-1/WG 13-1
94 RIVER ROAD COMMUNITY ORG	1243 ROME LN	EUGENE	OR	97404 IP	PDT 13-1/WG 13-1

SPECIAL SETBACK 9.6750 -
RIGHT-OF-WAY CENTERLINE

152.25'

139.8'

SPECIAL SETBACK

POLE
(8) BIKES
LONG/SHORT TERM

BUILDING 1

BUILDING 2

C2/C1
Unit #1 &
Unit #2

A2/A1
3 &
4

E
5

C2/C1
6 &
7

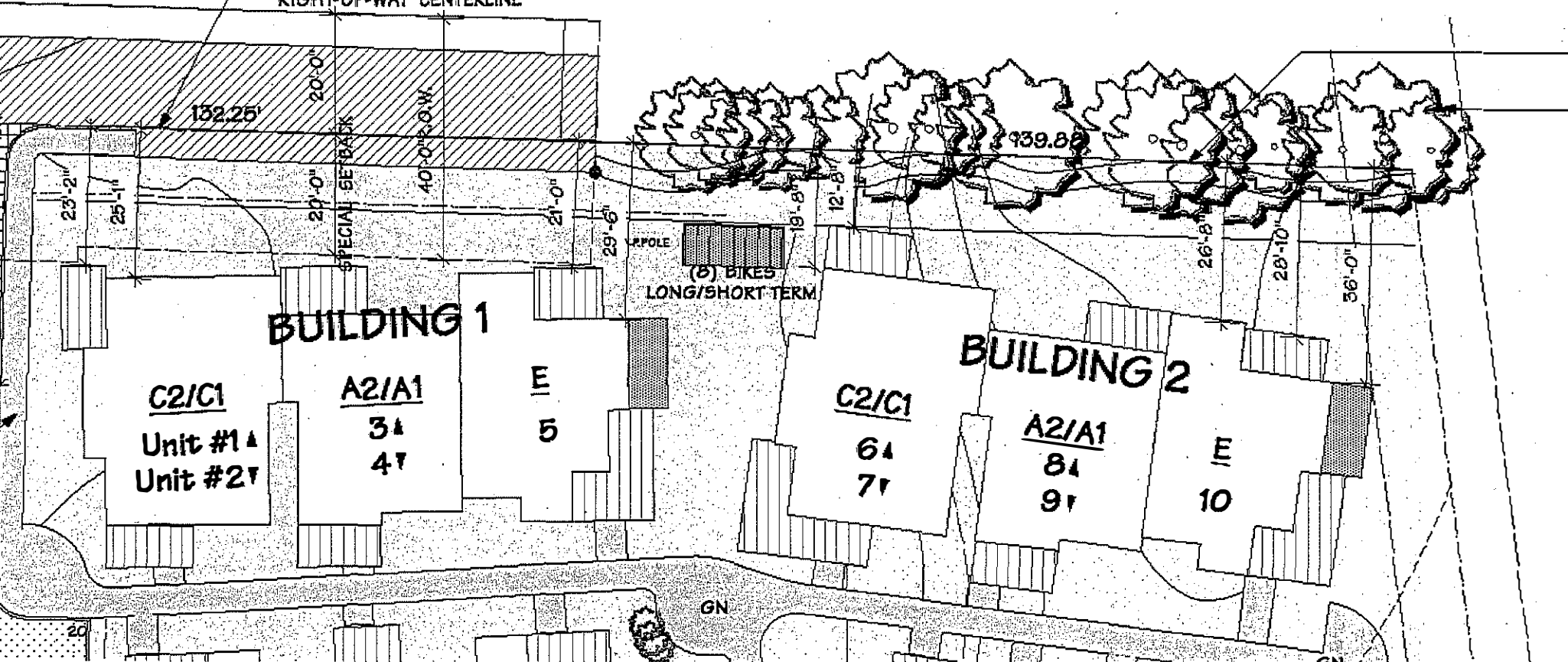
A2/A1
8 &
9

E
10

GN

20

GN



August 26, 2013

Dear Eugene Hearings Official,

As a member of the Oakleigh Meadow Cohousing group, I am writing you to encourage you to support this project.

What I like about the concept of cohousing is the possibility to own my own, totally independent home, while at the same time belonging to a community of folks who share a raft of similar values. In fact, I was very impressed with the statement of values that the group had put into place when I joined.

One of my strong personal values is RESPECT, and the Oakleigh Meadow group values include mutual respect, respect for the neighbors and neighborhood, respect for the environment, and respect for the land. This housing model allows residents to share resources, talents, and abilities. In fact, we will undoubtedly have fewer cars, thanks to ride sharing. As an added plus, the adjacent bike path will serve as a transportation "boulevard" for many of us.

The group also values a balance between community values and privacy. Each person and each family can choose, at any time, the level of community life that suits their lifestyle.

I strongly encourage you to support the Oakleigh Meadow Cohousing project. We are creating a community that will greatly benefit the City of Eugene.

Sincerely yours,

Antonia Lewis
Eugene, OR

PH-58

TAYLOR Becky G

From: MUELLER Will <Will.Mueller@ltd.org>
Sent: Friday, August 23, 2013 4:12 PM
To: TAYLOR Becky G
Cc: MUELLER Will (LTD)
Subject: LTD Development Review_Eugene_PDT-13-1_Oakleigh Cohousing

Becky:

LTD has no comments on LTD Development Review_Eugene_PDT-13-1_Oakleigh Cohousing. The closest current LTD service is provided two times per hour during weekdays by both the 51 *Santa Clara* & 52 *Irving* routes which have stops on River Road approximately ¼-mile walking distance west of the proposed development. Thanks.

- will

Will Mueller

Lane Transit District
Service Planning Manager
P: 541-682-6194 | C: 541-501-7559 | F: 541- 682-6111
Contact us at ltd.org

Be kind, for everyone you meet is fighting a hard battle. ~ Plato

PH-59



Eugene Water & Electric Board

500 East 4th Avenue/Post Office Box 10148
Eugene, Oregon 97440-2148
541-685-7000
www.eweb.org

August 20, 2013

Becky Taylor
City of Eugene Land Use
99 West 10th Avenue
Eugene, OR 97401

Re: PDT-13-1 Oakleigh Lane

Dear Becky;

EWEB staff has reviewed the Land Use Referral: PDT-13-1 Oakleigh Lane and have no objections to the proposed land-use action assuming the following comments and conditions are required to be addressed by the applicant prior to obtaining electric, water, and/or Fiber services from EWEB.

General Comments:

Utility services for development are provided in accordance with EWEB policies and procedures which are available at our main office or online at <http://www.eweb.org/policies>

Electric Comments:

EWEB Electric has no electric facilities adjacent to this proposed development. Underground Electric facilities will need to be extended to service this development. All costs associated with the electric extension will be borne by the developer per EWEB's published policies and procedures. EWEB will need a signed Design Agreement, Load Data and current site plans in order to begin the design process. Cost will be developed during the design process.

Electric comments or questions can be directed to:

Mark Oberle
T&D Engineering Supervisor
Eugene Water & Electric Board
Office/fax 541-685-7121; mark.oberle@eweb.org

Water Comments:

The existing water infrastructure within Oakleigh Lane and McClure Lane is inadequate to serve any additional development or provide the necessary fire flows along Oakleigh Lane. Therefore, prior to any development of the site, significant upgrades of the water facilities in Oakleigh Lane and McClure Lane along with a loop connection between

Relly on us.

these streets through the project site will be required to serve the property. Easements will be required across private property to make the loop connection to McClure Lane to the south. The developer will need to fill out EWEB's standard design agreement prior to EWEB proceeding with design of the upgrades.

Please contact the Fire Marshall concerning fire protection requirements for building permits.

State Drinking Water regulations (OAR 333-061-0050(10)) requires a minimum separation between water and sewer lines of 10-feet where they run parallel to each other, unless the sewer line is located with 1.5 feet of clearance lower than the water line, then the required separation is 5-feet.

EWEB owned water facilities will be located in the right-of-way, or in a minimum 7' public utility easement (PUE) adjacent to the public right-of-way, or in a minimum 14' PUE when not adjacent to public right-of-way.

Water comments or questions can be directed to:

Bill Johnson
Water Engineering Technician III
Eugene Water & Electric Board
Office/fax 541-685-7377; bill.johnson@eweb.org

Right-of-Way Comments:

No additional comments.

Right-of-Way comments or questions can be directed to:

Lori Price
Right-of-Way Associate
Eugene Water & Electric Board
Office/fax 541-685-7366; lori.price@eweb.org

As always, EWEB recommends property owners and contractors call for locates before digging for installation of any underground supports to verify that no utility facilities will be affected by this construction.

Sincerely,



Christina Svetal
Water Engineering Administrative Assistant
Eugene Water & Electric Board
541-685-7337; christina.svetal@eweb.org



Brad Taylor
Water Operations Manager
Eugene Water & Electric Board
541-685-7385; brad.taylor@eweb.org

Rely on us.

David Adee
131 McClure Lane
Eugene, Oregon 97404
541-688-3304
david.g.adee@gmail.com

August 12th, 2013

To Hearings Official, City of Eugene,

This letter is in support of Oakleigh Meadow Cohousing (OMC). OMC is a Planned Unit Development (PUD) being built directly north of our property. I live at 131 McClure Lane with my wife Joan, daughter Corinna (8), and mom Eileen (80).

My wife Joan, a professional landscape gardener, moved to Oakleigh Lane in 1989. I came to Eugene in 1997 to teach elementary music in the 4j schools. I joined Joan in a little house on Oakleigh Lane in 1998. Our daughter was born in 2005. Through the years we created a very connected lifestyle with our neighbors; sharing keys, cars, and kid care, meals, gardens and household projects.

Woven into this vibrant community was a continuous thread of neighborhood improvement efforts including several years spent developing and implementing plans for Razor Park. Joan later served on the Citizen Advisory Committee for the Lower River Road Concept Plan, an effort between residents, community leaders, city officials and professional planners. Over the several months on the board, she got a chance to take an in-depth look at the strengths and needs of the River Road neighborhood, with an emphasis on transportation and commercial viability. It became clear that the neighborhood's typically large lots, that at first glance seem ideal, came at the cost of walkability and adequate density to support certain desirable neighborhood amenities: a small neighborhood grocery store, a sit-down coffee shop, etc.

We learned that the neighborhood would benefit most from more folks living *in* it and less folks passing *through* it. So in 2009 when the 2.7 acres at the river-end of Oakleigh Lane came up for sale we put great effort into creating the opportunity for Oakleigh Meadow LLC to purchase it. The Oakleigh Meadow Cohousing site-plan is the kind of neighborly place we want to live next to and eventually live in.

As we understand it, the PUD process is designed to protect neighbors and new residents from mis-guided planning. In the case of OMC, we *are* the neighbors and residents, and the participant planners as well. We have listened to nearby neighbors and OMC members and design professionals. And we have taken all feelings and ideas into consideration. The OMC site-plan reflects a community conversation and will provide many benefits to the surrounding neighborhood as detailed below in our responses to the PUD criteria.

My family and I have poured our time, treasure and talent into this project. We intend this letter to serve as a document stating our complete and absolute support of Oakleigh Meadow Cohousing.

Sincerely,

David Adee

RESPONSES TO PUD CODE CRITERIA

The Eugene City PUD Code section 9.8300 called "Purpose of Planned Unit Development" lists several criteria (a-e). We address them below with the code item in bold font and our responses in normal font.

(1) Create a sustainable environment that includes:

(a) Shared use of services and facilities.

Central in OMC's site design is the *commonhouse* which is a key element in creating a tightly knit community. This facility will not only benefit the OMC community, but also the larger neighborhood by providing a place to hold neighborhood meetings of all sorts.

(b) A compatible mix of land uses that encourage alternatives to the use of the automobile.

OMC is adjacent to the river bike path (10 minute bike ride to the Whiteaker, 15 to downtown, 20 to the university) and one block from a bicycle shop. OMC is two blocks from public transit, River Road Elementary, restaurants and coffee. Car-free walking opportunities abound in every direction on the beautiful river bike path. OMC will have a car-sharing system and a substantial amount of food will be grown on-site (and all of this within a culture of borrowing a cup of sugar rather than running to the store).

(c) A variety of dwelling types that help meet the needs of all income groups in the community.

Home sizes are 2-4 bedrooms (flats and townhouses). Premiums on larger homes with special features help subsidize the smaller homes with more modest features. This creates a wide price range but all homes have equal use of common facilities. Affordability is further supported because homes are smaller, clustered, and more energy-efficient than typical American homes. Over time, residents in cohousing enjoy many expenses being greatly reduced or eliminated.

(d) Preservation of existing natural resources and the opportunity to enhance habitat areas.

Landscape plans include:

- Planting large canopy native trees on the north side of the site and over the parking area to extend the riparian forest of the adjacent park land.
- Preservation is planned, where possible, of existing trees (ash, western white oak) that won't interfere with solar access.
- Minimizing impact on the lower meadow so as to maintain the meadow that runs into the City land
- The Friends of Hazelnut and Cottonwood Groves is an already established park adoption group working under the City of Eugene Park Stewards Program. Plans toward a restored understory in the Cottonwood Grove are underway.

(e) Clustering of residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.

OMC is a completely shared-wall, two-story, green-design, at nearly maximum density with 28 homes in 7 buildings.



McCamant & Durrett Architects

May 6, 2013

Establishing the Record (Findings)
Oakleigh Meadow Cohousing
Re: PUD Submittal

City of Eugene Code

9.8300 Purpose of Planned Unit Development. The planned unit development (PUD) provisions are designed to provide a high degree of flexibility in the design of the site and the mix of land uses, potential environmental impacts, and are intended to:

- (2) Create comprehensive site plans for geographic areas of sufficient size to provide developments at least equal in quality to those that are achieved through the traditional lot-by-lot development and that are reasonably compatible with the surrounding area.

Oakleigh Meadow Cohousing Intent

Very much in the spirit of the PUD, we are making a proposal that by every measure is considered best practices. It is a proposal based on making a successful social community that enhances the surrounding neighborhood sociability via connections, is a sustainable site design, successfully mitigates neighborhood concerns, and is affordable to the current working-class group of hopeful future residents that are teachers, young families, and retirees.

1. **Gravel Parking Lot:** These families chose this solution because gravel parking stalls slow traffic pulling into and out of parking stalls and therefore calms traffic and contributes to making it safer for children and everyone. *Please see illustration 01 and 02 below for an example of gravel parking stalls at Nevada City Cohousing.* It was also chosen to allow for water infiltration, which reduces overflowing storm water sewers and therefore is a more sustainable solution. Perhaps even more important is the image. There is already an exorbitant amount of asphalt in the River Road neighborhood.

The gravel parking area reduces pollutants from entering open water systems where they, in concentration, can overwhelm microbes. "Local" microbes

can digest pollutants infiltrating the ground at its source and in low concentrations. Gravel also reduces the “heat-island” effect and albedo, compared to asphalt paving. *Please see illustration 03, which diagrams the benefits and differences from an asphalt parking area.* This solution is more successful than the more typical gravel-over-dirt design because it is 2” of $\frac{3}{4}$ ”-1 $\frac{1}{2}$ ” crushed gravel over drainage fabric over 4” of AB-II. Therefore it does not generate dust. We understand that when gravel is used as a drive surface, it can create dust and noise issues. That is why we have chosen to only use gravel in the actual parking stalls where these issues will not be a concern. The photos shown demonstrate its success in a dry climate (where dust is a bigger concern) and in wet climates. Many municipalities have started to mandate more ecological alternates to asphalt, like this one.

We will agree to whatever performance agreements necessary, for example a group consensus on keeping a broom in the parking area to keep the gravel within the gravel parking area.

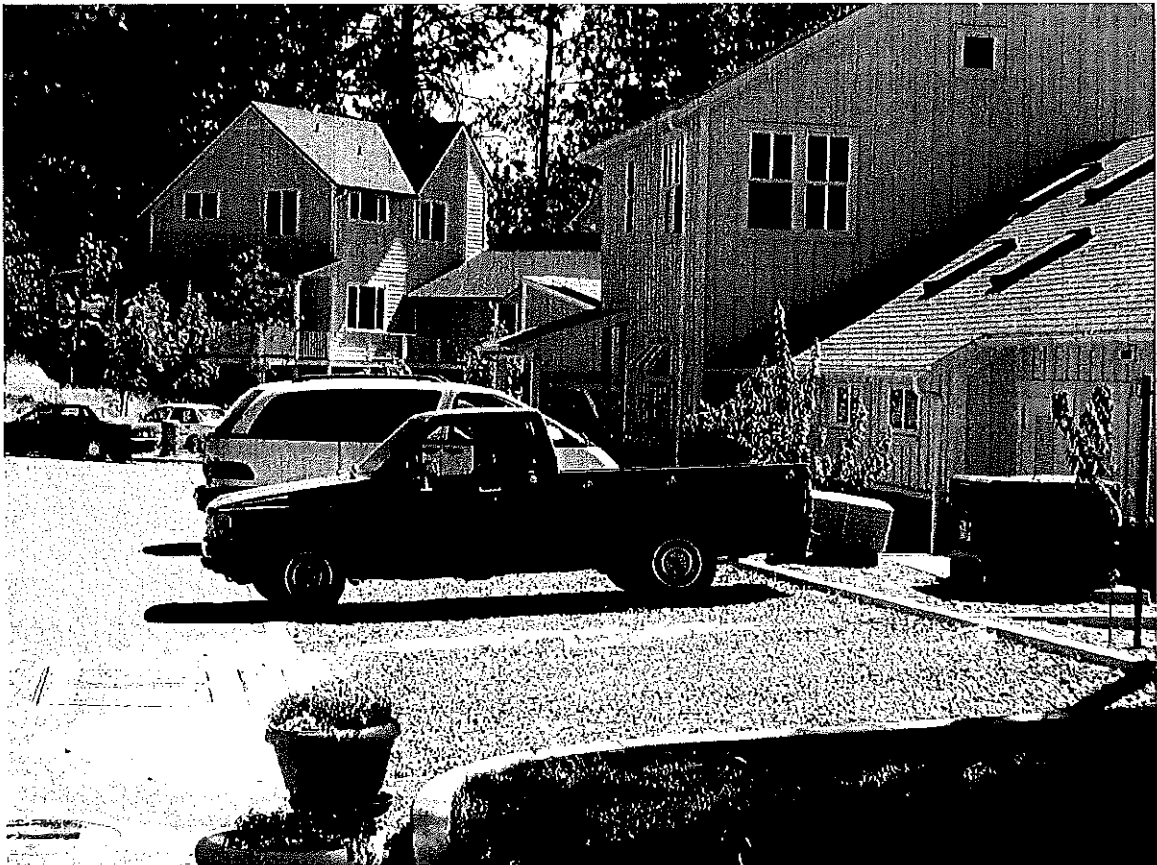


Illustration 01: Gravel parking area in Nevada City, CA.



Illustration 02: Parking area in Nevada City, CA.

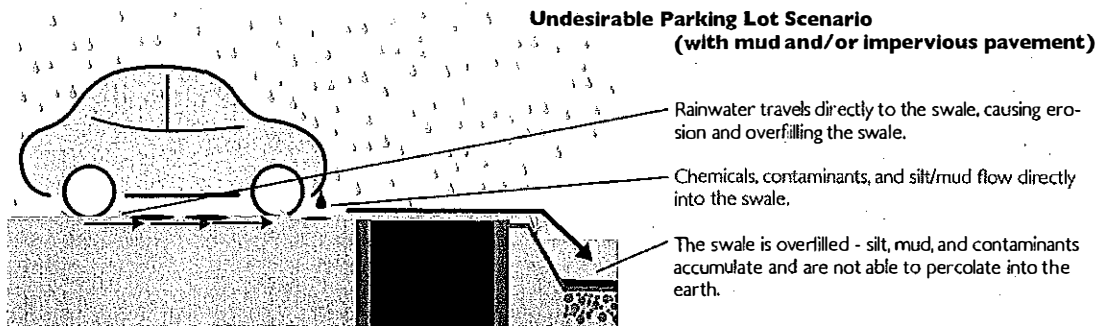
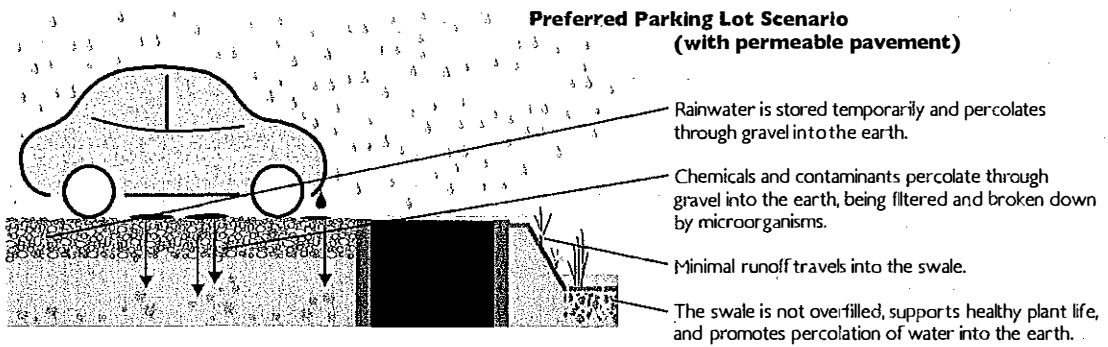


Illustration 03: Gravel parking diagram.

2. West Property Line: The garages and carports are located near the property line because it makes for a much better site layout. The garages are designed intently and aesthetically therefore creating an appealing architecture that looks as though it belongs there on the site. The residual space, if there were a setback, would collect weeds and trash at those unused portions of the site and serves no one. *Please see illustration 04 for an example of the garage and carport structure in Bellingham, WA.* The back wall of the garages will be a beautiful CMU wall with a colored parge coat, *as shown in illustration 05. Please see illustration 06 for a rendered elevation of the intended garages at Oakleigh Meadow Cohousing and illustration 07 for a section through the garages.* The wall will therefore block headlights, reduce noise, allow for fire-safe future development on neighboring land, enhance the aesthetics, and create the opportunity for a "green wall". Espaliered plants will be planted to grow on the west side of the fence for a pleasant, visual "green wall". The cohousing community will plant and take care of the espaliered plants if that is what the neighbor wants. *Please see illustrations 08 and 09 for examples of espaliered fruit trees along a wall that will represent most accurately the intention at Oakleigh Meadow.*

Flanking the garage and carport structure are open parking stalls where the gravel is located. A fence will be implemented along the property line, again with an espaliered plant on their side of the fence. *Illustration 10 shows a drawing of the intended fence elevation and illustration 11 gives an example of a completed fence located in Sonoma, CA.*

If the parking lot were to move 5-7 feet to the East, that would entail shifting everything and encroaching more into the floodplain zone increasing the fill by thousands of yards and many thousands of dollars. This resident group of teachers and work force families cannot afford additional costs. The buildings on the East are only a couple of inches from the sewer easement. Moving the building east 5-7 feet and losing a house would cost the project immensely.

We have met with the immediate adjacent neighbors, Jim and Sharon Brandt, and they do not believe that moving the garages is necessary.

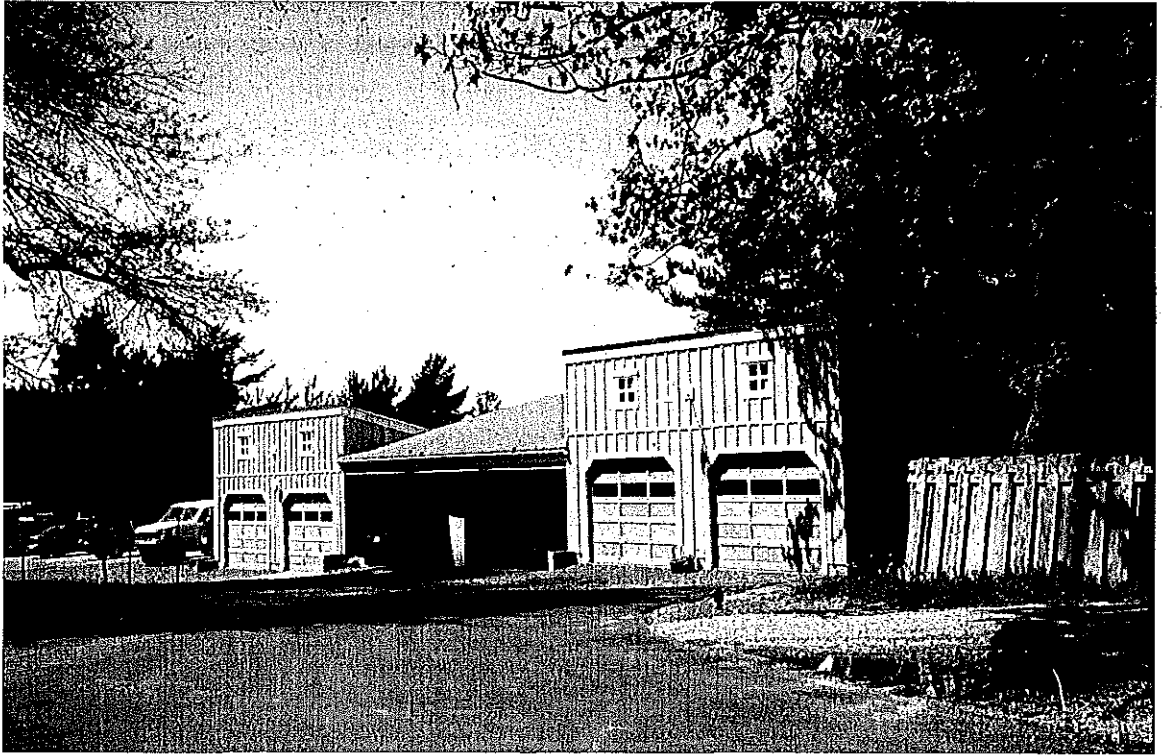


Illustration 04: Garage and carports in Bellingham, WA.

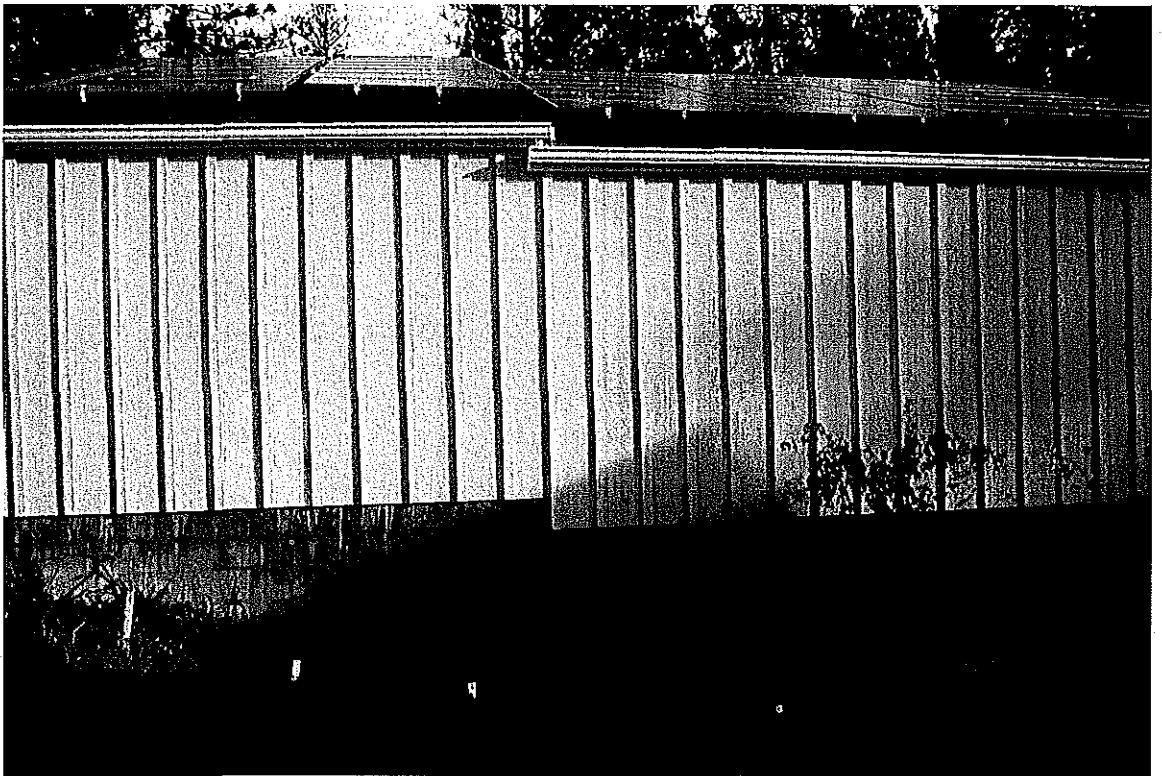


Illustration 05: Parge coat over CMU wall in Nevada City, CA.

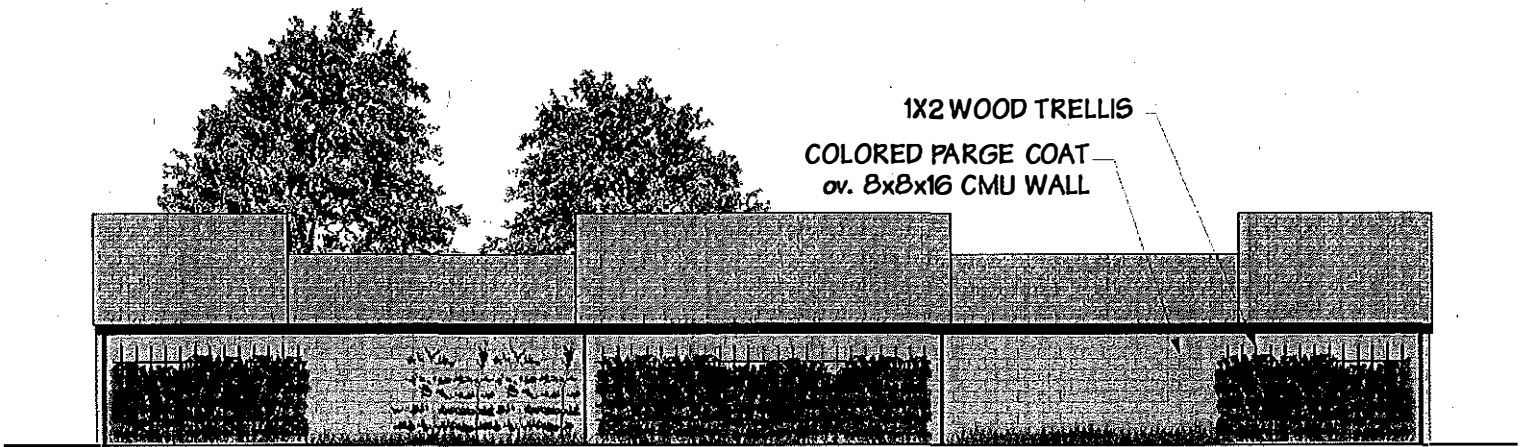


Illustration 06: Rendered elevation of the back of the garages.

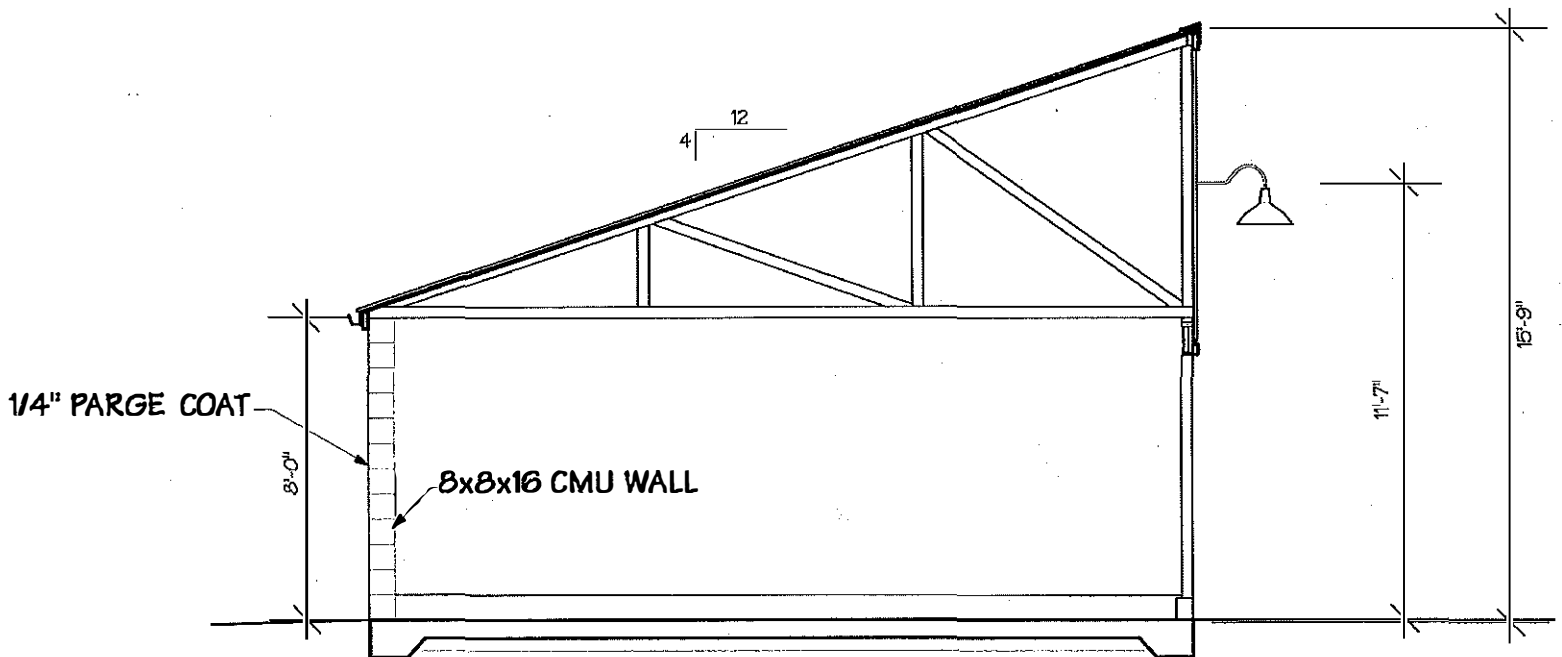


Illustration 07: Section through garages showing CMU wall.

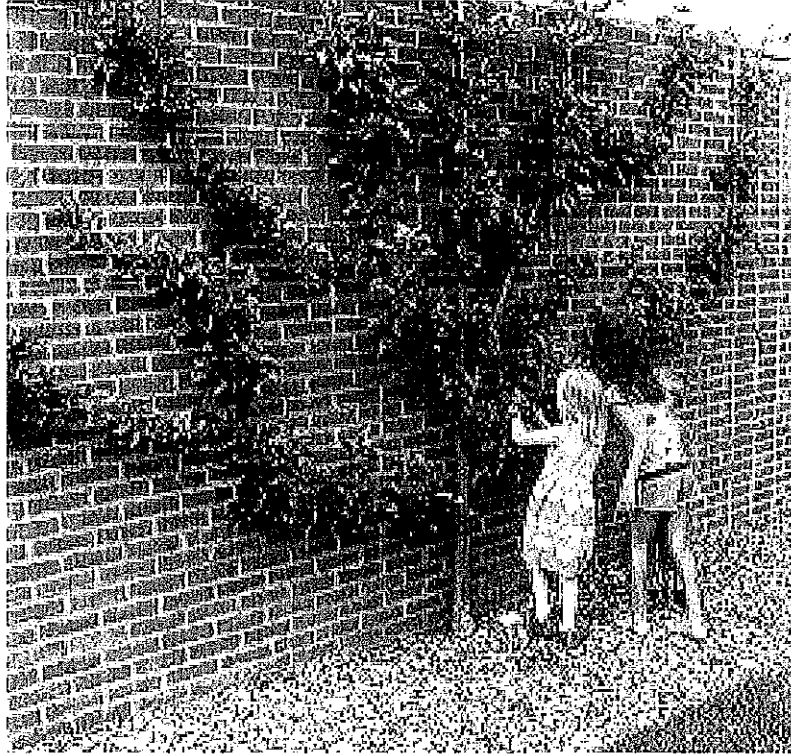


Illustration 08: Kids at espaliered fruit tree.

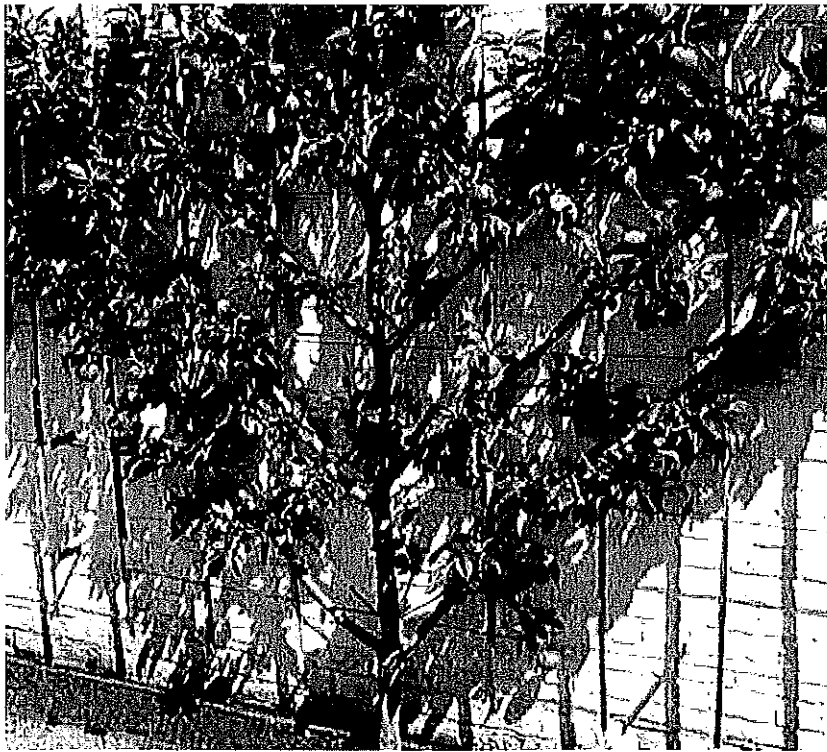
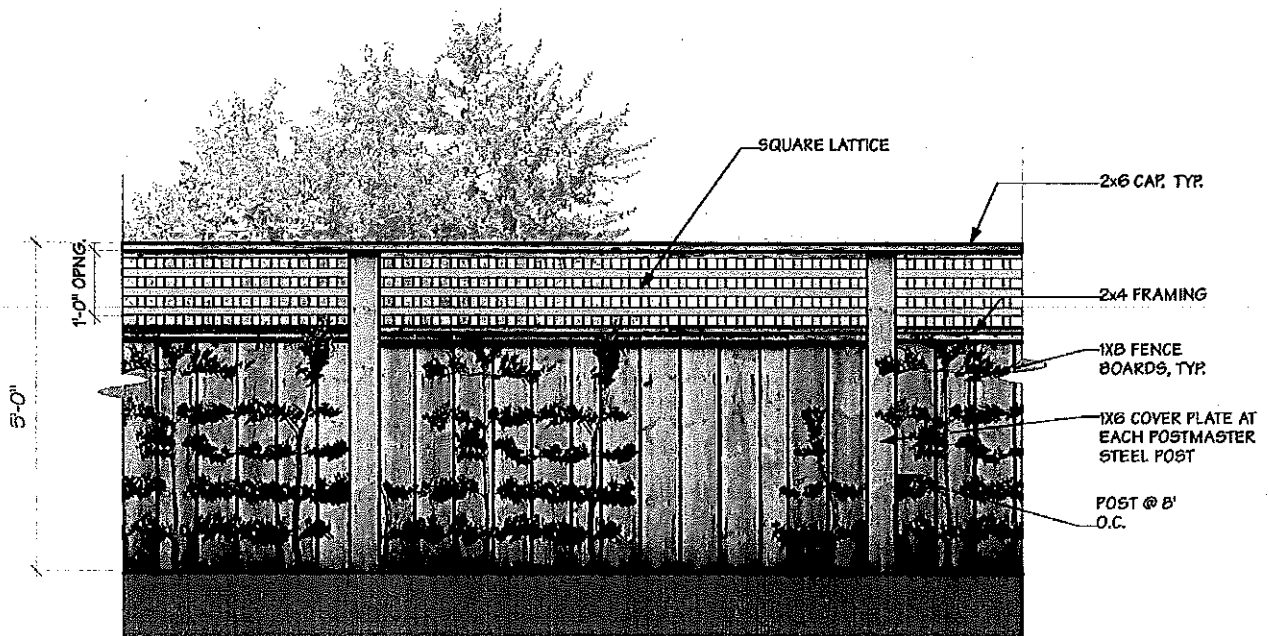


Illustration 09: Espaliered apple tree.



ELEVATION

Illustration 10: Gravel parking stall fence - rendered elevation.



Illustration 11: Fence example in Sonoma, CA.

3. Temple to Recycling: These families located the trash and recycling enclosure where it is now because it acts as a focal point and terminating view as you walk away from the Common House. Therefore creating an interesting and appealing structure, which motivates people to recycle. The small enclosure is highly detailed and visible therefore encouraging cohousers to recycle – it is virtually a “temple to recycling”. In North Vancouver, Quayside Cohousing (18 units) generates the same amount of solid waste and the single-family home next door. The “temple to recycling” can either be a simple, elegant structure or a more intricately detailed structure, *as shown in Illustration 12.*

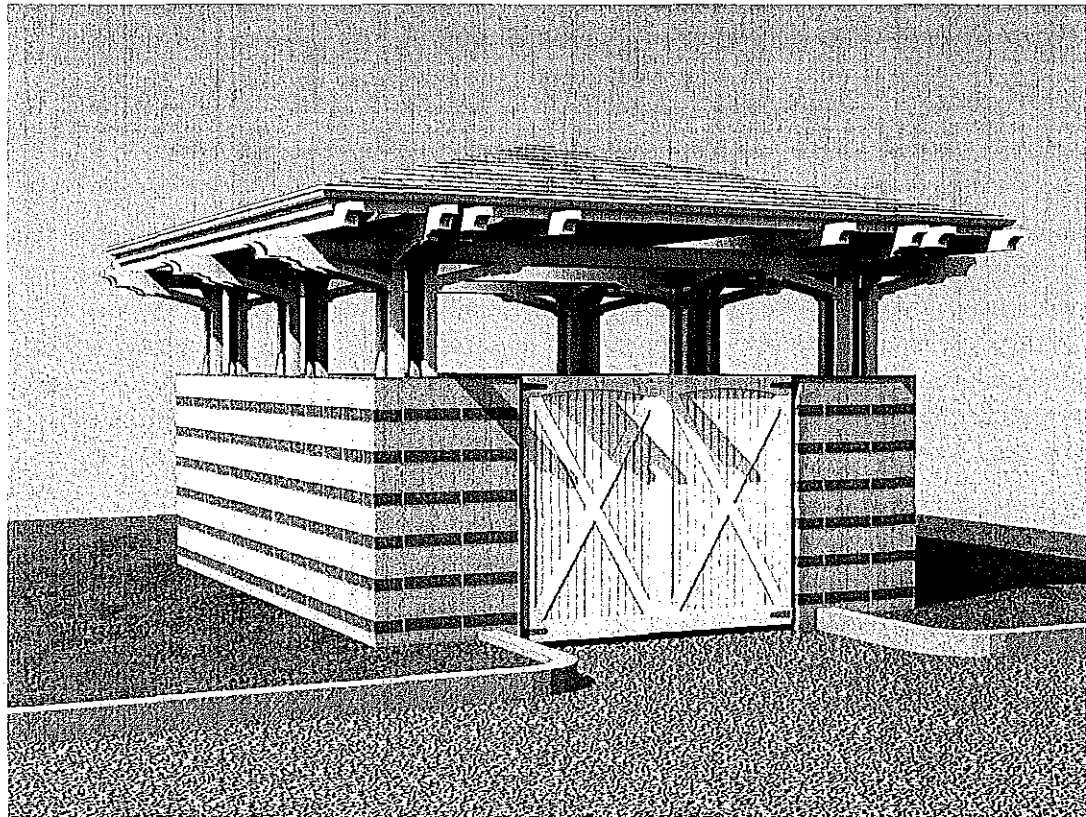


Illustration 12: Render of “temple to recycling” for Mountain View, CA.

PH-66



**OAKLEIGH
MEADOW**
COHOUSING

14 June, 2013

Received

City of Eugene
Planning & Development
Attn: Becky Taylor, Associate Planner
99 West 10th Avenue
Eugene, OR 97401
(541) 682-5437

AUG 13 2013

City of Eugene
Planning Division

Oakleigh Meadow LLC
c/o Will Dixon, AIA
300 Blair Boulevard
Eugene, OR 97402
(541) 689-3548

Willamette Greenway Application submittal for the City of Eugene.
Applicant File: Oakleigh Cohousing (WG 13-0001)
Applicant Name: Oakleigh Meadow, LLC
Proposal: Residential Development near the West Bank Park

APPLICANT'S WRITTEN STATEMENT

In accordance with the Willamette Greenway Permit (WG) submittal requirements, this written statement describes the proposed development and demonstrates that the proposal complies with the criteria governed by Eugene Code (EC) 9.8800 through 9.8825. This proposal is subject to the Type III application review process as described in EC 9.7300 through 9.7340 Application Procedures. This Willamette Greenway (WG) Permit Application is being filed concurrently with a Planned Unit Development, Tentative Plan permit application, file number PDT 13-0001.

Greenway Land Use Request

Oakleigh Meadow LLC proposes to develop a multiple-family residential facility, referred to as cohousing, on a piece of newly annexed property in the City of Eugene along the West Bank Park near the Willamette River, connecting the River Road – Santa Clara neighborhood to the park and path system.

The planned unit development, cohousing, is proposed on a contiguous parcel available for development within the Metropolitan *Urban Growth Boundary* [Lane County Assessor's Map 17-04-24-24, tax lot 05500 (2.01 acres) and Assessor's Map 17-04-24-13, tax lot 00400 (0.19 acres) also in Lane County], located in the West Bank Park (Area 5 of the Delta Ponds Restoration Project). Adjacent properties include single-family residential (R-1) to the North, vacant land (R-1) to the West, single-family residences (R-1 and R-2) to the South, and vacant city-owned land (PL) to the East.



Design Team

Owner & Applicant

Oakleigh Meadow, LLC
300 Blair Blvd | Eugene, Oregon 97402
Contact: Will Dixon, AIA
(541) 689-3548 | Fax: 1-541-982-2273
wcd@willardcdixon.com

Project Coordinator

Willard C. Dixon Architect, LLC
300 Blair Blvd.
Eugene, Oregon 97402
Contact: Will Dixon, AIA
(541) 689-3548 | Fax: 1-541-982-2273
wcd@willardcdixon.com

Architect

McCamant & Durrett Architects
241 B Commercial Street
Nevada City, CA 95959
Contact: Charles Durrett, Architect
(530) 265-9980 | Fax: (530) 265-4398
charles.durrett@cohousingco.com

Planning Consultant:

CoHousing Partners
241 B Commercial Street
Nevada City, CA 95959
Contact: Katie McCamant, Architect
(530) 478-1970 | Fax: (530) 265-4398
katie.mccamant@cohousingco.com

Civil Engineer

SSW Engineers, Inc. | 2350 Oakmont Way,
Suite 105 | Eugene, Oregon 97401
Contact: Michael A. Cox, PE
(541) 485-8383 | Fax: (541) 485-8384
michaelc@sswengineers.com

Geotechnical Engineer

Foundation Engineering, Inc. | 820 NW
Cornell Ave. | Corvallis, Oregon 97330
Contact: Jim Maitland, PE, GE
(541) 757-7645 | Fax: (541) 757-7650

Landscape Architect

LandCurrent | 1754 Moonshadow Lane
Eugene, Oregon 97405
Contact: Anita Van Asperdt, Principal
(541) 434-2458 | Fax: (541) 343-4325
anita@landcurrent.com

Project Certified Arborist

Sperry Tree Care Co. | 227 West 13th Ave.,
Suite 201 | Eugene, Oregon 97401
Contact: Nathaniel Sperry, ISA
(541) 461-1737 | Fax: (541) 461-0091

Geographical Surveyor

Poage Engineering & Surveying | 990 Obie
St. | Eugene, Oregon 97402
Contact: Jon Oakes, LS
(541) 485-4505 | Fax: (541) 485-5624

Greenway Code Compliance

To assist the Hearings Official in rendering a decision on this application, we have provided the following Willamette Greenway Permit approval criteria, shown in *italic* typeface, with findings based on evidence available related to each criterion.

EC 9.8800 – PURPOSE OF WILLAMETTE GREENWAY PERMITS.

Intensification of uses, changes in use, or developments require special consideration before being permitted within the boundaries of the Willamette River Greenway. Special consideration is required to implement Oregon Statewide Planning Goal 15, Willamette River Greenway which is designed to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River. Urban uses may be allowed but conditions of approval may be imposed as are deemed necessary to carry out the purpose and intent of the Willamette River Greenway, and to insure that any intensification of uses, changes in use, or developments within the Willamette Greenway boundaries are compatible with nearby uses within the Willamette Greenway.

EC 9.8805 – APPLICABILITY.

Willamette Greenway permit applications are required for intensification of uses, changes in use, or developments within the boundaries of the Willamette River Greenway according to Resolution No. 2592 Adopting a Willamette River Greenway Boundary. Willamette Greenway permit procedures may apply to Site Review applications when site review approval is required in addition to Willamette Greenway permit approval. No development permit shall be issued by the city prior to approval of the Willamette River Greenway permit.

EC 9.8810 – GENERAL REQUIREMENTS.

- (1) Willamette Greenway permit applications shall be considered in accordance with Type III application procedures contained in EC 9.7000 through EC 9.7885 Application Procedures.*
- (2) Willamette Greenway permit applications may be reviewed concurrently with conditional use permit applications, planned unit development applications, or site review applications.*
- (3) No development permit shall be accepted by the city when a Willamette Greenway permit is required for the proposed development until the hearings official or planning commission approves the Willamette Greenway permit. Development permits shall be consistent with the terms and conditions of that Willamette Greenway permit.*

Findings: This Willamette Greenway permit application is being submitted concurrently with a Planned Unit Development, Tentative Plan permit application, file number PDT 13-0001, which is subject to a Type III application process.



EC 9.8815 – WILLAMETTE GREENWAY PERMIT APPROVAL CRITERIA AND STANDARDS.

Willamette Greenway permit approval may be granted only if the proposal conforms to all the criteria in subsections (1) through (4), and the applicable standards of subsection (5) as follows:

- (1)** *To the greatest possible degree, the intensification, change of use, or development will provide the maximum possible landscaped area, open space, or vegetation between the activity and the river.*

Findings: The development plans to preserve open space by primary means of building orientation on development site. Existing today, the site is primarily a meadow, consisting of a cover crop of non-native short grasses, weedy forbs, and scattered and isolated fruit and fir trees with a heavily wooded border along a portion of the North property line (abutting tax map 17042413, lot #00200). The neighboring properties to the West (tax map 17042424, lots #10100 and #05700) are also vacant and have a similar landscape condition. The adjacent area to the South (tax map 17042424, lots #10200 and #10300) consists of developed single-family residential properties. To the East, the development site is abutted by vacant city-owned public land (tax map 17042413, lot #00600) that also has similar landscape characteristics and a mature grove of filbert trees.

The city-owned property abuts the Ruth Bascom River Bank Trail (West Bank Path) system. The proposed development will provide the maximum amount of landscaped and vegetated open area possible by constructing dwellings and auxiliary buildings positioned away from the East property line. A minimum of 20% of the development site will be dedicated as common open space and the majority of this open space is along the East property line between the development activity and the Willamette River. As proposed, the development will create an atmosphere and landscape that, to the greatest degree possible, enhances the feeling of openness and retains the recreational qualities along the Willamette River. Please refer to the proposed site and landscape plans for further information.

Oakleigh Meadow LLC is protecting the site by controlling the removal of riparian non-native vegetation. The owners have already been practicing land stewardship on site and on adjacent adopted City property by, among other things, removing invasive Armenian blackberry thickets that were threatening the vitality of the adjacent mature indigenous and filbert orchard, including the existing landscape and trees scattered throughout the site. A continued stewardship of the land, as inherently written into the administrative rules of this cohousing development, places the residents in a proactive position of protecting the natural features of the site.

According to the Metro Plan, the site is completely within the Willamette Greenway but is not designated as a “Natural Resource.” The development site does not contain any significant Upland Wildlife or Wetland Sites as identified in the *City’s Goal 5 Inventory*, such as rare plants, habitat for rare animals, prominent topographic features, streams, etc. The site is, however, classified as a Significant Riparian Corridor and located near a Category A Riparian zone with a designated 100-ft setback from the Willamette River.

The established limits of the Floodway are outside the development property boundaries. The East property line, at its farthest point, is approximately 121 feet away from the Approximate Floodway Boundary and, at its closest point, is approximately 115 feet away. The closest proposed building to the Floodway Boundary is approximately 132 feet away. Additionally, the Ordinary High Water (OHW) line is outside of the development site to the East approximately 200 feet at the North end and approx. 243 feet at the South end. The development site is geographically positioned within both Zones ‘AE’ and ‘X’ Special Flood Hazard Areas (SFHA) and the Federal Emergency Management Agency (FEMA) has established a Base Flood Elevation (BFE) of 401.8 feet above sea level for the entire development property. Such boundaries, including elevation markers, are clearly indicated on the proposed Stormwater Plan for reference. Please also refer to the Topography Survey for dimensions and details.

Construction and operation of the proposed residential development will not impact the River nor create an increase of stormwater runoff that would impact the surrounding River area. Please refer to the concurrent Planned Unit Development (PUD), Tentative Plan permit submittal (file # PDT 13-0001) for additional relative criterion analysis.

(2) To the greatest possible degree, necessary and adequate public access will be provided along the Willamette River by appropriate legal means.

Findings: Currently, the concrete and paved public paths of the Greenway path system do not extend through the development site but, however, “desire lines” have been worn into the landscape adjacent to the East, North, and South property lines that connect the public paths along the River to the River Road neighborhood. The development proposes to retain these desired paths by enhancing and maintaining the connections. The main desired path is along the entire East property line that connects to Greenway path system to McClure Lane.

The existing path at the North property line shall connect with the proposed street improvements that abut the development, which will provide residents along Oakleigh Lane with access to the Willamette River. The existing path at the South property line shall be used to connect to the on-site paved ADA-compliant pedestrian and bicycle circulation system. These connections shall be maintained



by the owner for the life of the project.

- (3) The intensification, change of use, or development will conform with applicable Willamette Greenway policies as set forth in the Metro Plan.**

METRO PLAN – GROWTH MANAGEMENT

(POLICY 1) The Urban Growth Boundary (UGB) and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provisions of all services shall be concentrated inside the UGB.

Findings: The parcels affected by this application are currently within the Eugene portion of the *Metropolitan Urban Growth Boundary* and were incorporated into the City of Eugene. The recent annexation of the subject site was made in compliance with an acknowledged comprehensive plan and implementing ordinances, and with the established availability of urban facilities and services. As annexed land, the subject site provides for compact urban growth with essential services available for development.

The Metro Plan defines compact growth as “*The filling in of vacant and underutilized lands in the UGB, as well as redevelopment inside the UGB.*” This application will allow compact urban growth to occur on lands that are currently within the UGB and underutilized for a residential area in such a manner that is consistent with Metro Plan. The development of the site will provide adequate housing opportunities for mean income levels in the neighborhood.

(POLICY 10) Annexation to a city through normal processes shall continue to be the highest priority.

(POLICY 16) Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban.

Findings: The development property, contiguous to the *Urban Growth Boundary*, has been annexed to the City of Eugene on April 8th of 2013 prior to this Willamette Greenway submittal as indicated above and thusly complies with these policies.

METRO PLAN – SPECIFIC ELEMENTS: (A) RESIDENTIAL LAND USE AND HOUSING ELEMENT

(Policy A.17) Provide opportunities for a full range of choice in housing type, density, size, cost, and location.

(Policy A.20) Encourage home ownership of all housing types, particularly for low-income households.

Findings: The development proposes cohousing, a type of residential housing that is currently not available in the Eugene metropolitan area or in the River Road /Santa Clara neighborhood. Cohousing projects, including this development, provide dwelling units that are individually owned and are priced to reflect modest housing cost rates in the local area.

METRO PLAN – SPECIFIC ELEMENTS: (C) ENVIRONMENTAL RESOURCES ELEMENT: RIPARIAN CORRIDORS, WETLANDS, AND WILDLIFE HABITAT (GOAL 5)

(Policy C.17) The map titled ‘Goal 5 Significant Riparian Corridors for the area inside the Metro Plan Boundary and outside the UGB, dated January 2004, adopted and incorporated here, shall be used to identify significant riparian corridors for purposes of applying Goal 5 riparian protection provisions in Lane Code Chapter 16 for areas outside the UGB and inside the Plan Boundary. The map is on file at the Lane County Management Division.

Findings: The proposed development does fall within the boundaries of the above stated map, since the map has not been updated since the annexation of the development property. The site also appears on the *Adopted Protection Designations for the Eugene Goal 5 Wetland, Riparian and Upland Wildlife Habitat Inventories* map adjacent to land that is ‘Designated for protection, 100’ setback (Category A). Additionally, the property is listed on the *Goal 5 Water Resources Conservation Plan, Section III – Significant Goal 5 Riparian Corridors and Wildlife Habitat Sites within the Eugene Urban Growth Boundary* map also as adjacent to ‘Significant Riparian Corridors.’ The subject site is not listed on any Goal 5 Inventory lists or maps as having Upland Wildlife or Wetland protection classifications. As such, compliance with *Goal 5 Significant Riparian Corridors* criterion is applicable to this proposed development.

OPEN SPACE (GOAL 5)

(Policy C.20) Continued local programs supporting community gardens on public land and programs promoting urban agriculture on private land shall be encouraged. Urban agriculture includes gardens in backyards and interim use of vacant and underdeveloped parcels.

Findings: The development proposes garden use on private land and in common areas of the development and the owners propose continued maintenance and improvement to the mature filbert orchard and city land adjacent to the development site. Oakleigh Meadow LLC has officially adopted the city-owned parcel of land for maintenance and beautification purposes.



**METRO PLAN – SPECIFIC ELEMENTS: (D) WILLAMETTE RIVER GREENWAY, RIVER CORRIDORS,
AND WATERWAYS ELEMENT**

(Objective 1) Encourage use of river and waterway corridors to fulfill open space, recreation, and resource protection needs.

Findings: The Goal 5 Riparian rule (OAR 660-23-090) separates the identification of significance of the riparian resource from the process of determining the appropriate protection for that identified resource. A jurisdiction may apply the ‘standard’ or ‘safe harbor’ approaches as options to all or select phases of the compliance process. For sites where information is adequate, local governments shall make a determination of whether the site is significant. The determination needs to be based on: a) the quality, quantity, and location information; b) supplemental or superseding significance criteria set out in the Goal 5 Administrative Rules; and c) any additional criteria adopted by the local government, provided that the criteria do not conflict with Goal 5 Administrative Rule requirements.

The ‘Safe Harbor’ approach for determining if a site is a significant natural resource specifies that such a resource shall be defined by a boundary extending 75 feet from the top of the river bank. The West bank of the Willamette River lies approximately 260-270 feet from the East property line of the development site. As such, the site is not categorized as a significant natural resource and does not conflict with the Metro Plan.

Oakleigh Meadow LLC is protecting the site by controlling the removal of riparian non-native vegetation. A formal agreement between the owners and the City of Eugene has been forged that will give responsibility to Oakleigh Meadow LLC for the continued maintenance of the city-owned public property.

(Objective 3) Encourage, where appropriate and in keeping with Greenway goals, development that respects the quality of rivers and waterways and provides a variety of opportunities for enjoyment of those resources by the public.

Findings: Currently, the subject site and the city-owned property to the East do not provide access to the adjacent park and path system. The city-owned parcel is underutilized as recreational open space due to its lack of access and limited maintenance. The city-owned property also has some security issues inherent with its present condition, such as visual connectivity. The proposed cohousing development will correct this situation by means of providing an ADA-compliant pedestrian and bicycle circulation system, site building orientation that better defines the recreational space, and

appropriate openness and site lighting that increases safety for the area. A Planned Unit Development, Tentative Plan permit application, file number *PDT 13-0001*, is being submitted concurrently with this application that will provide further evidence and analysis showing compliance with this criterion.

(Policy D.5) New development that locates along river corridors and waterways shall be limited to uses that are compatible with the natural, scenic, and environmental qualities of those water features.

Findings: The proposed development limits its use to low-density residential, as permitted by the City of Eugene, that matches existing adjacent land uses. As evidenced in other sections of this written statement, the proposed cohousing development is compatible with the natural, scenic, and environmental qualities of the Willamette River. A Planned Unit Development, Tentative Plan permit application, file number *PDT 13-0001*, is being submitted concurrently with this application that will provide further evidence and analysis showing compliance with this criterion.

(Policy D.8) Within the framework of mandatory statewide planning goals, local Willamette River Greenway plans shall allow a variety of means for public enjoyment of the river, including public acquisition areas, residential areas, and commercial areas.

Findings: As stated above, the proposed cohousing development will provide a renewal of recreational use on the existing adjacent city-owned property by retaining the openness of the site and by improving, maintaining, and protecting the landscape and vegetation. The proposed residential development along the Greenway corridor provides such an amenity to the City of Eugene that satisfies the criterion of this section.

(Policy D.9) Local and state governments shall continue to provide adequate public access to the Willamette River Greenway.

Findings: The proposed development provides adequate public access to the Willamette River Greenway through a system of on-site pedestrian and bicycle paths and also by connecting the existing Greenway paths to the development and to the River Road neighborhood. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application file number *PDT 13-0001*.

METRO PLAN – SPECIFIC ELEMENTS: (E) ENVIRONMENTAL DESIGN ELEMENT

(Policy E.1) In order to promote the greatest possible degree of diversity, a broad variety of commercial, residential, and recreational land uses shall be encouraged when consistent with other planning policies.

Findings: The proposed development is consistent with both the Metro Plan and River Road – Santa Clara Urban Facilities Plan (UFP) policies and provides a unique residential land use to the City of Eugene along the Greenway.

(Policy E.2) Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsive manner.

Findings: The development proposes to protect the natural vegetation, natural water features, and drainage-ways by utilizing native landscape planning while minimizing the amount of significant trees removed from the development property and by reducing encroachment of the river and open space by employing careful site orientation design. In addition to minimizing tree removal, new City-approved trees are proposed to be planted throughout the site and at 30 feet on center near proposed vegetated swales. Please refer to the concurrent PUD, Tentative Plan submittal, file number PDT 13-0001, and specifically at the proposed tree removal and landscape plans as provided by the project landscape architect. Stormwater runoff will be reduced to pre-development rates prior to discharging from the site. For further evidence and analysis showing compliance with this criterion, please refer to file PDT 13-0001 regarding stormwater mitigation and also the civil engineer drawings and analysis.

(Policy E.4) Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity.

Findings: The desirable feature of the neighborhood is the open space that surrounds the river and also the Willamette River, including views and access. As outlined in this statement, this development provides maximum openness, connectivity, and recreation for neighborhood.

METRO PLAN – SPECIFIC ELEMENTS: (F) TRANSPORTATION ELEMENT

(Goal 1) Provide an integrated transportation and land use system that supports choices in modes of travel and development patterns that will

reduce reliance on the automobile and enhance livability, economic opportunity, and quality of life.

Findings: As demonstrated in other code compliance criteria in this written statement, the development proposes an enhanced and viable integrated transportation system that allows for multiple modes of travel. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application file number PDT 13-0001.

(Goal 2) Enhance the Eugene-Springfield metropolitan area's quality of life and economic opportunity by providing a transportation system that is: Balanced, Accessible, Efficient, Safe, Interconnected, Environmentally responsible, Supportive of responsible and sustainable development, Responsive to community needs and neighborhood impacts, and Economically viable and financially stable.

Findings: The development proposes an economically viable and financially stable residential building model – cohousing – in an area newly annexed to the city of Eugene that responds to the community needs by providing sustainable development with a well-maintained accessible transportation system that is safe and environmentally responsive.

(Policy F.4) Require improvements that encourage transit, bicycles, and pedestrians in new commercial, mixed use, and multi-unit residential development.

Findings: As previously mentioned in the statement, the proposed development complies with circulation and access development standards for multiple-family dwellings. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application file number PDT 13-0001.

(Policy F.22) Construct and improve the region's bikeway system and provide bicycle system support facilities for both new development and redevelopment/expansion

Findings: As mentioned in the statement below, the proposed development complies with circulation and access development standards for multiple-family dwellings. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application file number PDT 13-0001.



(Policy F.23) Require bikeways to connect new development with nearby neighborhood activity centers and major destinations.

Findings: The creation of housing on this infill site nearby everyday shopping minimizes traffic impacts while taking full advantage of the site's walk-and-bike ability for daily errands. The Property also has excellent bicycling and public transit options accessible to downtown Eugene and neighboring centers of commerce, such as the Valley River Mall and River Road.

(Policy F.26) Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance safety, comfort, and convenience of walking.

(Policy F.27) Provide for a continuous pedestrian network with reasonably direct travel routes between destination points.

Findings: The development proposes to improve and maintain the existing path connections between the River Road neighborhood and the Willamette River Greenway path system. As indicated in code compliance statements below, the proposed development encourages alternative, safe, and convenient circulations systems on-site that reinforce the connections within the neighborhood. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application file number PDT 13-0001.

METRO PLAN – SPECIFIC ELEMENTS: (G) PUBLIC FACILITIES AND SERVICES ELEMENT

(Policy G.1) Extend minimum level and full range of key facilities and services in an orderly and efficient manner consistent with the growth management policies in Chapter II-C, relevant policies in this chapter, and other Metro Plan policies.

Findings: The parcels affected by this application are currently within the *Urban Growth Boundary* and were annexed into the City of Eugene. The annexation was made in compliance with an acknowledged comprehensive plan and implementing ordinances, and established the availability of urban facilities and services.

(Policy G.9) Wastewater conveyance and treatment shall be provided to meet the needs of projected growth inside the UGB that are capable of complying with regulatory requirements governing beneficial reuse or discharge of effluent and beneficial reuse or disposal of residuals .

Findings: The proposed development places special emphasis upon wastewater management when planning for facilities. Please see the civil

engineering drawings and geotechnical investigation provided with permit application #PDT 13-0001 for details. The proposed stormwater management system has been designed to protect life and property from potential flooding and will be constructed according to all adopted plans and polices pursuant to *EC Chapters 6 and 7* and also City of Eugene's *Stormwater Management Manual*. Since there is no existing stormwater system available and due to the existing conditions of the development site, infiltration is unadvisable. Destination of the stormwater from the development site, after treatment, will be along the east side of the property and will slowly sheet drain on to the adjacent city property. Flow from the site is reduced to pre-development flow and is dispersed using rip rap; no increase is proposed. This destination was agreed upon in a subsequent meeting on January 30th, 2013, by Neil Bjorklund with the city's Public Works department. If deemed necessary, as a supplement, the PUD shall comply with the City's *Level Spreader Design* requirements, including complying with proper installation guidelines. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application filed concurrently with this application.

(Policy G.10) Eugene and Springfield and their respective utility branches, EWEB and SUB, shall ultimately be the water service providers within the UGB.

Findings: The development proposes EWEB to be the main service provider and is already working with the Eugene Water and Electric Board planning for facilities.

(Policy G.12) Ensure that water main extensions within the UGB include adequate consideration of fire flows.

Findings: The proposed development will comply with fire flow requirements as recommended by EWEB and the Fire Marshal and will provide adequate pipe sizing thusly.

(Policy G.16) Consider wellhead protection areas and surface water supplies when planning stormwater facilities.

(Policy G.17) Manage or enhance waterways and open stormwater systems to reduce water quality impacts from runoff and to improve stormwater conveyance.

(Policy G.18) Include measures in local land development regulations that minimize the amount of impervious surface in new development in a manner that reduces stormwater pollution, reduces negative [effects] from increases in runoff, and is compatible with Metro Plan policies.

(Policy G.20) Maintain flood storage capacity within the floodplain, to the maximum extent practical, through measures that may include reducing impervious surface in the floodplain and adjacent areas.

Findings: The proposed development places special emphasis upon surface water supplies when planning for stormwater facilities. Please see the attached civil engineering drawings, stormwater analysis, and geotechnical investigation for further information.

(Policy G.36) Require development to pay the cost, as determined by the local jurisdiction, of extending urban services and facilities. This does not preclude subsidy, where a development will fulfill goals and recommendations of the Metro Plan and other applicable plans determined by the local jurisdiction to be of particular importance or concern.

Findings: As mentioned above in this statement, Oakleigh Meadow LLC is financially responsible for this project and as such will pay the cost of development as it works with the City of Eugene and local jurisdictions to fulfill goals and recommendations of the Metro Plan.

METRO PLAN – SPECIFIC ELEMENTS: (J) ENERGY ELEMENT

(Goal 1) Maximize the conservation and efficient utilization of all types of energy.

(Objective 7) Continue and intensify efforts to allocate land uses in a manner that creates a compact growth form for the metropolitan area.

(Objective 8) Promote policies that minimize the energy consumed for heating, cooling, lighting, appliance use, and other processes in commercial, industrial, and residential buildings.

(Objective 9) Encourage the maximum amount of energy conservation associated with automobile use.

(Objective 11) Encourage the minimization of energy consumption in determining the placement, density, and design of all types of urban land uses.

(Objective 12) Continue and support energy conservation efforts that are being undertaken by the public and private sector.

Findings: The development proposes reduced energy consumption during the lifetime of this project primarily with highly-efficient technologies, tried-and-true construction details, and the use of shared walls. For further evidence and analysis showing compliance with this criterion, please refer to Planned Unit Development, Tentative Plan permit application filed concurrently with this application.

(Policy J.3) Land allocation and development patterns shall permit the highest possible current and future utilization of solar energy for space heating and cooling, in balance with the requirements of other planning policies.

(Policy J.4) Encourage development that takes advantage of natural conditions, such as microclimate, and utilizes renewable energy supplies, such as solar energy, to minimize non-renewable and overall energy consumption.

Findings: The development complies with the standards pursuant to EC 9.5500 *Multiple-Family Standards* that regulate the orientation and density of multiple unit dwelling projects. Additionally, the proposed orientation of the buildings allow for future solar energy harvesting arrays to be constructed at rooftop locations, increasing the economic potential for renewable energy systems. For further evidence and analysis showing compliance with this criterion, please refer to application file #PDT 13-0001.

METRO PLAN – SPECIFIC ELEMENTS: (K) CITIZEN INVOLVEMENT ELEMENT

(Goal) Continue to develop, maintain, and refine programs and procedures that maximize the opportunity for meaningful, ongoing citizen involvement in the community's planning and planning implementation processes consistent with mandatory statewide planning standards.

(Policy K.3) Improve and maintain local mechanisms that provide the opportunity for residents and property owners in existing residential areas to participate in the implementation of policies in the Metro Plan that may affect the character of those areas.

Findings: The City of Eugene's acknowledged program for citizen involvement provides citizens the opportunity to review and make recommendations in written and oral testimony on the proposed development consistent with this Goal and does not amend the citizen involvement element of the Metro Plan.

A public neighborhood meeting and public notifications, as required by the City of Eugene Type III Application process, occurred in the area within walking distance of the development site. Oakleigh Meadow LLC has been very active in the neighborhood, including residents and property owners in the process. Community members have been invited to regular on-site meetings, as well as public meetings and displays at the River Road Annex community center. The development has also been recognized and is supported by the River Road Community Organization.

(4) In areas subject to the Willakenzie Area Plan, the intensification, change of use, or development will conform with that plan's use management considerations.



Findings: The subject site is outside of the Willakenzie Area Plan area. As such, the criterion of this section does not apply.

(5) In areas not covered by subsection (4) of this section, the intensification, change of use, or development shall conform with the following applicable standards:

- (a) *Establishment of adequate setback lines to keep structures separated from the Willamette River to protect, maintain, preserve, and enhance the natural, scenic, historic, and recreational qualities of the Willamette Greenway. Setback lines need not apply to water related or water dependent activities as defined in the Oregon Statewide Planning Goals and Guidelines (OAR 660-15-000 et seq.).*

Findings: A geographical survey and proposed site plan have been provided that display the boundaries of the site and the approximate boundary of the Willamette River Greenway, River Bank, Ordinary High Waterline, and Approximate Floodway Line that clearly indicating the development property is outside the setbacks of Significant Riparian Corridor.

- (b) *Protection of significant fish and wildlife habitats as identified in the Metropolitan Plan Natural Assets and Constraints Working Paper. Sites subsequently determined to be significant by the Oregon Department of Fish and Wildlife shall also be protected.*

Findings: The Metropolitan Plan Natural Assets and Constraints Working Paper (Working Paper) does not identify any significant fish or wildlife sites on the subject property, but does identify the Willamette River Corridor as an Anadromous Fish River. The Willamette River is designated as an essential Salmon Habitat by the Oregon Department of Fish and Wildlife (ODFW). This project is separated from the River by topographic and vegetated buffer zones. Standard precautions will be taken during construction to prevent erosion and sedimentation from leaving the project site.

- (c) *Protection and enhancement of the natural vegetative fringe along the Willamette River to the maximum extent practicable.*

Findings: The development proposes to minimize the building footprint to as small as possible given the project design requirements. Buildings are placed primarily on the North and West portions of the development site, leaving the remaining land – approximately 20% of the entire site – open and accessible to the River and Greenway path system. Furthermore, agreements have been established between Oakleigh Meadow LLC and the City of Eugene giving responsibility of landscape and natural vegetation maintenance of the

adjacent vacant public lot to the development. The owners/residents of the proposed development will provide for the health and long-term stewardship of the natural resource.

- (d) *Preservation of scenic qualities and viewpoints as identified in the Metropolitan Plan Natural Assets and Constraints Working Paper.*

Findings: The Metropolitan Plan Natural Assets and Constraints Working Paper does not identify any viewpoints for this development site. The project is within a natural area referred to as West Bank Park. The Working Paper considers Park Land an identifier for scenic sites having the greatest scenic value as “public parks provide scenic assets to the Metro Area in all their forms.” By minimizing impacts to existing trees and surrounding vegetation, and building away from the river as much as possible, natural features of the park will continue to be visually dominant and provide the visual diversity to the Metro Area that is desired from Park Lands as identified in the Working Paper.

Specific measures will be provided during construction to ensure protection of natural resources. A tree removal plan has been provided by the project landscape architect and will be approved by an Oregon-licensed arborist prior to any work performed. Additionally, this development provides access for all park users to enjoy the scenic qualities of the park as well as connect to the Willamette River system by enhancing existing physical connections and proposing a convenient pedestrian and bicycle circulation system on the development site. The proposed path alignment on site shall follow existing topographical contours to minimize excavation or fill in the project area.

- (e) *Maintenance of public safety and protection of public and private property, especially from vandalism and trespass in both rural and urban areas to the maximum extent practicable.*

Findings: The Statewide Planning Goal 15 specifically states that this Rule does not authorize situations such that the public is encouraged to use or trespass on private land. This project is on private property that abuts public property and as such, proposes to encourage access to the public property by connecting and maintaining the pedestrian and bicycle circulation system and by providing a clear visual open space along the public property.

- (f) *Compatibility of aggregate extraction with the purposes of the Willamette River Greenway and when economically feasible, applicable sections of state law pertaining to Reclamation of Mining Lands (ORS Chapter 517) and Removal of Material; Filling (ORS Chapter 541) designed to minimize adverse effects to water quality, fish and wildlife,*



vegetation, bank stabilization, stream flow, visual quality, noise, safety, and to guarantee necessary reclamation.

Findings: The development does not propose aggregate extraction and, therefore, the criterion of this section is not applicable.

- (g) *Compatibility with recreational lands currently devoted to metropolitan recreational needs, used for parks or open space and owned and controlled by a general purpose government and regulation of such lands so that their use will not interfere with adjacent uses.*

As used in this section, the words "the greatest possible degree" are drawn from Oregon Statewide Planning Goal 15 (F.3.b.) and are intended to require a balancing of factors so that each of the identified Willamette Greenway criteria is met to the greatest extent possible without precluding the requested use.

Findings: The purpose of the development is to provide compatible residential housing that enhances the recreational facilities of the development site and surrounding areas, while improving access and strengthening the connection of the River Road neighborhood to the Willamette River Greenway system.

- (6) *When site review approval is required, the proposed development will be consistent with the applicable site review criteria.*

Findings: Site review approval is required and this development proposes to comply with all applicable review criteria. Concurrent with this application, a Planned Unit Development, Tentative Plan permit application, file number PDT 13-0001, is being submitted.

- (7) *The proposal complies with all applicable standards explicitly addressed in the application. An approved adjustment to a standard pursuant to provisions beginning at EC 9.8015 of this land use code constitutes compliance with the standard.*

Findings: This proposal has been designed to comply with all applicable standards in EC 9.8815 Willamette Greenway Permit Approval Criteria and consistent with EC 9.4980 Water Resources Conservation Area Development Standards. Such consistency will be demonstrated through a Planned Unit Development, Tentative Plan permit review process. This project does not require an adjustment to any standard pursuant to EC 9.8015.

Specific path design will be constructed to comply with EC 9.6500 through

9.6510 regarding *Public Improvement Standards* and EC 9.6791 through 9.6797 regarding issues pertaining to stormwater destination, pollution reduction, flow control for headwaters area, oil control, source control, easement, and operation and maintenance. For further details, please refer to the development Tentative Plan permit application file number *PDT 13-0001* regarding code compliance. Based on these findings, the proposal demonstrates compliance with the applicable Special Flood Hazard Area, 100-year flood waters surface elevation, and City of Eugene stormwater development standards.

CONCLUSION

Based on the information and findings contained in this written statement, associated reports and attachments, and site and building drawings the proposed Oakleigh Meadow Cohousing, Willamette Greenway Permit meets the criteria of approval contained in the Eugene Code and all relative subsequent codes. Therefore, the applicant requests the Hearing Official approve the proposal as presented. Both the applicant and the applicant's representative are available for questions as necessary. We look forward to working with city staff to ensure this projects meets or exceeds the goals and objectives of the applicant, the city, and the greater community.

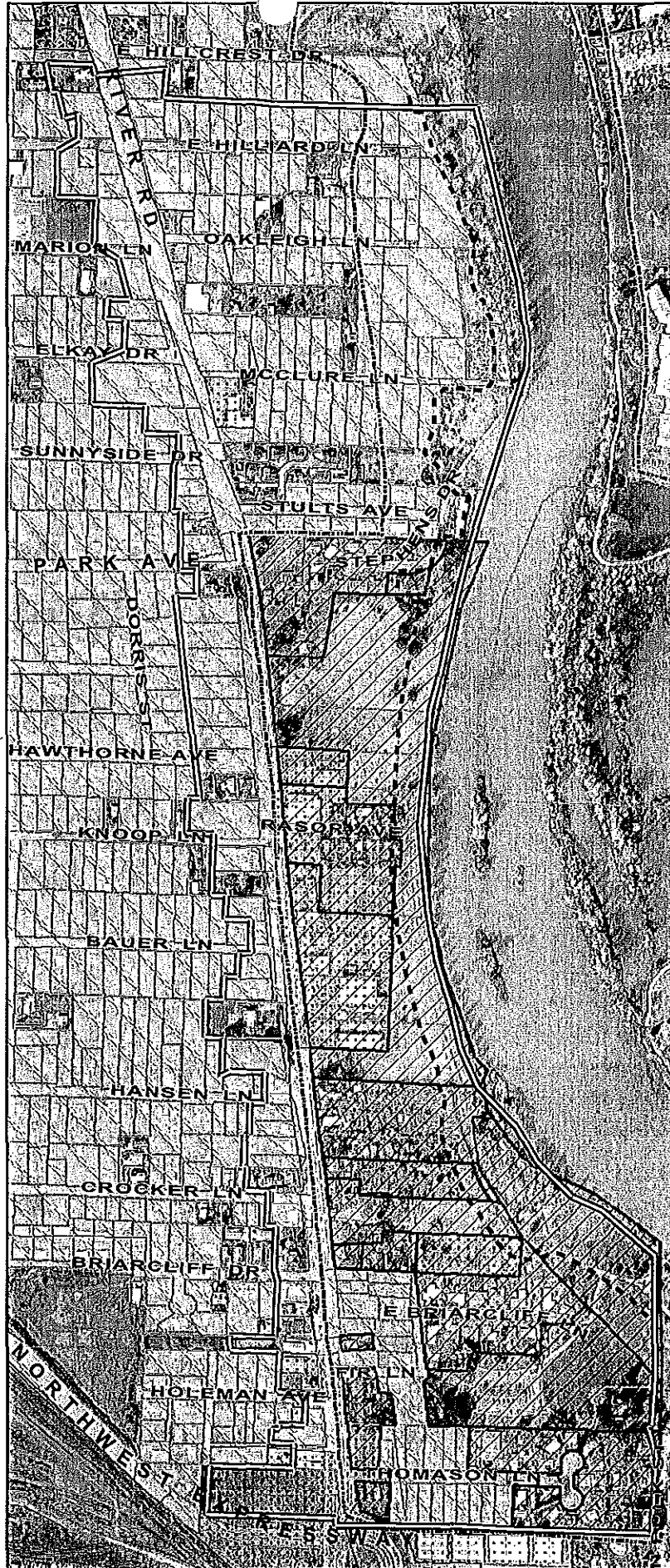
Please direct any questions or clarifications regarding the above application to Will Dixon, AIA, Project Manager for the Owner/Applicant (541-689-3548 or at wcd@willardcdixon.com).

Thank you for your time and consideration.








Appendix

RASOR Mixed-Use Study Area Regulatory

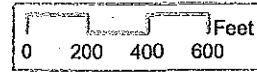
Map 1



Map Features

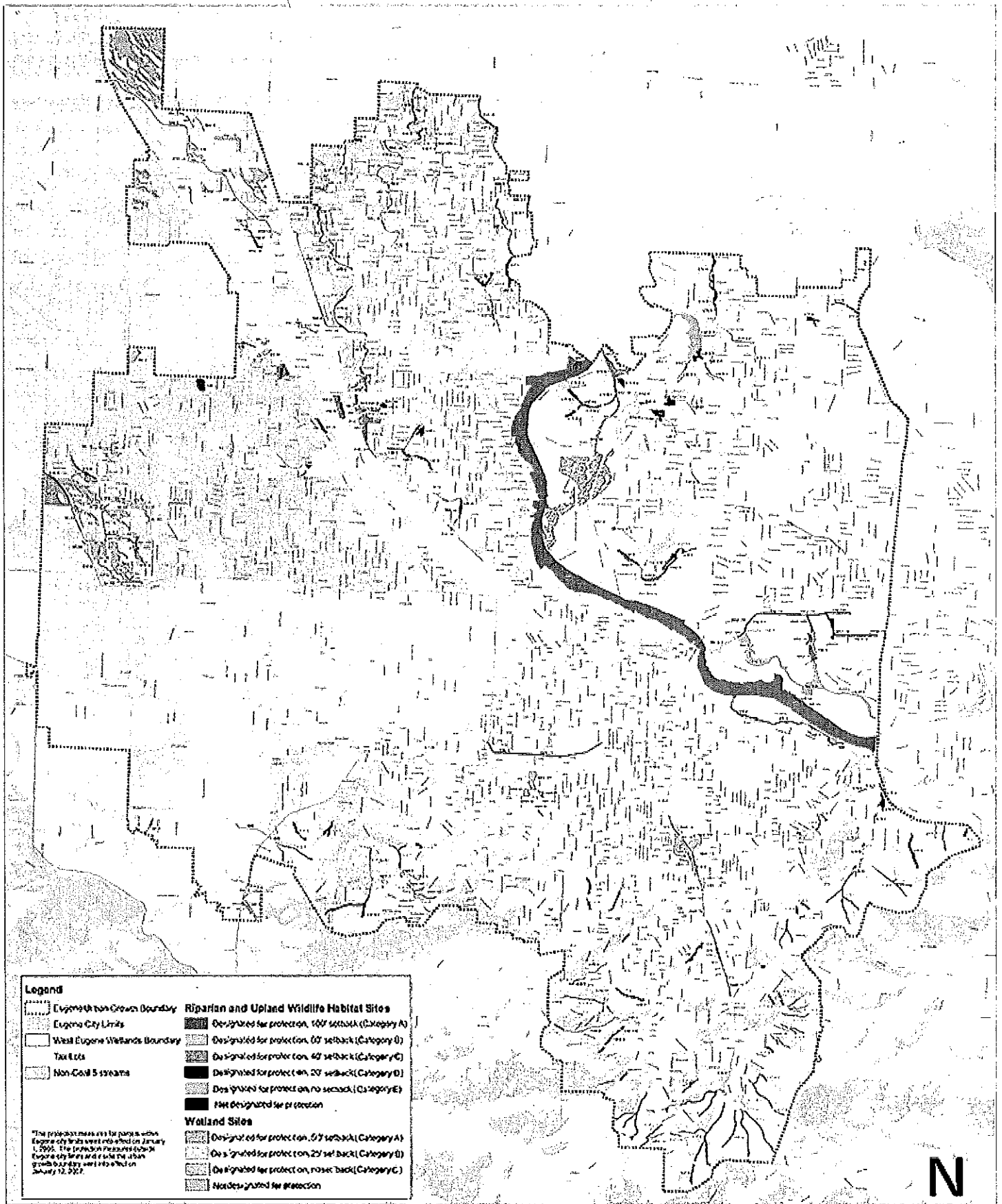
-  Study Area Boundary
-  App ox. Goal 5 Conservation Boundary
-  Approx. Willamette River Greenway *
-  /SR, Site Review Overlay
-  /ND, Nodal Development Overlay
-  /UL Overlay (Unincorporated)
-  Taxlots

*Consult local jurisdiction for adopted Willamette Greenway boundaries.



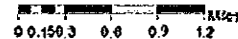
Note: This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

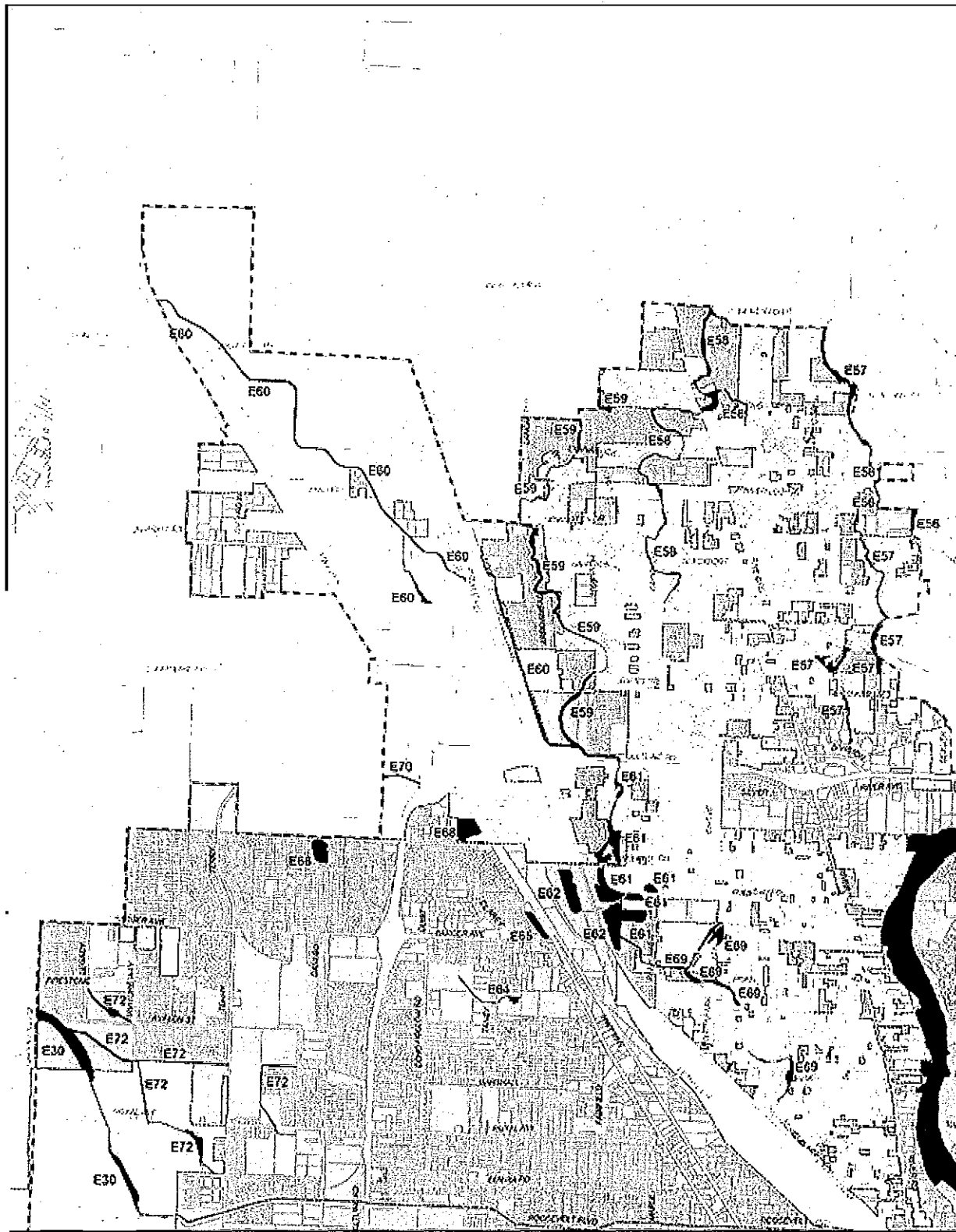




Adopted* Protection Designations for the Eugene Goal 5 Wetland, Riparian and Upland Wildlife Habitat Inventories

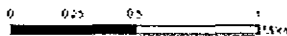
November 14, 2005
Eugene Planning Division



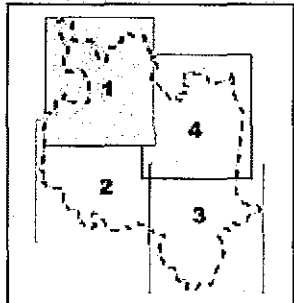


Goal 5 Water Resources Conservation Plan, Section III
Significant Goal 5 Riparian Corridors and Wildlife Habitat Sites
within the Eugene Urban Growth Boundary

Tile 1 - Northwest Eugene
 April 20, 2005



	Urban Growth Boundary		Eugene City Limits
	West Eugene Wetland Boundary		Significant Riparian Corridors
	Tax Lots		Significant Wildlife Habitat Sites





PH-67

Oakleigh Meadow LLC
c/o Will Dixon, AIA
300 Blair Boulevard
Eugene, Oregon 97402-4150
(541) 689-3548

14 June, 2013

City of Eugene
Planning Division
Attn: Becky Thomas, Associate Planner
99 West 10th Avenue
Eugene, Oregon 97401
(541) 682-5437

Planned Unit Development - Tentative Plan Application submittal for the City of Eugene.
Applicant File: Oakleigh Cohousing (PDT 13-0001)
Applicant Name: Oakleigh Meadow, LLC

APPLICANT'S WRITTEN STATEMENT

In accordance with the Planned Unit Development (PUD), Tentative Plan, submittal requirements, this written statement describes the proposed development and demonstrates that the proposal complies with the criteria set forth by the Eugene Code (EC) 9.8310. This proposal is subject to the Type III application review process as described in EC 9.7300 through 9.7340. Concurrent with this application, a submitted Willamette Greenway Permit Application (#WG 13-0001) will supplement this statement as indicated.

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Received

AUG 12 2013

City of Eugene
Planning Division

1. LAND USE REQUEST

The present request is for approval of a master-planned multi-family residential facility with a combination of one- and two-story flats and townhomes each with two to four bedrooms, including a two-story common gathering and service facility. The development site includes low-density residential space that is currently undeveloped. The proposed seven dwelling buildings and one community building are arranged as a community around proposed pedestrian and bicycle paths to enhance on-site circulation. The buildings are oriented to maximize natural lighting and openness and protect the existing views both into and from the project site.

This request has been drafted from comprehensive planning efforts as Oakleigh Meadow LLC has researched and informed themselves and the community about the proposed cohousing development at the end of Oakleigh Lane. The owners have been very active in the neighborhood, involving residents and property owners in the process. Community members have been invited to regular on-site meetings, as well as public meetings and displays at the River Road Annex community center. A public neighborhood meeting and public notification, as required by the City of Eugene Type III Application process, occurred in the area within walking distance of the development site.

(A) DESIGN INTENT

We seek to create an intergenerational residential community on the newly annexed infill site at the end of Oakleigh Lane in Eugene, Oregon. Oakleigh Meadow LLC is a diverse group of private households who have come together to build a cohousing condominium community connected to the bicycle path that is accepted by its neighbors, excels code requirements for environmental and building standard, and expands the Eugene Urban Growth Boundary into the River Road/ Santa Clara area with infill residential development.

Cohousing combines the autonomy of private, single-family dwellings with the advantages of community or multiple-family living. Neighborhood design encourages sharing of skills and resources and reduces environmental impacts through efficient resource implementation and economical use of building space.

The proposed Planned Unit Development property (approximately 2.3 acres) is owned by Oakleigh Meadow LLC and is a contiguous area, zoned as R-1, within the Eugene urban growth boundary. Project Manager Will Dixon, AIA, a licensed architect in the State of Oregon, is acting as liaison between the applicant and the city. The Project consists of 28 one and two-story dwellings in a total of 7 buildings of 2 to 5 units plus one two-story common building serving the residents all consistent with *EC Table 9.2750*, and may be reviewed under general housing criteria.

(B) WHAT IS COHOUSING?

THE NEED

Dramatic demographic and economic changes have taken place in our society, leaving a mismatch between today's households and conventional housing. Single-family houses were designed for a 1950's model family with "a bread-winning father and a full-time housewife." Contemporary households—characterized by smaller families, women working outside the home, and growing numbers of single parents, elders, and singles living alone—face a child care crisis, social isolation, and a chronic time crunch, in part, because they are living in housing unsuited to their lives.

At the same time, an increasingly mobile society has distanced many Americans from their extended families, a traditional source of social and economic support. Many of us feel the effects of these trends in our own lives. Things that people once took for granted—family, community, a sense of belonging—must now be actively sought out.

A HOUSING SOLUTION

Cohousing communities respond to the basic needs of today's households—social contact, child care, and economic efficiency—by combining the autonomy of private dwellings with the advantages of community living. Over 125 of these communities have been built in the United States since 1991, 12 of which are located in Oregon. This will be the first such community to be built in Lane County. The success and growing acceptance of these developments attest to the viability of this housing solution.

Cohousing neighborhoods are designed with the future residents to facilitate cooperation between residents. Like other cohousing communities, Oakleigh Meadow Cohousing (OMC) will be owned as **self-contained condominiums** with extensive community facilities and managed by a **homeowners' association**. Although individual homes are designed to be self-sufficient, each with its own kitchen, the common facilities are an important aspect of community life, both for social and practical reasons. The community facilities in this development include a sitting room, a large kitchen and dining/meeting area, two guest rooms, three toilets, kid's play room, teen room, music room, laundry facilities, and storage. Community facilities also include a workshop and gardens.

The cohousing model incorporates ideas that have already proven successful. Planned retirement communities often include shared dining and other common facilities. Resident involvement is recognized as a critical aspect in increasing buyer satisfaction and reducing housing management costs. Utilizing conventional forms of ownership such as condominiums, cohousing builds on accepted legal and financial structures. Yet, cohousing communities are unique in combining a participatory planning process, neighborhood design, shared facilities, and resident management to attract all ages and household types. As a result, cohousing communities become cross-generational neighborhoods that support traditional values of family and community.

In many respects, the cohousing model is not new. Many of us remember places where people knew their neighbors and were familiar with each other's families over time. Cohousing communities offer a contemporary model for recreating neighborhoods with a sense of place, and the security and sense of belonging which accompanies it.

Provided is a brief overview of what the proposed Oakleigh Meadow Cohousing project offers to the River Road / Santa Clara neighborhood and the greater Eugene community:

- *A safe and supportive environment for children and families.*
- *A balance of privacy and community that reflects the values of the community.*
- *Strengthen Eugene's connection to River Road / Santa Clara neighborhood.*
- *Provide a financially stable building model to the residential market.*
- *Environmentally-sensitive design and site layout emphasizing pedestrian and bicycle circulation.*
- *A development that maximizes open space near a natural resource by clustering dwellings and dedicating much of the property to remain as open space.*
- *An intergenerational neighborhood with the strong sense of community typical of older neighborhoods in the River Road Area.*
- *Provides moderately priced home ownership housing for working families and retirees.*
- *Creates diversity of homes that range in size to accommodate a variety of household income levels.*
- *Exceeds Oregon State Energy Efficiency Standards for residential homes by a minimum of 20% for all building performance criteria.*
- *Minimizes water use through landscaping with regional and native species.*
- *Fits into the River Road context using architecture inspired by local buildings and the details and forms of 19th Century Lane County homes and buildings.*
- *Successful model that acts as catalyst for similar growth and expansion in Eugene and River Road / Santa Clara.*

HISTORY OF COHOUSING

Cohousing was initially pioneered in Denmark and the Netherlands, where this type of housing has flourished in the last 30 years and now has over 300 such developments built. Since the book, ***Cohousing: A Contemporary Approach to Housing Ourselves*** (Ten Speed Press; 1988, 1994), was first published, cohousing has attracted national attention including coverage on *ABC's World News Tonight*, and articles in *Architecture*, *The New York Times*, *Wall Street Journal* and the *Los Angeles Times* among many others. The first new American cohousing communities were completed in the early 90's, and now there are more than 125 built communities across North America.



(C) DESIGN TEAM

Owner & Applicant

Oakleigh Meadow, LLC
300 Blair Blvd | Eugene, Oregon 97402
Contact: Will Dixon, AIA
(541) 689-3548 | Fax: 1-541-982-2273
wcd@willardcdixon.com

Project Coordinator

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(541) 689-3548 | Fax: 1-541-982-2273
wcd@willardcdixon.com

Architect

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Civil Engineer

SSW Engineers, Inc. | 2350 Oakmont Way,
Suite 105 | Eugene, Oregon 97401
Contact: Michael A. Cox, PE
(541) 485-8383 | Fax: (541) 485-8384
michaelc@sswengineers.com

Geotechnical Engineer

Foundation Engineering, Inc. | 820 NW
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(541) 757-7645 | Fax: (541) 757-7650

Landscape Architect

LandCurrent | 1754 Moonshadow Lane
Eugene, Oregon 97405
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(541) 434-2458 | Fax: (541) 343-4325
anita@landcurrent.com

Project Certified Arborist

Sperry Tree Care Co. | 227 West 13th Ave.,
Suite 201 | Eugene, Oregon 97401
Contact: Nathaniel Sperry, ISA
(541) 461-1737 | Fax: (541) 461-0091

Geographical Surveyor

Poage Engineering & Surveying | 990 Obie
St. | Eugene, Oregon 97402
Contact: Jon Oakes, LS
(541) 485-4505 | Fax: (541) 485-5624

II. SUPPORTING FACTS & FINDINGS

(A) Site and Existing Conditions

This Tentative PUD request applies to Tax Lot 05500 (2.01 acres) of Lane County Assessor's Map 17-04-24-24 and Tax Lot 00400 (0.19 acres) of Lane County Assessor's Map 17-04-24-13. The total development site, after approval of Lot Line Adjustments (LA 13-1 and LA 13-2) on March 11th of 2013, is approximately 2.297 acres in size. The defined area is referred to as the development property or site and is described in detail in this statement and on site plans and analysis provided with this application.

The proposed development site is a contiguous parcel available for development within the Metropolitan *Urban Growth Boundary* and was incorporated into the City of Eugene. Adjacent properties include single-family residential (R-1) to the North, vacant land (R-1) to the West, single-family residences (R-1 and R-2) to the South, and vacant city-owned land (PL) to the East. The city property borders the Park, Trail System, and Willamette River to the East. Spanning the East property line of the development site is an existing 20-foot sewer easement that contains a 72" sanitation line running the entire length of and extending past the property.

This development site does not contain any significant Upland Wildlife or Wetland Sites as identified in the *City's Goal 5 Inventory*, such as rare plants, habitat for rare animals, prominent topographic features, streams, etc. The site is recognized on the acknowledged *Goal 5 Inventory* as a Significant Riparian Corridor. Please see Willamette Greenway Permit application file number *WG 13-0001*. The PUD site is located in a 'Category A' Riparian zone with a designated 100-ft setback from the Willamette River. The entire development site is located well outside of this setback. The East property line of the development site is approximately 318 feet from the river bank at the North end and approx. 265 feet away at the South end. The proposed buildings are no closer than approximately 335 feet from the Willamette River bank.

Additionally, the Ordinary High Water (OHW) line is outside of the development site to the East approximately 200 feet at the North end and approx. 243 feet at the South end. The established limits of the Floodway are also outside the property boundaries. The East property line, at its farthest point, is approximately 121 feet away from the Approximate Floodway Boundary and, at its closest point, is approximately 115 feet away. The closest proposed building to the Floodway Boundary is approximately 132 feet away. Please refer to the Topography Survey for dimensions and details.

The development site is geographically positioned within both Zones 'AE' and 'X' Special Flood Hazard Areas and such boundaries, including elevation markers, are clearly indicated on the proposed Stormwater Plan for reference. Five of the eight proposed buildings, or half of the proposed dwelling units plus the common building, are located on higher



ground and within the Zone 'X' Special Flood Hazard Area. The established Base Flood Elevation (BFE) for the PUD site is 401.8 feet, measured above sea level. The topographic BFE line is indicated on the proposed site plan for reference.

According to the Metro Plan, the site is completely within the Willamette Greenway but is not designated as a "Natural Resource." A concurrent Willamette Greenway permit, file # **WG 13-0001**, will supplement this Tentative PUD Application that will provide criterion analysis.

(B) Land Use and Development History

The development property has been privately owned, undeveloped vacant land within the River Road Park and Recreation District until just recently. In February of 2013, the properties were submitted for annexation to the City of Eugene and then subsequently a request was submitted for a Lot Line Adjustment that was approved on March 11th, 2013. Final annexation for the site was approved on April 8th of 2013. The amount of net area gained to the development site was 0.097 acres due to property line adjustments. The adjusted property lines enveloped two existing dilapidated, non-inhabitable buildings – a shop and a shed that will both be removed – within the boundaries of the development site. No land use change occurred during the annexation process, as the site remains zoned as low-density residential.

This group began organizing a few years ago around this property as it was offered by OMC founding members who were willing to work with and sell to Oakleigh Meadow LLC. We've been working hard ever since with our architects, consultants, and Project Manager on the design of our community. The design we are submitting is the result of a thorough process of considering the resident group's goals and priorities, how it impacts the surrounding neighborhood, and various alternative layouts. We're currently a mix of households that include a range of singles, young families with children, empty nesters, and retired folks. The group has actively sought diversity in its membership and consists of a wide range of ages. An important factor to remember is this proposed development is lifestyle-driven rather than profit-driven.

The owners have been very active in the neighborhood, involving River Road residents and property owners in the process. Community members have been invited to regular on-site meetings, as well as public meetings and displays at the River Road Annex community center. A public neighborhood meeting and public notification, as required by the City of Eugene Type III Application process, occurred in the area within walking distance of the development site.

Leaders of several committees of the owner group, members who also live in the neighborhood, have proactively over the past couple of years been engaging neighbors by hosting lectures and movies, having potlucks and neighborhood parties, creating an interactive website, posting flyers, visiting folks, going door-to-door talking, writing, asking,



and welcoming concerns and solutions with the proposed PUD. A very positive response has been received from the community.

(C) Summary of Code Compliance

This section is organized in order of the applicable approval criteria and is presented under the *General Permit Criteria*. Applicable approval criteria are outlined below in *italics*, followed by proposed **Findings** of fact in normal text.

Pursuant to *EC 9.8305(4) Planned Unit Development, Tentative Plan*, provisions are being applied by request of the property owner and at by the requirements of Eugene City Code. The proposed Planned Unit Development, Tentative Plan, will fulfill the goals in the original *River Road Santa Clara Urban Facilities Plan (UFP)* and also the Metro Plan as adapted by the city council.

EC9.8300 – PURPOSE OF PLANNED UNIT DEVELOPMENT

The planned unit development (PUD) provisions are designed to provide a high degree of flexibility in the design of the site and the mix of land uses, potential environmental impacts, and are intended to:

- (1) Create a sustainable environment that includes
 - (a) Shared use of services and facilities.*
 - (b) A compatible mix of land uses that encourage alternatives to the use of the automobile.*
 - (c) A variety of dwelling types that help meet the needs of all income groups in the community.*
 - (d) Preservation of existing natural resources and the opportunity to enhance habitat areas.*
 - (e) Clustering residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.**
- (2) Create comprehensive site plans for geographic areas of sufficient size to provide developments at least equal in quality to those that are achieved through the traditional lot by lot development and that are reasonably compatible with the surrounding area.*

Findings: The findings provided in this written statement and attached drawings and analysis will show that the Oakleigh Meadow Cohousing project complies with the stated purposes of the Planned Unit Development (PUD), Tentative Plan.

EC 9.8305 – APPLICABILITY

PUD provisions shall be applied when any of the following conditions exist:

- (2) The property is zoned with a /PD overlay zone.*



Findings: The proposed site has an overlay zone designated /PD.

EC 9.4300— PURPOSE OF /PD PLANNED UNIT DEVELOPMENT OVERLAY ZONE

The /PD Planned Unit Development overlay zone is intended to achieve all of the following:

- (1) Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provisions of facilities for the circulation of automobiles, pedestrians, bicycles, and mass transit, parking, storage, and other considerations related to site design.*
- (2) Promote an attractive, safe, efficient, and stable environment that incorporates a compatible variety and mix of uses and dwelling types.*
- (3) Provide for economy of shared services and facilities.*
- (4) Encourage the construction of a variety of housing types at price ranges necessary to meet the needs of all income groups in the city.*
- (5) Enhance the opportunity to achieve higher densities.*
- (6) Preserve the natural resource areas.*

Findings: The findings provided in this report will show that the Oakleigh Meadow Cohousing project complies with the stated purposes of the Planned Unit Development Overlay Zone.

- (3) One or more land uses proposed for the site are subject to review and approval through the PUD process according to the zoning.*

Findings: The proposed land use for the development site is Multiple-Family and is permitted only through a PUD process as per *EC Table 9.2740*.

- (4) When requested by the property owner.*

Findings: Additional to the above requirements, Planned Unit Development provisions are being applied by request of the property owner.

No development permit shall be issued by the city prior to approval of the final PUD.

EC 9.8310— TENTATIVE PLANNED UNIT DEVELOPMENT GENERAL APPLICATION REQUIREMENTS

EC 9.8310(1)— OWNERSHIP

The area included in a proposed PUD shall either be under single ownership or common development control. The application shall include all contiguous property under the same ownership or development control, shall be signed by the owner of the property, and include such related information as prescribed by



the planning director. Otherwise contiguous parcels that are separated only by a public right-of-way, shall be included in the PUD application unless the public right-of-way is designated an arterial or collector on the street classification map. If otherwise contiguous parcels are separated by an arterial or collector street, the applicant may, at the applicant's discretion, include those parcels in the PUD application.

Findings: The project site is owned and is under development control by a single entity, Oakleigh Meadow, LLC. The mailing address is 300 Blair Boulevard, Eugene, Oregon 97402-4150. The contact person, also a member of Oakleigh Meadow, LLC, is Will Dixon, AIA, and he may be reached at (541) 689-3548.

The homebuyers participate in the planning and design of cohousing communities ensuring that the development responds to the needs and priorities of the owners and community. Residents also fund most of the pre-development costs and are significant investors in the projects from the very beginning. This resident participation creates a "pre-sold" neighborhood community development.

EC9.8310(2) – PROJECT COORDINATOR AND PROFESSIONAL DESIGN TEAM

The tentative PUD application shall identify the project coordinator and the professional design team and certify compliance with the following:

(a) Project Coordinator. The project coordinator shall:

- (1) Be the liaison between the applicant and the city.*
- (2) Ensure that the required plans are prepared and executed according to any required conditions.*
- (3) Either be a member of the American Institute of Certified Planners or licensed in the state of Oregon to practice architecture, civil engineering, or landscape architecture.*

The project coordinator, or at least one design team member, shall attend all public meetings at which the proposal is discussed.

Findings: Willard C. Dixon Architect, LLC is the Project Coordinator (Project Manager) firm for the Oakleigh Meadow Cohousing project, and is licensed in the state of Oregon to practice architecture. Will has been present for and will continue to attend all public meetings that discuss the proposed PUD.

(b) Professional Design Team Designation. Unless waived by the planning director, the professional design team shall consist of at least the following professionals:

- (1) Oregon licensed arborist.*



- (2) Oregon licensed architect.
- (3) Oregon licensed civil engineer.
- (4) Oregon licensed landscape architect
- (5) Oregon licensed land surveyor.

Findings: The Design Team is composed of an Oregon- licensed arborist, two architects, civil engineer, landscape architect, and land surveyor. All members are licensed to practice in the state of Oregon. Names and addresses of all Design Team members are located above in this written statement. The members of the Design Team are licensed professionals with extensive experience directly related to the City of Eugene PUD criteria.

The architects, McCamant & Durrett Architects (MDA) and CoHousing Partners (CP), are providing architecture development consulting services. The firms are founded by architects Kathryn McCamant and Charles Durrett, who introduced the cohousing concept to North America with their book *Cohousing: A Contemporary Approach to Housing Ourselves* (1988, 1994) and *Creating Cohousing: Building Sustainable Communities* (2011) . The firms work nationwide and have provided architecture and development services to over fifty (50) successful cohousing developments.

(c) Plan Certification.

Findings: Each set of plans provided with this PUD, Tentative Plan application certifies the professional services performed by bearing the stamp of the respective licensed professional responsible for the work. To ensure comprehensive review of all plans for compliance with the PUD provisions by the Design Team, the cover sheet of the proposed PUD set (drawings) contains a statement of review endorsed with the signatures of all designated members of the Design Team stating the project complies with both the standards of each member’s respective profession and with the PUD, Tentative Plan criteria.

EC 9.8310(3) – PHASING

The tentative PUD application shall include a phasing plan that indicates any proposed phases for development, including the boundaries and sequencing of each phase. Phasing shall progress in a sequence that promotes street connectivity between the various phases of the development and accommodates other required public improvements.

Findings: The PUD proposes no phases to construction. As such, this criterion does not apply.

EC 9.8310(4) – DENSITY



Dwelling unit densities of PUDs shall be consistent with Table 9.2750 Residential Zone Development Standards. The calculation of the number of dwelling units allowed shall be determined based on the following:

- (a) Easement Calculations. If it is demonstrated that easements will benefit residents of the proposed PUD, residential density calculations may include areas in easements, with the exception of private streets or ingress/egress easements.*
- (b) Dedications. If it is demonstrated that lands dedicated to the city will benefit residents of the proposed PUD, residential density calculations may include areas dedicated to the public for recreation or open space.*
- (c) Cumulative Density. When final plans are to be approved in phases, at no time shall the cumulative residential density exceed the overall density per acre established at the time of tentative plan approval.*

Findings: This proposed development is zoned R-1, low-density residential, with an allowable density of 14 dwelling units per acre. The subject site, approximately 2.3 acres, is allowed a maximum of 32 dwelling units. The PUD proposes 28 units. Thusly, the PUD complies with density requirements. The proposed PUD also complies with density requirements pursuant to *EC 9.5500*. For further information regarding multiple-family density requirements, please see the provided code compliance findings for criterion *EC 9.8320(11)*.

EC9.8310(5) – NEEDED HOUSING

If the proposal includes needed housing, as defined by State statutes, the written statement submitted with the PUD application shall clearly state whether the applicant is electing to use the general approval criteria in EC 9.8320 Tentative Planned Unit Development Approval Criteria-General instead of the approval criteria found in EC 9.8325 Tentative Planned Unit Development Approval Criteria-Needed Housing.

Findings: This project does not propose Needed Housing. The PUD shall be approved with the criteria pursuant to *EC 9.8320 Tentative Planned Unit Development Approval Criteria – General*.

EC9.8320 – TENTATIVE PLANNED UNIT DEVELOPMENT APPROVAL CRITERIA - GENERAL

EC 9.8320(1) – THE PUD IS CONSISTENT WITH APPLICABLE ADOPTED POLICIES OF THE METRO PLAN.

Findings: The Metro Plan Diagram (map) designates the development property as Low Density Residential, which is consistent with the site's current zoning. The applicable policies of the Metro Plan to this PUD are enumerated below as they appear in the Metro Plan.

EC 9.9560 – EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN).

(5) *Environmental Design Element: Natural vegetation, natural water features, and drainageways shall be protected and retained to the maximum extent practicable, considering the economic, social, environmental, and energy consequences in the design and construction of urban developments. Landscaping shall be utilized to enhance distinctive natural features (Policy 2, page III-E-3).*

Findings: The proposed PUD is within the *Greenway*, and a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis. Policies, goals, and objectives of the *Metro Plan* relevant to the proposed PUD have been included below.

METRO PLAN – GROWTH MANAGEMENT

(POLICY 1) The Urban Growth Boundary (UGB) and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provisions of all services shall be concentrated inside the UGB.

Findings: The parcels affected by this application are currently within the Eugene portion of the *Metropolitan Urban Growth Boundary* and were incorporated into the City of Eugene. The annexation of the subject site was made in compliance with an acknowledged comprehensive plan and implementing ordinances, and with the established availability of urban facilities and services. As annexed land, the subject site provides for compact urban growth with essential services available for development.

The *Metro Plan* defines compact growth as “*The filling in of vacant and underutilized lands in the UGB, as well as redevelopment inside the UGB.*” This application will allow compact urban growth to occur on lands that are currently within the UGB and underutilized for a residential area in such a manner that is consistent with *Metro Plan*. The development of the site will provide adequate housing opportunities for mean income levels in the neighborhood.

(POLICY 10) Annexation to a city through normal processes shall continue to be the highest priority.

(POLICY 16) Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services.



While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban.

Findings: The development property, contiguous to the *Urban Growth Boundary*, has been annexed to the City of Eugene in early 2013 prior to this PUD, Tentative Plan submittal as indicated above and thusly complies with these policies.

METRO PLAN – SPECIFIC ELEMENTS: (A) RESIDENTIAL LAND USE AND HOUSING ELEMENT

(Policy A.17) Provide opportunities for a full range of choice in housing type, density, size, cost, and location.

(Policy A.20) Encourage home ownership of all housing types, particularly for low-income households.

Findings: The PUD proposes Cohousing, a type of residential housing that is currently not available in the Eugene metropolitan area or in the River Road /Santa Clara neighborhood. Cohousing projects, including this PUD, have dwelling units that are individually owned and are priced to reflect modest housing cost rates in the local area.

METRO PLAN – SPECIFIC ELEMENTS: (C) ENVIRONMENTAL RESOURCES ELEMENT: RIPARIAN CORRIDORS, WETLANDS, AND WILDLIFE HABITAT (GOAL 5)

(Policy C.17) The map titled ‘Goal 5 Significant Riparian Corridors for the area inside the Metro Plan Boundary and outside the UGB, dated January 2004, adopted and incorporated here, shall be used to identify significant riparian corridors for purposes of applying Goal 5 riparian protection provisions in Lane Code Chapter 16 for areas outside the UGB and inside the Plan Boundary. The map is on file at the Lane County Management Division.

Findings: The proposed PUD does fall within the boundaries of the above stated map and, as such, *Goal 5 Significant Riparian Corridors* criterion does apply.

OPEN SPACE (GOAL 5)

(Policy C.20) Continued local programs supporting community gardens on public land and programs promoting urban agriculture on private land shall be encouraged. Urban agriculture includes gardens in backyards and interim use of vacant and underdeveloped parcels.

Findings: The PUD proposes garden use on private land and in common areas of the development and the owners propose continued maintenance and improvement to the mature filbert orchard and city land adjacent to the



development site. Oakleigh Meadow LLC has officially adopted the city-owned parcel of land for maintenance and beautification purposes.

METRO PLAN – SPECIFIC ELEMENTS: (D) WILLAMETTE RIVER GREENWAY, RIVER CORRIDORS, AND WATERWAYS ELEMENT

(Objective 1) Encourage use of river and waterway corridors to fulfill open space, recreation, and resource protection needs.

Findings: The proposed PUD is within the *Greenway*, and a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Objective 3) Encourage, where appropriate and in keeping with Greenway goals, development that respects the quality of rivers and waterways and provides a variety of opportunities for enjoyment of those resources by the public.

Findings: The proposed PUD is within the *Greenway*, and a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Policy D.5) New development that locates along river corridors and waterways shall be limited to uses that are compatible with the natural, scenic, and environmental qualities of those water features.

Findings: The proposed PUD minimizes stormwater run-off to pre-development rates through filtration and landscaping techniques and by planting regional and native species. The PUD also proposes to minimize site light pollution with minimal outdoor lighting provided low along pathways and at covered porches. A Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Policy D.8) Within the framework of mandatory statewide planning goals, local Willamette River Greenway plans shall allow a variety of means for public enjoyment of the river, including public acquisition areas, residential areas, and commercial areas.

Findings: For further information, a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.



(Policy D.9) Local and state governments shall continue to provide adequate public access to the Willamette River Greenway.

Findings: The proposed PUD provides adequate public access to the Willamette River Greenway through a system of on-site pedestrian and bicycle paths and also by connecting the existing Greenway paths to the PUD. For further information, a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

METRO PLAN – SPECIFIC ELEMENTS: (E) ENVIRONMENTAL DESIGN ELEMENT

(Policy E.1) In order to promote the greatest possible degree of diversity, a broad variety of commercial, residential, and recreational land uses shall be encouraged when consistent with other planning policies.

Findings: The proposed PUD is consistent with both the *Metro Plan* and *River Road – Santa Clara Urban Facilities Plan* (UFP) policies. For further information, a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Policy E.2) Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsive manner.

Findings: The PUD proposes to protect the natural vegetation, natural water features, and drainage-ways by utilizing native landscape planning while minimizing the amount of significant trees removed from the development property and by reducing encroachment of the river and open space by employing careful site orientation design. For further information, please see landscape and civil engineering attached information and also the Willamette Greenway permit application, file number *WG 13-0001*.

(Policy E.4) Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity.

Findings: The desirable feature of the neighborhood is the open space that surrounds the river and also the Willamette River, including views and access. As outlined in this statement, this PUD provides maximum openness, connectivity, and recreation for neighborhood. For further information, a



Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Policy E.8) Site planning standards developed by local jurisdictions shall allow for flexibility in design that will achieve site planning objectives while allowing for creative solutions to design problems.

Findings: Solutions to specific contextual site integration of the surrounding neighborhood rely on intentions of the property owners and subsequent agreements made between Oakleigh Meadow LLC and property owner to the West of the development site. Issues regarding the placement and construction of site walls have been resolved and are proposed to enhance both properties. Please refer to the proposed site and landscape plans for further information.

METRO PLAN – SPECIFIC ELEMENTS: (F) TRANSPORTATION ELEMENT

(Goal 1) Provide an integrated transportation and land use system that supports choices in modes of travel and development patterns that will reduce reliance on the automobile and enhance livability, economic opportunity, and quality of life.

Findings: As demonstrated in other code compliance criteria below in this statement, the PUD proposes an enhanced and viable integrated transportation system that allows for multiple modes of travel. For further information, a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Goal 2) Enhance the Eugene-Springfield metropolitan area's quality of life and economic opportunity by providing a transportation system that is: Balanced, Accessible, Efficient, Safe, Interconnected, Environmentally responsible, Supportive of responsible and sustainable development, Responsive to community needs and neighborhood impacts, and Economically viable and financially stable.

Findings: The PUD proposes an economically viable and financially stable residential building model in an area newly annexed to the city of Eugene that responds to the community needs by providing sustainable development with a well-maintained accessible transportation system that is safe and environmentally responsive.



(Policy F.4) Require improvements that encourage transit, bicycles, and pedestrians in new commercial, mixed use, and multi-unit residential development.

Findings: As mentioned in the statement below, the proposed PUD complies with circulation and access development standards for multiple-family dwellings.

(Policy F.22) Construct and improve the region's bikeway system and provide bicycle system support facilities for both new development and redevelopment/expansion

Findings: As mentioned in the statement below, the proposed PUD complies with circulation and access development standards for multiple-family dwellings. For further information, a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(Policy F.23) Require bikeways to connect new development with nearby neighborhood activity centers and major destinations.

Findings: Creating housing on this infill site nearby every day shopping minimizes traffic impacts while taking full advantage of the site's walk-and-bike ability for daily errands. The Property also has excellent bicycling and public transit options to downtown Eugene.

(Policy F.26) Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance safety, comfort, and convenience of walking.

(Policy F.27) Provide for a continuous pedestrian network with reasonably direct travel routes between destination points.

Findings: The PUD proposes to improve and maintain the existing path connections between the River Road neighborhood and the Willamette River Greenway path system. As indicated in code compliance statements below, the proposed development encourages alternative, safe, and convenient circulations systems on-site that reinforce the connections within the neighborhood.

METRO PLAN – SPECIFIC ELEMENTS: (G) PUBLIC FACILITIES AND SERVICES ELEMENT

(Policy G.1) Extend minimum level and full range of key facilities and services in an orderly and efficient manner consistent with the growth management

policies in Chapter II-C, relevant policies in this chapter, and other Metro Plan policies.

Findings: The parcels affected by this application are currently within the *Urban Growth Boundary* and were annexed into the City of Eugene. The annexation was made in compliance with an acknowledged comprehensive plan and implementing ordinances, and established the availability of urban facilities and services.

(Policy G.9) Wastewater conveyance and treatment shall be provided to meet the needs of projected growth inside the UGB that are capable of complying with regulatory requirements governing beneficial reuse or discharge of effluent and beneficial reuse or disposal of residuals .

Findings: The proposed PUD places special emphasis upon wastewater management when planning for facilities. Please see the attached civil engineering drawings and geotechnical investigation for details.

(Policy G.10) Eugene and Springfield and their respective utility branches, EWEB and SUB, shall ultimately be the water service providers within the UGB.

Findings: The PUD proposes EWEB to be the main service provider and is already working with the Eugene Water and Electric Board planning for facilities.

(Policy G.12) Ensure that water main extensions within the UGB include adequate consideration of fire flows.

Findings: The PUD will comply with fire flow requirements as recommended by EWEB and the Fire Marshal and will provide adequate pipe sizing thusly.

(Policy G.16) Consider wellhead protection areas and surface water supplies when planning stormwater facilities.

(Policy G.17) Manage or enhance waterways and open stormwater systems to reduce water quality impacts from runoff and to improve stormwater conveyance.

(Policy G.18) Include measures in local land development regulations that minimize the amount of impervious surface in new development in a manner that reduces stormwater pollution, reduces negative [effects] from increases in runoff, and is compatible with Metro Plan policies.



(Policy G.20) Maintain flood storage capacity within the floodplain, to the maximum extent practical, through measures that may include reducing impervious surface in the floodplain and adjacent areas.

Findings: The proposed PUD places special emphasis upon surface water supplies when planning for stormwater facilities. Please see the attached civil engineering drawings, stormwater analysis, and geotechnical investigation for further information.

(Policy G.36) Require development to pay the cost, as determined by the local jurisdiction, of extending urban services and facilities. This does not preclude subsidy, where a development will fulfill goals and recommendations of the Metro Plan and other applicable plans determined by the local jurisdiction to be of particular importance or concern.

Findings: As mentioned above in this statement, Oakleigh Meadow LLC is financially responsible for this project and as such will pay the cost of development as it works with the City of Eugene and local jurisdictions to fulfill goals and recommendations of the Metro Plan.

METRO PLAN – SPECIFIC ELEMENTS: (J) ENERGY ELEMENT

(Goal 1) Maximize the conservation and efficient utilization of all types of energy.

(Objective 7) Continue and intensify efforts to allocate land uses in a manner that creates a compact growth form for the metropolitan area.

(Objective 8) Promote policies that minimize the energy consumed for heating, cooling, lighting, appliance use, and other processes in commercial, industrial, and residential buildings.

(Objective 9) Encourage the maximum amount of energy conservation associated with automobile use.

(Objective 11) Encourage the minimization of energy consumption in determining the placement, density, and design of all types of urban land uses.

(Objective 12) Continue and support energy conservation efforts that are being undertaken by the public and private sector.

Findings: The PUD proposes reduced energy consumption during the lifetime of this project primarily with highly-efficient technologies, tried-and-true construction details, and the use of shared walls. By sharing insulation between heated units, the amount of exterior walls is reduced and the impact of the proposed R-Value is also greatly increased. The slab-on-grade foundations, fully insulated with rigid foam, provide thermal mass for controlling indoor temperature in all the proposed buildings. The common

house is oriented with solar design stratagem and proposes to open up to a large porch on the East and South sides that provides comfortable indoor/outdoor habitable spaces during the spring, summer, and autumn seasons that quite easily reduce heating and cooling needs and also encourage healthy living.

(Policy J.3) Land allocation and development patterns shall permit the highest possible current and future utilization of solar energy for space heating and cooling, in balance with the requirements of other planning policies.

(Policy J.4) Encourage development that takes advantage of natural conditions, such as microclimate, and utilizes renewable energy supplies, such as solar energy, to minimize non-renewable and overall energy consumption.

Findings: The PUD complies with the standards pursuant to *EC 9.5500 Multiple-Family Standards* that regulate the orientation and density of multiple unit dwelling projects. For further information, please see code compliance findings contained below in this statement and also the Willamette Greenway permit application, file number *WG 13-0001*.

METRO PLAN – SPECIFIC ELEMENTS: (K) CITIZEN INVOLVEMENT ELEMENT

(Goal) Continue to develop, maintain, and refine programs and procedures that maximize the opportunity for meaningful, ongoing citizen involvement in the community's planning and planning implementation processes consistent with mandatory statewide planning standards.

(Policy K.3) Improve and maintain local mechanisms that provide the opportunity for residents and property owners in existing residential areas to participate in the implementation of policies in the Metro Plan that may affect the character of those areas.

Findings: The City of Eugene's acknowledged program for citizen involvement provides citizens the opportunity to review and make recommendations in written and oral testimony on the proposed PUD, Tentative Plan, consistent with this Goal. The action proposed is consistent with and does not amend the citizen involvement element of the Metro Plan.

A public neighborhood meeting and public notification, as required by the City of Eugene Type III Application process, occurred in the area within walking distance of the development site. Oakleigh Meadow LLC has been very active in the neighborhood, including residents and property owners in the process. Community members have been invited to regular on-site meetings, as well as public meetings and displays at the River Road Annex



community center. The PUD has also been recognized and is supported by the River Road Neighborhood Association.

Neighborhood Outreach History brief:

- ✓ Since July, 2011 flyers regarding all of our events have been posted in the neighborhood and all over Eugene. Since that same date OMC members have walked door to door on Oakleigh and McClure with flyers, knocking on doors and talking with neighbors about the project.
- ✓ Since February, 2012 there has been an OMC website for neighbors to visit to ask questions, schedule a visit, or gain more information.
- ✓ Since August 2012, OMC members have walked, knocked on doors, and talked to residents of Oakleigh and McClure Lanes, carrying a large copy of our site-design for reference. Community responses were documented and updated to the OMC website's Frequently Asked Questions section.
- ✓ Since April, 2012, there has been a 30"x 48" OMC sign on the development property. It reads "*Future Home of Oakleigh Meadow Cohousing*" and includes our website address for more information.
- ✓ Long-running ads in the Eugene Weekly regarding 3rd Sunday Site-Visits and other events.

Chronological outline of events and activities:

2011

- July 30th: OMC launch party
- August 28th: Cohousing Gathering
- September 11th: Outreach Meeting & Potluck
- October 15th: Slide Show with Chuck Durrett
- November 6th & 20th: OMC Neighborhood Potlucks
- December 3&4: Getting-it-Built workshop with Chuck Durrett

2012

- Treasure Tromp Egg Hunt: March, 2012
- Ice Cream Social: July, 2012
- Field Games Day: July, 2012
- Non-Profit Design & Build picnic: July, 2012 – presented cohousing plans to community members and mayor of Eugene, Kitty Piercy.
- August: OMC members walk neighborhood with site-design poster and paper regarding Frequently Asked Questions
- February 19th, 2012 – present: Open-Site visits once a month
- August – present: Filbert & Cottonwood grove work parties
- December 8th : Neighborhood Christmas tree cutting

2013

- January 18-20 & March 7-10: OMC booth at both Home shows for a total of 7 days of non-stop outreach. 2-5 members in the booth having hundreds of conversations with community members.
- Saturday February 16th (1-4pm) Neighborhood outreach event at RR Annex
- Meadow Maze Treasure Tromp (March30): neighborhood families invited.
- Happy Movie at UU Church (April 5th). Neighbors and larger community invited and 555 persons attended.
- Monthly Site-Visits and Filbert Grove work parties continue.

EC9.8320(2) – *THE PUD IS CONSISTENT WITH APPLICABLE ADOPTED REFINEMENT PLAN POLICIES.*

Findings: *This site is within the study area of the River Road Santa Clara Urban Facilities Plan (UFP) and is not listed in a Subarea. The property is designated Suburban Residential (RA) on the Zoning Diagram of the refinement plan and as Low Density Residential on the Land Use Diagram which is all consistent with City and Metro Plan zoning.*

EC9.9610 – *RIVER ROAD – SANTA CLARA URBAN FACILITIES PLAN (UFP) POLICIES.*

(1) General Land Use. Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial-industrial, and commercial-agricultural uses (Policy 1).

Findings: The development property's land use is low-density residential. The subject property is bound on three sides, the North, West, and South, by properties also zoned as low-density residential. As such, the PUD does not create any land use compatibility conflicts with those adjoining properties. The adjacent property to the East is city-owned vacant land, zoned as public land. The PUD proposes to provide open areas, approx. 20% of the development site, along the development site's East property line in order to retain the use and openness of the adjoining vacant property. The PUD promotes effective compatibility and minimizes land use conflicts by matching adjacent land uses.

(2) Residential Land Use.

(a) Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan (Policy 1).

Findings: The allowable density for the subject site is 14 units per acre, or 32 total units. The PUD proposes 28 dwelling units clustered in 7



buildings on the approx. 2.3 acre site, 13% less than allowed by code. A study of the residential character of the surrounding area was performed by the owner in order to better understand and recognize key low-density residential architectural features and site massing specific to this neighborhood.

The proposed development will continue the look and feel of the existing neighborhood by limiting the street view to only three dwelling units, each with front porches and setbacks that match the existing adjacent residential context. Existing vegetation and clustered site placement of the remaining buildings reinforce the single-family appearance.

(b) Evaluate traffic and compatibility impacts when considering new residential development on parcels fronting arterial streets (Policy 3).

Findings: The City of Eugene Street Classification Map identifies streets similar to Oakleigh Lane as a local street with a primary function of distributing traffic to its destination and feeding collector streets that then feed arterial streets. Oakleigh Lane is the only street that fronts the development property. As such, the criterion of this section does not apply.

(e) Design residential development which is adjacent to the Greenway, parks, and other identified natural features in a manner that ensures its compatibility with those features (Policy 6).

Findings: The development property is within the *Greenway*. The PUD proposes to position dwellings and common buildings to the North and West within the development property, leaving the area to the East open to the adjacent vacant public lands. Oakleigh Meadow LLC identifies the open meadow and river as the primary natural features, and protects it by using building orientation strategies and by leaving it as open and undeveloped as possible. For further information, a Willamette Greenway permit application, file number *WG 13-0001*, is being submitted concurrently with this application that will provide criterion analysis.

(18) Transportation Element:

(a) Support alternative to the automobile including mass transit, bicycle, walking, and carpooling (Policy 2).

Findings: The PUD proposes four dedicated covered and protected bicycle parking “sheds” and one “bike barn” (approx. 1,280 square feet



total) conveniently located along paths at areas of transition from access paths entering the development site that allow for ease of parking, maintenance, and storage. Additionally, the proposed eight garages and eight carports serving the residents will provide overflow storage for and extra security for bicycles. Pathways connect the PUD to the adjacent path system. Cohousing supports and nurtures carpooling and general reduction of vehicular use, as stated above, by creating a cultural environment conducive to sharing and healthier means of travel.

(Policy 2.0) Provide a diversity of housing types in the area. Available techniques include encouraging reinvestment and rehabilitation of existing housing stock and the use of development standards that provide for clustering or planned unit development.

(Suggested Action 2.1) Provide for innovative residential development through subdivision and other code provisions, such as planned unit developments and cluster subdivisions for new residential development on large parcels.

(Suggested Action 2.3) Employ cluster subdivisions, PUD and site review, and other design processes to buffer new residential development from identified natural features.

Findings: The PUD provides innovative residential development by proposing Cohousing with diverse housing types, each ranging in price and size, as a solution for individual home-owners in the area. The PUD also buffers and protects existing natural features, including but not limited to the Willamette River, existing mature trees, and open public space along the Ruth Bascom Park and Path System.

EC9.8320(3) – *THE PUD WILL PROVIDE ADEQUATE SCREENING FROM SURROUNDING PROPERTIES INCLUDING, BUT NOT LIMITED TO, ANTICIPATED BUILDING LOCATIONS, BULK, AND HEIGHT.*

Findings: The PUD proposes to effectively integrate into the surrounding neighborhood and places an extreme emphasis on protecting the surrounding properties with the use of screening systems. After studying the building styles in the area, we have developed a design that is climatically responsive with minimal mechanical systems. Inspired by local craftsman style architecture and the simple forms of rural buildings of Lane County, the buildings create a sense of place and community while maintaining a strong residential feel to offer a sense of “home” as well. The community’s common house, located in the middle of the development, is the heart of the place and has more of an agrarian feel. The community’s formal front door faces Oakleigh Lane offering an inviting face to the community.



Screening from surrounding properties along Oakleigh Lane is proposed by using carefully designed building orientation and site placement as well as appropriate landscape design elements. The proposed one- and two-story dwellings abutting Oakleigh Lane do not exceed massing widths or heights inconsistent with neighborhood single-family proportions. Along Oakleigh Lane, at the southern side of the street, townhouses address the residential street with covered porches as found in this and other neighborhoods of the River Road area. Internally, the site plan is pedestrian oriented with many places for children to play and residents to sit outside. By clustering the units and keeping all the parking to one side of the site, more usable open space, free from vehicular traffic, was able to be conserved with open views to the river and bike path.

An architectural strategy employed on all buildings is to reduce the visual impact of size and scale of the building facades. The three proposed attached dwellings abutting the street form three identifiable front elevations within the façade of the larger building mass, each approximately 30 feet wide and accentuated with decks and porches between dwelling units. These decks and porches soften the perception of the street elevation by pulling from and continuing existing architectural elements along Oakleigh Lane. The PUD also minimizes the impact on the adjacent neighbors by continuing the “rhythm” of neighborhood houses along the street front. Refer to street study. Screening also provided by the fencing, parking, site walls, trash and recycling facility, landscaping, and gardens. Further, light pollution is greatly reduced because the parking spaces are centralized to one lot and with the design strategy of utilizing minimal impact outdoor lighting fixtures, such as low pathway and covered porch lights.

Proposed and existing landscape also helps to further screen the proposed buildings. A combination of screening from the street will be provided along the North property line similar to *EC 9.6210(1) Basic Landscape Standard L-1* with trees, shrubs, and ground cover selected from the approved City of Eugene Plant Materials List and that are also suitable for planting under overhead power lines. Existing mature Cedars adjacent to the (1) Low-Density Residential property to the North already screen the proposed dwelling units. As required, a high landscape screen, similar to *EC 9.6210(3) High Screen Landscape Standard L-3*, with espaliered (typically fruit) trees extending along the entire length of the property line provides an opaque barrier and continuous vegetative canopy that softens the visual impact of the development along the West property line from the (2) Low-Density Residential properties.

Please refer to the proposed landscape plans provided for detailed information pertaining to actual placement, size, and species. Any information pertaining to specific specie requirements shall be addressed during the Final PUD process. Although slight modifications of this plan may occur between the Tentative and



Final stages of this PUD submittal, the intent and overall design shall remain as indicated. All proposed landscaping shall be approved prior to installation.

EC9.8320(4) – *THE PUD IS DESIGNED AND SITED TO MINIMIZE IMPACTS TO THE NATURAL ENVIRONMENT BY ADDRESSING THE FOLLOWING:*

(a) Protection of Natural Features.

(1) For areas not included on the city's acknowledged Goal 5 Inventory, the preservation of significant natural features to the greatest degree attainable or feasible, including:

- (a) Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under State or Federal law), and native plant communities.*
- (b) All documented habitat for all rare animal species (those that are proposed for listing or are listed under State or Federal law).*
- (c) Prominent topographic features, such as ridgelines and rock outcrops.*
- (d) Wetlands, intermittent and perennial stream corridors, and riparian areas.*
- (e) Natural resource designation in the Metro Plan.*

(2) For areas included on the City's acknowledged Goal 5 Inventory:

(a) The proposed development's general design and character, including but not limited to anticipated building locations, bulk and height, location and distribution of recreation space, parking, roads, access and other uses, will:

- (1) Avoid unnecessary disruption or removal of attractive natural features and vegetation, and*
- (2) Avoid conversion of natural resource areas designated in the Metropolitan Area General Plan to urban uses when alternative locations on the property are suitable for development as otherwise permitted.*

(b) Proposed buildings, road, and other uses are designed and sited to assure preservation of significant on-site vegetation, topographic features, and to prevent soil erosion or flood hazard.

Findings: Existing today, the site is primarily a meadow, consisting of a cover crop of short grass and scattered fruit and fir trees with a heavily wooded border along the a portion of the North property line. The community is already practicing land stewardship by, among other things, removing invasive Blackberry thickets that were threatening the vitality of the adjacent mature indigenous trees to the North and also the street, Greenway and bike path to the East, and the existing landscape and trees scattered throughout the site. A continued stewardship of the land, as inherently written into the administrative rules of this cohousing development, places the residents in a proactive position of protecting the natural features of the site.



This site does not contain any significant Upland Wildlife or Wetland Sites as identified in the *City's Goal 5 Inventory*, such as rare plants, habitat for rare animals, prominent topographic features, streams, etc. The PUD site is located in a 'Category A' Riparian zone with a designated 100-ft setback from the Willamette River, which will not be impacted. According to the Metro Plan, the site is completely within the Willamette Greenway but is not designated as a "Natural Resource." A concurrent Willamette Greenway permit (#WG 13-0001) will supplement this PUD, Tentative Plan Application that will provide criterion analysis.

(b) Tree Preservation. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible, with trees having the following characteristics given the highest priority for preservation:

- (1) Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;*
- (2) Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;*
- (3) Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;*
- (4) Trees that provide a buffer between potentially incompatible land uses;*
- (5) Trees located along the perimeter of the lot(s) and within building setback areas;*
- (6) Trees and stands of trees located along ridgelines and within view corridors;*
- (7) Trees with significant habitat value;*
- (8) Trees adjacent to public parks, open space and streets;*
- (9) Trees along water features;*
- (10) Heritage trees.*

Findings: The property hosts a diverse but isolated series of small groups of very young fruit and fir trees with some scattered mature trees. The 2.3-acre property has approximately 135 existing trees of various groupings. The PUD proposes to remove only four (4) city-classified trees, each measuring eight inches or more in diameter at their respective DBH. The more mature trees, including a row of large Cedars along the north property line, were selected for preservation. No significant trees will be harmed or removed. A Tree Removal Plan is provided with this application as provided by the Project Landscape Architect. Please refer to the attached comprehensive proposed landscape plans. Specific work shall be approved by a licensed arborist prior to



construction to ensure preservation of critical root zones, as recommended by the Project Landscape Architect.

(c) Restoration or Replacement.

(f) For areas not included on the city's acknowledged Goal 5 Inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (a) and (b) above, through the restoration or replacement of natural features such as:

- (a) Planting of replacement trees with common areas; or*
- (b) Re-vegetation of slopes, ridgelines, and stream corridors; or*
- (c) Restoration of fish and wildlife habitat, native plant habitat, wetland areas, and riparian vegetation.*

To the extent applicable, restoration or replacement shall be in compliance with the planting and replacement standards of EC 6.335 and rules adopted thereunder.

(g) For areas included on the city's acknowledged Goal 5 Inventory, any loss of significant natural features described in criteria (a) and (b) above shall be consistent with the acknowledged level of protection for the features.

Findings: The PUD proposes to meet or exceed landscape requirements as required by all applicable codes. Mitigation of the loss four trees will be provided by the planning of a variety of new trees, protected by vegetative swales and building orientation, throughout the property. Please refer to the attached proposed landscape plans for detailed information.

(d) Street Trees. *If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved, or approved with conditions according to the process at EC 6.305 of this code.*

Findings: No street trees will be removed. Conversely, this PUD proposes to introduce new street trees along Oakleigh Lane in an attempt to improve the conditions of the street beyond base code requirements. As such, this criterion does not apply. Please refer to the attached proposed Landscape Plans for reference and details.

EC9.8440 – SITE REVIEW APPROVAL CRITERIA-GENERAL.

(e) Parking. *There is a need for parking in the area and the proposed parking area will provide shared parking.*

Findings: As described in other code compliance sections of this statement, the PUD proposes to provide adequate parking stalls for the residents, as per



EC 9.5500 *Multiple-Family Standards*, that will offer a combination of privately-owned and shared spaces.

EC 9.8320(5) – *THE PUD PROVIDES SAFE AND ADEQUATE TRANSPORTATION SYSTEMS THROUGH COMPLIANCE WITH THE FOLLOWING:*

(a) *EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection (11) below).*

Findings: The existing conditions of Oakleigh Lane provide a 20-foot wide Right of Way with no sidewalks along the entire street. An 8-inch sanitary line runs along Oakleigh Lane and is accessible by a manhole located directly outside of the North property line near the end of Oakleigh. Oakleigh Lane can be described as having a ‘country lane’ feeling, which neighbors have explicitly expressed an interest in preserving. Please see the attached Geographic Survey for reference.

The entire lane is covered with asphalt paving, clear of structural cracks or potholes, measures 19.4 feet wide, and spans beyond the ROW South into the development property by approximately eight feet or less. The street paving terminates approximately 140 feet to the East beyond the development site’s westernmost property line. The PUD proposes to connect to the existing paved street with a new concrete apron, measuring 22 feet wide and approx. 40 feet long, with an adjacent three-foot wide concrete path extending to the pavement. Please see the proposed site plan and Geotechnical Investigation provided for graphic and detail information.

The PUD proposes to resurface the asphalt pavement that abuts the development property in an attempt to most importantly allow for an emergency vehicle and fire-apparatus access path, but also to appease any neighborhood concerns about the condition of the end of the street and to maintain the connection to the existing well-worn dirt path that connects pedestrian and bicycle traffic on Oakleigh Lane to the Willamette River Bike Path system.

There are no new public or private streets proposed with this development. Additionally, no reserve strips, cul-de-sacs, transit routes nor street names are proposed. Adequate access to the site is already provided through the adjacent public street network, Oakleigh Lane, and street connections are provided to all existing streets that abut the property.

Although no public or private streets are proposed, the PUD provides a driveway, no less than twenty-two feet wide, accessing the parking, carports, and garages. The driveway intersects the existing public street at a 90



degree angle, and the offsets for the proposed access point to the nearest existing intersections comply with the requirements of EC 9.6830(2).

As part of this development, the applicant will provide the required improvements to the landscape strips, curb cuts, and driveway. No public sidewalks adjoin the property. There is a special setback required, as per EC 9.6750, on the subject site and compliance to that standard is addressed in detail on the proposed site plan. The proposed on-site vehicle circulation system meets the development standards of the Eugene Code.

- (b) *Pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided by the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means within ¼ mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.*

Findings: Cohousing supports and nurtures carpooling and general reduction of vehicular use, as stated above, by creating a cultural environment conducive to sharing and healthier means of travel. The PUD is designed with a primary focus on pedestrian and bicyclist access and circulation, and aims to encourage such uses by providing a comprehensive interconnected network of convenient and safe on-site concrete paths, four covered and secured bicycle parking sheds, and one auxiliary bicycle maintenance facility ("bike barn"), strategically located near all building entrances, at intermediate locations between buildings, and also at proposed PUD path connections to existing paths serving the Ruth Bascom Path System.

The orientation of these service elements will allow for greater ease-of-use for commuters, a tactic that increases resident pedestrian and bicycle activity. The proposed bike barn marks the connection to/from the PUD to the adjacent path system. An existing path from the park extends into the development property by means of the adjacent city property. This PUD proposes an improved physical connection to that path as well as providing the long-term maintenance of the connection. As stated previously, there is also an existing informal dirt path that connects the park to Oakleigh Lane along the North property line that will also be improved and maintained by Oakleigh Meadow LLC. Please see the attached proposed site plans for reference and locations.

(c) *The provisions of the Traffic Impact Analysis Review of EC 9.8650 through 9.8680 where applicable.*

Findings: The Institute of Traffic Engineers (ITE) reveals a PM Peak Hour rate of 0.52 cars and an AM Peak Hour rate of 0.42 cars per dwelling unit for residential condo/townhouses, “ownership units,” that are similar to the proposed dwelling units of this PUD. In our worse-case scenario, we would expect our highest Peak Hour rate to range from nine to fifteen cars, or roughly 10% of the required analysis rate. As such, a Traffic Impact Analysis is not required for this proposed development.

EC 9.8320(6) – *THE PUD WILL NOT BE A SIGNIFICANT RISK TO PUBLIC HEALTH AND SAFETY, INCLUDING BUT NOT LIMITED TO SOIL EROSION, SLOPE FAILURE, STORM WATER OR FLOOD HAZARD, OR AN IMPEDIMENT TO EMERGENCY RESPONSE.*

Findings: The PUD is comprised of two relatively flat meadows on both the East and West ends of the property that are separated by modestly sloping terrain. Ground elevations, as indicated by a topographic survey provided by Poage Engineering & Surveying, Inc., finds a range from approximately +399 feet at the East to approximately +403 feet near the West side of the property. The bank of the Willamette River lies within 260-270 feet of the East property line.

The PUD proposes to infill areas of the site to comply with base flood elevation requirements. A Geotechnical Investigation prepared by Foundation Engineering, Inc. is included with this application.

The proposed development provides rain gardens, pervious hardscapes, and vegetated bio-swales compliant with *EC 9.6790 through 9.6796 Stormwater Management Standards and the 2008 Eugene Stormwater Manual*. Please reference the attached civil engineering drawings, stormwater analysis, and geotechnical analysis.

The PUD proposes a single vehicular access point off Oakleigh Lane that accommodates the required driveway widths and fire apparatus access turning radii needed for all emergency vehicles by providing a ‘hammerhead’ fire turn-around as per *City of Eugene Public Improvement Design Standards Manual* and as approved by the Fire Marshall. No gate, fence, or any device shall block access to the site, which ensures safe and efficient emergency response within the proposed development.

EC 9.8320(7) – *ADEQUATE PUBLIC FACILITIES AND SERVICES ARE AVAILABLE TO THE SITE, OR IF PUBLIC SERVICES AND FACILITIES ARE NOT PRESENTLY AVAILABLE, THE APPLICANT DEMONSTRATES THAT THE*

SERVICES AND FACILITIES WILL BE AVAILABLE PRIOR TO NEED. DEMONSTRATION OF FUTURE AVAILABILITY REQUIRES EVIDENCE OF AT LEAST ONE OF THE FOLLOWING:

- (a) *Prior written commitment of public funds by the appropriate public agencies.*
- (b) *Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.*
- (c) *A written commitment of public funds made necessary by added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the city manager.*

Findings: Adequate public facilities are currently available to the development site. Required utility services such as water, electric, wastewater, stormwater, CATV, telephone, gas, etc. can be extended to the PUD from the existing facilities located on Oakleigh Lane. Other public facilities such as emergency response, police, public transit, schools, parks, etc. are also readily available as designated in the Metro Plan. Please reference the attached civil engineering drawings.

EC9.8320(8) – RESIDENTS OF THE PUD WILL HAVE SUFFICIENT USABLE RECREATION AREA AND OPEN SPACE THAT IS CONVENIENT AND SAFELY ACCESSIBLE.

Findings: The PUD proposes no less than three separate and distinct common open spaces as well as ample private open spaces for each residence all within the development site. One large, grassy common open space is provided along the East property line, and two less large grassy common courtyards are proposed in locations between buildings. The areas for the smaller spaces are proposed to be 4,050 and 1,896 square feet, respectively, and are oriented on site to minimize travel distance from each residence. The larger open space is proposed to encompass 14,853 square feet, or approximately 0.34 acres.

Furthermore, the larger common space is bound to the East by city-owned vacant land adjacent to the Park, Path System, and Willamette River. The City of Eugene has informed the owners that they do not intend to develop that vacant lot (approx. 3.0 acre), which would allow for direct access from the proposed common open space to the park system. In all, the amount of common open space proposed in this PUD is approx. 0.48 acre, or 21% of the subject site. All proposed open spaces will comply with **EC 9.5500(9)** – *Multiple-Family Standards: Open Space*.

EC9.8320(9) – STORMWATER RUNOFF FROM THE PUD WILL NOT CREATE SIGNIFICANT NEGATIVE IMPACTS ON NATURAL DRAINAGE COURSES EITHER ON-SITE OR DOWNSTREAM, INCLUDING, BUT NOT LIMITED TO, EROSION, SCOURING, TURBIDITY, OR TRANSPORT OF SEDIMENT DUE TO INCREASED PEAK FLOWS OR VELOCITY.

Findings: The proposed development provides rain gardens, pervious hardscapes, and vegetated bio-swales compliant with *EC 9.6790 through 9.6796 Stormwater Management Standards* and the *2008 Eugene Stormwater Manual* as evidenced by the following:

EC 9.6791 – Stormwater Destination.

- (1) Purpose.*** *The purpose of EC 9.6791 is to protect life and property from flood and drainage hazards by maintaining the capacity of the city's stormwater conveyance system through the establishment of destination regulations for stormwater runoff from the development.*
- (2) Applicability.*** *Destination standards apply to all development.*
- (3) Standards.*** *Stormwater drainage facilities shall be designed and constructed according to adopted plans and policies, and in accordance with standards in EC Chapters 6 and 7, and the stormwater destination provisions and the facility design requirements set forth in the Stormwater Management Manual. On-site infiltration is the preferred stormwater destination for development in the River Road – Santa Clara Basin. An application proposing a new development must submit documentation to the city showing the stormwater destination into which the proposed development will be disposed. The documentation must establish that the new development will be disposed of into existing stormwater drainage facilities that, considering all developments that have received tentative or final plan approval as of the date the developer submits a complete application, have the capacity to handle the stormwater runoff that will be generated by the proposed new development for the flood control design storm, or, if the applicant cannot establish that existing stormwater drainage facilities have such capacity, the applicant must construct storm drainage facilities to accommodate the stormwater draining from the proposed development.*

Findings: The proposed stormwater management system has been designed to protect life and property from potential flooding and will be constructed according to all adopted plans and policies pursuant to *EC Chapters 6 and 7* and also City of Eugene's *Stormwater Management Manual*. Since there is no existing stormwater system available and due to the existing conditions of the development site, infiltration is unadvisable. Destination of the stormwater from the development site, after treatment, will be along the east side of the property and will slowly sheet drain on to the adjacent city property. Flow from the site is reduced to pre-development flow and is dispersed using rip rap; no increase is proposed. This destination was agreed



upon in a subsequent meeting on January 30th, 2013, by Neil Bjorklund with the city's Public Works department. If deemed necessary, as a supplement, the PUD shall comply with the City's *Level Spreader Design* requirements, including complying with proper installation guidelines.

EC 9.6792 – Stormwater Pollution Reduction

Findings: Treatment of stormwater from the site conforms to the treatment options listed in the Eugene Stormwater Manual and consists of pervious pavements, 15 rain gardens, and a vegetated swale. Pervious pavement will be located in the parking stalls, the entry, and the fire turnaround. Site walking surfaces and the roof tops of the homes will utilize the 15 rain gardens around the site. Each rain garden is sized to treat and reduce flows to pre-development rates. Sizing of the rain garden was performed by using the City of Eugene *Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet*.

Stormwater run-off from the automobile garage, drive strip, and Common House buildings will be piped to and treated by the proposed 10-foot wide by 58-foot long vegetated swale located adjacent to the Common House to the East. A berm at the end of the swale will act as a weir to reduce flows to pre-development rates. The swale was sized using the presumptive method.

EC 9.6793 – Stormwater Flow Control

Findings: The development site is not located in the headwaters area and is therefore exempt. However, to protect the adjacent down-hill property, flows will be reduced to pre-development rates as stated above.

EC 9.6794 – Stormwater Oil Control

Findings: The development site is a residential lot and is not expected to have a daily traffic count greater than 100 vehicles per 1,000 square feet of gross building area, which will not result in 100 or more off-street parking spaces. As such, this PUD is exempt from this criterion.

EC 9.6795 – Stormwater Source Controls

Findings: The PUD triggers one source control measure. The trash enclosure will comply with the source control requirements of the *Eugene Stormwater Manual* by providing a hydraulically isolated, covered, and well-drained facility. The stormwater thence will flow to the sanitary sewer system.



EC 9.6796 – Dedication of Stormwater Easements

Findings: All stormwater management facilities will be privately owned by Oakleigh Meadow LLC and shall be operated and maintained by the owner and in accordance with *Eugene Code, Chapter 6*. Ample access to the proposed stormwater facilities is provided and, thusly, no stormwater easements are necessary for this PUD. Please reference the attached civil engineering drawings and analysis for details.

The proposed vegetated swale and rain garden locations and designs may change slightly when the landscape design is finalized during the Final PUD stages, however, the overall area requiring stormwater management will remain consistent with the Tentative PUD proposal. Please see attached Stormwater Analysis, Geotechnical Investigation, and Hydrologic Calculations for specific information regarding the destination capacity, size and location of the proposed stormwater system.

EC 9.8320(10) – LOTS PROPOSED FOR DEVELOPMENT WITH ONE-FAMILY DETACHED DWELLINGS SHALL COMPLY WITH EC 9.2790 SOLAR LOT STANDARDS OR AS MODIFIED ACCORDING TO SUBSECTION (11) BELOW.

Findings: This PUD proposes a residential density of 87% of the maximum allowable density according to site zoning, and exceeds the minimum 70% requirement of *EC 9.2790(3)(a) – Exceptions to Solar Lot Requirements*. As such this criterion is not applicable.

EC 9.8320(11) – THE PUD COMPLIES WITH ALL OF THE FOLLOWING:

(a) EC 9.2000 through 9.3915 regarding lot dimensions and density requirements for the subject zone...

EC 9.2700 – PURPOSE OF R-1 LOW-DENSITY RESIDENTIAL ZONE

THE PURPOSE OF THE R-1 LOW-DENSITY RESIDENTIAL ZONE IS TO IMPLEMENT THE METRO PLAN BY PROVIDING AREAS FOR LOW-DENSITY RESIDENTIAL USE. THE R-1 ZONE IS DESIGNED FOR ONE-FAMILY DWELLINGS WITH SOME ALLOWANCE FOR OTHER TYPES OF DWELLINGS, AND IS ALSO INTENDED TO PROVIDE A LIMITED RANGE OF NON-RESIDENTIAL USES THAT CAN ENHANCE THE QUALITY OF LOW-DENSITY RESIDENTIAL AREAS.

EC 9.2740 – RESIDENTIAL ZONE LAND USE AND PERMIT REQUIREMENTS

Findings: As per *EC Table 9.2740*, the PUD proposes buildings that are categorized as accessory uses, which are permitted for R-1 zones.



Multiple-Family residential dwellings and Other Commercial Services are also proposed and they are both permitted through a PUD process.

EC 9.2740(7) – C-1 NEIGHBORHOOD COMMERCIAL IN RESIDENTIAL ZONES.
USES PERMITTED OUTRIGHT IN THE C-1 NEIGHBORHOOD COMMERCIAL ZONE SHALL BE PERMITTED IN ANY RESIDENTIAL ZONE THROUGH THE PLANNED UNIT DEVELOPMENT PROCESS WITH A DEMONSTRATION THAT THE COMMERCIAL USES WILL SERVE RESIDENTS LIVING IN THE PUD .

EC 9.2160– COMMERCIAL ZONE LAND USE AND PERMIT REQUIREMENTS.

Findings: As per EC Table 9.2160, the PUD proposes buildings that contain uses that are categorized as Specialty Food and Beverage, and is permitted outright. The proposed space referred to as the Common House will be used to serve the residents of the PUD.

EC 9.5500 – MULTIPLE-FAMILY STANDARDS.

Findings: The proposed PUD complies with the standards and guidelines set forth in EC 9.5500 and evidence as such is provided in this written statement and the attached architectural, civil, and landscape drawings.

(b) EC 9.6500 through EC 9.6505 Public Improvement Standards

Findings: As stated above (EC 9.8320(7)), the development site is furnished with accessible utilities running along Oakleigh Lane that will be connected to each proposed building.

All proposed public improvements including sidewalks, paths, accessible sidewalk ramps, landscape strips, curb cuts, and driveways will be constructed in accordance with adopted City plans and policies as required by this section. Easements which may be necessary for public utilities not required to serve the subject site will be granted provided the City makes findings to demonstrate consistency with constitutional requirements as required by this code section.

No new private or public streets are proposed by the applicant, and there are no public street improvement projects planned that would impact the project site. The development site has frontage on one existing street and is surrounded by existing development, including buildings that preclude any new street connections. The on-site storm water management facilities meet storm water Management Standards. For additional information, please refer to civil engineer drawings.



(c) EC 9.6706 Development in Flood Plains through EC 9.6709 Special Flood Hazard Areas – Standards.

Findings: As provided above in this statement, the development site is within two Special Hazard Flood Areas. The Oakleigh Meadow Cohousing project will comply with all applicable flood hazard area standards at the time of development as approved by the City of Eugene.

(d) EC 9.6710 – Geological and Geotechnical Analysis.

Findings: The existing topography of the development property has slopes in excess of 5%. A Level Three Analysis category of Geological and Geotechnical Analysis has been performed pursuant to *EC 2.019 City Manager – Administrative and Rulemaking Authority and Procedures* and as defined by the City of Eugene’s *Standards for Geological and Geotechnical Analysis* by an Oregon-licensed Civil Engineer. Please refer to the attached analysis for details pertaining to the geological and geotechnical conditions and proposed facility designs.

(e) EC 9.6730 – Pedestrian Circulation On-Site

Findings: The PUD proposes an extensive pedestrian circulation system to be maintained by the owner, as indicated above in this statement. A continuous on-site pedestrian walkway is provided from the adjacent public right-of-way to all residential and common entrances of all buildings on the development property. The proposed on-site pedestrian circulation system also connects all buildings on the site to each other and to the proposed parking area. All pedestrian walkways will be clearly marked as per *EC 9.2173(6)(f)*.

(f) EC 9.6735 – Public Access Required

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS LAND USE CODE, NO BUILDING OR STRUCTURE SHALL BE ERECTED ON A LOT FRONTING OR ABUTTING ON A PUBLIC STREET OR HAVING ACCESS TO A PUBLIC STREET OVER A PRIVATE STREET OR EASEMENT OF RECORD APPROVED IN ACCORDANCE WITH PROVISIONS CONTAINED IN THIS LAND USE CODE.

Findings: The PUD does not propose a subdivision and the existing lot has direct access to a public street. No future land division will be proposed. The development property does not have frontage on two or more streets of different street classifications, as it only has frontage on one local street. Grades of the adjacent street do not exceed 15% in slope, and proposed access to the development property does not encompass a municipal utility. Also, the proposed access to the PUD is not within five feet of an existing alley. As such, this criterion is not applicable.



(2) ACCESS FROM A PUBLIC STREET TO A DEVELOPMENT SITE SHALL BE LOCATED IN ACCORDANCE WITH EC 7.420 ACCESS CONNECTIONS – LOCATION. IF A DEVELOPMENT WILL INCREASE THE DEVELOPMENT SITE'S PEAK HOUR TRIP GENERATION BY LESS THAN 50% AND WILL GENERATE LESS THAN 20 ADDITIONAL PEAK HOUR TRIPS, THE DEVELOPMENT SITE'S EXISTING ACCESS CONDITIONS ARE EXEMPT FROM THIS STANDARD.

Findings: Only one access point is provided along Oakleigh Lane. The development site does not have access onto an Arterial nor a Major Collector Street, nor does it have access to an intersection; therefore, the criterion of this section does not apply.

(3) ACCESS CONNECTIONS TO LOCAL AND NEIGHBORHOOD COLLECTOR STREETS. IN ADDITION TO THE LOCATION STANDARDS SET FORTH IN EC 7.420(1), ACCESS CONNECTIONS TO LOCAL AND NEIGHBORHOOD COLLECTOR STREETS SHALL BE LOCATED IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

(b) A safety island of not less than 22 feet of full height curb shall in all cases be provided between access connections under one ownership.

Findings: A safety island, as indicated on the proposed site plan, is provided along the PUD driveway access connection to Oakleigh Lane and complies with standards set forth in EC 7.420(1) *Access Connections – Locations*.

(g) EC 9.6750 – Special Setback Standards

(1) Purpose of Special Setbacks. Improved streets are necessary for safe and efficient circulation within the city. Due to historical development patterns, many streets within the city have public right-of-way widths that are less than the amount needed to design and construct the streets in accordance with specifications adopted pursuant to Chapter 7 of this code. Proper public right-of-way width is required to allow the improvement of streets to the standards required in EC 9.6505 Improvements – Specifications. It is intended that all streets within the city will eventually be improved to the city standard. A special setback ensures that buildings are constructed in such a manner that they will conform with the front and interior setbacks required by specific zones when the streets on which they front are widened and improved to the city standard.

(3) Special Setback for Streets – Intrusions. Any intrusion into a special setback is allowed, except for:

(a) Buildings; and

(b) Surface stormwater management facilities.

(4) Special Setback for Utility Easements. A lot or parcel of land in any zone for which there is a planned utility easement, or where extension of



public infrastructure has been identified through long-range infrastructure plans or the design of existing infrastructure, shall have a special building setback line to allow for the future easement.

Findings: The PUD proposes to improve the section of Oakleigh Lane that intersects the development property. Oakleigh Lane is a dead end street that terminates at approximately the half-way point along the northern property line of the development site. The single-family residences along Oakleigh Lane desire to maintain the existing “country lane” feel of the road. As such, the PUD will enhance the section of road to improve and maintain proposed access, existing connections to the Willamette Greenway path system, and also for future development.

- (h) *EC 9.6775 – Underground Utilities. All new on-site utilities shall be placed underground if there is utility-owned structure immediately adjacent to the development site, unless adjusted pursuant to the provisions of EC 9.8030(5). This provision does not apply to temporary uses on a development site or to new utility connections to structures or buildings with legally established above ground service. This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with planned future development to occur within 12 months. Exceptions shall be made for such features as pad-mounted transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.*

Findings: All new utilities are proposed to be constructed underground in accordance with policies of the City of Eugene, EWEB, Comcast or other applicable utility providers. Please see civil engineering plans for proposed utility layout. Considering these findings and the site plans submitted herewith, this standard is met.

- (i) *EC 9.6780 – Vision Clearance Area. Development sites shall have triangular vision clearance areas on all street corners to provide for unobstructed vision consistent with American Associations of State Highway and Transportation Officials (AASHTO) standards. (See Figure 9.0500 Vision Clearance Area.) Vision clearance areas shall be kept free of all visual obstruction from 2-1/2 feet to 9 feet above the curb line. Where [no] curbs are present, the crown of adjacent streets shall be used as the reference point. These vision clearance requirements may be adjusted if consistent with the criteria of EC 9.8030(11) of this land use code.*

Findings: The Vision Clearance Areas required at the intersection of the proposed private drive and Oakleigh Lane will be designed in accordance



with the requirements of this section and with requirements as shown in *Figure 9.0500 Vision Clearance Area*. Please refer to the attached proposed site plan for further information.

- (j) *EC 9.6791 through 9.6797 regarding stormwater destination, pollution reduction, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.*

Findings: Please see the above statements provided under code compliance section *EC 9.8320(9)* pertaining to stormwater operations and management.

- (k) *All other applicable development standards for features explicitly included in the application except where the applicant has shown that a proposed noncompliance is consistent with the purposes set out in EC 9.8300 – Purpose of Planned Unit Development.*

An approved adjustment to a standard pursuant to the provisions beginning at EC 9.8015 of this land use code constitutes compliance with the standard.

EC 9.2750 – RESIDENTIAL ZONE DEVELOPMENT STANDARDS.

IN ADDITION TO APPLICABLE PROVISIONS CONTAINED ELSEWHERE IN THIS CODE, THE DEVELOPMENT STANDARDS LISTED IN THIS SECTION AND IN EC 9.2751 TO EC 9.2777 SHALL APPLY TO ALL DEVELOPMENT IN RESIDENTIAL ZONES. IN CASES OF CONFLICTS, STANDARDS SPECIFICALLY APPLICABLE IN THE RESIDENTIAL ZONE SHALL APPLY.

EC 9.2750(2) MAXIMUM BUILDING HEIGHT, MINIMUM BUILDING SETBACKS, AND MAXIMUM BUILDING DIMENSIONS MAY BE MODIFIED WITH AN APPROVED PLANNED UNIT DEVELOPMENT PERMIT.

Findings: As per Table 9.2750 Residential Zone Development Standards, the Interior Yard Setback is 5 feet minimum or 10 feet between buildings except where use, structure, location is more specifically addressed. This PUD requests a change of the allowable minimum building setback relative to the Interior Yard Setback along the West property line of the development site. No requests are made for modifications to the maximum building height or maximum building dimensions.

EC 9.2750(7) EXCEPT WHERE BUILDINGS ABUT OR SHARE A COMMON WALL, THE OWNER OF A LOT OR PARCEL WITH AN INTERIOR YARD OF LESS THAN 5 FEET FROM THE ADJACENT PROPERTY LINE MUST SECURE AND RECORD IN THE OFFICE OF THE LANE COUNTY RECORDER A MAINTENANCE ACCESS EASEMENT ADJACENT TO THAT SIDE OF THE BUILDING. THE EASEMENT SHALL PROVIDE A 5-FOOT WIDE ACCESS THE ENTIRE LENGTH OF THE BUILDING AND 5 FEET BEYOND BOTH ENDS, AND REQUIRE A 10-FOOT SEPARATION BETWEEN BUILDINGS ON SEPARATE LOTS. THE EASEMENT SHALL BE ON A FORM PROVIDED



BY THE CITY, SHALL BE APPROVED BY CITY STAFF, AND BE SUBJECT TO A REVIEW AND PAYMENT OF FEE SET BY THE CITY MANAGER.

EC 9.2750(10) EXCEPT AS PROVIDED IN THIS SUBSECTION (10), NO INTERIOR SETBACK ALONG THE SIDE PROPERTY LINES IS REQUIRED IF THE BUILDINGS ABUT OR SHARE A COMMON WALL THAT CONFORMS TO ADOPTED STATE BUILDING CODES. A 5 FOOT SETBACK IS REQUIRED AT THE END OF THE ROWHOUSE BUILDING, OR A MINIMUM OF 10 FEET BETWEEN THE ROWHOUSE BUILDING AND ANY ADJACENT BUILDING. A 5 FOOT SETBACK IS ALSO REQUIRED ALONG AN ALLEY.

Findings: Oakleigh Meadow LLC, the applicant, has reached-out to the owners, Jim and Sharon Brandt, of the neighboring property directly to the West of the development property. The applicant and the neighboring owners are working towards a Maintenance Easement Agreement to serve the proposed site fence and to ensure the proposed fence and its maintenance complies with Eugene Code and relative building codes.

The PUD proposes garages and carports along the West property line because it makes for a safer site layout and better resource management, reducing encroachment into the floodplain and existing natural open space. If a five or seven foot setback along the interior property line were required, the project would encroach the sewer easement on the East property line, increase the amount of required earthen fill by thousands of yards, and reduce the number of dwellings. Such a change would be devastating to the financial viability of the project.

In order to provide a solution that allows for emergency vehicle access, noise and headlight reduction, and development benefits to both properties, the applicant requests a reduction to the minimum interior yard setback for the West property line from 5 feet to zero feet, allowing for the construction of common wall garages and carports and common wall detached auxiliary structures between adjoining parcels as permitted by applicable building codes. Please see proposed site plans and elevations for further information.

The proposed noncompliance is consistent with the purposes of a planned unit development as set forth in *EC 9.8300* and will create a sustainable environment for a variety of dwelling types that preserves existing natural resources and allows for the clustering of residential dwellings to achieve energy and resource conservation.



EC 9.8320(12) – THE PROPOSED DEVELOPMENT SHALL HAVE MINIMAL OFF-SITE IMPACTS, INCLUDING SUCH IMPACTS AS TRAFFIC, NOISE, STORMWATER RUNOFF AND ENVIRONMENTAL QUALITY.

Findings: The PUD will not create excessive off-site impacts in terms of traffic, noise, stormwater runoff, or environmental quality. Currently, Oakleigh Lane is classified as a *Low-Volume Residential Street* per Eugene’s adopted street standards. Initial preliminary traffic analysis of the street, based on figures from the Institute of Traffic Engineers, indicates an approximate existing daily vehicular trip count of just below 600 on Oakleigh Lane. The proposed development would not change the level of density such that the street would need to be reclassified. The PUD will retain the *Low-Volume Residential Street* classification at Oakleigh Lane.

Cohousing communities generate less car trips than most other types of residential development. This is mainly due to a lifestyle that encourages cooperation so, for instance, neighbors can easily borrow immediate necessities instead of constantly driving to the store. Bicycle commuting is also promoted and such habits are already well-established with the majority of the existing owners/future residents. Community dinners, held several nights a week on site, reduce individual daily shopping needs. In addition, people have an on-site social life that does not require driving every time residents desire social visits with friends or children want to play with other children. Shared vehicles are also common for cohousing projects, which is an attribute this PUD is proposing.

This phenomenon is well documented in other cohousing projects around the country. In a 1994 post-occupancy analysis for the Department of Energy, for example, the 42-unit Nyland Community in rural Colorado – with no amenities within walking distance – witnessed a 25% lower traffic rate than its adjacent residential subdivision of similar size. At Oakleigh Meadow, we expect to find an even greater reduction in car trips due to the proximity of area shopping centers, bus stops, and the bike path. Standard regional Traffic Impact Analysis for residential condo/townhouses, “ownership units,” reveals a PM Peak Hour rate of 0.52 cars and an AM rate of 0.42 cars per dwelling unit. In our worse-case scenario, we would expect our highest Peak Hour rate to range from nine to fifteen cars, or roughly 10% of the required analysis rate. One of the property’s biggest attractions is its adjacency to the Ruth Bascom Riverbank Path System. Many of us who already live in the neighborhood regularly commute by bicycle.

The proposed development is not in conflict with the adopted *1999 Street Classification Map*. No streets are proposed within the PUD development site, and the design accommodates for both pedestrian, bicycle, and vehicular circulation safely and efficiently on-site.



The PUD proposes 47 on-site parking spaces or 1.7 per unit. The resident parking is a combination of open parking (31), carports (8), and garages (8) that directly reflects the interest of the future buyers. We'll also be providing bike shed parking for 54.

We see car ownership decreasing in cohousing. When you know all your neighbors and a culture of cooperation and resource efficiency is inherent in the community, it is easy to borrow a neighbor's car for the occasional time when your family might need a second vehicle. At similar-sized cohousing communities, we have seen households reduce their number of cars until all households that are couples (both working in all cases) have only one vehicle.

Noise generated by the PUD will be typical for a single-family residential development. Additionally, the proposed parking and vegetation layout and also the existing large Cedars to the North of the subject property will help to deflect noises back into the development site.

Stormwater management for the proposed development is supported in part by natural infiltration through vegetated swales, rain gardens, and rip-rap, which is indicated on the included Stormwater Plan. The rip-rap is placed near the East property line of the subject site. In addition to these drainage basins, a berm is proposed along the entire East property line of the subject site to protect the adjacent property from stormwater run-off.

The PUD fits into the River Road context by proposing architecturally-inspired local details and forms of 19th Century Lane County homes and buildings. Large covered porches follow the patterns of traditional architecture of the region while also matching the existing residential neighborhood context, which encourages outdoor living and interaction with neighbors.

EC 9.8320(13) – *THE PROPOSED DEVELOPMENT SHALL BE REASONABLY COMPATIBLE AND HARMONIOUS WITH ADJACENT AND NEARBY LAND USES.*

Findings: The proposed development site is congruent with nearby land uses. Adjacent land uses include single-family residential (R-1) to the North, vacant land (R-1) to the West, single-family residences (R-1 and R-2) to the South, and vacant city-owned land (PL) to the East. The city property borders the Park, Trail System, and Willamette River to the East. The proposed development on the West, North, and South of the subject site will be residential while the East will be dedicated to open space. Additionally, pedestrian paths will reinforce the connection between the residential neighborhood and the Greenway.



Additionally, the scale of the proposed development as well as the type and size of the proposed structures to be built within the development are similar to those existing in low-density residential developments located along and around Oakleigh Lane. Therefore, the PUD will be compatible and harmonious with the contextual land uses.

EC 9.8320(14) – *IF THE TENTATIVE PUD APPLICATION PROPOSES A LAND DIVISION, NOTHING IN THE APPROVAL OF THE TENTATIVE APPLICATION EXEMPTS FUTURE LAND DIVISIONS FROM COMPLIANCE WITH STATE OR LOCAL SURVEYING REQUIREMENTS.*

Findings: The PUD does not propose a land division. Any future land divisions within the PUD will be subject to compliance with state and/or local surveying requirements.

EC 9.8320(15) – *IF THE PROPOSED PUD IS LOCATED WITHIN A SPECIAL AREA ZONE, THE APPLICANT SHALL DEMONSTRATE THAT THE PROPOSAL IS CONSISTENT WITH THE PURPOSE(S) OF THE SPECIAL AREA ZONE.*

Findings: The subject property is not within a Special Area Zone and therefore this criterion does not apply.

EC 9.8320(16) – *FOR PROPERTY WITH THE /SR SITE REVIEW OVERLAY ZONE, THE PUD COMPLIES WITH ANY ADDITIONAL SITE-SPECIFIC CRITERIA THAT WERE SPECIFIED AT THE TIME THE /SR DESIGNATION WAS APPLIED TO THE PROPERTY ZONE.*

Findings: The subject property is not zoned with an /SR Site Review Overlay Zone and therefore this criterion is not applicable.



VI. CONCLUSION

Based on the information and findings contained in this written statement, associated reports and attachments, and site and building drawings the proposed Oakleigh Meadow Cohousing, Planned Unit Development – Tentative Plan meets the criteria of approval contained in the Eugene Code and all relative subsequent codes. Therefore, the applicant requests the Hearing Official approve the proposal as presented. Both the applicant and the applicant’s representative are available for questions as necessary. We look forward to working with city staff to ensure this projects meets or exceeds the goals and objectives of the applicant, the city, and the greater community.

Please direct any questions or clarifications regarding the above application to Will Dixon, AIA, Project Manager for the Owner/Applicant (541-689-3548 or at wcd@willardcdixon.com).

Thank you for your time and consideration.

PH-62



J.W. WENE & SONS, INC.

CIVIL • STRUCTURAL • BUILDING DESIGN
SURVEYING • LAND USE PLANNING

2350 Oakmont Way, Suite 105 Eugene, OR 97401

(541) 485-8383 Fax (541) 485-8384

Oakleigh Meadows

SHEET NO.

COVER

PUD

PROJECT NO.

13-7076

Eugene, Oregon

BY

MAC

Stormwater Analysis

DATE

4/16/11

Stormwater Analysis

Design is governed by: 2008 Eugene Stormwater Manual

All stormwater facilities on the site are privately maintained.



EXPIRES: 6/30/14

Received

AUG 29 2013

City of Eugene
Planning Division



Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 1
Designer: Michael A Cox
Company: SSW Engineers Inc.

Instructions:

- 1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
- 2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
- 3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
- 4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR) Yes
Flow Control (FC) Yes
Destination (DT) No *An Infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
Impervious Area CN= Pervious Area CN=
Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
Surface Width= ft Facility Surface Perimeter= ft
Surface Length= ft Facility Bottom Area= sqft
Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate
 Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

N/A Meets Requirement of No Facility Flooding?
 N/A Meets Requirement for Maximum of 30 hour Drawdown Time?



Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 2
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR) Yes
 Flow Control (FC) Yes
 Destination (DT) No *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type=
 Surface Width= ft Facility Surface Area= sqft
 Surface Length= ft Facility Surface Perimeter= ft
 Facility Side Slopes= to 1 Facility Bottom Area= sqft
 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = 0.015 cfs
 Total Runoff Volume to Stormwater Facility = 193 cf
 Max. Depth of Stormwater in Facility = 1.6 in
 Drawdown Time = 0.2 hours

Peak Facility Overflow Rate = 0.000 cfs
 Total Overflow Volume = 0 cf

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = 0.043 cfs
 Total Runoff Volume to Stormwater Facility = 551 cf
 Max. Depth of Stormwater in Facility = 6.0 in
 Drawdown Time = 0.2 hours

Peak Facility Overflow Rate = 0.012 cfs
 Total Overflow Volume = 19 cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = 0.011 cfs

Pre-Development Runoff Data

Peak Flow Rate = 0.024 cfs
 Total Runoff Volume = 345 cf

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = N/A cfs
 Total Runoff Volume to Stormwater Facility = N/A cf
 Max. Depth of Stormwater in Facility = N/A in
 Drawdown Time = N/A hours

Peak Facility Overflow Rate = N/A cfs
 Total Overflow Volume = N/A cf

N/A Facility Sizing Meets Destination Standards?

N/A Meets Requirement of No Facility Flooding?
 N/A Meets Requirement for Maximum of 30 hour Drawdown Time?



Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
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City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 3
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr.
 For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility =	<input type="text" value="0.014"/>	cfs	Peak Facility Overflow Rate=	<input type="text" value="0.000"/>	cfs
Total Runoff Volume to Stormwater Facility =	<input type="text" value="182"/>	cf	Total Overflow Volume=	<input type="text" value="0"/>	cf
Max. Depth of Stormwater in Facility=	<input type="text" value="1.6"/>	in			
Drawdown Time=	<input type="text" value="0.2"/>	hours			

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility =	<input type="text" value="0.040"/>	cfs	Peak Facility Overflow Rate=	<input type="text" value="0.013"/>	cfs
Total Runoff Volume to Stormwater Facility =	<input type="text" value="519"/>	cf	Total Overflow Volume=	<input type="text" value="18"/>	cf
Max. Depth of Stormwater in Facility=	<input type="text" value="6.0"/>	in	Peak Off-Site Flow Rate	<input type="text" value="0.010"/>	cfs
Drawdown Time=	<input type="text" value="0.2"/>	hours	Filtration Facility Underdrain=	<input type="text" value="0.010"/>	cfs

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility =	<input type="text" value="N/A"/>	cfs	Peak Facility Overflow Rate=	<input type="text" value="N/A"/>	cfs
Total Runoff Volume to Stormwater Facility =	<input type="text" value="N/A"/>	cf	Total Overflow Volume=	<input type="text" value="N/A"/>	cf
Max. Depth of Stormwater In Facility=	<input type="text" value="N/A"/>	in			
Drawdown Time=	<input type="text" value="N/A"/>	hours			

N/A Facility Sizing Meets Destination Standards?

N/A Meets Requirement of No Facility Flooding?
 N/A Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 4
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr.
 For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility =	<input type="text" value="0.012"/>	cfs	Peak Facility Overflow Rate=	<input type="text" value="0.000"/>	cfs
Total Runoff Volume to Stormwater Facility =	<input type="text" value="153"/>	cf	Total Overflow Volume=	<input type="text" value="0"/>	cf
Max. Depth of Stormwater in Facility=	<input type="text" value="1.7"/>	in			
Drawdown Time=	<input type="text" value="0.2"/>	hours			

Facility Sizing Meets Pollution Reduction Standards?

Meets Requirement of No Facility Flooding?
 Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility =	<input type="text" value="0.034"/>	cfs	Peak Facility Overflow Rate=	<input type="text" value="0.018"/>	cfs
Total Runoff Volume to Stormwater Facility =	<input type="text" value="435"/>	cf	Total Overflow Volume=	<input type="text" value="22"/>	cf
Max. Depth of Stormwater in Facility=	<input type="text" value="6.0"/>	in	Peak Off-Site Flow Rate	<input type="text" value="0.008"/>	cfs
Drawdown Time=	<input type="text" value="0.2"/>	hours	Filtration Facility Underdrain=	<input type="text" value="0.008"/>	cfs

Facility Sizing Meets Flow Control Standards?

Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility =	<input type="text" value="N/A"/>	cfs	Peak Facility Overflow Rate=	<input type="text" value="N/A"/>	cfs
Total Runoff Volume to Stormwater Facility =	<input type="text" value="N/A"/>	cf	Total Overflow Volume=	<input type="text" value="N/A"/>	cf
Max. Depth of Stormwater in Facility=	<input type="text" value="N/A"/>	in			
Drawdown Time=	<input type="text" value="N/A"/>	hours			

Facility Sizing Meets Destination Standards?

Meets Requirement of No Facility Flooding?
 Meets Requirement for Maximum of 30 hour Drawdown Time?



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Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 5
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR) Yes
 Flow Control (FC) Yes
 Destination (DT) No *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Pollution Reduction Standards?

Meets Requirement of No Facility Flooding?
 Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Facility Sizing Meets Flow Control Standards?

Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

Meets Requirement of No Facility Flooding?
 Meets Requirement for Maximum of 30 hour Drawdown Time?



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Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 6
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

Meets Requirement of No Facility Flooding?
 Meets Requirement for Maximum of 30 hour Drawdown Time?



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City of Eugene

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Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 7
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type=
 Surface Width= ft Facility Surface Area= sqft
 Surface Length= ft Facility Surface Perimeter= ft
 Facility Side Slopes= Facility Bottom Area= sqft
 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = 0.017 cfs
 Total Runoff Volume to Stormwater Facility = 208 cf
 Max. Depth of Stormwater in Facility = 1.6 in
 Drawdown Time = 0.2 hours

Peak Facility Overflow Rate = 0.000 cfs
 Total Overflow Volume = 0 cf

Yes Facility Sizing Meets Pollution Reduction Standards?

- YES** Meets Requirement of No Facility Flooding?
- YES** Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = 0.046 cfs
 Total Runoff Volume to Stormwater Facility = 594 cf
 Max. Depth of Stormwater in Facility = 6.0 in
 Drawdown Time = 0.2 hours

Peak Facility Overflow Rate = 0.025 cfs
 Total Overflow Volume = 30 cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = 0.011 cfs

Pre-Development Runoff Data

Peak Flow Rate = 0.025 cfs
 Total Runoff Volume = 372 cf

Yes Facility Sizing Meets Flow Control Standards?

- YES** Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
- YES** Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = N/A cfs
 Total Runoff Volume to Stormwater Facility = N/A cf
 Max. Depth of Stormwater in Facility = N/A in
 Drawdown Time = N/A hours

Peak Facility Overflow Rate = N/A cfs
 Total Overflow Volume = N/A cf

N/A Facility Sizing Meets Destination Standards?

- N/A** Meets Requirement of No Facility Flooding?
- N/A** Meets Requirement for Maximum of 30 hour Drawdown Time?



Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 8
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Yes Facility Sizing Meets Pollution Reduction Standards?

- YES** Meets Requirement of No Facility Flooding?
- YES** Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Yes Facility Sizing Meets Flow Control Standards?

- YES** Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
- YES** Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 9
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

N/A Facility Sizing Meets Destination Standards?

N/A Meets Requirement of No Facility Flooding?
 N/A Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 10
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Pollution Reduction Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Of -Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Facility Sizing Meets Flow Control Standards?

- Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
- Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 11
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR) Yes
 Flow Control (FC) Yes
 Destination (DT) No *An Infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data
 Peak Flow Rate = cfs
 Total Runoff Volume = cf

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
 YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

N/A Facility Sizing Meets Destination Standards?

N/A Meets Requirement of No Facility Flooding?
 N/A Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 12
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = 0.011 cfs
 Total Runoff Volume to Stormwater Facility = 133 cf
 Max. Depth of Stormwater in Facility = 1.8 in
 Drawdown Time = 0.2 hours

Peak Facility Overflow Rate = 0.000 cfs
 Total Overflow Volume = 0 cf

Yes Facility Sizing Meets Pollution Reduction Standards?

YES Meets Requirement of No Facility Flooding?

YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = 0.029 cfs
 Total Runoff Volume to Stormwater Facility = 378 cf
 Max. Depth of Stormwater in Facility = 6.0 in
 Drawdown Time = 0.2 hours

Peak Facility Overflow Rate = 0.016 cfs
 Total Overflow Volume = 18 cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = 0.007 cfs

Pre-Development Runoff Data

Peak Flow Rate = 0.016 cfs
 Total Runoff Volume = 236 cf

Yes Facility Sizing Meets Flow Control Standards?

YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?

YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = N/A cfs
 Total Runoff Volume to Stormwater Facility = N/A cf
 Max. Depth of Stormwater in Facility = N/A in
 Drawdown Time = N/A hours

Peak Facility Overflow Rate = N/A cfs
 Total Overflow Volume = N/A cf

N/A Facility Sizing Meets Destination Standards?

N/A Meets Requirement of No Facility Flooding?

N/A Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 13
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth In Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Pollution Reduction Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Facility Sizing Meets Flow Control Standards?

- Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
- Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 14
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR)
 Flow Control (FC)
 Destination (DT) *An Infiltration facility must be chosen as the facility type to meet destination requirements

Site Data -Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soli Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soil)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Pollution Reduction Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data

Peak Flow Rate = cfs
 Total Runoff Volume = cf

Facility Sizing Meets Flow Control Standards?

- Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
- Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Facility Sizing Meets Destination Standards?

- Meets Requirement of No Facility Flooding?
- Meets Requirement for Maximum of 30 hour Drawdown Time?

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Stormwater Surface Filtration/Infiltration Facility Sizing Spreadsheet
24 Hour Storm, NRCS Type 1A Rainfall Distribution
City of Eugene

Version 2.1

Project Information

Project Name: Oakleigh Meadows Cohousing Date: 3/11/2013
 Project Address: Oakleigh Lane Permit Number:
Eugene, OR 97402 Catchment ID: Rain Garden 15
 Designer: Michael A Cox
 Company: SSW Engineers Inc.

Instructions:

1. Complete this form for each drainage catchment in the project site that is to be sized per the Presumptive Approach.
2. Provide a distinctive Catchment ID for each facility coordinated with the site basin map to correlate the appropriate calculations with the facility.
3. The maximum drainage catchment to be modeled per the Presumptive Approach is 1 acre (43,560 SF)
4. For infiltration facilities in Class A or B soils where no infiltration testing has been performed use an infiltration rate of 0.5 in/hr. For all facilities use a maximum soil infiltration rate of 2.5 in/hr for topsoil/growing medium.

Design Requirements:

Choose "Yes" from the dropdown boxes below next to the design standards requirements for this facility.

Pollution Reduction (PR) Yes
 Flow Control (FC) Yes
 Destination (DT) No *An infiltration facility must be chosen as the facility type to meet destination requirements

Site Data-Post Development

Total Square Footage Impervious Area= sqft Total Square Footage Pervious Area= sqft
 Impervious Area CN= Pervious Area CN=
 Total Square Footage of Drainage Area= sqft Time of Concentration Post Development= min
 Weighted Average CN=

Site Data-Pre Development (Data in this section is only used if Flow Control is required)

Pre-Development CN= Time of Concentration Pre-Development= min

Soil Data

Tested Soil Infiltration Rate= in/hr (See Note 4) Destination Design= in/hr
 Design Soil Infiltration Rate= in/hr Soil Infiltration Rate

Design Storms Used For Calculations

Requirement	Rainfall Depth	Design Storm
Pollution Reduction	1.4 inches	Water Quality
Flow Control	3.6 inches	Flood Control
Destination	3.6 inches	Flood Control

Facility Data

Facility Type= Facility Surface Area= sqft
 Surface Width= ft Facility Surface Perimeter= ft
 Surface Length= ft Facility Bottom Area= sqft
 Facility Side Slopes= to 1 Facility Bottom Perimeter= ft
 Max. Ponding Depth in Stormwater Facility= in Basin Volume= cf
 Depth of Growing Medium (Soli)= in Ratio of Facility Area to Impervious Area=

Pollution Reduction-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

Yes Facility Sizing Meets Pollution Reduction Standards?

- YES Meets Requirement of No Facility Flooding?
- YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Flow Control-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf
 Peak Off-Site Flow Rate Filtration Facility Underdrain = cfs

Pre-Development Runoff Data
 Peak Flow Rate = cfs
 Total Runoff Volume = cf

Yes Facility Sizing Meets Flow Control Standards?

- YES Meets Requirement for Post Development offsite flow less or equal to Pre-Development Flow?
- YES Meets Requirement for Maximum of 18 Hour Drawdown Time?

Destination-Calculation Results

Peak Flow Rate to Stormwater Facility = cfs
 Total Runoff Volume to Stormwater Facility = cf
 Max. Depth of Stormwater in Facility = in
 Drawdown Time = hours

Peak Facility Overflow Rate = cfs
 Total Overflow Volume = cf

N/A Facility Sizing Meets Destination Standards?

- N/A Meets Requirement of No Facility Flooding?
- N/A Meets Requirement for Maximum of 30 hour Drawdown Time?

1488

STORM DRAINAGE DESIGN SUMMARY-- RATIONAL METHOD

City of Eugene, 10 Year, 10 Min. Duration

Project: Oakleigh Meadows
 Number: 13-7076

Storm Frequency: 10 Year
 Manning n: 0.009 PVC



2350 Oakmont Way, Suite 105
 Eugene, Oregon 97401

Computed by: MAC Date: 3/13/13
 Checked by: Date:

Location Description			Tributary Areas				I in. per hr.	Q cfs	Pipe Data					Conc. Time		Elevation Computations			Remarks
Location	From Street / Station	To Street / Station	a Incre- Area Acres	A Total Area Acres	C	C * A Equiv- Area Acres			Diam. Of Pipe In.	Slope	V fps	Q CFS	Length Ft.	Time of Flow Min.	Time of Concen- Min.	Upper End	Fall / Drop	Lower End	
	cb1	ds1	0.073	0.073	0.9	0.065	2.10	0.1374	6	0.0050	2.9267	0.5747	29	0.17	10.17	401.27	0.15	401.13	
	ds1	cb2	0.021	0.094	0.9	0.085	2.1	0.1777	6	0.0050	2.9267	0.5747	41	0.23	10.40	401.13	0.21	400.92	
	cb2	ds2	0.091	0.185	0.9	0.166	2.1	0.3491	6	0.0050	2.9267	0.5747	42	0.24	10.64	400.92	0.21	400.71	
	ds2	j1	0.021	0.206	0.9	0.185	2.1	0.3895	6	0.0050	2.9267	0.5747	10	0.06	10.69	400.71	0.05	400.66	
	ds3	cb3	0.021	0.021	0.9	0.019	2.1	0.0403	4	0.0110	3.3128	0.2891	48	0.24	10.24	401.45	0.53	400.92	
	cb3	ds4	0.162	0.184	0.9	0.165	2.1	0.3469	6	0.0050	2.9267	0.5747	26	0.15	10.39	400.84	0.13	400.71	
	ds4	j1	0.021	0.205	0.9	0.184	2.1	0.3872	6	0.0050	2.9267	0.5747	10	0.06	10.45	400.71	0.05	400.66	
	j1	ad1	0.411	0.411	0.9	0.370	2.1	0.7767	8	0.0036	3.0084	1.0501	65	0.36	11.05	400.58	0.23	400.34	
	ad1	ad2	0.007	0.418	0.9	0.377	2.1	0.7908	8	0.0036	3.0084	1.0501	21	0.12	11.17	400.34	0.08	400.27	
	ad2	ad3	0.006	0.424	0.9	0.382	2.1	0.8019	8	0.0036	3.0084	1.0501	25	0.14	11.31	400.27	0.09	400.18	
	ad3	ad4	0.019	0.443	0.9	0.399	2.1	0.8371	8	0.0036	3.0084	1.0501	18	0.10	11.41	400.18	0.06	400.11	
	ad4	RG	0.025	0.468	0.9	0.421	2.1	0.8846	8	0.0036	3.0084	1.0501	25	0.14	11.55	400.11	0.09	400.02	
									Flow reduced to predevelopment flows by detaining in swale										
	rg3							0.0220	4	0.0100	3.1586	0.2756	217	1.15	1.15	401.50	2.17	399.33	
	rg1, rg2, rg4, rg5, rg6							0.1270	4	0.0100	3.1586	0.2756	179	0.94	0.94	401.26	1.79	399.47	
	rg7, rg8, rg9							0.0790	4	0.0100	3.1586	0.2756	159	0.84	0.84	401.12	1.59	399.53	
	rg10, rg11, rg12, rg13, rg14							0.1250	6	0.0050	2.9267	0.5747	119	0.68	0.68	400.06	0.60	399.47	
	rg15							0.0190	4	0.0100	3.1586	0.2756	10	0.05	0.05	400.00	0.10	399.90	
	4"		603.00																
	6"		158.00																
	8"		154.00																
	10"		0.00																
	12"		0.00																
							Total Q =		cfs										

3/13/13

PH-63



Access Engineering LLC

August 6, 2013

Received

AUG 12 2013

City of Eugene
Planning Division

Will Dixon, AIA
Willard C. Dixon Architect, LLC
300 Blair Blvd,
Eugene, OR 97402-4150

RE: Street Connectivity Study, Oakleigh Meadows PUD.

134 E. 13th Ave. Suite 2
Eugene, Oregon 97401
Phone & Fax
541-485-3215
info@accesseng.com

Oakleigh Meadows PUD is a 28-unit co-housing development located at the east end of Oakleigh Lane in the River Road area. Oakleigh Lane is a dead-end local street that runs approximately 1000 feet east from the centerline of River Road; one of four consecutive streets that terminate at City park land on the west bank of the Willamette River. The street is has an oil-mat surface ~20-feet in width with intermittent gravel shoulders which allow parking in some areas. There are 21 fully developed residential properties along the street with commercial properties at the River Road intersection. There are no planned streets within a quarter mile of the site. Other than Oakleigh Lane there are no existing streets that abut or terminate at the development site. The Oakleigh Meadows PUD site is the last undeveloped property on the south side of the street. All properties abutting the site to the south along existing McClure Lane are fully developed. Existing City park land is immediately east of the site.

There is one remaining undeveloped privately owned parcel (tax lot 200 on map 17042413) abutting the east end of Oakleigh Lane and the north boundary of the site west of the end of Oakleigh Lane. The City requires a 20 foot dedication to complete the required Oakleigh Lane right-of-way on the existing street. Rather than continue that right-of-way dedication to the east end of the site, a "shadow plat" of the adjacent tax lot 200 shows how that property could develop and be served at the existing end of Oakleigh Lane. Figure 1, attached, shows a how four flag lots could be developed along the west boundary of tax lot 200 with an additional 9-foot dedication from Oakleigh Meadows for a distance of 116.5 feet east of the end of Oakleigh Lane for an emergency turnaround.

The City requires a Street Connectivity Study (Section 9.6815 (2)(g) of the Eugene Code) to show that the intent of the provisions in Section 9.6815 (1) are met with this proposal.

The following findings address subsection (2)(g)1 of Eugene Code 9.6815 Connectivity for Streets.

- Transportation Engineering
- Traffic Design
- Trip Generation
- Access Management
- Traffic Counts
- Street Lighting

In the context of a Type II or Type III land use decision, the city shall grant an exception to the standards in subsections (2)(b), (c) or (d) if the applicant demonstrates that any proposed exceptions are consistent with either subsection 1. or 2. below:

1. The applicant has provided to the city, at his or her expense, a local street connection study that demonstrates:

- a. That the proposed street system meets the intent of street connectivity provisions of this land use code as expressed in EC 9.6815(1); and*
- b. How undeveloped or partially developed properties within a quarter mile can be adequately served by alternative street layouts.*

9.6815 Connectivity for Streets.

(1) Purpose and Intent. The street connectivity standards of EC 9.6815(2) Street Connectivity Standards are established to ensure that all of the following are met:

- (a) Streets are designed to efficiently and safely accommodate emergency fire and medical service vehicles.*

Tax lot 200 can accommodate an emergency turnaround in the southwest corner of a future development with an additional right-of-way dedication from Oakleigh Meadows.

- (b) The layout of a street system does not create excessive travel lengths.*

The existing developments east of River Road and the Willamette River preclude any other street connections except to Oakleigh Lane which has a direct connection to River Road, an arterial street.

- (c) The function of a local street is readily apparent to the user through its appearance and design in order to reduce non-local traffic on local residential streets.*

The local function of the street is apparent from its oil-mat surface ~20-feet in width and the dead-end sign on the street name sign.

- (d) Streets are interconnected to reduce travel distance, promote the use of alternative modes, provide for efficient provision of utility and emergency services, and provide for more even dispersal of traffic.*

Because the area between Oakleigh Meadows and River Road is fully developed, the only available location for a future street connection is at the east end of both Oakleigh Lane and that would not change the travel distances or usage of either street.

- (e) New streets are designed to meet the needs of pedestrians and cyclists and encourage walking and bicycling as transportation modes.*

No new streets are proposed. The Oakleigh Meadows P.U.D. site plan provides sidewalks connecting to Oakleigh Lane and a bike/pedestrian path stubbed to the east property line for future connection to the riverbank trail. The site plan also shows an access lane that stubs to the south boundary of the site should the property to the south redevelop.

- (f) The street circulation pattern provides connections to and from activity centers such as schools, commercial areas, parks, employment centers, and other major attractors.*

There are a number of pedestrian/bike connections to the park land along the river on nearby parallel streets. A future bike/pedestrian connection to the riverbank trail is provided. All schools, commercial areas, employment centers, and other major attractors can be reached via River Road.

- (g) Street design is responsive to topography and other natural features and avoids or minimizes impacts to water-related resources and wildlife corridors.*

Tax lot 200 is flat and open with a line of trees along the east and south boundaries. The shadow plat shows that the access to the flag lots avoids impact to natural features.

- (h) Local circulation systems and land development patterns do not detract from the efficiency of adjacent collector streets or arterial streets which are designed to accommodate heavy traffic.*

Oakleigh Meadows and the potential development of tax lot 200 will not change existing travel patterns; all trips will use River Road.

- (i) Streets identified as future transit routes should be designed to safely and efficiently accommodate transit vehicles, thus encouraging the use of public transit as a transportation mode.*

Transit routes for the area exist on River Road.

- (j) Where appropriate, the street system and its infrastructure should be utilized as an opportunity to convey and treat storm water runoff.*

The Oakleigh Meadows access lane and the access for tax lot 200 will be constructed to City standards and provide appropriate storm water runoff.

- b. How undeveloped or partially developed properties within a quarter mile can be adequately served by alternative street layouts.*

Future development of tax lot 200 north of the site can be served by flag lots as shown in Figure 1, attached.

The above findings demonstrate that subsection (2)(g)1.a. and b. of Eugene Code 9.6815 is satisfied in that the proposed shadow plat of tax lot 200 meets the intent of street connectivity provisions; and can be adequately served by an alternative street layout.

Very truly yours,

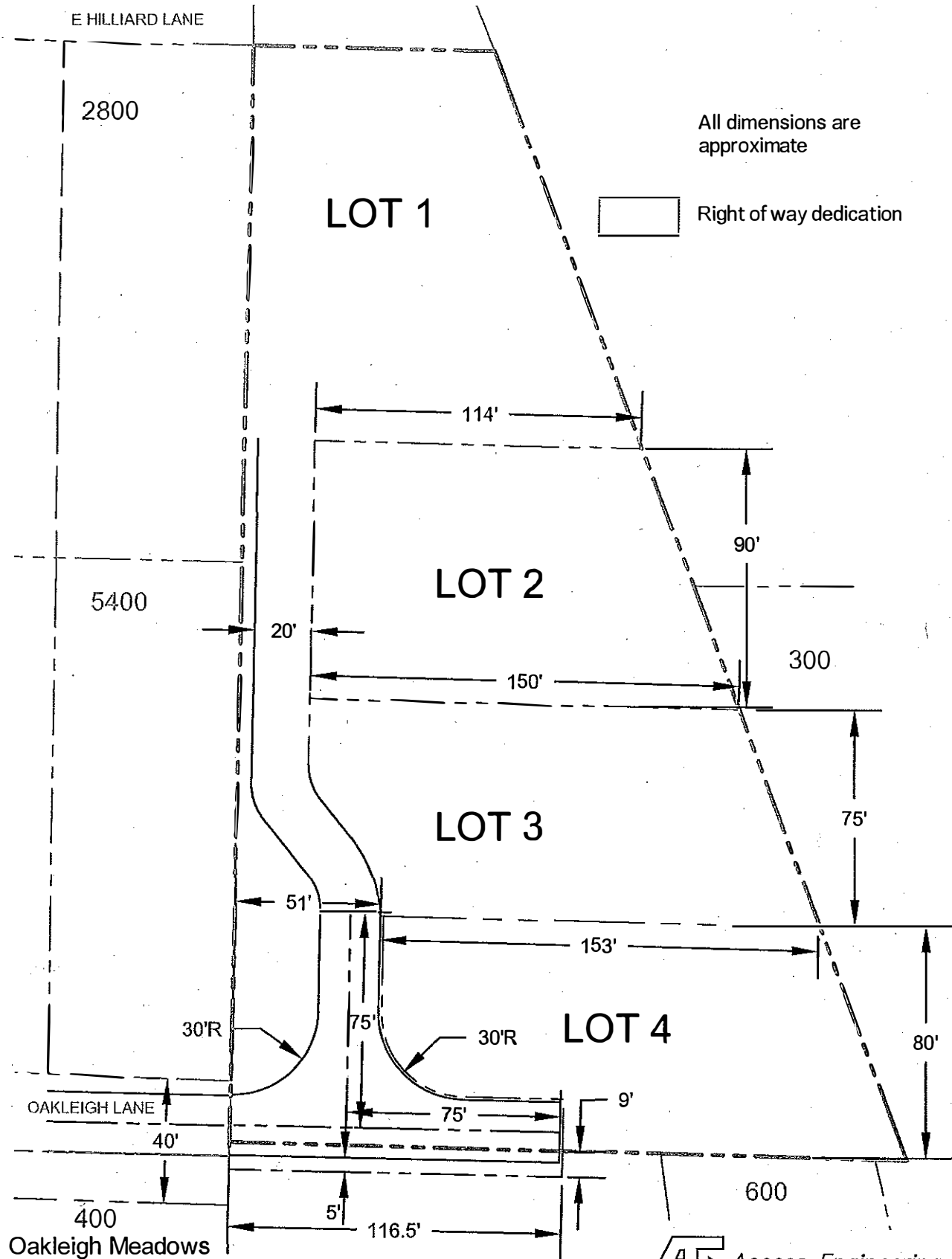


RENEWS 6/30/14

Michael Weishar, PE
Access Engineering LLC

Figure 1

Oakleigh Meadows PUD Connectivity Study Shadow Plat for TI 200 on map 17042413



Geotechnical Investigation

Oakleigh Meadows Cohousing

Eugene, Oregon

Prepared for:

**Willard C. Dixon Architect, LLC
Eugene, Oregon**

February 12, 2013

Received

AUG 12 2013

Foundation Engineering, Inc.

City of Eugene
Planning Division



*Professional
Geotechnical
Services*



Foundation Engineering, Inc.

Professional Geotechnical Services

Willard Dixon, AIA
Willard C. Dixon Architect, LLC
300 Blair Boulevard
Eugene, Oregon 97402-4150

February 12, 2013

**Oakleigh Meadows Cohousing
Geotechnical Investigation
Eugene, Oregon**

Project 2131004

Dear Mr. Dixon:

We have completed the requested foundation investigation for the above-referenced project. Our report includes a description of our work, a discussion of site conditions, a summary of laboratory testing and a discussion of engineering analyses. Recommendations for site preparation and for foundation and pavement design, and construction are enclosed.

It has been a pleasure assisting you with this phase of your project. Please do not hesitate to contact us if you have any questions or if you require further assistance.

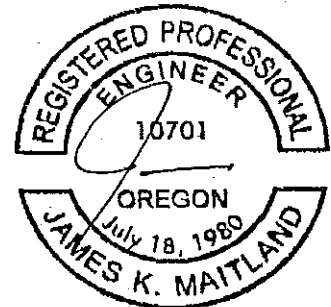
Sincerely,

FOUNDATION ENGINEERING, INC.

Matthew D. Mason
Geotechnical Staff

James K. Maitland, P.E., G.E.
Principal Engineer

MDM/JKM/cs
enclosure



EXPIRES: 12/31/14

**GEOTECHNICAL INVESTIGATION
OAKLEIGH MEADOWS COHOUSING
EUGENE, OREGON**

BACKGROUND

A ±2.4-acre parcel located at the southeast end of Oakleigh Lane in Eugene (Figure 1A, Appendix A) is to be developed. The proposed development includes seven, one and two-level buildings (with a total of 28 housing units), a common house, garages and carports, and at-grade parking. The structures will be supported on spread footings with slab-on-grade construction. A site layout showing the proposed development is shown in Figure 2A (Appendix A).

McCamant & Durrett Architects is the project architect and Willard C. Dixon Architect, LLC is the project manager. Foundation Engineering, Inc. (FEI) was retained to provide the required geotechnical services for the project. Our scope of work and cost estimate were provided in a proposal dated January 7, 2013, and subsequently authorized by a signed Professional/Technical Services Agreement dated January 23, 2013.

FIELD EXPLORATION

Ten exploratory test pits (TP-1 through TP-10) were dug at the site on January 30, 2013, using a Ford 555A rubber-tired backhoe. The approximate locations of the test pits are shown in Figure 2A.

The test pits extended to maximum depths ranging from ±3 to 11.5 feet below the existing ground surface. The shallow test pits TP-12 through TP-14 were intended to establish subgrade conditions below the proposed driveway and parking stalls.

Disturbed soil samples were obtained for possible laboratory testing. One relatively undisturbed sample was obtained near the surface using a hand-driven, thin-walled Shelby tube. Undrained shear strength measurements were made on the test pit sidewalls using a field vane shear device. Following the completion of the explorations, the test pits were backfilled with the excavated material.

The soil profile and sampling depths are summarized on the appended test pit logs (Appendix B). The test pit logs were prepared based on a review of the field logs, an examination of the soil samples in our office, and the laboratory test results. Ground elevations shown on the logs were estimated based on the topographic map and are approximate only. The subsurface conditions are discussed below.

DISCUSSION OF SITE CONDITIONS

Topography and Vegetation

The east and west portions of the site are relatively flat and are separated by modestly sloping terrain. A topographic survey by Page Engineering & Surveying Inc. indicates the ground elevations range from ±El. 399 at the east side of the site

to \pm El. 403 near the west side of the site. The topography also indicates a base flood elevation ranging from \pm El. 401.2 to El. 401.7 across the property. The bank of the Willamette River lies within \pm 260 to 270 feet of the east property line.

The vegetation within the parcel consists of predominantly short grass and scattered fir and fruit trees. The terrain along the river bank to the east is heavily wooded.

Subsurface Conditions

The soil units encountered across the site include the following:

Topsoil. A relatively thin layer of topsoil was encountered in all the test pits. This unit typically extends to a depth of \pm 0.8 to 2 feet and consists of medium stiff to stiff, low to medium plasticity clayey silt with scattered organics.

Silty Clay (alluvium). In the test pits located above the floodplain (all test pits except TP-2, TP-4, TP-7 and TP-10), the topsoil is underlain by medium plasticity silty clay. This unit was moist and medium stiff to stiff at the time of the field exploration. The stratum extends to \pm 2 to 4 feet.

Silt (alluvium). In the test pits located within the floodplain, the topsoil is underlain by low plasticity silt with trace to some sand. This unit was moist and medium stiff to stiff at the time of the field exploration and is \pm 2 to 4 feet thick.

Sandy Silt/Silty Sand. The above soil units are typically underlain by medium stiff to stiff, loose to medium dense sandy silt to silty sand. This stratum is \pm 1 to 5.5 feet thick.

Sandy Gravel and Cobbles (alluvium). Medium dense to dense sandy gravel with scattered 8-inch minus cobbles were encountered at depths ranging from \pm 2 to 11.5 feet, and extended to the limits of our explorations. This unit was wet at the time of our field work.

Specific details of the soil conditions encountered in each test pit are provided in the appended test pit logs.

Ground Water

Ground water seepage was encountered in the test pits located within the floodplain (TP-2, TP-4, TP-7 and TP-10) at depths ranging from \pm 10 to 11 feet. The rate of infiltration was observed to be rapid. Based on the proximity of the site to the Willamette River and the presence of relatively permeable gravels at deeper depths, we anticipate the local ground water conditions correspond closely to the river elevation. Areas of perched water may be encountered at relatively shallow depths during the wet winter and spring months due to the presence of fine-grained soils with low permeability.

FIELD AND LABORATORY TESTING

Laboratory Testing

The laboratory work included natural water contents, percent fines and Atterberg limits tests to classify the foundation soils according to the Unified Soil Classification System (USCS), determine their homogeneity and estimate their overall engineering properties. The results of those tests are summarized in Table 1.

Table 1. Atterberg Limits, Natural Water Contents, and Percent Fines

Sample Number	Sample Depth (feet)	Moisture Content (percent)	LL	PL	PI	USCS Classification	Percent Fines
S-1-1	0 – 0.75	43.8	53	37	16	MH	
S-2-1	1.5 – 2.0	25.7					
S-3-1	1.5 – 2.0	33.2					
S-4-1	1.5 – 2.0	28.2					
S-5-2	1.5 – 2.0	35.2	50	27	23	CL	
S-6-1	1.5 – 2.0	34.5					
S-8-1	1.0 – 2.0	35.7					
S-8-2	2.5 – 3.0	27.6					39.7
S-9-1	1.5 – 2.0	32.8					
S-11-1	1.0 – 2.0	31.9					

DCP Testing

Dynamic Cone Penetrometer testing was completed in TP-12, TP-13 and TP-14. The DCP test consists of driving the cone of the DCP apparatus into the soil and recording the penetration versus blow count (mm/blow) as the DCP value. A correlation for estimating the soil resilient modulus (M_r) from results of DCP testing was used. The DCP test results and correlated M_r values are summarized in Table 2.

Table 2. Summary of DCP Test Results

Location	Initial Test Depth (inches)	Soil Description	¹ DCP (mm/blow)	² Average Mr (psi)	³ Corrected Mr (psi)
TP-12	8.4	Medium stiff, low to medium plasticity silty CLAY	97.6	8,213	2,710
	24	Stiff, medium plasticity clayey SILT	76.8	9,018	2,976
TP-13	7.2	Medium stiff, low to medium plasticity silty CLAY	111.0	7,811	2,578
	12	Stiff, medium plasticity clayey SILT	53.8	10,362	3,419
TP-14	7.2	Medium stiff, low to medium plasticity silty CLAY	97.0	8,233	2,717
	13.2	Stiff, medium plasticity clayey SILT	54.5	10,305	3,401

- Notes:**
1. DCP (mm/blow) based on the average readings at and below the anticipated subgrade elevation.
 2. Mr based on average DCP values at the test depth and correlation: $M_r = 49022.76(DCP)^{-0.39}$ (ODOT Pavement Design Guide, 2011). Values may vary slightly due to rounding.
 3. Corrected Mr value is based on the ODOT recommended correction factor of 0.33 for fine-grained soil.

ENGINEERING ANALYSIS

Bearing Capacity

Based on the test pits logs and the site layout shown in Figure 2A, we anticipate the foundations for Buildings 1, 3, 5 and 6, and the Common House will bear on medium stiff to stiff silty clay (typically followed by shallow gravel). Building Units 2, 4 and 7 will bear on imported fill placed over predominantly stiff silt and sand. The surface of the gravel beneath these units typically lies at a depth of 11 feet below the current ground surface. These anticipated conditions were used to estimate the bearing capacity and settlement (discussed below).

The allowable bearing capacity was estimated for spread footings and continuous (strip) footings placed ±1.5 to 2 feet below the ground surface on a minimum of 6 inches of Select Fill underlain by stiff alluvium (i.e., clayey silt to silty clay) or imported granular fill. If properly compacted, imported granular fill should have a shear strength higher than the underlying native alluvium. Therefore, the strength of the native soils will typically govern the bearing capacity.

Field vane measurements near the anticipated foundation elevation indicated undrained shear strengths ranging from ±0.45 to 0.95 tons/ft² (tsf). An allowable bearing capacity was calculated using an assumed undrained shear strength of 0.5 tsf. The calculation suggests an allowable bearing pressure of 2,500 lb/ft² (psf) using a typical factor of safety of 3. This assumes the footings will be underlain by a minimum of 6 inches of compacted Select Fill, as defined in the Recommendations section below.

Settlement

An allowable bearing pressure of 2,500 psf is recommended for design. New footings will bear on a thin layer of Select Fill followed by relatively stiff alluvium and shallow gravel, or on compacted fill. The structures will have a finished floor elevation of \pm El. 402.8 (i.e., 1 foot above a base flood elevation of \pm El. 401.8). Therefore, a maximum (net) fill depth of \pm 3 feet is anticipated (in addition to the slab and base rock thicknesses).

A formal settlement analysis was not performed. However, given the observed stiffness of the foundation soils, the limited thickness of fine-grained soils underlying the site and the anticipated building loads, we recommended assuming a total foundation settlement of \pm 1 inch or less. Differential settlements are expected to be \pm ½ inch or less.

On-site Disposal of Storm Water

No infiltration tests were run on the surficial soils. However, the field exploration indicates the near-surface soil typically consist of medium to high plasticity silt (MH) or clay (CL). Based on plasticity indices (PI) of 16 and 23, we expect these soils will have relatively low permeability. The sand that underlies some of the eastern portion of the site contains \pm 40% fines. Therefore, the sand is also expected to have a relatively low permeability.

The alluvial gravels are relatively shallow within the western and central portions of the property. These gravels are expected to have relatively high permeability, as evidenced by the rapid infiltration noted in TP-2, TP-4, TP-7 and TP-10. However, the alluvial gravel is expected to have good hydraulic connection with the nearby river. Therefore, ground water levels in the alluvium beneath the property are expected to respond relatively quickly to fluctuations in river levels. During flooding, the hydrostatic pressures in the gravels are expected to reflect the river level.

As a result of the above considerations, it is our opinion the native soils are not suitable to dispose on-site storm water. Furthermore, the underlying gravels will also not be suitable material to dispose of storm water because of the hydraulic connection with the river (during flooding).

Pavement Analysis and Design

A new parking area will be constructed along the western side of the development. The pavement improvements include construction of a new section of Portland cement concrete (PCC) pavement (connecting Oakleigh Lane to the parking lot), new asphaltic concrete (AC) pavement for the parking stalls, a PCC trash/recycling pickup and a Grasscrete fire turnaround.

Analyses were completed for only the flexible (AC) and rigid (PCC) pavement sections. We have assumed analyses for the Grasscrete will be completed by others. The pavement analyses were completed based on design recommendations provided in the City of Eugene Public Improvements Design Standards Manual (November 2011). The exception is the design life for the parking areas is 20 years. The ODOT Pavement Design Manual (2011) was also used.

An estimate of daily traffic was not available. However, the available site plan shows the proposed parking area location and 38 new parking stalls. For pavement design, we assumed a daily turnover rate of 5 vehicles per stall (equivalent to a daily traffic of 190 cars and light pickup trucks, and 4 trucks (2 to 3-axle vehicles)). Truck traffic includes daily or weekly trips by delivery trucks, moving vans/trucks and garbage trucks. Using this assumed traffic data and ODOT (2011) Equivalent Single Axle Load (ESAL) conversion factors, we estimated $\pm 10,730$ ESALs for a 20-year design life.

The pavement subgrade is expected to consist primarily of medium plasticity silty clay. A subgrade M_r value of $3,250 \text{ lb/in}^2$ (psi) was assumed for design based on the average DCP test results. Using the assumed traffic, City design criteria and the subgrade modulus, we calculated a flexible pavement section consisting of 3 inches of AC over 12 inches of base rock underlain by a separation geotextile. The base rock thickness should be increased to 24 inches if the subgrade cannot be compacted or if the pavement base is to support construction traffic during wet weather.

The City minimum PCC thickness of 6 inches is recommended for the PCC sections as described above. The PCC should be supported on a minimum of 6 inches of base rock underlain by a separation geotextile. Provide an additional subbase of 12 inches of Granular Site Fill or Select Fill if the subgrade cannot be compacted or if the pavement is to support construction traffic during wet weather.

The recommended flexible and rigid pavement sections are for the assumed build-out traffic and do not include construction traffic. Refinement of the traffic estimates and other design assumptions may be required following design team review of this report. A Separation Geotextile is recommended beneath the base rock regardless of the time of year the pavement areas are built.

RECOMMENDATIONS

We understand the earthwork will begin in the spring of 2014. Therefore, recommendations are provided for wet weather construction. Compaction of the subgrade under the building pads or pavement areas will not be practical when the soils are wet. Therefore, construction during wet weather will require the use of granular site-fill and will require site preparation techniques that reduce the risk of subgrade pumping (e.g., increased granular fill and base rock thickness). The contractor may still experience pumping problems in the summer if the surficial soils have not adequately dried. Therefore, we recommend an on-site conference with the contractor prior to the grading work to review site conditions.

Material Specifications and Compaction Requirements

1. Select Fill as defined in this report should consist of 1 or $\frac{3}{4}$ -inch minus, clean (i.e., less than 5% passing the #200 U.S. Sieve), well-graded crushed gravel or rock. A material gradation curve should be provided to us for approval, prior to material delivery to the site.
2. Imported Granular Site Fill should consist of a 6-inch minus, well-graded mixture of cobbles, gravel and sand or crushed rock that is free of organics, construction debris or high plasticity silt and/or clay. Locally available bar-run gravel often contains significant amounts of sand and silt. This material may tend to pump during wet weather. If wet weather is unavoidable, crushed quarry rock is recommended. Provide a material gradation curve for approval, prior to material delivery to the site. Fine-grained Site Fill should not be used based on the currently anticipated earthwork schedule.
3. Drain Rock should consist of 2-inch minus, clean (less than 2% passing the #200 sieve), open-graded gravel or rock.
4. The Separation Geotextile should be a woven geotextile with a Mean Average Roll Value (MARV) strength properties meeting the requirements of an AASHTO M 288-06 Class 2 geotextile. The geotextile should also have a permittivity greater than 0.25 sec.^{-1} and an Apparent Opening Size (AOS) less than 0.6 mm. We should be provided a specification sheet on the selected geotextile for approval prior to delivery to the site.
5. Filter Fabric should consist of a non-woven geotextile with a grab tensile strength greater than 120 lb., a mullen burst strength greater than 225 psi and a flow rate greater than 95 gal/min/ft^2 .
6. Compact all imported fill to 95% relative compaction. The maximum dry density of ASTM D 698 should be used as the standard for estimating the relative compaction.

Field density tests should be run frequently to confirm adequate compaction of the subgrade and imported fills. Granular fill that contains aggregate too coarse for density testing should be proof-rolled using a loaded, 10 yd^3 dump truck or other approved vehicle. Site fills may also be too variable for reliable density testing and will also require proof-rolling. Compaction verification with proof-rolling should be evaluated by an FEI representative. Efficient compaction of the section should be evaluated by an FEI representative. Areas of pumping or deflection observed beneath the trucks may be reworked, or overexcavated and replaced with Select Fill and proof-rolled again.

7. Place and compact all fill in loose lifts not exceeding 12 inches to the standard specified above. Thinner lifts may be required if light or hand-operated equipment is used.
8. Overexcavate all test pits that extend under buildings and pavements. Replace the test pit backfill with Select Fill placed in maximum 12-inch thick loose lifts and compact as specified above. The test pit locations should be shown in the project plans for the contractor's reference for future mitigation.
9. Provide contractors with a copy of this report to review recommendations for wet weather site preparation and foundation construction, and the soil conditions encountered in the explorations. We should be provided an opportunity to meet with the contractor prior to construction to discuss the site conditions and the contractor's approach to site preparation.

Site Preparation (Buildings) – Wet Weather

For wet weather construction, prepare the building pads as follows:

10. Strip the existing ground ± 4 inches to remove all roots and sod. In some areas, deeper stripping may be required to remove tree roots or unsuitable topsoil. The stripping depth should accommodate a minimum 24-inch thick building pad. Dispose of all strippings outside of construction areas.
11. Stripping during wet weather should be completed in sections (to minimize exposure to weather) and with a hoe equipped with a smooth bucket (to reduce disturbance of the subgrade). The excavator should operate from outside of the excavation or from a thickened rock section extending into the excavation. Do not expose more subgrade than can be covered with granular fill the same day and do not compact the subgrade. Do not permit vehicles or construction equipment on the subgrade unless they are supported on a minimum of 24 inches of compacted granular fill.
12. Overexcavate areas of unsuitable soil or fill that are exposed by the site stripping. Fine-grained fill or fill that includes organic materials, construction debris, or other deleterious materials should be disposed of away from structures and paved areas. The reuse of any fine-grained fill will not be practical during wet weather. Backfill overexcavated areas beneath buildings with Granular Site Fill and/or Select Fill.
13. Place a Separation Geotextile on the excavated subgrade that meets the requirements specified above. The geotextile should be laid smooth, without wrinkles or folds in the direction of construction traffic. Overlap adjacent rolls a minimum of 2 feet. Pin fabric overlaps or place

the building pad fill in a manner that will not separate the overlap during construction. Seams that have separated will require removal of the building pad fill to establish the required overlap.

14. Place a minimum of 24 inches of Granular Site Fill, Select Fill or combinations thereof, to construct the building pads during wet weather. If desired, the bottom of the pad may consist of Granular Site Fill capped with a minimum of 6 inches of Select Fill. The feasibility of using 6-inch minus, Granular Site Fill for most of the building pad should consider the required depth of utility excavations through the pad.

Initial loads of rock should be placed by end-dumping adjacent to the excavation and spreading the rock onto the fabric using a light dozer. Subsequent loads may be spread from a thickened access ramp that extends onto the fabric. The initial lift should be ± 18 inches thick and compacted using a large vibratory roller. Do not allow continuous construction traffic on the rock section until a minimum of 24 inches of rock is placed.

Utility Construction

Utility contractors should be informed that water infiltration may be encountered at shallow depths during the winter months. Where ground water is encountered, trenches should be pumped dry prior to placing the backfill. Utility construction within the west and central portions of the site is likely to encounter shallow gravels. Significant seepage may occur in the gravels, depending on weather conditions and river level. Seepage within the gravels typically causes sloughing and caving of trench sidewalls. Deep trenching in the east portion of the site could encounter sands and significant seepage. These conditions can also cause sudden sidewall caving, thus requiring shoring and dewatering.

Trench backfill that extends beneath the new building, pavements and hardscapes should consist of Select Fill placed and compacted as specified above. Shore all excavations to protect workers from sloughing or caving soils according to Oregon OSHA requirements for Type C soils.

Foundation Design and Construction

15. Design all continuous wall footings and isolated column footings using an allowable bearing pressure of 2,500 psf. This value assumes that all footings or Select Fill underlying the footings will extend to stiff alluvium having a minimum undrained shear strength of 0.5 tsf.
16. Assume total settlement of the foundation for an individual building unit of up to 1 inch. Differential movement within the building unit should be $\frac{1}{2}$ inch or less, if the footings are designed and built as specified herein.

17. Provide a minimum footing width of 18 inches for continuous wall footings and for isolated column footings. Place the base of all footings at least 18 inches below the finished grade or paved surface, unless the footings are poured monolithically with the slab.
18. Excavate for footings using a hoe equipped with a smooth bucket to reduce subgrade disturbance. The excavations should be deep enough to accommodate a minimum of 6 inches of compacted Select Fill beneath the footing. Additional Select Fill may be required, depending on actual site conditions and the amount of subgrade disturbance. Excavations should terminate in medium stiff to stiff alluvium having a minimum undrained shear strength of 0.4 tsf, or in imported granular materials. The foundation subgrade for all buildings should be verified by an FEI representative.
19. Overexcavate any unsuitable fill or debris encountered beneath footings. Backfill the overexcavated areas using compacted Select Fill. If needed, dewater the excavations prior to placing backfill. All footing excavations should be evaluated by an FEI representative prior to backfilling.
20. Use a modulus of subgrade reaction, k_s , of 150 pci for floor slab design. This value assumes the slabs will be supported on a minimum of 24 inches of compacted Select Fill underlain by undisturbed native subgrade. Reinforce all floor slabs to reduce cracking and warping.
21. Provide a suitable vapor barrier under the slab that is compatible with the proposed floor covering and the method of slab curing. The type and placement of the vapor barrier depends on the method of slab curing and schedule for installing the floor surfaces. Therefore, this item should be reviewed by the flooring manufacturer, contractor and project engineer and/or architect.
22. Provide a minimum of 6 inches of compacted Select Fill under all other isolated concrete slabs and sidewalks, if this portion of the work occurs during dry weather. Increase the thickness as needed to support construction equipment during wet weather.

Drainage for Buildings

23. Install foundation drains along the perimeter of the buildings. The drains should consist of 3 or 4-inch diameter, perforated or slotted PVC pipe wrapped in a Filter Fabric. The flowline of the pipe should be set at least 18 inches below the ground surface. The pipe should be bedded in at least 4 inches of Drain Rock and backfilled to within 6 inches of the ground surface with Drain Rock. The entire mass of Drain Rock should be wrapped in a similar filter fabric that laps at least 12 inches at the top.

24. Provide clean-outs at appropriate locations for future maintenance of the drainage systems.
25. Discharge by gravity flow into the nearest storm drain. If necessary, discharge the water into a common sump and pump it into the nearest storm drain.

Subgrade Preparation and Pavement Construction (Wet Weather)

We typically recommend that subgrade preparation and pavement construction be delayed until dry weather. If pavement construction occurs during wet weather, the subgrade will likely be too wet for compaction or to support construction traffic without a thickened base rock section. The recommendations provided below for subgrade preparation and pavement construction assume wet weather conditions. We should be contacted to modify these recommendations if dry weather is anticipated.

26. Strip the existing ground as required to remove roots and sod or unsuitable topsoil. Dispose of all strippings outside of construction areas.
27. Excavate to the required subgrade elevation using a hoe equipped with a smooth bucket. The excavation should extend to the depth required to provide a minimum of 24 inches of base rock. Overexcavate areas that are soft or have been disturbed by construction traffic. Do not expose more subgrade than can be covered with the geotextile and base rock the same day.
28. Do not attempt to compact the subgrade. Haul trucks and other construction traffic should be staged from the thickened base rock section or a thickened access ramp to protect the subgrade from disturbance.
29. Place a Separation Geotextile on the subgrade that meets the requirements specified above. The geotextile should be laid smooth, without wrinkles or folds in the direction of construction traffic. Overlap adjacent rolls a minimum of 2 feet. Pin fabric overlaps or place the building pad fill in a manner that will not separate the overlap during construction. Seams that have separated will require removal of the base rock to establish the required overlap.
30. Place a minimum of 24 inches of base rock under flexible pavement areas. The rock should be end-dumped from a thickened access ramp and spread using a light dozer. The initial ± 18 -inch thick lift may consist of Granular Site Fill and the final 6-inch thick lift may consist of Select Fill. Alternatively, the entire base rock section may consist of Select Fill.

31. Proof-roll the base rock prior to paving using a loaded 10³ yd. dump truck. Overexcavate and replace any areas observed to be pumping. Do not allow loaded trucks or heavy construction equipment on the finished base rock prior to paving.
32. For flexible pavements, use a minimum AC thickness of 3 inches. In parking stalls the minimum AC thickness may be reduced to 2.5 inches. Compact the AC to a minimum of 91% relative compaction according to the theoretical maximum density calculated from the Rice specific gravity.
33. For areas of rigid pavement, provide a minimum PCC thickness of 6 inches. Specify a minimum compressive strength of 4,000 psi and a minimum flexural strength of 600 psi for the concrete.

Dry Weather Construction

In the event the earthwork is delayed into dry weather, a number of items can be modified. Among them are:

34. During dry weather, prepare, compact and test the subgrade as specified above (Item 6). Maintain the moisture in the subgrade to prevent excessive drying and cracking.
35. The use of Fine-grained Site Fill is permitted during dry weather. Fine-grained Site Fill should consist of approved soil that is free of organics, construction debris or soil with a plasticity index (PI) greater than 20. This material may only be used for earthwork completed during dry weather. Fine-grained Site Fill may be generated from fill already on-site or may be imported from approved borrow sources.
36. Reduce the base rock thickness for the building pad and flexible (AC) pavement to 12 inches. Reduce the base rock thickness beneath rigid (PCC) pavements to 6 inches.

DESIGN REVIEW/CONSTRUCTION OBSERVATION/TESTING

We should be provided the opportunity to review all drawings and specifications that pertain to site preparation, foundation construction and pavements. Site preparation will require field confirmation of foundation soils and pavement subgrade conditions, as well as approval of proposed site fill material. Mitigation of any subgrade pumping will also require engineering review and judgment. That judgment should be provided by one of our representatives. Frequent field density tests should be run on all engineered fill, subgrade and base rock. We recommend that we be retained to provide the necessary construction observation.

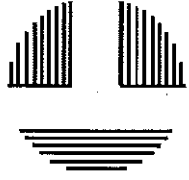
VARIATION OF SUBSURFACE CONDITIONS, USE OF THIS REPORT AND WARRANTY

The analysis, conclusions and recommendations contained herein are based on the assumption that the soil profiles encountered in the test pits are representative of the overall site conditions. The above recommendations assume that we will have the opportunity to review final drawings and be present during construction to confirm assumed foundation conditions. No changes in the enclosed recommendations should be made without our approval. We will assume no responsibility or liability for any engineering judgment, inspection or testing performed by others.

This report was prepared for the exclusive use of Willard C. Dixon Architect, LLC and other design consultants for the Oakleigh Meadows Cohousing project in Eugene, Oregon. Information contained herein should not be used for other sites or for unanticipated construction without our written consent. This report is intended for planning and design purposes. Contractors using this information to estimate construction quantities or costs do so at their own risk. Our services do not include any survey or assessment of potential surface contamination or contamination of the soil or ground water by hazardous or toxic materials. We assume that those services, if needed, have been completed by others.

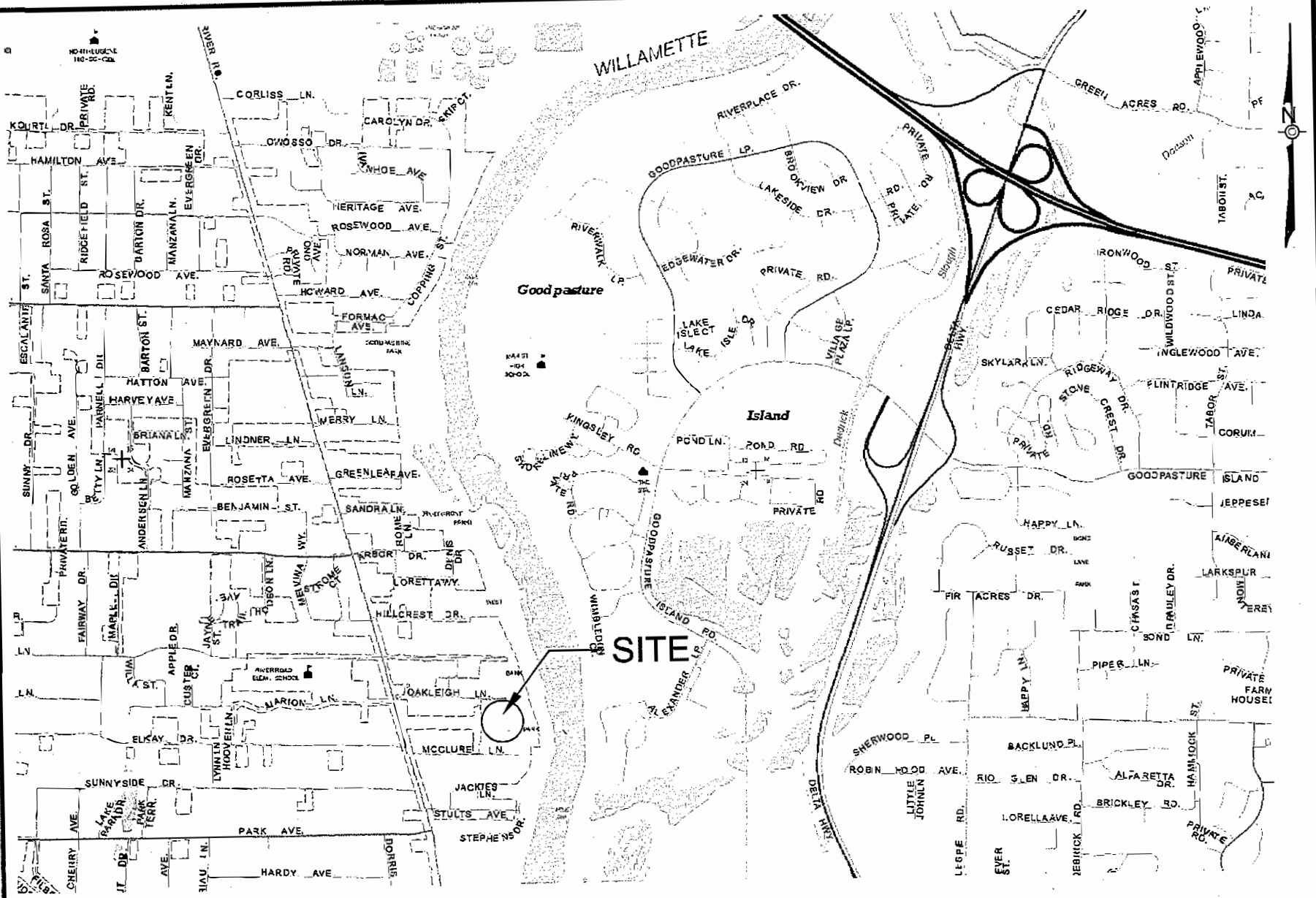
Climate conditions in western Oregon typically consist of wet weather for over half of the year (typically between mid-October and late June). It is assumed that adequate drainage will be provided for construction. The recommendations for site preparation and foundation drainage are not intended to represent any warranty (expressed or implied) against the growth of mold, mildew or other organisms that grow in a humid or moist environment.

Our work was done in accordance with generally accepted soil and foundation engineering practices. No other warranty, expressed or implied, is made.



Appendix A

Figures



Not to Scale

FOUNDATION ENGINEERING INC.
 PROFESSIONAL GEOTECHNICAL SERVICES
 820 NW CORNELL AVENUE
 CORVALLIS, OR 97330-4517
 BUS. (541) 757-7645 FAX (541) 757-7650

DATE JAN 2013
 DWN. MDM
 APPR. _____
 REVIS. _____
 PROJECT NO. _____
 2131004

VICINITY MAP
 OAKLEIGH MEADOWS COHOUSING
 EUGENE, OREGON

FIGURE NO.
1A

COLORED CONCRETE
W/ SAW CUTS @
2'-0" EA. WAY

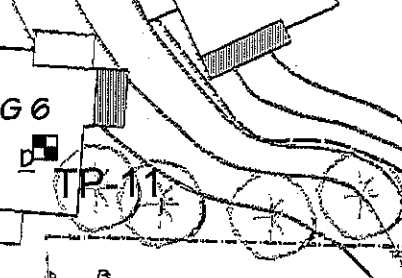
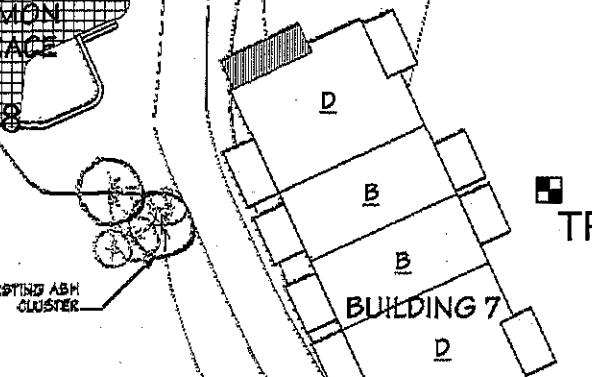
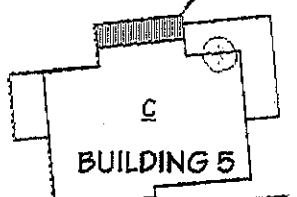
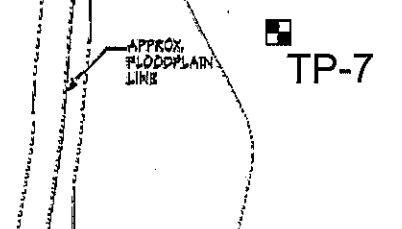
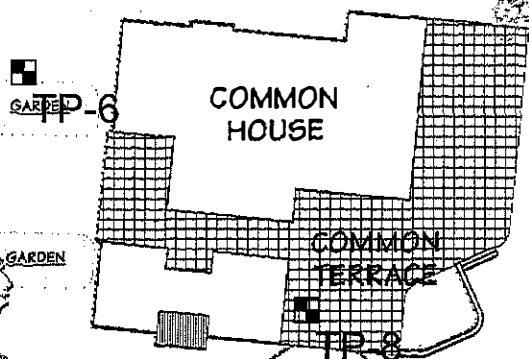
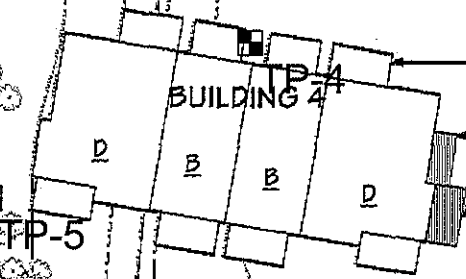
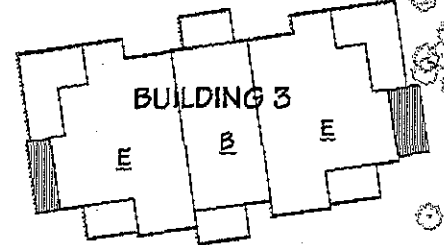
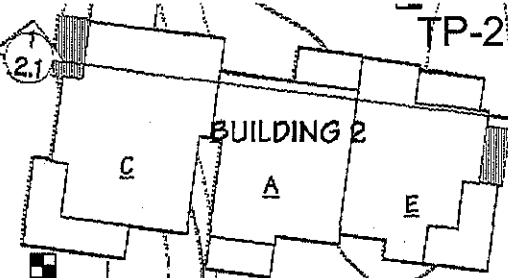
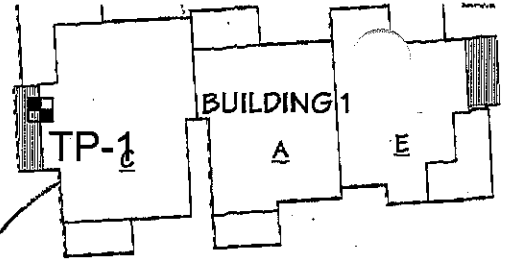
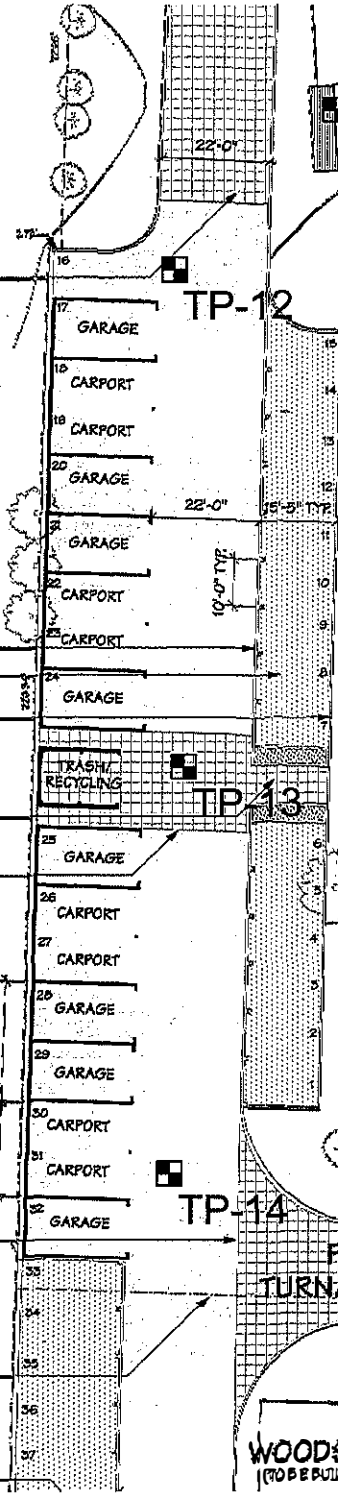
6" CONCRETE
MOW-STRIP, PAUGH
GRAVEL
6" CONCRETE WHEEL
STOP

WALKWAY TO
COMMON HOUSE
COLORED CONCRETE
W/ SAW CUTS @
2'-0" EA. WAY

GRABCONCRETE

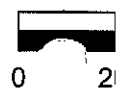
EXISTING
PROPERTY LINE

ABBLUMED



APPROX.
FLOODPLAIN
LINE

EXISTING ASH
CLUSTER





Appendix B

Test Pit Logs

*Professional
Geotechnical
Services*

Foundation Engineering, Inc.

DISTINCTION BETWEEN FIELD LOGS AND FINAL LOGS

A field log is prepared for each boring or test pit by our field representative. The log contains information concerning sampling depths and the presence of various materials such as gravel, cobbles, and fill, and observations of ground water. It also contains our interpretation of the soil conditions between samples. The final logs presented in this report represent our interpretation of the contents of the field logs and the results of the laboratory examinations and tests. Our recommendations are based on the contents of the final logs and the information contained therein and not on the field logs.

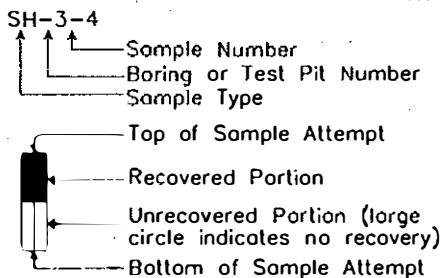
VARIATION IN SOILS BETWEEN TEST PITS AND BORINGS

The final log and related information depict subsurface conditions only at the specific location and on the date indicated. Those using the information contained herein should be aware that soil conditions at other locations or on other dates may differ. Actual foundation or subgrade conditions should be confirmed by us during construction.

TRANSITION BETWEEN SOIL OR ROCK TYPES

The lines designating the interface between soil, fill or rock on the final logs and on subsurface profiles presented in the report are determined by interpolation and are therefore approximate. The transition between the materials may be abrupt or gradual. Only at boring or test pit locations should profiles be considered as reasonably accurate and then only to the degree implied by the notes thereon.

SAMPLE OR TEST SYMBOLS



- S - Grab Samples
- SS - Standard Penetration Test Sample (split-spoon)
- SH - Thin-walled Shelby Tube Sample
- C - Core Sample
- CS - Continuous Sample

- ▲ Standard Penetration Test Resistance equals the number of blows a 140 lb. weight falling 30 in. is required to drive a standard split-spoon sampler 1 ft. Practical refusal is equal to 50 or more blows per 6 in. of sampler penetration.
- Water Content (%).

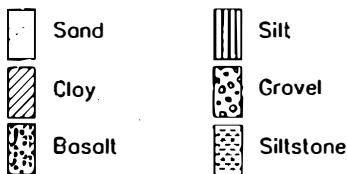
UNIFIED SOIL CLASSIFICATION SYMBOLS

- | | |
|------------|---------------------|
| G - Gravel | W - Well Graded |
| S - Sand | P - Poorly Graded |
| M - Silt | L - Low Plasticity |
| C - Clay | H - High Plasticity |
| Pt - Peat | O - Organic |

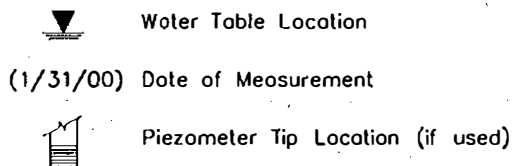
FIELD SHEAR STRENGTH TEST

Shear strength measurements on test pit side walls, blocks of soil or Shelby tube samples are typically made with Torvone or pocket penetrometer devices.

TYPICAL SOIL/ROCK SYMBOLS



WATER TABLE



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SYMBOL KEY BORING AND TEST PIT LOGS

Explanation of Common Terms Used in Soil Descriptions

Field Identification	Cohesive Soils			Granular Soils	
	SPT	S_u (tsf)	Term	SPT	Term
Easily penetrated several inches by fist.	0 - 1	< 0.125	Very Soft	0 - 4	Very Loose
Easily penetrated several inches by thumb.	2 - 4	0.125-0.25	Soft	5 - 10	Loose
Can be penetrated several inches by thumb with moderate effort.	5 - 8	0.25 - 0.50	Medium Stiff (Firm)	11 - 30	Medium Dense
Readily indented by thumb but penetrated only with great effort.	9 - 15	0.50 - 1.0	Stiff	31 - 50	Dense
Readily indented by thumbnail.	16 - 30	1.0 - 2.0	Very Stiff	> 50	Very Dense
Indented with difficulty by thumbnail.	31 - 60	> 2.0	Hard		

* Undrained shear strength

Term	Soil Moisture Field Description
Dry	Absence of moisture. Dusty. Dry to the touch.
Damp	Soil has moisture. Cohesive soils are below plastic limit and usually moldable.
Moist	Grains appear darkened, but no visible water. Silt/clay will clump. Sand will bulk. Soils are often at or near plastic limit.
Wet	Visible water on larger grain surfaces. Sand and cohesionless silt exhibit dilatancy. Cohesive silt/clay can be readily remolded. Soil leaves wetness on the hand when squeezed. "Wet" indicates that the soil is wetter than the optimum moisture content and above the plastic limit.

Term	PI	Plasticity Field Test
Nonplastic	0 - 3	Cannot be rolled into a thread.
Low Plasticity	3 - 15	Can be rolled into a thread with some difficulty.
Medium Plasticity	15 - 30	Easily rolled into thread.
High Plasticity	> 30	Easily rolled and rerolled into thread.

Term	Soil Structure Criteria
Stratified	Alternating layers at least 1 inch thick - describe variation.
Laminated	Alternating layers at less than 1 inch thick - describe variation.
Fissured	Contains shears and partings along planes of weakness.
Slickensides	Partings appear glossy or striated.
Blocky	Breaks into lumps - crumbly.
Lensed	Contains pockets of different soils - describe variation.

Term	Soil Cementation Criteria
Weak	Breaks under light finger pressure.
Moderate	Breaks under hard finger pressure.
Strong	Will not break with finger pressure.



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COMMON TERMS
SOIL DESCRIPTIONS

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description	
Surface: grass. Roots extend to ±8 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-1-1	█			0.45		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine to medium roots, (topsoil).	
	2-	S-1-2	█			0.66		Stiff silty CLAY; brown, damp to moist, medium plasticity, (alluvium).	
	3-	S-1-3	█			0.70		Medium stiff to stiff sandy SILT; brown, moist, low plasticity, fine sand, (alluvium).	
	4-					0.55		Medium stiff to stiff SILT; brown, moist, low plasticity, (alluvium).	
	5-	S-1-4	█					Medium dense to dense sandy GRAVEL, scattered cobbles; brown-grey, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).	
	6-								
	7-								
	8-	S-1-5	█						Medium dense to dense sandy GRAVEL, scattered cobbles; brown-grey, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	9-								BOTTOM OF TEST PIT
	10-								
	11-								
	12-								
	13-								
	14-								

Project No.: 2131004

Test Pit Log: TP- 1

Surface Elevation: 402.5 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description	
Surface: grass. Roots extend to ±9 inches. Rapid seepage at ±11 feet.	1-					0.95		Medium stiff clayey SILT, scattered organics; brown, moist, low plasticity, organics consist of fine roots, (topsoil).	
	2-	S-2-1	█					Stiff to very stiff SILT, trace to some sand; brown, iron-stained, moist, low plasticity, fine sand, (alluvium).	
	3-								
	4-								
	5-								
	6-	S-2-2	█					Medium stiff to stiff sandy SILT; brown, iron-stained, moist, low plasticity, fine sand, (alluvium).	
	7-								
	8-								
	9-								
	10-								Loose to medium dense silty SAND; brown, wet, low plasticity, fine sand, (alluvium).
	11-								
	12-								Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	13-								BOTTOM OF TEST PIT
	14-								

Project No.: 2131004

Test Pit Log: TP- 2

Surface Elevation: 399.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±8 inches.	1-	S-3-1	█			0.60 0.70		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine to medium roots, (topsoil).
	2-							Stiff silty CLAY; brown, damp to moist, medium plasticity, (alluvium).
	3-							Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±5 inches in diameter, (alluvium).
No seepage or ground water encountered to the limit of excavation.	4-							
	5-							
	6-							
	7-							BOTTOM OF TEST PIT
	8-							
	9-							
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP- 3

Surface Elevation: 403.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±8 inches.	1-	S-4-1	█			0.55		Medium stiff clayey SILT, scattered organics; brown, moist, low plasticity, organics consist of fine roots, (topsoil).
	2-							Stiff SILT, trace to some sand; brown, iron-stained, damp to moist, low to medium plasticity, (alluvium).
	3-							
	4-							
	5-	S-4-2	█					
	6-							Loose to medium dense silty SAND; brown, moist, low plasticity silt, fine sand, (alluvium).
	7-							
	8-							
	9-							
	10-							
Rapid seepage at ±10 feet.	11-							Medium dense to dense, sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP- 4

Surface Elevation: 399.5 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±8 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-5-1	█			0.50		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).
	2-	S-5-2	█			0.70		Stiff silty CLAY; brown, iron-stained, moist, medium plasticity, (alluvium).
	3-							
	4-							
	5-							Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	6-							BOTTOM OF TEST PIT
	7-							
	8-							
	9-							
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP- 5

Surface Elevation: 403.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±9 inches. No seepage or ground water encountered to the limit of excavation.	1-		█			0.85		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).
	2-	S-6-1 SH-6-3	█					Stiff silty CLAY; brown, moist, medium plasticity, (alluvium).
	3-	S-6-2	█			0.55		
	4-							Stiff sandy SILT; brown, moist, low plasticity, fine sand, (alluvium).
	5-							
	6-							
	7-							
	8-							Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	9-							BOTTOM OF TEST PIT
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP- 6

Surface Elevation: 403.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description	
Surface: grass. Roots extend to ±12 inches. Rapid seepage at ±11 feet.	1-	S-7-1	█			0.85		Stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine to medium roots, (topsoil).	
	2-	S-7-2	█			0.60		Stiff SILT, some sand; brown, moist, low plasticity, fine sand, (alluvium).	
	3-								
	4-	S-7-3	█					Loose to medium dense silty SAND; brown, moist, low plasticity silt, fine sand, (alluvium).	
	5-								
	6-								
	7-								
	8-								
	9-								
	10-								
	11-								
	12-							Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).	
	13-								
	14-							BOTTOM OF TEST PIT	

Project No.: 2131004

Test Pit Log: TP- 7

Surface Elevation: 399.7 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±8 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-8-1	█			0.45		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).
	2-					0.60		Stiff silty CLAY; brown, moist, medium plasticity, (alluvium).
	3-	S-8-2	█			0.25		Loose to medium dense silty SAND; brown, moist, low plasticity silt, fine sand, (alluvium).
	4-							
	5-							
	6-							
	7-							
	8-							Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	9-							BOTTOM OF TEST PIT
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP- 8

Surface Elevation: 399.9 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±8 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-9-1	■			0.25		Soft to medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of roots up to ±2 inches in diameter, (topsoil).
	2-					0.65		Stiff silty CLAY; brown, moist, medium plasticity, (alluvium).
	3-							Medium dense to dense sandy GRAVEL, scattered cobbles; brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±6 inches in diameter, (alluvium).
	4-							
	5-							
	6-							BOTTOM OF TEST PIT
	7-							
	8-							
	9-							
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP- 9

Surface Elevation: 404.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description	
Surface: grass. Roots extend to ±12 inches. Rapid seepage at ±11 feet.	1-	S-10-1	■			0.70		Medium stiff to stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine to medium roots, (topsoil).	
	2-					0.50		Medium stiff to stiff SILT, trace to some sand; brown, moist, low plasticity, fine sand, (alluvium).	
	3-								
	4-								
	5-								
	6-								
	7-	S-10-2	■						
	8-								
	9-								
	10-								
	11-								Loose to medium dense silty SAND; brown, moist, low plasticity silt, fine sand, (alluvium).
	12-								Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±6 inches in diameter, (alluvium).
	13-								
	14-								BOTTOM OF TEST PIT

Project No.: 2131004

Test Pit Log: TP-10

Surface Elevation: 400.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±7 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-11-1	█			0.55 0.45		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).
	2-	S-11-2	█					Medium stiff to stiff silty CLAY; brown, moist, medium plasticity, (alluvium).
	3-							Loose to medium dense silty SAND; brown, moist, low plasticity silt, fine sand, (alluvium).
	4-							Medium dense to dense sandy GRAVEL, scattered cobbles; grey-brown, wet, fine to coarse sand, fine to coarse, subrounded to rounded gravel, cobbles up to ±8 inches in diameter, (alluvium).
	5-							BOTTOM OF TEST PIT
	6-							
	7-							
	8-							
	9-							
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP-11

Surface Elevation: 404.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description
Surface: grass. Roots extend to ±10 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-12-1 S-12-2	█			0.60		Medium stiff to stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).
	2-							Stiff silty CLAY; brown, moist, medium plasticity, (alluvium).
	3-							BOTTOM OF TEST PIT
	4-							
	5-							
	6-							
	7-							
	8-							
	9-							
	10-							
	11-							
	12-							
	13-							
	14-							

Project No.: 2131004

Test Pit Log: TP-12

Surface Elevation: 402.5 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description					
Surface: grass. Roots extend to ±8 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-13-1	█			0.80		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).					
	2-								Stiff silty CLAY; brown, moist, medium plasticity, (alluvium).				
	3-						BOTTOM OF TEST PIT						
	4-												
	5-												
	6-												
	7-												
	8-												
	9-												
	10-												
	11-												
	12-												
	13-												
	14-												

Project No.: 2131004

Test Pit Log: TP-13

Surface Elevation: 403.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

Comments	Depth, Feet	Sample #	Location	Class Symbol	Water Table	C, TSF	Symbol	Soil and Rock Description					
Surface: grass. Roots extend to ±8 inches. No seepage or ground water encountered to the limit of excavation.	1-	S-14-1	█			0.75		Medium stiff clayey SILT, scattered organics; brown, moist, low to medium plasticity, organics consist of fine roots, (topsoil).					
	2-								Stiff silty CLAY; brown, moist, medium plasticity, (alluvium).				
	3-						BOTTOM OF TEST PIT						
	4-												
	5-												
	6-												
	7-												
	8-												
	9-												
	10-												
	11-												
	12-												
	13-												
	14-												

Project No.: 2131004

Test Pit Log: TP-14

Surface Elevation: 403.0 feet (Approx.)

Oakleigh Meadows Cohousing

Date of Test Pit: January 30, 2013

Eugene, Oregon

EC 9.8320(11)(k) The PUD complies with all of the following: All other applicable development standards for features explicitly included in the application except where the applicant has shown that a proposed non-compliance is consistent with the purposes set out in EC 9.8300 Purpose of Planned Unit Development.

The table below sets forth applicable development standards, those that do not comply are proposed for "non-compliance". Findings regarding their consistency with the purposes at EC 9.8300 are provided following the table.

The table below addresses required development standards.

Received

AUG 12 2013

Residential Standards 9.2750			
Standard	Required	Proposed	Complies
Density The R- 1 Low Density base zoning of the subject property establishes a maximum density of 14 dwelling units per acre.	The development site is 2.3 acres, which allows up to 32 units	28 units	Yes
Maximum Building Height	30 feet	24-28 feet	Yes
Minimum Building Setbacks	10 feet from front yard	15 feet to existing property line. Additional Right of Way dedication or Special setback could be required. If so a reduced setback is proposed	Yes/Possibly no Response: Mike Weishar, PE from Access Engineering has completed a Street Connectivity Study with Shadow Plat. Plus, the Proposed Site Plan has been updated to reflect Building 1 no longer within the Special Setback.
	5 feet from interior yard	5 feet from north yard	Yes
		10 feet from west yard	Yes
		0.5 feet	No

City of Eugene Planning Division

			Response: Chuck Durrett / McCamant & Durrett Architects has produced extensive reasoning behind the proposed garages & carports being located near the West Property Line. Please refer to "West Property Line" documents in the "Oakleigh Cohousing" Dropbox.
Fence height	6 feet within interior yard setback	6 feet within interior yard setback	Yes
	42 inches within front yard setback	42 inches within front yard setback	Yes

EC 9.5500 Multiple-Family Standards			
Standard	Required	Proposed	Complies
(4)(b) Street Frontage 60% of site frontage occupied by building or enhanced pedestrian space	60% of 137 feet of frontage = 82 linear feet	85 feet or 62%	Yes, but if dedication or special setback change this it is proposed as non-compliance Response: Please refer to Street Connectivity Study.
(5) Building Orientation and Entrances	(a) Building Orientation toward the street.	Primary orientation to Oakleigh	No Response: The building orientation is to the street - please see "OMC Front Elevation" (in the Dropbox folder) that'll be facing Oakleigh Lane. This is the primary orientation, and we're intentionally keeping

			the forward-facing "residential rhythm" of the houses as you march along Oakleigh, fronts of houses facing the lane with front porches and gardens - to keep within the existing vernacular. It essentially allows for a screening of the rest of the development, so it feels proportional with the neighborhood.
	(b) Ground Floor building Entrances toward street	Main entrance faces Oakleigh	No Response: Please see prior response – main entrances face Oakleigh Lane.
	(c) Upper Story Building Entrances from the interior of the building	Upper story access from internal stairwells and elevator	Yes
(6) (a) <u>Maximum Building Dimension:</u> 150 feet maximum within 40 feet of front lot line	<u>Oakleigh Street</u> 150 feet maximum	90 feet	Yes
(6)(b) <u>Windows:</u>	15% window covering on each floor facing a street	See Sheet A3.1 of the applicant's plans for window information – façade area per floor facing Oakleigh Street (East Elevation) and East 12 th Avenue (South Elevation)	Yes**
(7) Building Articulation	2 design features every 40 feet of horizontal face; and 2 design features	The proposed building contains offsets, balconies, windows, and	Yes**

	every 25 feet of vertical surface	recessed entry portals.	
(8) Site Landscaping Minimum amount equal to open space specified in EC 9.5500(9), 20% of which is living plant material	20% of 2.3 acres = 20,037 sf open space required with 4007 sf of landscaping	?	Yes
(9) Open Space 20% of development site or 15% livable floor area, whichever is greater (25% credit for developments within one-quarter mile of a public park)	20% of 2.3 acres = 20,037 sf open space required	?	Yes
(10) Block Requirements			N/A
(11) Site Access	Development sites with alley access shall use the alley to provide access to the development site	No Alley	N/A
(12) Vehicle Parking	Parking garages shall not extend across more than 50% of any street frontage	No portion of the parking garage abuts the street frontages	Yes
(13) On-Site Pedestrian Circulation	Direct access between building entrances and public ways	Paved pedestrian ways from building entrances to abutting streets and alley	Yes
(14) Recycling and Garbage Areas Same as EC 9.5650 and EC 9.6740	Covered and enclosed on three sides		Need to address Response: Our "Temple to Recycling" has been fully detailed, and is covered and enclosed on FOUR sides -

			Please refer to "West Property Line" documents in the "Oakleigh Cohousing" Dropbox for further details.
--	--	--	---

** As noted on the site plans, compliance will be confirmed during the building permit process. The applicant's written statement indicates that the design team is currently researching and studying cost-effective building articulation that includes overhead projections and is performing an energy model to determine the location of any window awnings. A full window schedule will be provided at the time of building permit submittal.

EC 9.6105 Bicycle Parking Space Standards			
Standard	Required	Proposed	Complies
Minimum Number of Spaces Required	28 long-term spaces; 0 short-term spaces	52 long term spaces	Yes
Parking Space Dimensions	See details at EC 9.6105(2)	2'x6' stalls for standard spaces	Yes**
Location & Security	See details at EC 9.6105(3)(b) and (c)	Lockable bicycle enclosure	Yes

*Short-term bicycle parking is not required of residential development, but the applicant is volunteering to provide 20 short-term spaces by the building entrances.

EC 9.6410 Motor Vehicle Parking Standards			
Standard	Required	Proposed	Complies
(1) Location	On the development site or within ¼ mile of development site. Tandem spaces allowed if 30 feet from street and access from an alley	A portion on-site and a portion off-site through a lease agreement. Tandem spaces are provided consistent with requirements	Yes
(2) Maximum Number	No maximum for residential		N/A
(3) Minimum Number	1 space per unit = 28	Proposed 47	Yes

EC 9.6420 Parking Area Standards			
Standard	Required	Proposed	Complies
(1) Dimensions and striping	8' X 15' Striping	9'X19' min Marked	Yes No Response: We're proposing gravel as a more sustainable

			<p>solution (permeability) that doesn't create dust - please refer to "West Property Line" documents in the "Oakleigh Cohousing" Dropbox for further details. This method has been tried and tried at other Cohousing Communities to great success.</p>
(2) Drainage	See details at EC 9.6790		Yes
(3) Landscaping	<p>L-3 along west property line 7 feet wide</p> <p>L-2 between parking along north property line</p>		<p>No</p> <p>Response: Due to the nature of our proposal - which is building garages and block wall (almost) right up to the West Property Line (see "West Property Line" documents) there's subsequently not a 7' wide swath of L-3 Landscaping there along West Prop Line. We're proposing a "green wall" that will have espaliered plants growing up the nice-looking, fire-proof CMU wall with colored parge coat (this is much better than your standard ol' rickety fence).</p> <p>As for the required L-2 along North Prop Line, it's actually there on the Landscape Plan - please refer to OMC</p>

			"Landscape Architecture" drawings in the Dropbox folder for both of these issues.
(4) Lighting	EC 9.6725		Yes
(S) Loading & Service Drives	No backward Movement into Right of Way		Yes
(6) Surfacing	Durable dust free surfacing	Gravel	No Response: Please refer to "West Property Line" documents in the Dropbox folder. Also, if I may dare say, I noticed that Hop Valley Brewery just got permitted with a comparable sized parking lot that's all gravel. Why can't we have gravel?

Several standards as listed above are proposed for non-compliance which requires consistency with the purpose statement of the PUD which is consistent with PUD purposes set out in EC 9.8300, or as otherwise noted below.

9.8300 **Purpose of Planned Unit Development.** *The planned unit development (PUD) provisions are designed to provide a high degree of flexibility in the design of the site and the mix of land uses, potential environmental impacts, and are intended to:*

- (1)** *Create a sustainable environment that includes:*
 - (a) Shared use of services and facilities.*
 - (b) A compatible mix of land uses that encourage alternatives to the use of the automobile.*
 - (c) A variety of dwelling types that help meet the needs of all income groups in the community.*
 - (d) Preservation of existing natural resources and the opportunity to enhance habitat areas.*
 - (e) Clustering of residential dwellings to achieve energy and resource conservation while also achieving the planned density for the site.*
- (2)** *Create comprehensive site plans for geographic areas of sufficient size to provide developments at least equal in quality to those that are achieved through the traditional lot by lot development and that are reasonably compatible with the surrounding area.*

The setback reductions are consistent with the purpose statement as they allow for a much better site layout. The garages are designed intently and aesthetically therefore creating an appealing architecture that looks as though it belongs there on the site. The residual space, if there were a setback, would collect weeds and trash at those unused portions of the site and serves no one. The back wall of the garages will be a beautiful CMU wall with a colored parge coat. (Please refer to "West Property Line" documents in the Dropbox folder for illustrations and more info.) The wall will therefore block headlights, reduce noise, allow for fire-safe future development on neighboring land, enhance the aesthetics, and create the opportunity for a "green wall." Espaliered plants will be planted to grow on the west side of the fence for a pleasant, visual "green wall." The cohousing community will plant and take care of the espaliered plants if that is what the neighbor wants.

The surfacing of gravel is consistent with the purpose statement as they allow slow traffic pulling into and out of parking stalls and therefore calms traffic and contributes to making it safer for children and everyone. (Please refer to "West Property Line" documents in the Dropbox folder for illustrations and more info.) It was also chosen to allow for water infiltration, which reduces overflowing storm water sewers and therefore is a more sustainable solution. Perhaps even more important is the image. There is already an exorbitant amount of asphalt in the river Road neighborhood. The gravel parking area reduces pollutants from entering open water systems where they, in concentration, can overwhelm microbes. "Local" microbes can digest pollutants infiltrating the ground at its source and in low concentrations. Gravel also reduces the "heat-island" effect and albedo, compared to asphalt paving. Please refer to "Illustration 03" in "West Property Line" documents in the Dropbox folder - this solution is more successful than the more typical gravel-over-dirt design because it is 2" of 3/4" - 1-1/2" crushed gravel over drainage fabric over 4" of AB-II. Therefore it does not generate dust. We understand that when gravel is used as a drive surface, it can create dust and noise issues. That is why we have chosen to only use gravel in the actual parking stalls where these issues will not be a concern. We will agree to whatever performance agreements are necessary, for example a group consensus on keeping a broom in the parking lot area to keep the gravel within the gravel parking area.

The landscaping non-compliance is consistent with the purpose statement as it allows for avoiding the residual space, if there were a setback, would collect weeds and trash at those unused portions of the site and serves no one. The back wall of the garages will be a beautiful CMU wall with a colored parge coat. (Please refer to "West Property Line" documents in the Dropbox folder for illustrations and more info.) The wall will therefore block headlights, reduce noise, allow for fire-safe future development on neighboring land, enhance the aesthetics, and create the opportunity for a "green wall." Espaliered plants will be planted to grow on the west side of the fence for a pleasant, visual "green wall." The cohousing community will plant and take care of the espaliered plants if that is what the neighbor wants. Flanking the garage and carport structure are open parking stalls where the gravel is located. If the parking lot were to move 5-7 feet to the East, that would entail shifting everything and encroaching more into the

floodplain zone increasing the fill by thousands of yards and many thousands of dollars. The resident group of teachers and work force families cannot afford additional costs. The buildings on the East are quite close to the sewer easement. Moving the building East 5-7 feet and losing a house would cost the project immensely.

SCHEDULE A

First American Title Insurance Company of Oregon

Name and Address of Title Insurance Company:
First American Title Insurance Company of Oregon
600 Country Club Road
Eugene, OR 97401

File No.: **7191-1429570**

Policy No.: **1429570**

Address Reference: 131 McClure Lane, Eugene, OR 97404

Amount of Insurance: \$650,000.00

Premium: \$1,575.00

Date of Policy: July 22, 2009 at 10:36 a.m.

1. Name of Insured:

David G Adee and Joan M Connolly

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

David Adee and Joan Connolly

4. The Land referred to in this policy is described as follows:

See Exhibit "A" attached hereto and made a part hereof

RECEIVED

AUG 12 2013

City: Eugene
Eugene, Oregon

SCHEDULE B

File No.: **7191-1429570**

Policy No.: **1429570**

EXCEPTIONS FROM COVERAGE

This Policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims or easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes for the fiscal year 2009-2010 a lien due, but not yet payable.
7. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Willamette River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
8. The property is within the Willamette River Greenway and is subject to all laws and regulations pertaining thereto, including, but not limited to, ORS 390.310 through 390.368, inclusive.
9. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
10. Easement, including terms and provisions contained therein:
Recording Information: August 06, 1947 in Book 353, Page 146
In Favor of: The United States of America
For: power lines and appurtenances

11. An easement reserved in a deed, including the terms and provisions thereof;
Recorded: March 16, 1942 in Book 229, Page 60
From: Nellie McClure, a single person
To: H. H. Harris and Gladys M. Harris, husband and wife
For: roadway

12. Easement, including terms and provisions contained therein:
Recording Information: October 11, 1949 in Book 403, Page 285
In Favor of: United States of America
For: right of way

13. Easement, including terms and provisions contained therein:
Recording Information: February 11, 1954, Reception No. 22964
In Favor of: City of Eugene, a Municipal Corporation, of Lane County, State of Oregon
For: sewer

14. Deed of Trust and the terms and conditions thereof.
Loan No.: 509-163075
Grantor/Trustor: David G. Adee and Joan M. Connolly, husband and wife
Grantee/Beneficiary: Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Golf Savings Bank
Trustee: First American Title Insurance Company
Amount: \$268,000.00
Dated: July 15, 2009
Recorded: July 22, 2009
Recording Information: 2009-042214
(Parcel 3)

15. Deed of Trust and the terms and conditions thereof.
Loan No.: undisclosed
Grantor/Trustor: David Adee and Joan Connolly, husband and wife
Grantee/Beneficiary: David M. Zarzycki
Trustee: First American Title
Amount: \$50,000.00
Dated: July 16, 2009
Recorded: July 22, 2009
Recording Information: 2009-042216
(Parcels 1 & 2)

EXHIBIT "A"

File No.: **7191-1429570**

Policy No.: **1429570**

Real property in the City of Eugene, County of Lane, State of Oregon, described as follows:

BEGINNING AT A POINT ON THE NORTH LINE OF A RESERVED ROADWAY, SAID BEGINNING POINT BEING 937.1 FEET EAST OF A POINT 366.17 FEET NORTH 15° 06' 48" WEST OF A POINT 4825.96 FEET SOUTH 88° 05' 05" EAST OF THE SOUTHWEST CORNER OF THE BENJAMIN DAVIS DONATION LAND CLAIM NO. 45; AND RUNNING THENCE NORTH 01° 51' 34" EAST 170 FEET; THENCE SOUTH 88° 08' 26" EAST 126.98 FEET; THENCE SOUTH 07° 09' 32" WEST 45.80 FEET; THENCE SOUTH 01° 54' 55" WEST 124.67 FEET; THENCE NORTH 88° 08' 26" WEST 134.03 FEET TO THE POINT OF BEGINNING, IN SECTION 24, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN LANE COUNTY, OREGON.

APN: 0428167

SCHEDULE A

First American Title Insurance Company of Oregon

Name and Address of Title Insurance Company:
First American Title Insurance Company of Oregon
600 Country Club Road
Eugene, OR 97401

File No.: **7191-1429597**

Policy No.: **1429597**

Address Reference: 17 04 24 24-5500 & 17 04 24 13-400, Eugene, OR 97404

Amount of Insurance: \$300,000.00

Premium: \$950.00

Date of Policy: July 22, 2009 at 10:36 a.m.

1. Name of Insured:

David Adee and Joan Connolly

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

David Adee and Joan Connolly

4. The Land referred to in this policy is described as follows:

See Exhibit "A" attached hereto and made a part hereof

SCHEDULE B

File No.: **7191-1429597**

Policy No.: **1429597**

EXCEPTIONS FROM COVERAGE

This Policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims or easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes for the fiscal year 2009-2010 a lien due, but not yet payable.
7. The property is within the Willamette River Greenway and is subject to all laws and regulations pertaining thereto, including, but not limited to, ORS 390.310 through 390.368, inclusive.
8. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
9. Easement, including terms and provisions contained therein:
Recording Information: August 06, 1947 in Book 353, Page 146
In Favor of: The United States of America
For: power lines and appurtenances
10. An easement reserved in a deed, including the terms and provisions thereof;
Recorded: March 16, 1942 in Book 229, Page 60
From: Nellie McClure, a single person
To: H. H. Harris and Gladys M. Harris, husband and wife
For: roadway

11. Easement, including terms and provisions contained therein:
Recording Information: October 11, 1949 in Book 403, Page 285
In Favor of: United States of America
For: right of way

12. Easement, including terms and provisions contained therein:
Recording Information: February 11, 1954, Reception No. 22964
In Favor of: City of Eugene, a Municipal Corporation, of Lane County, State of Oregon
For: sewer

13. Deed of Trust and the terms and conditions thereof.
Loan No.: undisclosed
Grantor/Trustor: David Adee and Joan Connolly, husband and wife
Grantee/Beneficiary: David M. Zarzycki
Trustee: First American Title
Amount: \$50,000.00
Dated: July 16, 2009
Recorded: July 22, 2009
Recording Information: 2009-042216

EXHIBIT "A"

File No.: **7191-1429597**

Policy No.: **1429597**

Real property in the City of Eugene, County of Lane, State of Oregon, described as follows:

PARCEL I:

BEGINNING AT AN IRON PIPE FOUND MARKING THE INITIAL POINT OF THE PLAT OF OAKLEIGH, AS PLATTED AND RECORDED IN BOOK 9, PAGE 32, LANE COUNTY OREGON PLAT RECORDS; THENCE EAST 893.64 FEET ALONG THE SOUTH LINE OF SAID PLAT TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 88° 11' 00" EAST 272.13 FEET ALONG THE SOUTH LINE OF SAID PLAT TO A POINT MARKED BY AN IRON PIPE; THENCE SOUTH 07° 09' 32" EAST 345.55 FEET TO A POINT; THENCE NORTH 88° 06' 26" WEST 228.96 FEET; THENCE NORTH 01° 51' 34" EAST 267.93 FEET; THENCE NORTH 87° 37' 57" WEST 97.27 FEET; THENCE NORTH 01° 49' EAST 72.25 FEET TO THE TRUE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

PARCEL II:

BEGINNING AT A POINT ON THE NORTH LINE OF A RESERVED ROADWAY SAID BEGINNING POINT BEING 937.1 FEET EAST OF A POINT 365.94 FEET NORTH 17° WEST OF A POINT 4843.4 FEET EAST OF THE SOUTHWEST CORNER OF THE BENJAMIN DAVIS DONATION LAND CLAIM NO. 45; AND RUNNING THENCE NORTH 170 FEET; THENCE WEST 102 FEET; THENCE NORTH 48.5 FEET; THENCE WEST 100 FEET; THENCE NORTH 217 FEET; THENCE EAST 359 FEET; THENCE SOUTH 21° 45' EAST 111.9 FEET; THENCE EAST 37.6 FEET; THENCE SOUTH 21° 45' EAST 113.8 FEET; THENCE SOUTH 09° 52' EAST 229.3 FEET; THENCE WEST 317.5 FEET TO THE PLACE OF BEGINNING, ALL IN SECTION 24 OF TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN LANE COUNTY, OREGON;

ALSO: THE NORTH ONE-HALF OF THE EAST 317 1/2 FEET OF A 24 FOOT ROADWAY, THE CENTERLINE OF SAID ROADWAY BEING AS FOLLOWS: BEGINNING AT A POINT 353.43 FEET NORTH 17° 0' WEST OF A POINT 4843.4 FEET EAST OF THE SOUTHWEST CORNER OF THE BENJAMIN DAVIS DONATION LAND CLAIM NO. 45; AND RUNNING THENCE EAST 1250.0 FEET, ALL IN LANE COUNTY, OREGON.

ALSO: BEGINNING AT AN IRON PIPE FOUND MARKING THE INITIAL POINT OF THE PLAT OF OAKLEIGH, AS PLATTED AND RECORDED IN BOOK 9, PAGE 32, LANE COUNTY OREGON PLAT RECORDS; THENCE EAST 894.0 FEET ALONG THE SOUTH LINE OF SAID PLAT TO THE TRUE POINT OF BEGINNING; THENCE EAST 340.2 FEET ALONG THE SOUTH LINE OF SAID PLAT TO A POINT MARKED BY AN IRON PIPE; THENCE SOUTH 13° 10' 1/2" EAST 74.2 FEET TO A POINT; THENCE WEST 357.1 FEET ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID PLAT TO A POINT; THENCE NORTH 60.3 FEET TO A POINT MARKED BY AN IRON PIN; THENCE NORTH 12.0 FEET TO THE TRUE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

EXCEPT: BEGINNING AT AN IRON PIPE FOUND MARKING THE INITIAL POINT OF THE PLAT OF OAKLEIGH, AS PLATTED AND RECORDED IN BOOK 9, PAGE 32, LANE COUNTY OREGON PLAT RECORDS; THENCE EAST 893.64 FEET ALONG THE SOUTH LINE OF SAID PLAT TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 88° 11' 00" EAST 272.13 FEET ALONG THE SOUTH LINE OF SAID PLAT TO A POINT MARKED BY AN IRON PIPE; THENCE SOUTH 07° 09' 32" EAST 345.55 FEET TO A POINT; THENCE NORTH 88° 06' 26" WEST 228.96 FEET; THENCE NORTH 01° 51' 34" EAST 267.93 FEET; THENCE NORTH 87° 37' 57" WEST 97.27 FEET; THENCE NORTH 01° 49' EAST 72.25 FEET TO THE TRUE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

ALSO EXCEPT: BEGINNING AT A POINT ON THE NORTH LINE OF A RESERVED ROADWAY, SAID BEGINNING POINT BEING 937.1 FEET EAST OF A POINT 366.17 FEET NORTH 15° 06' 48" WEST OF A POINT 4825.96 FEET SOUTH 88° 05' 05" EAST OF THE SOUTHWEST CORNER OF THE BENJAMIN DAVIS DONATION LAND CLAIM NO. 45; AND RUNNING THENCE NORTH 01° 51' 34" EAST 170 FEET; THENCE SOUTH 88° 08' 26" EAST 126.98 FEET; THENCE SOUTH 07° 09' 32" WEST 45.80 FEET; THENCE SOUTH 01° 54' 55" WEST 124.67 FEET; THENCE NORTH 88° 08' 26" WEST 134.03 FEET TO THE POINT OF BEGINNING, IN SECTION 24, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN LANE COUNTY, OREGON.

ALSO EXCEPT: BEGINNING AT THE SOUTHWEST CORNER OF LOT A OF PLAT OF OAKLEIGH, AS PLATTED AND RECORDED IN BOOK 9, PAGE 32, LANE COUNTY OREGON PLAT RECORDS, LANE COUNTY, OREGON; THENCE RUN SOUTH 88° 11' 00" EAST ALONG THE SOUTH LINE OF SAID LOT A, 139.68 FEET TO A POINT MARKED BY A 5/8 INCH IRON ROD MARKING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE LEAVING SAID SOUTH LINE OF LOT A AND RUN SOUTH 7° 09' 32" EAST 391.38 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE SOUTH 1° 54' 55" WEST 136.66 FEET TO A POINT ON THE CENTERLINE OF A 24.0 FOOT ROADWAY (MCCLURE LANE) SAID POINT BEING REFERENCED BY A 5/8 INCH IRON ROD AND BEING 181.82 FEET NORTH 88° 05' 05" WEST OF THE EAST END OF THAT CERTAIN 24.0 FOOT ROAD AS DESCRIBED ON THAT CERTAIN INSTRUMENT RECORDED IN REEL 32-54D, RECEPTION NO. 22964, DEED RECORDS OF LANE COUNTY, OREGON; THENCE FROM SAID 5/8 INCH IRON ROD RUN SOUTH 88° 05' 05" EAST ALONG THE CENTERLINE OF SAID 24.0 FOOT ROAD A DISTANCE OF 181.82 FEET; THENCE NORTH 1° 54' 55" EAST 12.0 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE SOUTH 88° 05' 05" EAST 1.01 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE NORTH 7° 57' 05" WEST 229.26 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE NORTH 19° 50' 05" WEST 113.80 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE NORTH 88° 05' 05" WEST 37.62 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE NORTH 19° 50' 05" WEST 111.90 FEET TO A POINT REFERENCED BY A 5/8 INCH IRON ROD; THENCE SOUTH 88° 05' 05" EAST 1.85 FEET; THENCE NORTH 11° 21' 30" WEST 77.79 FEET, MORE OR LESS, TO AN IRON PIPE ON THE SOUTH LINE OF LOT A OF SAID PLAT OF OAKLEIGH; THENCE NORTH 88° 11' 00" WEST ALONG THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 68.0 FEET TO THE TRUE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

APN: 0428159 and 0431781

PH-75

Received



Planning & Development
Planning

JUN 18 2013

**WILLAMETTE GREENWAY PERMIT
APPLICATION**

City of Eugene
Planning Division

City of Eugene
99 West 10th Avenue
Eugene, Oregon 97401
(541) 682-5377
(541) 682-5572 Fax
www.eugene-or.gov

Please complete the following application checklist. Note that additional information may be required after further review in order to adequately address the applicable approval criteria. If you have any questions about completing this application, please contact Planning staff at the Permit and Information Center, phone (541) 682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request. Please indicate if only a portion of a lot is included in the request.

Assessor's Map	Tax Lot	Zoning
17-04-24-13	Lot # 400	R-1
17-04-24-24	Lot # 5500	R-1

Site address(es): NOT yet determined.

Area of Request (square feet/acres): Approx. 2.297 AC.

Existing Use of Property: open meadow

Proposed Use of Property: Oakleigh Meadow cohousing

Adjustment Requested? Yes No

Specify type of adjustment being requested: _____

Pre-application Conference (as required per EC 9.7005):

Date: Dec. 2nd, 2011 Conference No. LC 11-76

Filing Fee

A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check the City website at www.eugeneplanning.org

Thank you: *Walter C. Griffin*

AL-76

AFFIDAVIT OF MAILING

I, Willard C. Dixon, AIA, as the applicant / representative for the Oakleigh Meadow CoHousing project, hereby certify that on the 31st day of January, 2013 a true and correct copy of the notice of neighborhood / applicant meeting, marked as Exhibit "A" attached hereto and by this reference incorporate herein, was mailed to those referenced on Exhibit "B" accordance with the requirements of the Eugene City Code 9.7007.

I further certify that the addresses shown on said Exhibit "B" are their regular addresses as determined from the books and records of the Lane County Department of Assessment and Taxation and that said Notices were placed in the United States Mail with postage fully prepared thereon.

Willard C. Dixon
Applicant's / Representative's Signature

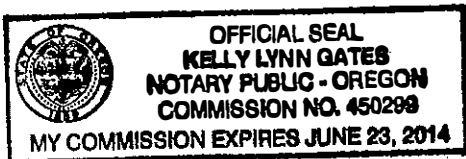
2/2/13
Date

STATE OF OREGON)
)SS
COUNTY OF LANE)

On this 2 day of February, 2013, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Willard Dixon who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.



Kelly Lynn Gates
Notary Public

Received

APR 19 2013

City of Eugene
Planning Division

EXHIBIT "A"

NEIGHBORHOOD/APPLICANT MEETING NOTICE

**INVITATION
to
NEIGHBORHOOD-APPLICANT MEETING**

Dear Neighbor:

You are cordially invited to attend a meeting to discuss a proposed project located at the end of Oakleigh Ln on the south side of the road, in the River Road Community Organization (RRCO) area. The proposal tentatively includes a 28-unit cohousing development with common house.

As the applicants preparing this proposal, we invite you to attend a meeting with us and other neighbors to review our plans, share information, and identify issues regarding the proposal. A copy of a preliminary plan of the proposal is included on the reserve side of this page.

WHAT: Meeting to review a preliminary proposal for Oakleigh Meadow CoHousing (OMC)

WHO: OMC members, property owners and residents in the surrounding area, and the neighborhood association.

WHEN: Feb 16th, 2013; 1:00pm-4:00pm

WHERE: River Road Annex, 1055 River Rd., Eugene, OR

No applications for this proposal have been submitted to the City yet. Your comments and input into the proposal at this early stage will be valuable in helping us to identify issues and shape the proposal. We hope you can attend.

For more information, please feel free to contact the OMC Project Manager, Willard C. Dixon, AIA, by telephone at 541.689.3548 (office) or via email at wcd@willardcdixon.com.

Oakleigh mail

Name	Address	City	State	Zip
Lynn and Will Dixon	115 E. Hilliard Ln.	EUGENE	OREGON	97404
Rachel Stedman	131 OAKLEIGH LN	EUGENE	OREGON	97404
David Adee/Joan Connolly	131 MCCLURE LN	EUGENE	OREGON	97404
Cecelia A. Baxter-Heintz	118 MCCLURE LN	EUGENE	OREGON	97404
Rick R. Volchok	126 E HILLIARD LN	EUGENE	OREGON	97404
Tammy and Terry Crafton	117 OAKLEIGH LN	EUGENE	OREGON	97404
Gale and Diane Duncan	121 OAKLEIGH LN	EUGENE	OREGON	97404
Sandy and Bryn Thoms	135 OAKLEIGH LN	EUGENE	OREGON	97404
Lara Bovilsky	116 OAKLEIGH LN	EUGENE	OREGON	97404
Square One Investments LLC	1311 Lorane Hwy.	EUGENE	OREGON	97405
Owner: 107 McClure Units 1/2				
Current Resident(s)	107 1/2 MCCLURE LN	EUGENE	OREGON	97404
Anne and Terry Love	133 OAKLEIGH LN	EUGENE	OREGON	97404
Angel Garcia Jr.	112 OAKLEIGH LN	EUGENE	OREGON	97404
Joseph Minor	340 Westridge Pl.	Petaluma	CA	94952
owner: 119 McClure				
Current Resident(s)	119 MCCLURE LN	EUGENE	OREGON	97404
Olive Rossman	115 OAKLEIGH LN	EUGENE	OREGON	97404
Robin Bernardi	1272 Willamette St. #310	EUGENE	OREGON	97401
Owner: 123 Oakleigh Ln				
Current Resident(s)	123 OAKLEIGH LN	EUGENE	OREGON	97404
Bryn E. Thoms	135 OAKLEIGH LN	EUGENE	OREGON	97404
Owner" 150 E. Hilliard Ln.				
Current Resident(s)	150 E HILLIARD LN	EUGENE	OREGON	97404
Current Resident(s)	107 MCCLURE LN	EUGENE	OREGON	97404

Exhibit 'B'

Name	Address	City	State	Zip
Current Resident(s)	109 MCCLURE LN	EUGENE	OREGON	97404
Songsri and John Greenhoot	125 OAKLEIGH LN	EUGENE	OREGON	97404
Sabine A. Wilke	114 MCCLURE LN	EUGENE	OREGON	97404
Current Resident(s)	138 E HILLIARD LN	EUGENE	OREGON	97404
Caesar and Mellani OCampo	136 E HILLIARD LN	EUGENE	OREGON	97404
Joan Hurley	144 E HILLIARD LN	EUGENE	OREGON	97404
Rich Phaigh	35917 Camp Creek Rd.	Springfield	OREGON	97478
Current Resident(s)	128 E HILLIARD LN	EUGENE	OREGON	97404
Jacqueline Marlette/Richard Damt	119 OAKLEIGH LN	EUGENE	OREGON	97404
Lauren Regan	259 E. 5th #300A	EUGENE	OREGON	97401
Owner: 160 Oakleigh Ln.				
Current Resident(s)	160 OAKLEIGH LN	EUGENE	OREGON	97404
Ethan and Marjorie Hutchinsor	114 OAKLEIGH Lane #A&B	EUGENE	OREGON	97404
Owners: 114 Oakleigh Ln A/B				
Current Resident(s)	114 OAKLEIGH LN A	EUGENE	OREGON	97404
Current Resident(s)	114 OAKLEIGH LN B	EUGENE	OREGON	97404
Dan and Diane Mathis	1155 Laurel Ave.	Springfield	OREGON	97478
Owner: 130 Oakleigh Ln				
Current Resident(s)	130 OAKLEIGH LN	EUGENE	OREGON	97404
Brenda Bair	935 RIVER RD	EUGENE	OREGON	97404
Anthony and Jane Towne	127 MCCLURE LN	EUGENE	OREGON	97404
Bessie Brandt	449 W. Azalea Ave.	EUGENE	OREGON	97404
Owner: 130 Oakleigh Ln				
Current Resident(s)	121 MCCLURE LN	EUGENE	OREGON	97404
Kenneth Best	2101 W. 16th Court	EUGENE	OREGON	97402

Name	Address	City	State	Zip
Owner of 112 McClure				
Current Resident(s)	112 MCCLURE LN 1	EUGENE	OREGON	97404
Current Resident(s)	112 MCCLURE LN	EUGENE	OREGON	97404
Bruce and Jill Buschelman	113 MCCLURE LN	EUGENE	OREGON	97404
Lisa Maureen Vreim	116 MCCLURE LN	EUGENE	OREGON	97404
John Mancini	P.O. Box 41243	EUGENE	OREGON	97404
Owner of 112 McClure				
Current Resident(s)	129 MCCLURE LN	EUGENE	OREGON	97404
David Zarzycki	344 River Road	EUGENE	OREGON	97404
Owner: 122 McClure				
Current Resident(s)	122 MCCLURE LN	EUGENE	OREGON	97404
Nancy K. Unruh	126 MCCLURE LN	EUGENE	OREGON	97404
Dean Larry and Bonita Nussbaum	128 MCCLURE LN	EUGENE	OREGON	97404
Tom Yahner	130 MCCLURE LN	EUGENE	OREGON	97404
David and Barbara Campbell	125 MCCLURE LN	EUGENE	OREGON	97404
Jesse Milton Thomas	111 MCCLURE LN	EUGENE	OREGON	97404
Judy L. Scott	105 MCCLURE LN	EUGENE	OREGON	97404
David Buck	1187 Park Ave.	EUGENE	OREGON	97404
Owner: 139 E. Hilliard Ln				
Current Resident(s)	139 E HILLIARD LN	EUGENE	OREGON	97404
NEDCO	212 Main St.	Springfield	OREGON	97477
Owner: 137 E. Hilliard Ln				
Current Resident(s)	137 E HILLIARD LN	EUGENE	OREGON	97404
Lisa Ann Shamoon	133 E HILLIARD LN	EUGENE	OREGON	97404
Gary Haller	127 E HILLIARD LN	EUGENE	OREGON	97404
Arden Wayne Munkres	147 E. HILLIARD LN	EUGENE	OREGON	97404

Name	Address	City	State	Zip
Grethe and Douglas Keever	124 E. HILLIARD LN	EUGENE	OREGON	97404
Joan Bradley	140 E HILLIARD LN	EUGENE	OREGON	97404
Richliegh R. Phaigh	35917 Camp Creek Rd.	Springfield	OREGON	97478
Owner: 132 E Hilliard Ln				
Current Resident(s)	132 E HILLIARD LN	EUGENE	OREGON	97404
Current Resident(s)	132 OAKLEIGH LN	EUGENE	OREGON	97404

First Name	Last	Title	Address	City	State	Zip
Carolyn	Burke	Planning Division	99 W. 10th Ave.	EUGENE	OREGON	97401
Matt	Rodrigues	City Engineer	99 E. Broadway, Suite 400	EUGENE	OREGON	97401
Carleen	O'Reilly	River Road Assoc.	395 Marion Ln	EUGENE	OREGON	97404
Becky	Taylor	City of Eugene Planning Dept	99 W. 10th Ave.	EUGENE	OREGON	97401
Terri	Harding	Planning Dept.	99 W. 10th Ave.	EUGENE	OREGON	97401
Jon	Belcher	River Road Assoc.	1243 Rome Ln.	EUGENE	OREGON	97404

AFFIDAVIT OF POSTING

I, Willard C. Dixon, AIA, the applicant / representative for the Oakleigh Meadow Co-Housing project, hereby certify that on this 1st day of February, 2013, a sign for the neighborhood/applicant meeting was posted on the subject property in accordance with the requirements of the Eugene City Code 9.7007.

Willard C Dixon
Applicant's / Representative's Signature

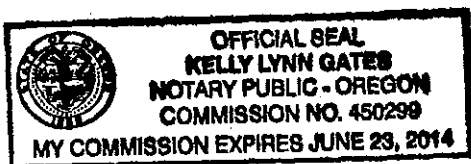
2 / 2 / 13
Date

STATE OF OREGON)
)S
COUNTY OF LANE)

On this 2 day of February, 2013, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Willard Dixon who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.



Kelly Lynn Gates
Notary
Public

SUMMARY MEETING NOTES
from
NEIGHBORHOOD/APPLICANT MEETING

Project Name: Oakleigh Meadow LLC
Applicant: Will Dixon, AIA
Applicant's Phone: 541-868-5960

Meeting Date: February 16, 2013
Meeting Time: 1:00 to 4:00 p.m.
Meeting Location: River Road Park Annex, 1055 River Road, Eugene OR 97404

Brief project description, as presented at meeting:

- size of property
- # and types of units
- architect-designed
- all parking on property, including guest parking
- common house
- garden space
- stewardship of adjoining greenway

Key questions raised at the meeting:

- Annexation: Will nearby neighbors have the opportunity to be annexed to City of Eugene, or will they be required to? What will the tax impact to neighbors be?
- Density: Why did you decide on 28 units? Why not fewer? How many units are needed to make this financially possible?
- Plan B: What will happen to the land if the OMC project fails?
- Unit cost: What do the units cost? What constitutes a unit? If property is limited to 28 units, how does common house fit into that equation?
- Bus service: Will there be increased bus service on River Road to accommodate the added people living in the neighborhood?
- Greenway permit process: What is it? How long will it take? Then what happens?
- Traffic concerns: What is the plan for controlling car traffic for commuters? How will people turn onto Oakleigh Lane without a traffic light? What is the plan for parking when you run out of on-site parking spaces? Where does the project driveway emerge vis a vis my property (lives across the street on Oakleigh)?
- Trees: Which trees will be cut down?
- View: How tall is the tallest building? Will I lose my view?
- Drainage: Neighbor across Oakleigh is downslope from the project and is worried about water run-off.
- Street improvements: Will I need to pay for sidewalks? How will sidewalk affect parking?

Any concerns or issues that may need follow-up (i.e. more discussion or plan revisions):

- Desire for more chips on path leading to city greenway meadow (path is mucky now)
- Building #6: Do we need 20' between building 6 and nearest neighbor's house/woodshop? Could we put up an 8' cinderblock wall to avoid the setback requirement?
- Building #1: Concern about kids playing or other noise spilling out onto Oakleigh Lane.
- Will garages be put against the property line?
- Blackberries: What is the intent for where the blackberries are on Oakleigh Lane? Will you be removing them?

Oakleigh Lane

R.O.W. 22.5' FROM CENTERLINE

DRIVEWAY

INFORMAL BIKE SHEDS TYP.

BACKYARD

PRIVATE HOMES (TYP.)

FRONT PORCHES TYP.

GATHERING NODE

GATHERING NODE

BACKYARDS

BACKYARDS

GARDEN

WALKWAY

GARDEN

COMMON HOUSE

COMMON PATIO

GARDENS

APPROX. FLOODPLAIN LINE

INFORMAL BIKE STORAGE

EXISTING ASH CLUSTER

COURTYARD

GATHERING NODE

BACKYARDS

PRIVATE HOMES (TYP.)

BACKYARDS

BIKE ENTRY

EXISTING SHED FOR BIKE BARN & WORKSHOP

PROPERTY LINE FOR PENDING PROPERTY LINE ADJUSTMENT APPLICATION

PRELIMINARY
as per OMC group
Site Design Workshop
July 2012

17-04-24-24
TL. NO. 10200

17-04-24-24
TL. NO. 10300

APPROX. LOCAL
20.0 FOOT SEVER
PER BEEL 32 INS
LAKE CO. CFFC

57' 09" 3" E

15.5'



PH-77

Received

APR 19 2013

City of Eugene
Planning Division

City of Eugene
99 West 10th Avenue
Eugene, Oregon 97401
(541) 682-5377
(541) 682-5572 FAX
www.eugene-or.gov

**PLANNED UNIT DEVELOPMENT
APPLICATION -- TENTATIVE STAGE**

Please complete the following application checklist. Note that additional information may be required after further review in order to adequately address the applicable approval criteria. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541) 682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request. Proposals are required to include all property under contiguous ownership of the applicant.

Assessor's Map	Tax Lot	Zoning
17-04-24-13	400	R-1
17-04-24-24	5500	R-1

Area of Request (square feet/acres):

Existing Use of Property: Nothing; just open meadow

Proposed Use of Property: Cohousing development.

Number of Dwellings: Existing: 0 Proposed: 28 units

Number of Lots: Existing: 2 Proposed: 2

Planned Unit Development Approval Criteria (check one):

- General (EC 9.8320)
- Needed Housing (EC 9.8325)

Is site included on City acknowledged Statewide Goal 5 Inventory?

- Yes
- No
- Uncertain

Does adjustment request include stormwater drainage facilities: Yes No

*(If request includes Pollution Reduction/Flow Control, submit approved alternative design.
If request includes Source Control, submit DAR form.)*

Pre-application Conference (as required per EC 9.7005):

Date: Dec. 2nd, 2011 Conference No.: LC 11-76

Neighborhood/Applicant Meeting Requirements

Provide the following documentation that a neighborhood/applicant meeting was held per EC 9.7007 (see EC 9.7010):

- The list of persons to whom notice was mailed pursuant to EC 9.7007(5) and a signed statement that notice was posted and mailed to those on the list;
- A copy of the notice;
- A copy of the meeting notes and sign-in sheet described at EC 9.7007(9); and
- A copy of the site plan presented at the meeting.

Filing Fee

- A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check the City website at www.eugeneplanning.org

Submittal Requirements:

Provide 3 paper copies and one CD copy of all application materials (i.e. written statement, site plans, etc.) in pdf format at the time of initial submittal. Please note that it is the applicant's responsibility to make sure that the CD and paper copies are identical. Following completeness review, an updated CD and additional paper copies may be required. All site plans must be folded to a size equal or less than 11" x 17".

Written Statement

- Clearly state whether the application is to be reviewed under General or Needed Housing criteria. Submit a detailed written statement which describes the proposed use of the property and how the proposed planned unit development satisfies all applicable approval criteria (EC 9.8300-9.8310 and 9.8320 or 9.8325).
- The statement must include the names, addresses, and telephone numbers of the design team members, and designation of the professional coordinator for the project.

Site Plan Requirements

- Show the date, north arrow, and standard engineer's scale on the site plan.
- Show the Assessor's Map and Tax Lot numbers involved in the request on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be drawn to scale).
- Show the dimensions of the plan boundary, dimensions of proposed lots, approximate square footage calculations, and proposed parcel lines.
- Show the location of parcel lines and other layout details for future division of parcels greater than 13,500 square feet.
- Show the location of all existing and proposed structures and indicate whether the existing structures will remain or be removed.
- Provide elevation drawings that portray the scale and appearance of proposed buildings.
- Provide a tabulation of all impervious surface areas (existing and proposed), including the amount of area covered by building(s), parking, and the amount of area devoted to open space
- Indicate on the site plan and provide a supporting written statement addressing the solar lot standards (this applies only to land zoned R-1, and R-2).

- Provide a cover sheet with the certification and signatures of the professional coordinator and all design team members for the project. Each drawing must be stamped and signed by the licensed professional responsible for preparing the plans.
- Show the width and location of all existing and proposed public and private easements.
- Show all contiguous property under the same ownership. The application shall include all contiguous undeveloped or partially developed property under the same ownership.
- Show all proposed grading for streets, building areas, and other proposed development.
- Show the type and size of existing or proposed fencing and/or landscape buffering.
- Include a phasing plan that indicates any proposed phasing for development, including the boundaries and sequencing of each phase.

Wastewater Requirements

- Show the location and flowline elevation of the existing public wastewater sewer at proposed connection point(s).
- Show the existing and proposed wastewater sewer layout, including service to each lot. (Each lot must be connected to the public wastewater sewer.)

Water Supply Requirements

- Show a diagram (including diameter) of existing and proposed water mains.
- Show existing and proposed fire hydrants.

Storm Drainage Requirements

- Show the location and flow line elevation of the existing public piped system at proposed connection point(s)
- Delineate the tops-of-banks of all open waterways on and adjacent to the property.
- Delineate the Special Flood Hazard Area and the base flood elevation.
- A description of the extent to which a watercourse will be altered or relocated as a result of proposed development, including a stormwater analysis of pre- and post-development flows.
- Show existing and proposed storm drainage, including the type of facilities proposed for collection, conveyance, and treatment of storm water for all lots and development consistent with the stormwater provisions at EC 9.6790 – 9.6795.
- Submit a stormwater analysis that demonstrates compliance with stormwater provisions at EC 9.6790 - 9.6795.
- Indicate whether the stormwater system or portions thereof are proposed for public or private maintenance. If applicable, submit a draft Operations and Maintenance Plan (for private facilities) and/or Operations and Maintenance Agreement (for public facilities) consistent with EC 9.6797.

Tree Preservation Requirement

- Provide a tree preservation plan and report prepared by a certified arborist or approved equivalent. Both the plan and reports shall demonstrate compliance with EC 9.8320(4)(b), (c) and { and/or other applicable requirements.
- Show the location, size and species of existing trees on site that are 8 inches or more in diameter at DBH (4.5 feet above ground). Provide an assessment of the condition of the existing trees, indicate whether they will be preserved or removed, and indicate the means of preservation when applicable.
- Show the "critical root zones" for trees to be preserved and provide supporting information that preserved trees will not be impacted so as to constitute "tree removal," as defined in EC 9.0500.

Natural Features Assessment and Delineation of Applicable Boundaries on Site Plan. Site plans shall show the following information in accordance with EC 9.8320(4)(a):

- Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under State or Federal law), and native plant communities.
- All documented habitat for all rare animal species (those that are proposed for listing or are listed under State or Federal law).
- Prominent topographic features, such as ridgelines and rock outcrops shown.
- Wetlands, intermittent and perennial stream corridors, and riparian areas shown.
- Natural resource areas designated in the Metro Plan diagram as "Natural Resource" and areas identified in any city-adopted natural resource inventory.
- Submit a mitigation plan, in accordance with EC 9.8320(4)(c).

Landscaping Requirements

- Show the location, species, and size of existing and proposed landscaping.
- Indicate means of irrigation.
- Show open space and landscaping proposed for open space areas.

Contour Intervals

Must be shown as below and must be based on City Bench Mark. The City Bench Mark used must be noted on the plans.

Indicate bench mark used.

- One-foot contour intervals for ground slopes up to five percent.
- Two-foot contour intervals for ground slopes between five and ten percent.
- Five-foot contour intervals for ground slopes exceeding ten percent.

Parking Area Requirements

- Show the location, number, and dimensions of existing and proposed parking spaces, including aisle widths and disabled parking spaces.
- Show the location, number, and dimensions of bicycle parking spaces, including long-term and short-term bicycle parking.

- Show traffic circulation patterns, including the width of travel lanes.
- Show landscaping and screening for parking areas.
- Show means of protection for landscaped areas (i.e. curbs).
- Show the location and height of all existing and proposed lighting for parking area.
- Show designated car pool and van pool parking for developments with 20 or more employees.

Street and Public Access Way Requirements

- Identify the number of peak hour trips based on the proposed development. If the development will generate 100 or more trips during any peak hour, a Traffic Impact Analysis Review shall be required in accordance with EC 9.8650 - 9.8680.
- Identify the street classification of all streets in accordance with EC 9.6850 and EC 9.6870.
- Indicate potential slope easements.
- Provide a street center profile using ground elevations when proposed streets intersect 15% grade.
- Provide the distance from centerline-to-centerline of all street intersections.
- Show the location and widths (right-of-way and paving width) of all existing and proposed streets, intersections, and bike and pedestrian access ways, both within and adjacent to the project.
- Show existing and proposed curbs and sidewalks on the site and adjacent to the site.
- Show street connectivity and provide supporting narrative to address applicable street connectivity standards from EC 9.6815, and secondary emergency vehicle access, if applicable.
- Show street names for all existing and proposed streets (public and private), in accordance with EC 9.6855.
- Indicate the radii of all curves on the plans.
- Show the location and type of existing and proposed transit-related facilities.
- Identify any street grade over 12 %.
- Show all existing private access driveways to property. When the property fronts a street under Lane County jurisdiction, also show driveway locations for adjacent properties.
- Submit an Alternative Traffic Safety Study (ATSS) if an adjustment is requested to required internal vehicle stacking at EC 9.6703(3)(a).
- Note any amount of increase to the development site's peak hour trips due to the proposed development; particularly if the increase is more than 50% and there will be 20 or more additional peak hour trips than the previous/existing use.
- Demonstrate that access to the development site is located in accordance with EC 7.420.

Street and Utility Improvement Requirements

- Show existing and proposed public and private improvements.

Note on the plan whether public improvements are to be constructed public or privately.

Note on plan the location, size and species of existing and proposed street trees.

Note on plan the location of any existing or proposed street lights.

Architectural Features of Proposed Buildings

Indicate general building locations, bulk and height.

Indicate key architectural features of proposed buildings (concept drawings okay).

If subject to the South Hills, indicate how buildings proposed on slopes will blend with natural terrain.

Supporting Documents – (submit 3 copies)

Submit a Geotechnical Analysis, if required, to satisfy applicable criteria.

Submit a preliminary title report.

The applicant is responsible for meeting State/Federal wetland requirements. Submit a wetland determination and a letter of acceptance of the determination from the Oregon Division of State Lands (ODSL) and if necessary, a wetland delineation report for potential wetlands identified on the Eugene Local Wetlands Inventory (LWI) maps, West Eugene Wetlands Plan (WEWP) maps, Wetland Determination reports, or other sources which indicate the potential presence of wetlands.

Submit a legal description of property included in the planned unit development application. This legal description must be typed on an 8½" x 11" white sheet of paper (no letterhead) so that it is suitable for recording (submit one copy only).

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

OWNER (Also the Applicant? Yes / No):

Name (print): Oakleigh Meadow, LLC Phone: (541) 609-3548 office / (541) 888-5960 cell

Address: 300 Blair Blvd.

City/State/Zip: Eugene, OR 97402

Signature:

APPLICANT / APPLICANT'S REPRESENTATIVE (Check one):

Name (print): Oakleigh Meadow, LLC

Company/Organization: " " "

Address: 300 Blair Blvd.

City/State/Zip: Eugene, OR 97402 E-mail (if applicable):

Phone: 541-689-3548 Fax: 1 (541) 982-2273 (all #'s)

Signature: Willard C. Dixon

APPLICANT'S REPRESENTATIVE / DESIGNATED CONTACT PERSON (Check all that apply):

Name (print): Willard C. Dixon, AIA

Company/Organization: Willard C. Dixon Architect, LLC

Address: 300 Blair Blvd.

City/State/Zip: Eugene OR 97402 E-mail (if applicable): wcd@willardcdixon.com

**Planning
Receipt**



Planning & Development
Planning Division
99 West 10th Avenue
Eugene, OR 97401
(541) 682-5377

Date: 4/19/13 Received From: Oakleigh Meadows LLC
Address: 300 Blair Blvd.
Eugene, OR 97402

Method of Payment:
 Cash
 Check # 1088 & # 1089
 Visa/MC

Amount Received: \$ 17,750.65 Phone: ()
\$ 4,813.44 Project: PUD + WG

Enter amount:

Annexation	\$	Subdivision, Tentative	\$
Appeal	\$	Subdivision, Final	\$
Conditional Use Permit	\$	Traffic Impact Analysis	\$
Legal Lot Verification	\$	Vacations (all)	\$
Lot Validation	\$	Willamette Greenway Permit 4416	\$ 4,813.44
Partition, Tentative	\$	Zone Change	\$
Partition, Final	\$	Other 28 units @ 15.00/ea	\$ 420
Property Line Adjustment	\$	Fire Review Fee	\$ 100
PUD Tentative 15765	\$ 17,750.65	Subtotal	\$
PUD Final	\$	Administrative Fee (except appeals)	\$ 1863.09
Site Review	\$	TOTAL	\$ 22564.09

Staff Initials RLT
Updated: May 2012

CERTIFICATE OF FILING AND SERVICE

I certify that on February 27, 2014, I caused to be filed the original Record of Proceedings with the Land Use Board of Appeals, at the following address, by causing the same to be deposited in the U.S. Mail at Eugene, Oregon enclosed in a sealed envelope with postage prepaid.

Land Use Board of Appeals
775 Summer Street NE, Suite 330
Salem, OR 97301-1283

I further certify that on the same date, I served a true and complete copy of said document on the party or parties listed below, by causing the same to be deposited in the U.S. Mail at Eugene, Oregon enclosed in a sealed envelope with postage prepaid to the addresses as follows:

Lauren C. Regan
Justice Law Group
259 East 5th Avenue, Suite 300A
Eugene, OR 97401

Attorney for Petitioners

Zack P. Mittge
Hutchinson, Cox, Coons, Orr & Sherlock, P.C.
P.O. Box 10886
Eugene, OR 97440

Attorney for Intervenor-Respondent



Anne C. Davies, OSB #910149

Assistant City Attorney for Respondent City of Eugene

SUPPLEMENTAL RECORD
TABLE OF CONTENTS

OAKLEIGH-MCCLURE NEIGHBORS, BRYN AND SANDY THOMS, TAMMY CRAFTON,
KAREN AND SCOTT FLEENER-GOULD, CECELIA AND PAUL BAXTER-HEINTZ,
Petitioners,

and

PAUL CONTE and SIMON TRAUTMAN, Intervenor-Petitioners,

vs.

CITY OF EUGENE, Respondent,

and

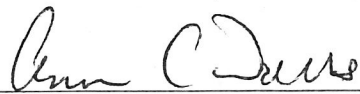
OAKLEIGH MEADOWS CO-HOUSING, LLC, Intervenor-Respondent

LAND USE BOARD OF APPEALS NO. 2014-001

The filed record may include black and white copies of maps/diagrams/photos originally submitted in color and/or maps and plans reduced from their original size. These materials, in their original color and/or size, will be included in the retained exhibits delivered to the Board on the date of oral argument. Retained exhibits are referred to as "RE."

<u>NO.</u>	<u>ITEM DESCRIPTION</u>	<u>PAGE</u>
1.	Notice of Decision and mailing list, mailed February 4, 2014	1
2.	Notice of Decision and mailing list, mailed January 28, 2014	4

I, Anne C. Davies, certify that the items described above and included herein are true copies of the originals.



Anne C. Davies, OSB #910149
Assistant City Attorney for Respondent
City of Eugene



January 31, 2014

NOTICE OF DECISION: OAKLEIGH MEADOWS COHOUSING PUD (PDT 13-1)

On December 16, 2013, the Eugene Planning Commission affirmed the Eugene Hearings Official's decision to conditionally approve the Tentative Planned Unit Development noted above, with additional findings and modified conditions of approval. Please contact staff for a copy of the Final Order, Findings and Conclusions of the Eugene Planning Commission.

The decision of the Eugene Planning Commission is final. On December 17, 2013, notice of the decision was mailed to a number of individuals who appeared on the City's interested parties list. It was later discovered that some individuals who appeared before the Planning Commission were inadvertently omitted from that list and, therefore, were not mailed notice of the decision. On January 28, 2014, another notice was mailed to those individuals that had been omitted from the interested parties list. After that notice was mailed, additional interested parties were identified by citizens involved in the appeal. Consequently, this final notice is being mailed to all individuals, not initially notified, who appeared orally or in writing before the local government. If you received the January 28, 2014 notice, please disregard it.

A Notice of Intent to Appeal has already been filed with the Oregon Land Use Board of Appeals (LUBA). You will receive a copy of that Notice of Intent to Appeal from the attorney representing the Petitioner in that appeal. Persons who participated orally or in writing before the local government, and who are receiving this notice, may file a motion to intervene in the LUBA appeal. Appeals to LUBA are governed by ORS 197.805 to 197.560 and OAR 661, Division 10.

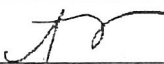
If you have questions, or would like more information, please contact City staff at the address or phone number listed below.

Becky Taylor, Associate Planner
City of Eugene Planning Division
99 West 10th Avenue
Eugene, OR 97401
E-mail: becky.g.taylor@ci.eugene.or.us
Phone: (541)682-5437

CERTIFICATE OF MAILING

I hereby certify that I served the decision and/or notice of decision of the Planning Commission for an **appeal of a Tentative Planned Unit Development** request for **Oakleigh Cohousing (PDT 13-1)** by mailing a true copy to the names on the attached list.

2-4-14
Dated:



Amy Janisch

Paul Conte
1461 W. 10th Ave.
Eugene, OR 97402

Mark Conley
1958 Fircrest Drive
Eugene, OR 97403

Jon Texter
Essex Construction
4284 W. 7th Ave
Eugene, OR 97402

Sue Schaefer
118 E. Hilliard Ln
Eugene, OR 97404

Deb and Christopher
Michaels
1193 Van Buren St
Eugene, OR 97402

Jane & Anthony Towne
127 McClure Lane
Eugene, OR 97404

Phil Rizzo
875 W. Hilliard Ln
Eugene, OR 97404

Nir Pearlson
1460 E 21st Ave
Eugene, OR 97403

Alex Daniell
1990 Orchard St
Eugene, OR 97403

Jim and Sharon Brandt
PO Box 885
Sutherlin, OR 97479

Laura Fischrup
1755 E. 23rd Ave
Eugene, OR 97403

Jesse Thomas
111 McClure Ln
Eugene, OR 97404

Debra Polak
1050 Willa St.
Eugene, OR 97404

Thomas Baxter and Sherrie
Sims
82535 Lost Creek Rd
Dexter OR 97431

Kayleen Hanna
1280-B East 28th Ave.
Eugene, OR 97403

Jenna Fribley
Envelop Design
134 E 14th Ave Suite 2
Eugene, OR 97401

Newt Loken
860 Elm Dr
Eugene, OR 97404

Michelle Featherston
1282 Golden Ave
Eugene, OR 97404

Geri Baxter
739 S. 4th St.
Springfield, OR 97477

Scott Clarke
Pivot Architecture
44 W Broadway Suite 300
Eugene, OR 97401

Susanne Kelley
3765 Kincaid St
Eugene, OR 97405

Jim & Sophie Swircynski
297 Hawthorne Ave
Eugene, OR 97404

Travis Sheridan
31 N. Cedar St.
Eugene, OR 97402

Paul Edlund
547 Ful-Vue Drive
Eugene, OR 97405

Paul Dustrud
1699 Pearl St
Eugene, OR 97401

Sabine Wilke
114 McClure Ln
Eugene, OR 97404

Barbara Frerichs
1860 Olive St
Eugene, OR 97401

Mike Van Mantegem
1188 Tyler St
Eugene, OR 97402

Patricia Parcels (PH-12)
1165 SE Alexander Ave
Corvallis, OR 97333

Barbara Boylan
2760 University Street
Eugene, OR 97403

David Weber
440 West 1st Avenue
Eugene, OR 97401

Darian-Trautman
109 Oakleigh Lane
Eugene, OR 97404

Jim and Ruby Bauer
121 McClure Lane
Eugene, OR 97404

Cedar Star
1027 Custer Court
Eugene, OR 97404

Hal Stedman
1976 N 165th Drive
Goodyear, AZ 85395

Adrienne Borg
945 Fairway Drive
Eugene, OR 97404

Morgan Sims
395 Hawthorne Avenue
Eugene, OR 97404

Jackie Marlette
119 Oakleigh Lane
Eugene, OR 97404



January 28, 2014

NOTICE OF DECISION: OAKLEIGH MEADOWS COHOUSING PUD (PDT 13-1)

On December 16, 2013, the Eugene Planning Commission affirmed the Eugene Hearings Official's decision to conditionally approve the Tentative Planned Unit Development noted above, with additional findings and modified conditions of approval. Please contact staff for a copy of the Final Order, Findings and Conclusions of the Eugene Planning Commission.

The decision of the Eugene Planning Commission is final. On December 17, 2013, notice of the decision was mailed to a number of individuals who appeared on the interested parties list. It was later discovered that some individuals who appeared before the Planning Commission were inadvertently omitted from that list. Persons who appeared before the local government orally or in writing, and who are receiving this notice, may appeal the decision to the Oregon Land Use Board of Appeals within 21 days of the date they receive this notice in the mail. Appeals to the Oregon Land Use Board of Appeals are governed by ORS 197.805 to 197.560 and OAR 661, Division 10.

If you have questions, or would like more information, please contact City staff at the address or phone number listed below.

Becky Taylor, Associate Planner
City of Eugene Planning Division
99 West 10th Avenue
Eugene, OR 97401
E-mail: becky.g.taylor@ci.eugene.or.us
Phone: (541)682-5437

CERTIFICATE OF MAILING

I hereby certify that I served the decision and/or notice of decision of the Planning Commission for an **appeal of a Tentative Planned Unit Development** request for **Oakleigh Cohousing (PDT 13-1)** by mailing a true copy to the names on the attached list.

1-28-14
Dated:

AJ
Amy Janisch

Paul Conte
1461 W. 10th Ave.
Eugene, OR 97402

Mark Conley
1958 Fircrest Drive
Eugene, OR 97403

Jon Texter (record PT.R-13)
Essex Construction
4284 W. 7th Ave
Eugene, OR 97402

Sue Schaefer (record PT-07)
118 E. Hilliard Ln
Eugene, OR 97404

Deb and Christopher Michaels (record PT-08)
1193 Van Buren St
Eugene, OR 97402

Jane & Anthony Towne (record PT-09 and PT-10)
127 McClure Lane
Eugene, OR 97404

Phil Rizzo (record PT-12)
875 W. Hilliard Ln
Eugene, OR 97404

Nir Pearlson (record PT-24)
1460 E 21st Ave
Eugene, OR 97403

Alex Daniell (record PT-29)
1990 Orchard St
Eugene, OR 97403

Jim and Sharon Brandt (record HE-65)
PO Box 885
Sutherlin, OR 97479

Laura Fischrup (PT-33)
1755 E. 23rd Ave
Eugene, OR 97403

Jesse Thomas (HE-05)
111 McClure Ln

{00112680;1 }

Eugene, OR 97404

Debra Polak (record HE-06)
1050 Willa St.
Eugene, OR 97404

Thomas Baxter and Sherrie Sims (HE-08)
82535 Lost Creek Rd
Dexter OR 97431

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Springfield, OR 97477

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Eugene, OR 97401

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Eugene, OR 97404

Travis Sheridan (record HE-47)
31 N. Cedar St.
Eugene, OR 97402

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547 Ful-Vue Drive
Eugene, OR 97405

Paul Dustrud (record HE-50)
1699 Pearl St
Eugene, OR 97401

Sabine Wilke (record HE-55)
114 McClure Ln
Eugene, OR 97404

Barbara Frerichs (record HE-56)
1860 Olive St
Eugene, OR 97401

Mike Van Mantegem (PH-11)
1188 Tyler St
Eugene, OR 97402

Patricia Parcels (PH-12)
1165 SE Alexander Ave
Corvallis, OR 97333

CERTIFICATE OF FILING AND SERVICE

I certify that on March 21, 2014, I caused to be filed the original Supplemental Record of Proceedings with the Land Use Board of Appeals, at the following address, by causing the same to be deposited in the U.S. Mail at Eugene, Oregon enclosed in a sealed envelope with postage prepaid.

Land Use Board of Appeals
775 Summer Street NE, Suite 330
Salem, OR 97301-1283

I further certify that on the same date, I served a true and complete copy of said document on the party or parties listed below, by causing the same to be deposited in the U.S. Mail at Eugene, Oregon enclosed in a sealed envelope with postage prepaid to the addresses as follows:

Lauren C. Regan
Justice Law Group
259 East 5th Avenue, Suite 300A
Eugene, OR 97401

Attorney for Petitioners

Paul Conte
1461 W. 10th Avenue
Eugene, OR 97402

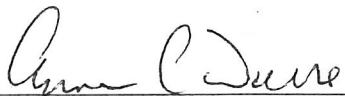
Intervenor-Petitioner

Zack P. Mittge
Hutchinson, Cox, Coons, Orr & Sherlock, P.C.
P.O. Box 10886
Eugene, OR 97440

Attorney for Intervenor-Respondent

Simon Trautman
1060 Silverstar Drive
Hailey, ID 83333

Intervenor-Petitioner



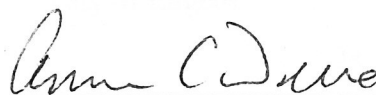
Anne C. Davies, OSB #910149
Assistant City Attorney for Respondent City of Eugene

1 LUBA also required Respondent to transmit a second supplemental record with a
2 staff PowerPoint presentation that had been omitted from the record, along with any
3 printed materials distributed to the planning commission (or identify the location in the
4 record where those items could be found). ___ Or LUBA ___ (LUBA No. 2014-001,
5 Order, May 1, 2014) slip op. 8.

6 Planning staff has reviewed the video of the December 3, 2013 planning
7 commission deliberations. The PowerPoint presentation, copies of which are included in
8 the second supplemental record at Item 1, was presented at this meeting.¹ Any documents
9 distributed to the planning commission at this December 3rd meeting were copies of items
10 already in the record. In most instances, planning staff merely located the actual
11 document from the record to display for the planning commission. For instance, during
12 deliberations on December 3rd, planning staff displayed the original site plans, Rec. Item
13 37.e (RE-Z, A1.1); applicant's topographic survey map, Rec. Item 26 (RE-AC, 8x11 size
14 at RE-T, Attachment D-2); building elevations, Rec. Item 37.g (RE-AC, 8x11 size at
15 RE-T, Attachment D-1); and read aloud portions of the Public Works referral comments
16 (Rec. 1255-1276). Planning staff distributed color copies of the map found at Rec. 926
17 (RE-K), and copies of Lane County referral comments found at Rec. 1313.

18 On December 15, 2013, the planning commission continued deliberations.
19 Planning staff distributed at this meeting copies of a draft final order, which is included in
20 the second supplemental record at Item 2.

21 DATED this 13th day of May, 2014.

22
23 
24 Anne C. Davies, OSB #910149
25 Of Attorneys for Respondent City of Eugene
26

¹ The first page of the PowerPoint includes the wrong date – December 9, 2013. The date should read December 3, 2013.

REVISED
TABLE OF CONTENTS

OAKLEIGH-MCCLURE NEIGHBORS, BRYN AND SANDY THOMS, TAMMY CRAFTON,
KAREN AND SCOTT FLEENER-GOULD, CECELIA AND PAUL BAXTER-HEINTZ,
Petitioners,

and

PAUL CONTE, Intervenor-Petitioner,

vs.

CITY OF EUGENE, Respondent,

and

OAKLEIGH MEADOWS CO-HOUSING, LLC, Intervenor-Respondent

LAND USE BOARD OF APPEALS NO. 2014-001

The filed record may include black and white copies of maps/diagrams/photos originally submitted in color and/or maps and plans reduced from their original size. These materials, in their original color and/or size, will be included in the retained exhibits delivered to the Board on the date of oral argument. Retained exhibits are referred to as "RE."

<u>NO.</u>	<u>ITEM DESCRIPTION</u>	<u>PAGE</u>
1.	Notice of Decision and mailing list, mailed December 17, 2013	1
2.	Planning Commission Final Order, dated December 16, 2013.....	6
a.	Attachment A: City Attorney Memo dated December 11, 2013.....	18
b.	Attachment B: Hearings Official Decision, dated November 12, 2013.....	21
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Exhibits Retained by City Under OAR 661-010-0025(2)

- RE-A DVD of December 16, 2013 Planning Commission meeting (Item 3)
- RE-B DVD of December 9, 2013 Planning Commission meeting (Item 5)
- RE-C Color map of site plan attached to Agenda Item Summary for December 9, 2013 Planning Commission meeting (Item 6)
- RE-D DVD of December 5, 2013 Planning Commission public hearing (Item 7)
- RE-E Color copy of neighborhood opposition report from Bryn Thoms, received October 9, 2013 (Item 22.a)
- RE-F CD of neighborhood opposition report from Bryn Thoms, received October 9, 2013 (Item 22.a)
- RE-G CD of opposition testimony of Lauren Regan received October 9, 2013 (Item 22.b)
- RE-H Color copy of Lower River Road Concept Plan attached to e-mail from Lauren Regan, received October 9, 2013 (Item 22.c)
- RE-I Color copy of Attachment C, map of Oakleigh Lane (Item 22.d)
- RE-J Color copy of submittal from Mark Conley, received October 9, 2013 (Item 22.e)
- RE-K Color copy of site plan attached to e-mail from Will Dixon, received October 9, 2013 (Item 22.r)
- RE-L Color copy of photos attached to e-mail from Rachel Stedman, received October 8, 2013 (Item 22.s)

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RE-AA	Landscape plans, received August 12, 2013 (Item 37.f)	
RE-AB	West line elevations, received August 12, 2013 (Item 37.g)	
RE-AC	Civil plans, received August 12, 2013 (Item 37.h)	
RE-AD	Detailed Grading Plan, received August 12, 2013 (Item 37.i)	
RE-AE	Adopted Willamette Greenway map, received August 12, 2013 (Item 37.k)	

I, Anne C. Davies, certify that the items described above and included herein are true copies of the originals.



 Anne C. Davies, OSB #910149
 Assistant City Attorney for Respondent
 City of Eugene

SECOND SUPPLEMENTAL RECORD
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OAKLEIGH-MCCLURE NEIGHBORS, BRYN AND SANDY THOMS, TAMMY CRAFTON,
KAREN AND SCOTT FLEENER-GOULD, CECELIA AND PAUL BAXTER-HEINTZ,
Petitioners,

and

PAUL CONTE and SIMON TRAUTMAN, Intervenor-Petitioners,

vs.

CITY OF EUGENE, Respondent,

and

OAKLEIGH MEADOWS CO-HOUSING, LLC, Intervenor-Respondent

LAND USE BOARD OF APPEALS NO. 2014-001

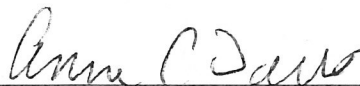
The filed record may include black and white copies of maps/diagrams/photos originally submitted in color and/or maps and plans reduced from their original size. These materials, in their original color and/or size, will be included in the retained exhibits delivered to the Board on the date of oral argument. Retained exhibits are referred to as "RE."

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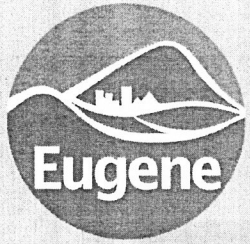
Exhibits Retained by City Under OAR 661-010-0025(2)

- RE-AF Color copy of PowerPoint presentation presented at the December 3, 2013 planning commission meeting
- RE-AG Color copy of draft final order

I, Anne C. Davies, certify that the items described above and included herein are true copies of the originals.



Anne C. Davies, OSB #910149
Assistant City Attorney for Respondent
City of Eugene



Deliberations

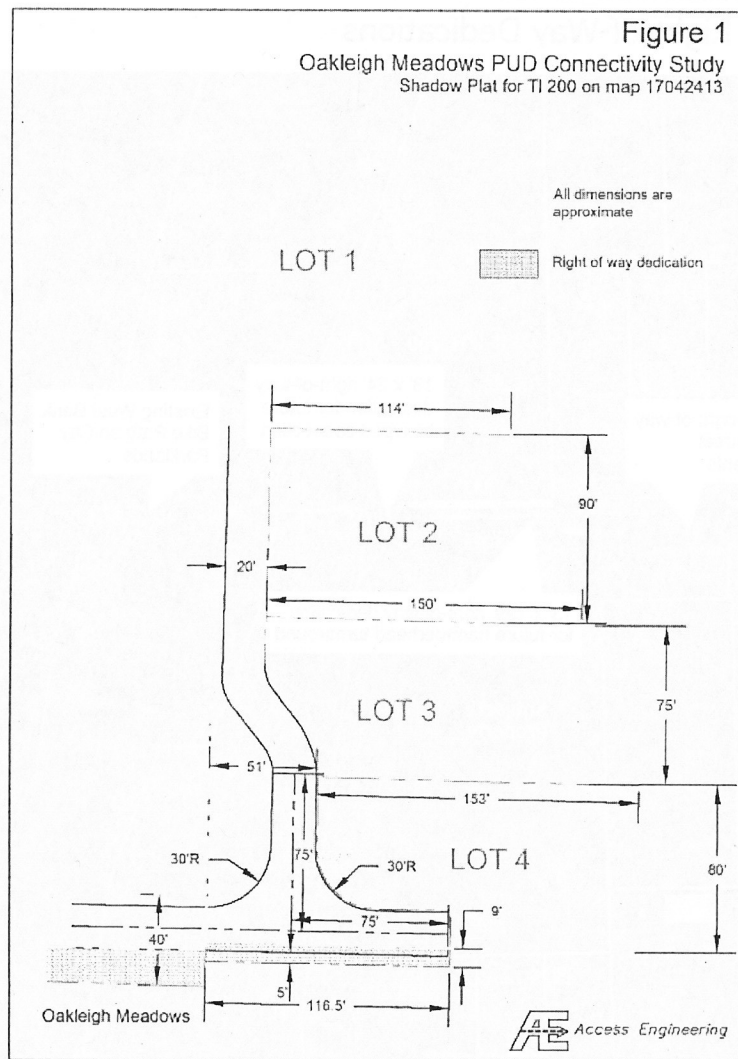
Appeal of Oakleigh Meadows PUD (PDT 13-1)

Eugene Planning Commission, 12.9.2013

Vicinity Map (PH-1.A)



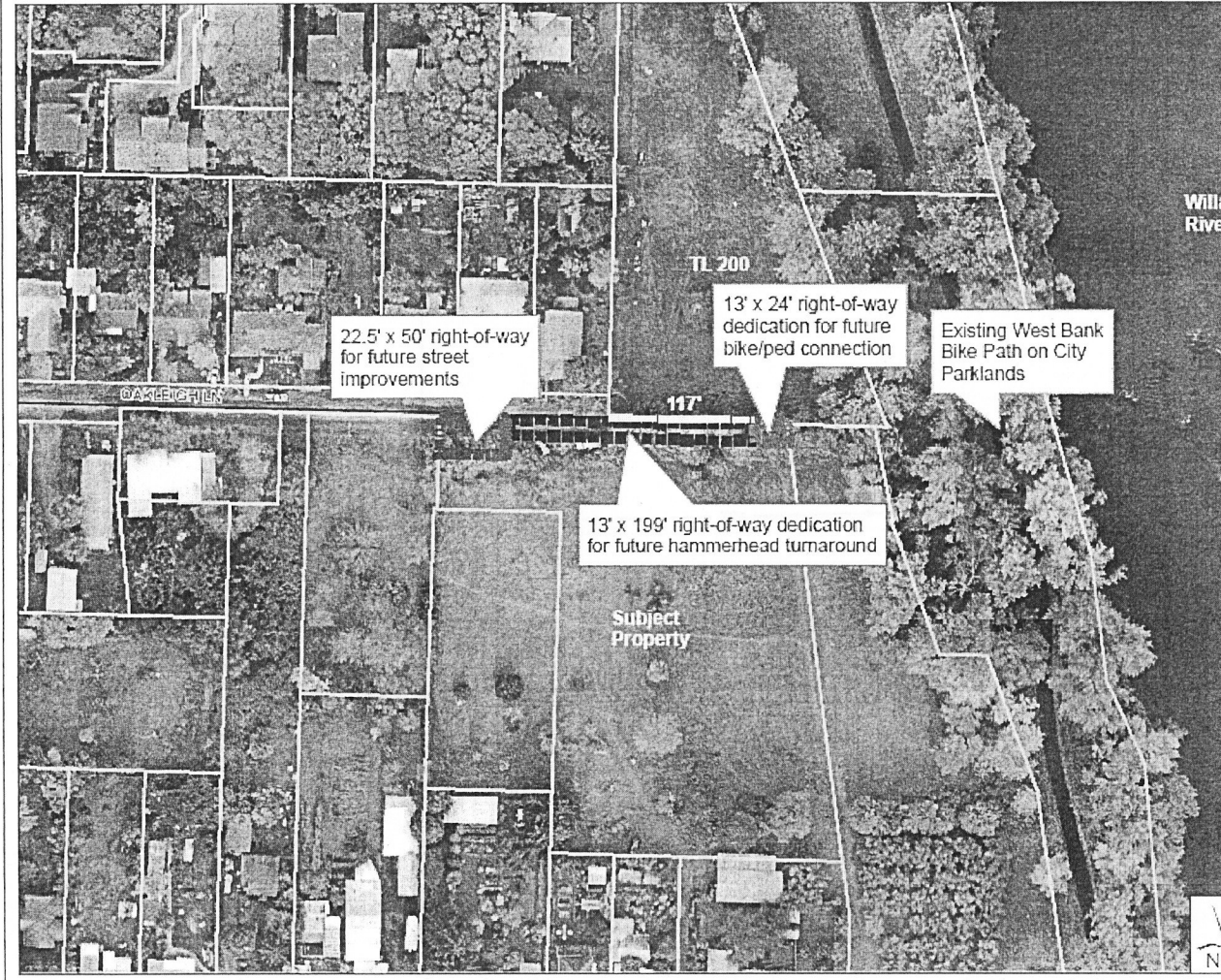
Street Connectivity (PH-63)



ROW Dedications (PH-1.B)

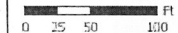
Attachment B: Illustration of Recommended Dedications
Right-of-Way Dedications

PH-1.B

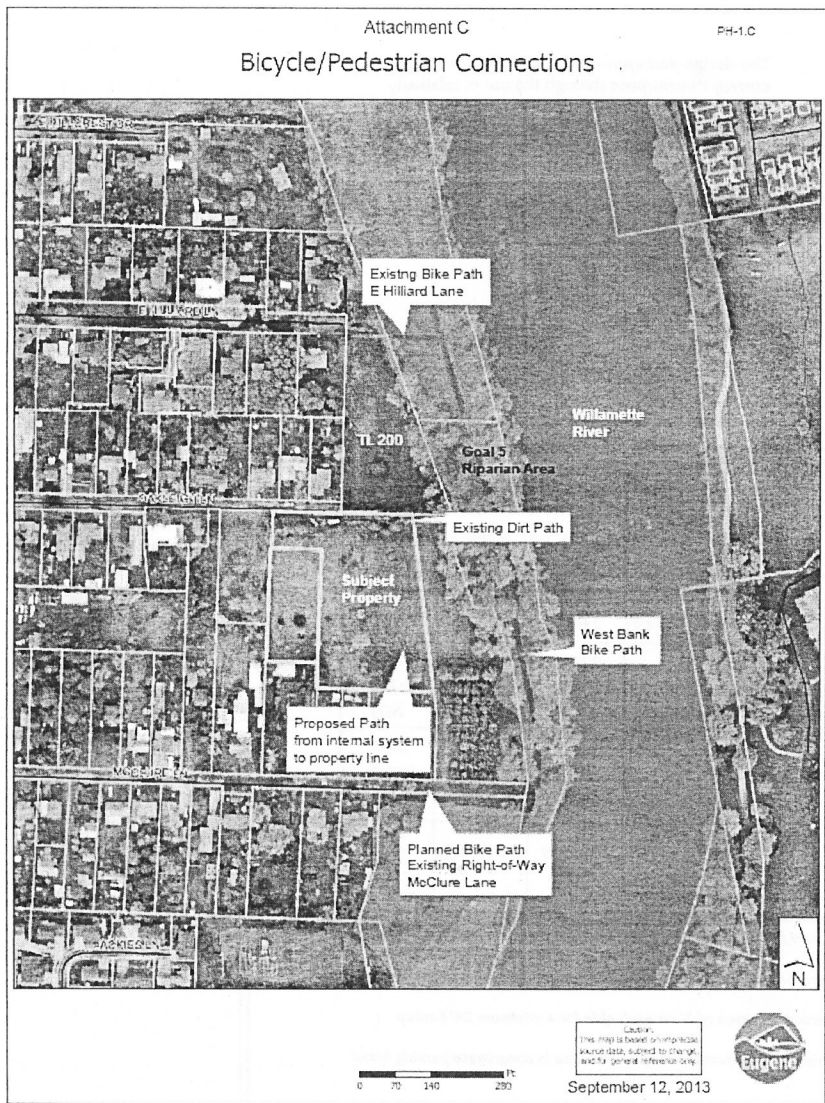


September 12, 2013

Caution:
This map is based on
imprecise source data,
subject to change, and for
general reference only.



Bike/Ped Connect (PH-1.C)



ACSP (PT-4)

LOCAL STREETS

Local streets are the framework around which communities are built. Although the primary function of local streets is to provide access to properties fronting on the street, to a great extent, they also determine the form and character of cities and neighborhoods. The pattern and design of local streets help shape neighborhood image and identity, and can influence whether or not an area feels safe. Local streets can also influence the degree of communication neighbors have with one another, the extent to which residents use alternate modes of transportation, and the population's general feelings of well-being and comfort related to their immediate environment.

The design and appearance of local streets should convey this purpose through the use of relatively narrow widths, short lengths, frequent connections with other streets, and alignments which encourage slow traffic speeds and discourage through traffic.

Table 2 contains a summary of typical widths for local street elements such as right-of-way, pavement, sidewalks and plant strip areas, and traffic volume thresholds.

Local Street Standards

Table 2

Type of Street	R.O.W. Width	Paving Width			(Setback) [ⓐ] Sidewalks	Planting [ⓑ] Strips	Average Daily Traffic (ADT)
		No Parking	Parking One Side	Parking Two Sides			
1-way Alley [Ⓒ]	20'	12'			None	None	NA
2-way Alley [Ⓒ]	20'	16'			None	None	NA
Access Lane [Ⓒ]	40'		21' (7/14)		1 @ 6'	7' and 6'	<250
Access Lane [Ⓒ]	55'			28' (7/14/7)	2 @ 6'	2 @ 7'-6"	ADT
Low-Volume Res. [Ⓒ]	45'	20'(10/10)			2 @ 6'	2 @ 6'-6"	250
Low-Volume Res. [Ⓒ]	45'		21'(7/14)		2 @ 6'	2 @ 6'-0"	to 750
Low-Volume Res. [Ⓒ]	55'			28'(7/14/7)	2 @ 6'	2 @ 7'-6"	ADT
Med.-Volume Res. [Ⓒ]	50'	20'(10/10)			2 @ 6'	2 @ 9'-0"	>750
Med.-Volume Res. [Ⓒ]	55'		27'(7/10/10)		2 @ 6'	2 @ 8'-0"	ADT
Med.-Volume Res. [Ⓒ]	60'			34'(7/10/10/7)	2 @ 6'	2 @ 7'-0"	
Commercial/ Industrial	55'-70'		30'-44'		Curbside/ Setback	2 @ 6'-0" Min.	NA

A. Setback sidewalk dimension includes a 5' paved walk and 1' strip behind the walk. For curbside sidewalks, the sidewalk dimension includes a 5' paved walk and 6" curb (5'-6" total); the 1' strip behind the walk is added to the planting strip dimension.

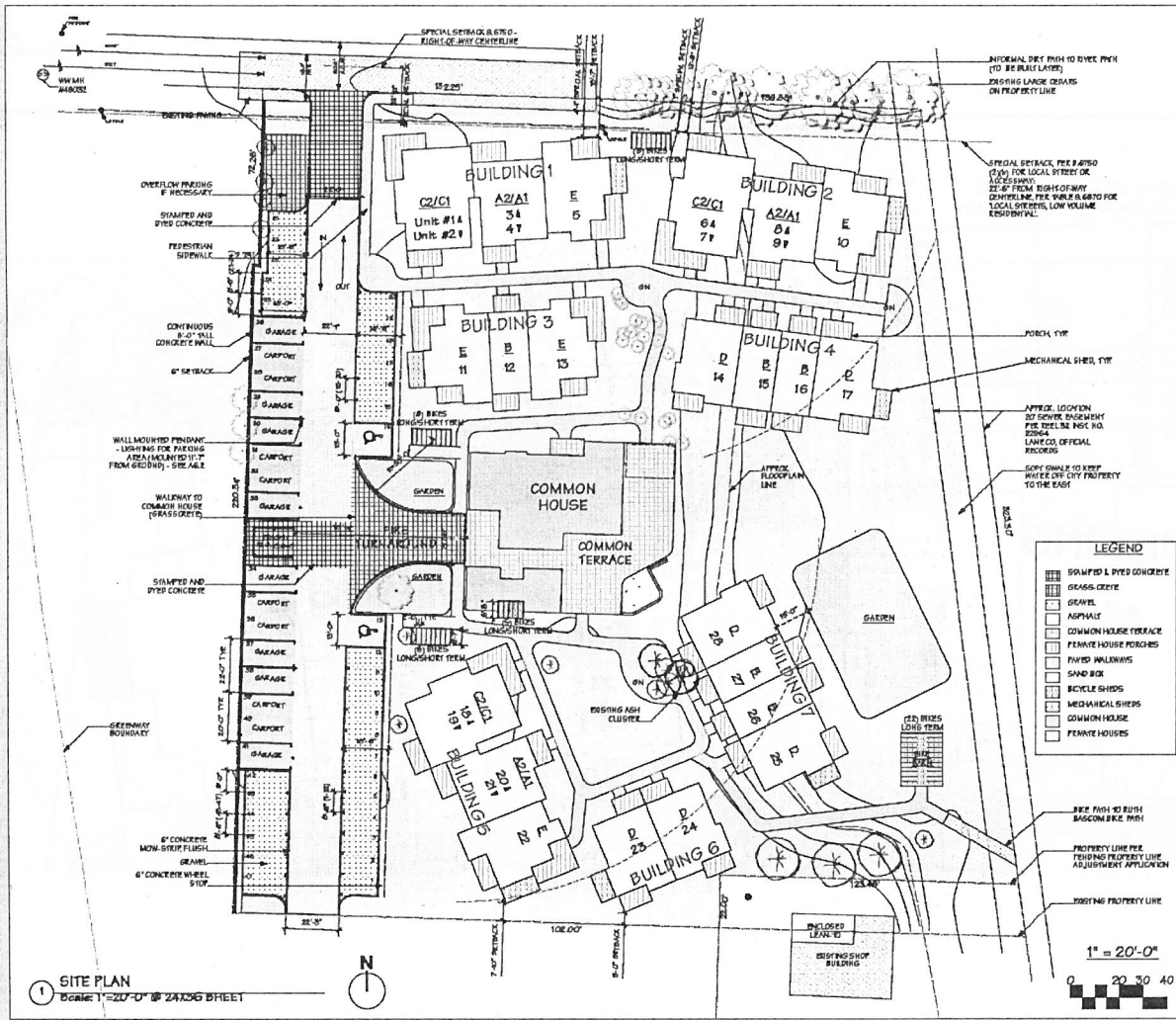
B. Planting strip dimension includes 6" curb. For curbside sidewalks, an additional 6" would be added to the planting strip dimension.

C. In addition to the ROW width, alleys require a minimum setback of 2' on each side for a minimum 24' backup distance.

D. Additional parking to accommodate occasional high parking demand may be provided in congestate parking areas such as parking bays.



Site Plan (PH-1.D-2)



GENERAL NOTES

INFORMAL DRY PITCH TO DRYER PITCH (TO BE REAL LATER)
EXISTING LANDSCAPE ON PROPERTY LINE

SPECIAL SETBACK, PER BAYED (200) FOR LOCAL STREET OR ACCESSARY
25'-0" FROM RIGHT-OF-WAY CENTERLINE. PER WALK & BAYED FOR LOCAL STREET. LOW VOLUME RESIDENTIAL.

APPROX. LOCATION OF SERVICE ENCUMBRANCE PER TEL. OR REG. NO. EDGE LANE CO. OFFICIAL RECORDS

SOFT SWALE TO KEEP WATER OFF PROPERTY TO THE EAST

APPROX. FLOORPLAN LINE

EXISTING PROPERTY LINE

ENCLOSED LEAKY W/ DRYER SHED BUILDING

GENERAL NOTES

PRELIMINARY DRAWINGS

SITE COVERAGE

SITE COVERAGE	102,808.89 SF
BUILDINGS (includes carports & garages)	33,879.52 SF (33%)
PARKING	14,202.31 SF (14%)
OPEN SPACE (includes pathways)	54,727.06 SF (53%)

BUILDING TYPE MATRIX

BUILDING #	BUILDING TYPES	QUANTITY
6	D-D	1
3	E-B-E	1
4, 7	D-B-B-D	2
1, 2, 5	C-A-E	3
TOTAL		7

UNIT TYPE MATRIX

UNIT	BED	BATH	TYPE	QTY.	UNIT SF	UNIT TYPE SF
A1	2	1	FLAT	3	955	2865
A2	2	1	FLAT	3	955	2865
B	2	1.5	TOWNHOUSE	5	1088	5440
C1	3	2	FLAT	3	1218	3654
C2	3	2	FLAT	3	1218	3654
D	3	2	TOWNHOUSE	6	1305	7830
E	4	3	TOWNHOUSE	5	1632	8160
TOTALS				26		34,468

PARKING SUMMARY

TYPE	QUANTITY
GARAGES	8
CARPORTS	8
OPEN PARKING	31
TOTAL CAR PARKING	47
BIKE SHED PARKING	51 (788 SF)

PLANNED BY
MCCANNY & CURRITT ARCHITECTS
2011 (10/20/11)
Scale: 1/8"=1'-0"
Date: 10/20/11
Sheet: PH-1.D-2

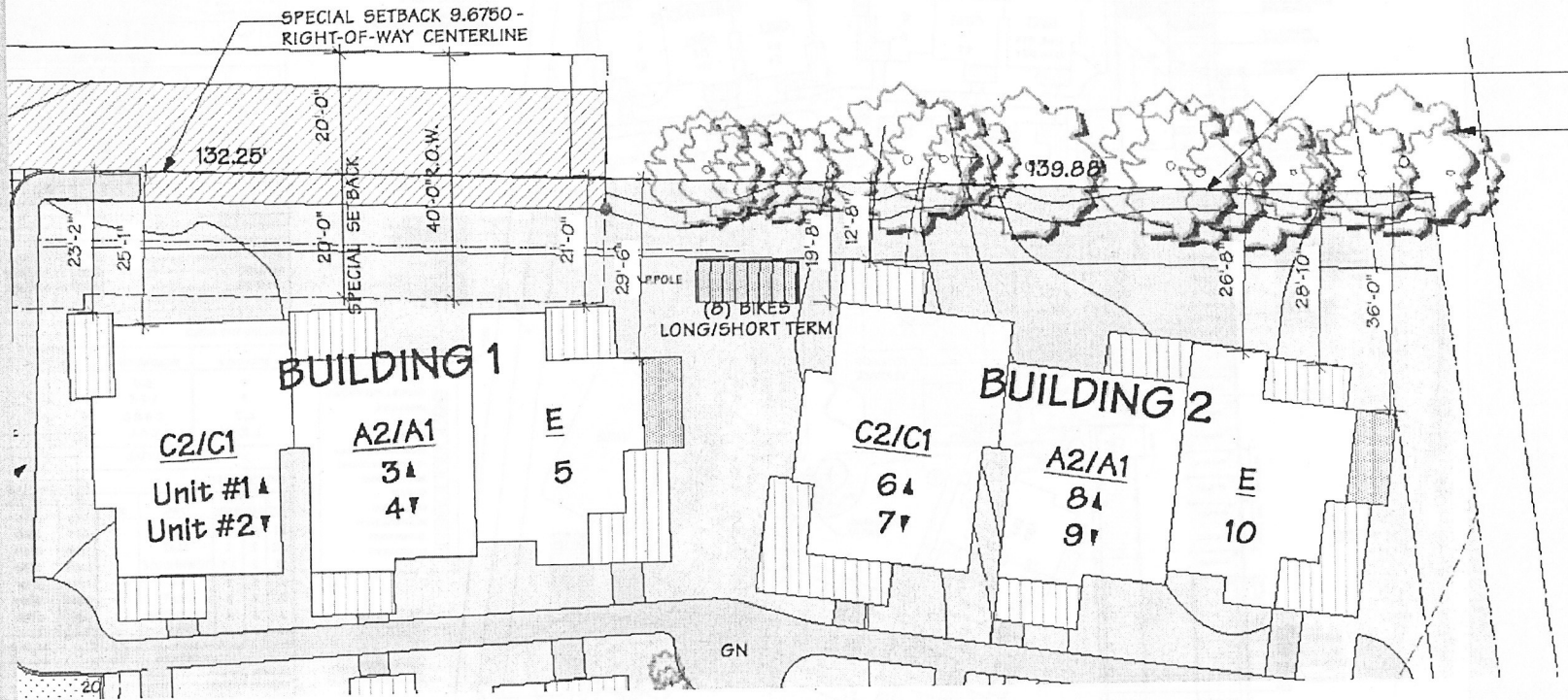
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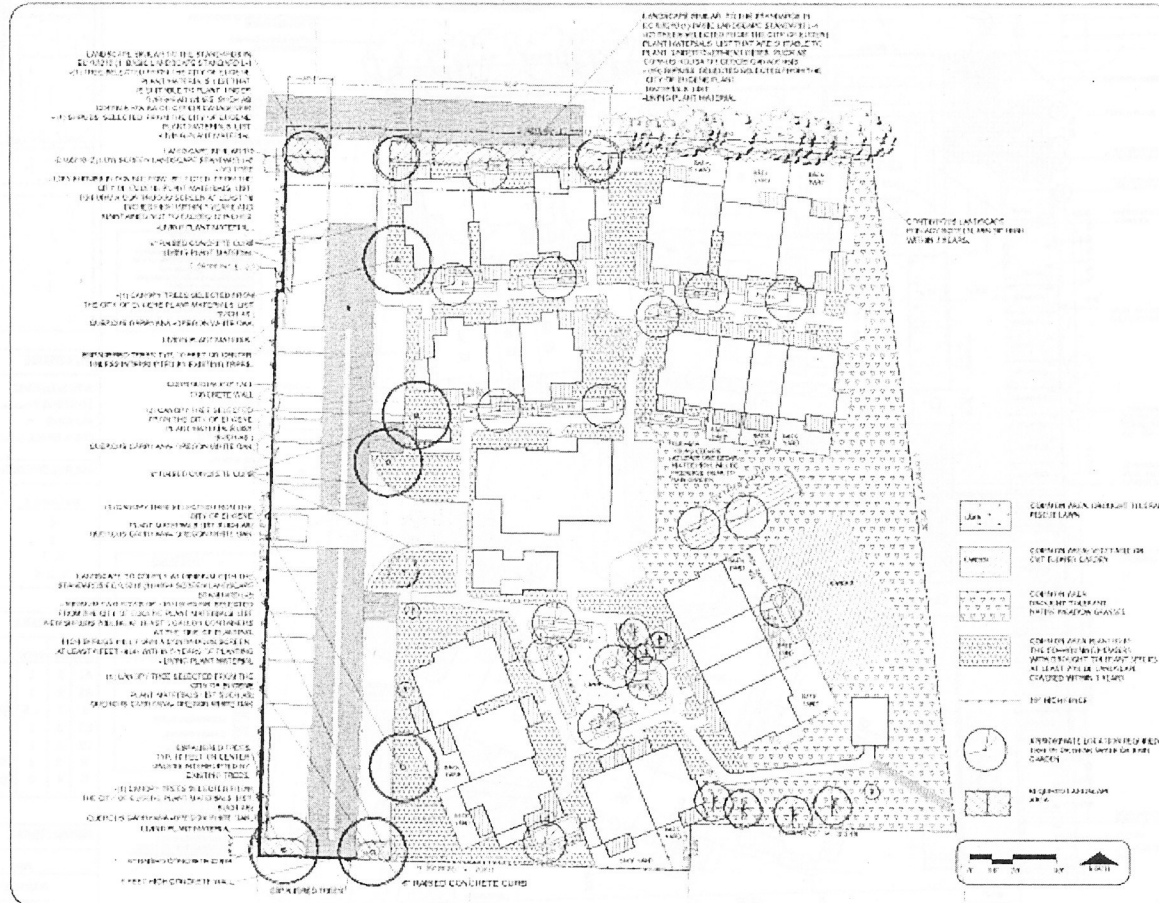
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North Line Detail (PH-56)

PH-56
Rec'd from Will Dixon 8/27/13



Landscaping Plan (PH-69)



LANDSCAPE PLAN FOR:
 OAKLEIGH MEADOWS
 CO-HOUSING
 MAP 17-04-24-13 TAX LOT 400
 OAKLEIGH LANE
 EUGENE, LANE COUNTY, OREGON

DATE: 10/14/13
 DRAWN BY: J. W. BROWN
 CHECKED BY: J. W. BROWN

LANDSCAPE PLAN
 L2



**DRAFT FINAL ORDER, FINDINGS, AND CONCLUSIONS OF THE EUGENE PLANNING COMMISSION:
OAKLEIGH MEADOWS COHOUSING PUD (PDT 13-1)**

I. INTRODUCTION

The Eugene Hearings Official (HO) held the initial public hearing on this request on October 2, 2013. Following the hearing and open record period for additional testimony, he approved the applicant's tentative planned unit development (PUD) with 15 conditions of approval on November 12, 2013. The applicant's concurrent request for a Willamette Greenway Permit was also approved but is not challenged by the opponents as part this appeal.

On November 22, 2013, an appeal was filed by the River Road Community Organization. The co-appellant is Bryn Thoms, the owner of adjacent lands to the north. The appeal statement identifies ten primary assignments of error in the Hearings Official's findings and decision with respect to applicable Eugene Code (EC) approval criteria at EC 9.8320.

On November 25, 2013, in accordance with EC 9.7655(1), the City mailed written notice of the appeal hearing to the applicant, the appellant, the River Road Community Organization, all persons who submitted written comments in regard to the original applications, and all persons who requested notice. The written notice included the required elements set forth in EC 9.7655(2).

The Planning Commission (PC) held a public hearing on the appeal on December 5, 2013. At the public hearing, Will Dixon and Zack Mittge provided oral testimony on behalf of the applicant. Lynn Dixon, Otto Poticha, Joan Connolly, and Antonia Lewis spoke in favor of the application. Bryn Thoms and Paul Conte provided oral testimony on behalf of the appellant. Anne Love, Richard Dambrov, and Paul Heintz spoke in opposition to the application. The applicant's legal counsel, Zack Mittge, followed with rebuttal testimony. Written testimony was also provided by the parties and other individuals at the hearing which is included in the record and considered by the Planning Commission in its final decision.

The PC closed the public hearing and the record on December 5, 2013. The PC deliberated on the appeal issues at its meetings on December 9th and 16th, and reached its final decision on December ____, 2013. The appeal is based on the record and limited to the assignments of error contained in the appeal statement submitted. As described below, the PC affirms the HO's decision to approve the subject applications, with additional findings and modifications to approval conditions in some instances. Those additional findings and modifications are detailed below with respect to each related assignment of error.

II. RECORD BEFORE THE PLANNING COMMISSION

The record before the PC consists of the Eugene Planning Commission Agenda Item Summaries and related attachments for Appeal of Hearings Official Decision: Oakleigh Meadow (PDT 13-1) dated

December 9, 2013; the written and oral testimony presented by appellants, applicant, and other parties to the Planning Commission; the decision of the Eugene Hearings Official dated November 12, 2013; and all record materials (including written and oral testimony, City staff reports and application materials) presented to and not rejected by the HO. The entire City Planning & Development Department file was physically before the PC prior to its final decision.

EC 9.7655(2) limits the nature of evidence that the PC can consider on appeal as follows: "The record from the proceeding of the Hearings Official or Historic Review Board shall be forwarded to the appeal review authority. No new evidence pertaining to the appeal issues shall be accepted." Pursuant to this section, the PC cannot accept any new evidence, and none was accepted as part of the appeal.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

After consideration of the applicable law and all argument and evidence in the record, the PC finds that the subject application meet all applicable PUD approval criteria from EC 9.8320, with additional findings and modified conditions of approval described below. In the event of any conflict between the Hearings Official's decision and this Final Order, this Final Order shall prevail.

To further support the PC's conclusion, the PC incorporates the City Attorney's memorandum from Anne Davies dated December 11, 2013, which is included as Attachment A.

As noted above, the appeal is comprised of ten assignments of error. Each assignment of error is set forth below, followed by the PC's findings of fact and conclusions of law as to each one.

First Assignment of Error: The Decision erred by finding that the application met EC 9.8320(1) "The PUD is consistent with applicable adopted policies of the Metro Plan."

A. Sub-assignment of Error 1.A: the Decision failed to address the following policy at all:

**TransPlan Transportation System Improvements (TSP) Pedestrian Policy #1:
Pedestrian Environment (Metro Plan Policy F.26)**

Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking (Metro Plan III-F-9)

B. Sub-assignment of Error 1.B: the Decision failed to address the following policy at all:

**TransPlan Finance Policy #4: New Development (Metro Plan Policy F.36)
Require that new development pay for its capacity impact on the transportation system. (Metro Plan III-F-13)**

The appellant asserts that the HO failed to consider these policies, and to include adequate conditions of approval for sufficient right-of-way, sidewalks, and other improvements to ensure consistency. The PC finds that the HO did not explicitly address Policies F.26 and F.36 of the Metro Plan, but agrees with

the applicant's reasoning that these policies are not mandatory approval criteria for the application. The policies provide broad direction to the local government in legislative matters but are not intended to be used as PUD approval criteria. Unlike the policies the case cited by the appellant (*Bothman v. City of Eugene*), where the policies actually sought to discourage the exact planning action that was being proposed, the text and context of these policies do not appear to require any additional consideration for the proposed PUD. Even though consideration of the policies is not required, the PC finds that approval of the PUD is nonetheless consistent with those policies based on the proportional requirements made for right-of-way dedication, future street and public accessway improvements, and further, through the City's System Development Charges (SDC's) which are collected at the time of development.

Second Assignment of Error: The Decision erred by finding the application met EC 9.8320(5) "The PUD provides safe and adequate transportation systems through compliance with the following..."

A. Sub-assignment of Error 2.A: the Decision erred by finding the application met the following criterion:

EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in (11) below).

B. Sub-assignment of Error 2.B: the Decision erred by finding the application met the following criterion:

Pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within ¼ mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.

C. Sub-assignment of Error 2.C: the Decision erred by finding the application met the following criterion:

The provisions of the Traffic Impact Analysis Review of EC 9.8650 through 9.6880 where applicable.

The HO completed a detailed analysis of this issue on page 24 of his decision. The PC finds that the HO was correct in his application of EC 9.8320(5), as being limited in scope to compliance with the following: a) that EC 9.6800 through 9.6875 can be met, b) that pedestrian, bicycle and transit circulation can be achieved, and c) that if necessary a Traffic Impact Analysis (TIA) has been done and mitigation provided.

With regard to EC 9.6800 through 9.6875, the PC finds that the HO was correct in granting exceptions to the street connectivity standards and cul-de-sac length standards. The PC concludes that the street connectivity exception at EC 9.6815(2)(g)(1) is met by the applicant's alternative street connection study, along with their narrative that addresses the intent statements at EC 9.6815(1). The PC finds that the alternative street connection study is not required to evaluate full build-out potential of the entire area. The PC also finds that no right-of-way is being exacted of Tax Lot 200.

The PC concludes that the HO did not err by granting an exception to the 400-foot maximum cul-de-sac length. The PC finds that there is existing development to the south and natural resources to the east that warrant an exception to the cul-de-sac length, pursuant to EC 9.6820(5). The PC affirms that the cul-de-sac standards at EC 9.6820(1) and EC 9.6820(4) are met because the HO conditioned approval upon right-of-way dedication for a future hammerhead turnaround and an access way beyond the turnaround. To the extent that there is any conflict between the street connectivity exception and the standards for maximum cul-de-sac length, the PC resolves this conflict in favor of granting the exception.

The PC finds that the constitutional findings in the Public Works referral comments are limited to justification for a proportional right-of-way exaction along the frontage of the subject property that would accommodate future public street improvements. The constitutional findings address a future need for street improvements abutting the property, rather than any immediate need, based on safety issues or otherwise, associated with the proposed PUD. intended only to support the right-of-way exaction and are not relevant to other approval criteria. The PC concludes that no additional right-of-way dedication or street improvements are necessary to meet the approval criteria. Based on these findings, the pedestrian, bicycle and transit circulation requirements of EC 9.8320(5)(b) are met.

With regard to TIA requirements, the PC finds that the HO did not err in his conclusion that none of the TIA applicability provisions required a TIA. Based on the previous findings that the Public Works referral comments are limited in scope, the PC concludes that there is nothing in the record to require a TIA.

Based on these findings, PC finds that the HO was correct in determining compliance with EC 9.8320(5). The HO findings on page 18-29 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error. To provide clarity on the basis for the cul-de-sac length exception, the PC modifies the HO decision to include the additional findings provided above.

Third Assignment of Error: The Decision erred by finding the application met EC 9.8320(6) "The PUD will not be a significant risk to public health and safety, including but not limited to soil erosion, slope failure, stormwater and flood hazard, or an impediment to emergency response.

A. Sub-assignment of Error 3.A: the Decision erroneously found that the PUD would not be a significant risk to public safety.

B. Sub-assignment of Error 3.B: the Hearings Official provided no evaluation of PWD's own

analysis that Oakleigh Lane would be an impediment to emergency response unless the right-of-way was widened and the road improved.

Based on the previous determination under the second assignment of error about the limited scope of the PW constitutional findings for right-of-way exaction, the PC finds no basis in the record to require additional right-of-way dedication or street improvements. The PC concludes that the HO's conditions for right-of-way dedications and irrevocable petitions address a future need for street improvements, rather than any immediate need associated with the proposed PUD. The PC also concludes that the HO's conditions for a temporary turnaround easement within the development site adequately address the emergency response provision of EC 9.8320(6). The HO findings on page 29-31 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error.

Fourth Assignment of Error: The Decision erred by finding the application met EC 9.8320(11)(b) "The PUD complies with all of the following...EC 9.6505 Improvement-Specifications (3)(b) Streets and Alleys, (4) Sidewalks, and (5) Bicycle Paths and Accessways

- A. Sub-assignment of Error 4.A: the Decision erroneously found that Oakleigh Lane, which is not only adjacent to, but also serves as the only vehicular access to and from the development site, would be paved to the specifications in EC 9.6870 (or exempt).***
- B. Sub-assignment of Error 4.B: the Decision erroneously found that Oakleigh Lane, which is not only adjacent to, but also is and will be used by pedestrians to and from River road and to and from the public bike/ped path along the river, would provide sufficient sidewalks that are located, designed and constructed according to the specifications in Eugene Code and referenced standards.***
- C. Sub-assignment of Error 4.C: the Decision erroneously found that Oakleigh Lane, which is not only adjacent to, but also is and will be used by bicyclists to and from River Road and to and from the public bike/ped path along the river, would provide sufficient bike accessways that are located, designed and constructed according to the specifications in Eugene Code and referenced standards.***

The PC finds that the HO did not err in finding compliance with EC 9.8320(11)(b). As confirmed under the second assignment of error, the PC determines that the PW referral comments are not evidence of a safety concern under existing or proposed conditions. The PC concludes that the conditions of approval imposed by the HO for right-of-way dedication and irrevocable petitions sufficiently ensure that the improvement standards at EC 9.6505 will be met. With regard to the local improvement process associated with the irrevocable petitions, the PC finds that this is not an undue burden on the abutting property owners. The PC further affirms that the development's traffic impacts are acceptable under the PUD approval criteria. The HO findings on pages 33-50 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error.

Fifth Assignment of Error: The Decision erred by finding the application met EC 9.8320(12)

"The proposed development shall have minimal off-site impacts, including impacts such as traffic, noise, stormwater runoff and environmental quality."

The PC finds that the HO properly interpreted the meaning of "minimal off-site impacts" and did not err with regard to traffic impacts. The PC has previously determined, under the second assignment of error, that the constitutional findings in the PW referral comments are limited to justification for a proportional right-of-way exaction along the frontage of the subject property that would accommodate future public street improvements. As such, the PC disagrees with appellant; these findings cannot be taken out of context as asserted, to mean that traffic impacts would be so substantial as to violate the requirements of EC 9.8320(12).

The PC finds that the HO was correct in adopting the staff findings to address the traffic component of EC 9.8320(12), in which Public Works staff confirmed the following: the development will have minimal off-site traffic impacts; that Oakleigh Lane currently provides for safe passage of two-way and emergency vehicles; and, no street improvements are required of the development at this time, although right-of-way dedication and an Irrevocable Petition are being required to enable future public improvements. Public comments about the accident at the intersection of Oakleigh Lane and River Road are not on the City's inventory of intersections with high crash ratings that would otherwise warrant analysis to determine patterns that could be mitigated by infrastructure improvements. (HO Decision, Page 50). The HO findings on pages 50-53 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error.

With regard to the design of the development, however, the PC finds that the allowance for reduced setbacks along the north and west property lines does not have a "minimal off-site impact". The PC addresses these concerns in the sixth assignment of error, below, which is incorporated by reference. With those findings and conditions that modify the HO's decision, the PUD will comply with EC 9.8320(12).

Sixth Assignment of Error: The Decision erred by finding the application met EC 9.8320(13)
"The proposed development shall be reasonably compatible and harmonious with adjacent and nearby land uses."

The PC generally agrees with the HO's findings of compliance under EC 9.8320(13), as addressed on pages 54-55 of his decision. The PC finds that the HO did not ignore or misinterpret the evidence regarding an accident on River Road at the intersection of Oakleigh Lane, and did not misinterpret the requirements of EC 9.8320(12) regarding "minimal off-site impacts" related to traffic. As also discussed under the second and third assignments of error, the PC concludes that the HO did not err, based on the available evidence that the traffic generated by the proposed PUD is acceptable under the approval criteria and does not warrant additional right-of-way or street improvements beyond what has already been required. The Hearings Official was correct in adopting the related findings under EC 9.8320(12), with regard to arguments about traffic impact also made under EC 9.8320(13). As such, the PC concludes that traffic generated from the PUD will be reasonably compatible and harmonious with adjacent and nearby land uses as required by EC 9.8320(13). The HO findings on pages 53-55 are hereby incorporated by reference as further evidence of compliance with the applicable criteria

appealed under this assignment of error.

The PC finds, however, that the allowance for a substandard setback along the north property line should be modified in order to ensure the development will be reasonably compatible and harmonious with adjacent and nearby land uses. The PC also finds that additional screening is necessary between the development and surrounding properties. To address these concerns, the PC modifies the HO's approval to add the following condition:

- The final PUD plans shall show a building setback of 5 feet from the front property line along the newly dedicated right-of-way boundary for Oakleigh Lane. A 10 foot setback shall be shown along the remainder of the north property line, along the newly dedicated right-of-way for a bike/pedestrian path. (See related Condition #3.)

The PC finds that the applicant's proposed landscape plan (Sheet L2 of Exhibit PH-69) cannot be accomplished with the required right-of-way dedication, as there is no future guarantee that it would not be removed upon future street improvements. The HO did not specifically address this conflict in finding that the screening along the north property line would be sufficient to meet the approval criteria. Further, the right-of-way dedications along the north line result in the abutting buildings being too close to the future street, hammerhead, and access way improvements. For compatibility and safety purposes, the PC finds that adequate screening should be provided within the expanded setback areas along the north property line, therefore ensuring the continued existence of the required screening regardless of the timing for future street improvements.

With the additional setbacks afforded by the added condition of approval above, PC finds that adequate landscape screening can be accomplished with some relatively minor, additional changes to the applicant's site plans. Specifically, the applicant's proposal for screening vegetation and trees along the western portion of the north property line is acceptable if moved south, outside of the dedicated right-of-way, essentially implementing a modified version of the City's standard L-2 landscaping requirements at EC 9.6210(2). The applicant's proposal for 4 trees in this area, including one on either side of the entrance, with a low screen (hedge) to mitigate the impact of traffic and headlights and create separation between the building and right-of-way, will provide adequate screening and therefore ensure compatibility if implemented on the development site within the expanded 5-foot setback along the newly dedicated right-of-way for Oakleigh Lane. In addition, the requirement for landscaping should extend along the remainder of the north property line, rather than reliance only on the existing row of trees which are not on the development site, nor under the applicant's control. To address this concern, the PC modifies the HO's approval to add the following condition of approval:

- The final PUD plans shall show landscaping along the north property line consistent with the applicant's proposed landscape plan (Sheet L2 of Exhibit PH-69), but moved south within the required 5-foot setback outside of the newly dedicated right-of-way for Oakleigh Lane. The applicant shall also revise the site plans to show landscaping that meets the City's L-2 standard at EC 9.6210, within the required 10-foot setback along the remainder of the north property

line, but without the requirement for additional canopy trees.

The appellant also challenges the HO's condition of approval (see Condition #15 on page 64 of the HO decision) regarding additional screening requirements along the south and east property lines, and whether it needs more specificity to ensure compliance at the time of final PUD review. The PC agrees that the HO should have included more specificity, beyond his requirement for a combination of landscaping and fencing that would screen the buildings from view from adjacent properties.

Here, responding to arguments about the uncertainty and adequacy of the public process, and deferring a determination of compliance to a later stage of review, the PC finds that the condition of approval should be modified to specifically require the City's High Screen Landscape Standard (L-3) at EC 9.6210(3), along the south boundary which abuts other single-family residential uses. This modified requirement will provide for clarity and objectivity upon review at the final PUD stage, while recognizing that the City's Type II application process for final PUD approval affords adequate public notice and opportunity for appeal.

Along the eastern boundary, however, the PC finds that the applicant's original proposal to maintain open space in this area for views and connectivity toward the adjacent park property and natural areas along the river is preferable, being more compatible and harmonious with the adjacent open space. As such, the HO's additionally required landscaping is not necessary along the east boundary to provide adequate screening or otherwise meet the PUD approval criteria. Based on these findings, the PC modifies and replaces the HO's Condition #15 with the following:

- The final PUD plans shall show landscaping along the southern property line meeting the High Screen Landscape Standard (L-3) at EC 9.6210(3), except for the portion of the south property line which includes a proposed wall for screening of the parking and access area (see related Condition #13). Additional landscape screening is not required along the eastern property boundary.

The PC also finds that there needs to be a condition to ensure that the concrete wall along the west boundary includes vegetation, as proposed. Specifically, the applicant's proposal to plant "espaliered" trees along the outside face of the wall as a feature to help soften the appearance is acceptable, but should be required as a condition of approval. In addition, while the HO allowed the applicant's request for a reduced setback for the proposed wall to be located on the property line if the necessary maintenance access easement is obtained from the adjoining owner (see Condition #13), the applicant indicated at the appeal hearing that a five-foot setback would be provided and the PC concludes that the setback is necessary to ensure compatibility. To address these concerns, the PC modifies the HO's decision to replace Condition #13, with the following:

- The final PUD plans shall show the applicant's proposal for "espaliered" trees along the outside face of the proposed wall as a requirement. Plans shall also be revised to show a minimum 5-foot setback for the wall along the west and south boundaries of the site. The required landscaping shall be the responsibility of the owner(s) and maintained as a requirement of the

PUD approval.

With these additional findings and conditions of approval, the PC concludes that the approval criteria at EC 9.8320(13) will be met. These requirements also address compliance with EC 9.8320(3) regarding adequate screening, EC 9.8320(12) regarding minimal off-site impacts, and related modifications to applicable standards allowed by the HO under EC 9.8320(11)(k).

Seventh Assignment of Error: The Decision erred by finding the application met EC 9.8320(3) “The PUD will provide adequate screening from surrounding properties including, but not limited to anticipated locations, bulk, and height.”

The PC confirms that the PUD cannot rely on the cedar trees on adjacent lands to the north as screening for the development because those trees are not within the development’s control. As addressed previously, under the sixth assignment of error, the PC has modified the HO decision to establish conditions of approval to ensure adequate screening along all property lines; those findings and conditions are incorporated by reference to address this seventh assignment of error and EC 9.8320(3).

The PC further finds that the proposed “clustering” of dwellings includes a form of attached single-family units in dispersed buildings, which minimizes the overall impact of the allowed R-1 density which might occur in other multi-family designs (i.e. an apartment complex). Based on the available evidence, the PC concludes that this is acceptable, as long as the proposed design otherwise meets the PUD approval criteria. In this case, the proposal for “clustering” increases the size of each individual building, but not in a way that offends the requirements for compatibility, screening, or overall character of the area. The PC concludes that added conditions of approval noted above will provide enough clarity to ensure adequate screening which will be implemented during the final PUD process, involving adequate opportunity for public review and comment, as well as appeal provisions.

Except as modified above, the HO findings on pages 9-14 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error.

Eighth Assignment of Error: The Decision erred by finding the application met EC 9.8320(11)(a) “The PUD complies with EC 9.2000 through EC 9.3915 regarding lot dimensions and density requirements for the subject zone.”

- A. Sub-assignment of Error 8.A: the Hearings Official erred in his calculation of the net density area pursuant to EC 9.2751...***
- B. Sub-assignment of Error 8.B: the Hearings Official erred in his understanding of the concept of “clustering” under EC 9.8300(1)(e).***

The PC finds that the HO did not err in his calculation of net density by not subtracting public easement areas, as asserted by the appellant. Even if these additional areas are subtracted from the net density

calculation, staff's analysis shows and PC affirms that the PUD complies with the net density allowance in R-1 zoning for 14 units per acre.

The PC finds that the HO did not err in his understanding of the concept of clustering under EC 9.8300(1); however, as discussed previously under the sixth assignment of error, the PC finds that there appears to be sufficient open space within the development site to accommodate the changes required by the PC, which will result in more clustering of the dwellings within the development site. As discussed under the sixth assignment of error, the PC is modifying the HO's decision to require additional setbacks and landscaping to ensure compliance. Here, as modified, those requirements further the PUD purposes with regard to clustering of dwellings, and are therefore incorporated by reference. Except as modified above, the HO findings on pages 33-35 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error.

Ninth Assignment of Error: The Decision erred by finding the application met EC 9.8320(11)(k) "All other applicable development standards for features explicitly included in the application except where the applicant has shown that a proposed noncompliance is consistent with the purposes set out in EC 9.8300 Purpose of Planned Unit Development: EC 9.2795 Solar Setback Standards."

The PC finds that the HO did not err in his interpretation of the solar setback standard and that he was correct in granting an exception pursuant to EC 9.2795(3)(c)(1) Exemptions to Solar Setback Requirements, based on the right-of-way being required along the entire north property line. The HO findings on pages 43-50 are hereby incorporated by reference as further evidence of compliance with the applicable criteria appealed under this assignment of error.

Tenth Assignment of Error: The Hearings Official made a decision that was not supported by substantial, probative and reliable evidence in the whole record; and the Decision improperly construed the applicable law."

- A. *Sub-assignment of Error 10.A: The HO erred by not adequately considering the preponderance of evidence and analysis in the "Constitutional findings for Exaction" produced by the Eugene Public Works Department (PWD).*
- B. *Sub-assignment of Error 10.B: the Hearings Official erroneously found that Oakleigh Lane was not an "access lane."*
- C. *Sub-assignment of Error 10.C: The Hearings Official used erroneous data for traffic counts in on or more places..."*
- D. *Sub-assignment of Error 10.D: The Hearings Official erroneously allowed the impermissible new and non-responsive evidence submitted by the applicant's representatives on October 16, 2013, without providing an opportunity for opponents to respond, despite the timely, written request by Paul Conte.*

As addressed previously, the PC finds that the constitutional findings included in the staff report and PW referral comments (Pages 2-4 of Exhibit PH-30) were adopted to justify exaction from the applicant for that a portion of the subject property abutting the street. Those findings do not demonstrate that Oakleigh Lane will be unsafe unless developed now. In fact, other evidence in the record specifically supports a conclusion that the street will be safe as currently improved, even with the anticipated increase in traffic generated from the proposed PUD. ~~had no applicability other than the abutting street segment because the findings were used only to justify exactions from the applicant.~~ Accordingly, Further, the PC finds that immediate improvements are not required of the development, either abutting the development site, or on any part of Oakleigh Lane, based on the findings and conclusions provided previously under the second assignment of error, which are incorporated here by reference.

The PC affirms the HO's decision that Oakleigh Lane is a low-volume residential street under existing and proposed conditions, as the street has not yet been designed and built to urban City standards and the projected ADT is within the 250 to 750 range. The conditions imposed by the HO for right-of-way dedication and irrevocable petition from the developer will ensure that the PUD contributes its proportional share of the future local improvement. The PC finds the traffic generation to be consistent with the proposed residential use, which is within the permissible density range. As such, the PC agrees with the HO that the traffic generated by the development is not "significant" within the context of EC 9.8320(12).

The PC finds that the various trip generation estimates provided in the record do not change the determination that Oakleigh Lane is a low-volume residential street. The PC finds that the HO did not err in his conclusions that relied on ADT estimates, and the relevance of this alleged error is unclear in the appeal statement as it does not identify any related approval criteria to which the argument applies. The HO findings on pages 18-29 are hereby incorporated by reference as further evidence of compliance under the approval criterion appealed under this assignment of error.

The PC finds that the HO was correct in allowing the applicant's October 16, 2013 submittals into the record, as they were responsive to evidence and argument submitted up to October 9, 2013, as explained in the HO's decision. The PC also affirms the HO's Order Denying Reopening the Evidentiary Record. The HO findings on pages 3-4 are hereby incorporated by reference as further evidence of the open record appealed under this assignment of error.

IV. CONCLUSION

The Eugene Planning Commission has reviewed the record and the assignments of error in the appeal, and has voted to modify and affirm the decision of the Hearings Official to conditionally approve the tentative PUD for Oakleigh Meadows Co-housing (PDT 13-1). Additional findings and modified conditions of approval are provided in Section III of this Final Order; the modified conditions of approval are also included below for reference. All other conditions imposed by the Hearings Official remain applicable as set out in the Hearings Official's decision.

Added Conditions of Approval:

- The final PUD plans shall show a building setback of 5 feet from the front property line along the newly dedicated right-of-way boundary for Oakleigh Lane. A 10 foot setback shall be shown along the remainder of the north property line, along the newly dedicated right-of-way for a bike/pedestrian path. (See related Condition #3.)
- The final PUD plans shall show landscaping along the north property line consistent with the applicant's proposed landscape plan (Sheet L2 of Exhibit PH-69), but moved south within the required 5-foot setback, outside of the newly dedicated right-of-way for Oakleigh Lane. The applicant shall also revise the site plans to show landscaping that meets the City's L-2 standard at EC 9.6210, within the required 10-foot setback along the remainder of the north property line, but without the requirement for additional canopy trees.

Condition of Approval #13 (as modified/replaced):

- The final PUD plans shall show the applicant's proposal for "espaliered" trees along the outside face of the proposed wall as a requirement. Plans shall also be revised to show a minimum 5-foot setback for the wall along the west and south boundaries of the site. The required landscaping shall be the responsibility of the owner(s) and maintained as a requirement of the PUD approval.

Condition of Approval #15 (as modified/replaced):

- The final PUD plans shall show landscaping along the southern property line meeting the High Screen Landscape Standard (L-3) at EC 9.6210(3), except for the portion of the south property line which includes a proposed wall for screening of the parking and access area (see related Condition #13). Additional landscape screening is not required along the eastern property boundary.

Accordingly, PUD approval is hereby affirmed. The foregoing findings and conclusions are adopted as the Final Order of the Eugene Planning Commission for Oakleigh Meadows Co-Housing PUD (PDT 13-1) this _____ day of December, 2013.

William Randall, Chair
Eugene Planning Commission

Attachment A: December 11, 2013 City Attorney Memo from Anne Davies

IN THE COURT OF APPEALS OF THE STATE OF OREGON

OAKLEIGH-MCCLURE NEIGHBORS, BRYN THOMS, SANDY THOMS,
TAMMY CRAFTON, KAREN FLEENER-GOULD, SCOTT FLEENER-
GOULD, CECELIA BAXTER-HEINTZ, PAUL BAXTER-HEINTZ,
PAUL CONTE and SIMON TRAUTMAN,
Petitioners,

v.

CITY OF EUGENE; and OAKLEIGH MEADOWS CO-HOUSING, LLC,
Respondents.

Land Use Board of Appeals No. 2014-001

Court of Appeals CA A157756

EXPEDITED PROCEEDING UNDER
ORS 197.855

APPELLANTS' OPENING BRIEF AND EXCERPT OF RECORD

Appeal from the Land Use Board of
Appeals No. 2014-001

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Heintz, and Paul Baxter-Heintz*

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A. STATEMENT OF THE CASE

1. Nature of the Proceeding and Relief Sought.

Petitioners Paul Conte and Simon Trautman seek judicial review of the final opinion and order of the Land Use Board of Appeals (“LUBA”), LUBA # 2014-001, dated August 21, 2014. (“LUBA’s Opinion”). ER pp 1 – 42; LUBA Rec pp 50 – 92.¹ LUBA’s Opinion remanded the decision of Respondent City of Eugene (the “City”) on one assignment of error. This appeal seeks review of LUBA’s decision and requests that this court overturn portions of LUBA’s Opinion that affirmed the City’s decision granting a tentative planned unit development (“PUD”).

2. Nature of Order Sought to Be Reviewed.

LUBA’s Opinion remanded a decision by the City to grant approval for a tentative PUD application. LUBA remanded based on one assignment of error, but denied several other assignments of error. This appeal seeks review of LUBA’s decision on several of the denied assignments of error.

¹ References to the record developed before LUBA will use the format “LUBA Rec;” references to the record developed before the City will use either “Rec” for the initial Record filed by the City, or “Supp Rec” for the Supplemental Record filed by the City in response to various record objections.

3. Statutory Basis of Appellate Jurisdiction.

This court has jurisdiction over final orders of LUBA pursuant to ORS 197.850(1). LUBA's Opinion is a final order pursuant to OAR 661-010-0070(1).

4. Date of Entry of Final Order.

LUBA issued its Opinion and Order on August 21, 2014. ER p 1. The Petition for Judicial Review was filed and served on September 10, 2014. LUBA Rec pp 1 - 2. The Petition for Judicial Review was timely filed under ORS 197.850(3)(a).

5. Nature and Jurisdictional Basis of Agency Action.

As the City's decision was a final decision granting approval for a tentative planned unit development application, LUBA had jurisdiction over the City's decision under ORS 197.825(1).

6. Questions Presented on Appeal.

(a) Did LUBA err in denying Petitioner Simon Trautman's Motion to Intervene, when the Notice of Intent to Appeal was improperly filed and was not served on all participants in the proceeding before the City?

(b) Did LUBA err in affirming the City's interpretation of EC 9.8320(5) and (6) to not require any evaluation of standards for the

transportation system outside the proposed development?

(c) Did LUBA err in affirming the City's determination that a 42.5 wide street was safe notwithstanding the only evidence in the record indicating that any right-of-way less than 45 feet presented significant safety issues?

7. Summary of Arguments.

This Petition for Judicial Review presents several issues, one procedural and the rest substantive. The procedural issue involves the ability of a participant to intervene in a LUBA proceeding when the local government fails to follow statutory requirements and notify the participant of hearings and the final decision. When the participant was eventually served with the notice of intent to appeal, he moved to intervene in the appeal. The text and context of ORS 197.830(7), as well as the legislative history of that provision, support allowing intervention in this situation.

The substantive issues revolve around the requirements in the Eugene Code ("EC") to provide "safe and adequate transportation systems" and to avoid creating "significant risks to public health and safety." LUBA erred in affirming the interpretation of the code to not require any consideration of street adequacy outside of the boundaries of the proposed development. In addition, LUBA erred in affirming findings that never reconciled conflicting statements

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in the only evidence relied on by the City in finding that the application had met those criteria. Finally, LUBA erred in affirming the City's findings that a 42.5 wide right-of-way would be adequate when the only evidence in the record demonstrates that a minimum right-of-way width of 45 feet was required to provide for a safe and adequate transportation system and anything less would create a significant risk to public health and safety, including impeding emergency response.

8. Statement of Material Facts.

This petition for judicial review concerns errors arising from two separate sets of facts, which are set out in two different places in LUBA's Opinion. The facts that underlay the procedural error can be found on pages 2 and 3 of LUBA's Opinion:

“[Petitioners Oakleigh-McClure Neighbors et al (Neighbors)] filed their [Notice of Intent to Appeal (NITA)] on January 3, 2014. Under ORS 197.830(7), the deadline for intervention in the appeal expired on January 24, 2014. Trautman filed his motion to intervene on March 11, 2014, 68 days after the NITA was filed. As we explained in our May 1 order, as required by OAR 661-010-0015(2) and (3)(f)(D), on January 3, 2014, Neighbors served copies of the NITA on “[a]ny * * * person to whom written notice of the land use decision or limited land use decision was mailed as shown on the governing body's records.” However, after the NITA was filed, the city discovered that it had failed to mail notice of the decision to all persons who participated orally or in writing during the proceedings before the city, and on February 4, 2014, after the 21-day deadline for intervention had expired, the city subsequently

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provided a second mailed notice of the decision to the remaining persons entitled to notice of the decision. The city then presumably provided an updated list of “[a]ny * * * person to whom written notice of the land use decision or limited land use decision was mailed as shown on the governing body’s records” to Neighbors. Thereafter, on February 20, 2014, Neighbors provided a certificate of service to LUBA certifying that Neighbors served a copy of their NITA on additional persons whom the city identified as being mailed written notice of the decision on February 4, 2014, and who were thus entitled to be served with a copy of the NITA under OAR 661-010-0015(2) and (3)(f)(D). One of those additional persons was Trautman. On March 11, 2014, 68 days after the notice of intent to appeal was filed, and 20 days after being served with a copy of the NITA, Trautman moved to intervene on the side of Neighbors in the appeal.” ER pp 3-4.

The facts underlying the substantive errors can be found at pages 7 – 9 of

LUBA’s Opinion:

“[The applicant, Oakleigh Meadows Co-Housing [the “Applicant” or “Meadows”]] applied for tentative planned unit development (PUD) approval for a 29-unit residential development on 2.3 acres of land zoned low density residential (R-1). The only access to the subject property is via Oakleigh Lane, an east/west street that runs from its western intersection with River Road approximately 850 feet to the subject property. The subject property is located adjacent and to the south of Oakleigh Lane, and is adjacent to a city park on the east, and single family dwellings and vacant land zoned residential on its north, west, and south. Oakleigh Lane terminates at approximately the mid-point of the northern boundary of the subject property. Existing Oakleigh Lane has a 19-foot wide unstriped, paved surface and lacks curbs and gutters, storm drainage, and sidewalks.

“* * * * *

“As we discuss in more detail later in this opinion, the city required Meadows to dedicate a 22.5 foot strip of land for right of way purposes along Oakleigh Lane, and a 13 foot strip of land

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from the point at which Oakleigh Lane terminates on the property boundary to the eastern property boundary, to accommodate (1) a future hammerhead turnaround to connect to the adjoining property to the north, in the event it further develops, and (2) a bike and pedestrian path to connect to the adjacent park to the east of the property. However, the city approved a temporary emergency hammerhead turnaround that is located entirely on the western portion of the subject property until the property to the north of the subject property is developed and the hammerhead turnaround can be built.

“The hearings officer held a hearing on the application and approved it with conditions. Petitioners and others appealed the hearings officer’s decision to the planning commission, and the planning commission affirmed the hearings officer’s decision.” ER pp 7 – 9.

B. ASSIGNMENTS OF ERROR

FIRST ASSIGNMENT OF ERROR: LUBA Erred in Denying the Motion to Intervene Filed by Simon Trautman.

1. Preservation of Error.

The issue of whether Trautman’s Motion to Intervene should be allowed was raised by Intervenor-Respondent Oakleigh Meadows in its Response to Trautman’s Motion to Intervene, LUBA Rec pp 814 – 816, and Trautman's Reply to Intervenor’s Response to Motion to Intervene, LUBA Rec pp 802 – 805. This issue was preserved.

2. Standard of Review.

In reviewing the final order of LUBA, the Court of Appeals shall reverse or remand if LUBA’s order is “unlawful in substance.” ORS 197.850(9)(a);

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Zirker v. City of Bend, 233 Or App 601, 227 P3d 1174 (2010). As this case involves the interpretation of statutes, the Court's role is to "ascertain and declare what is, in terms or in substance, contained therein, not to insert what has been omitted, or to omit what has been inserted." ORS 174.010. LUBA's interpretation is not entitled to any deference and the Court reviews the statutes at issue consistent with the methodology described in *PGE v. Bureau of Labor and Industries*, 317 Or 606, 859 P2d 1143 (1993), as amplified in *State v. Gaines*, 346 Or 160, 206 P3d 1042 (2009). In general, the court examines the text and context of the statute, as well as any legislative history offered by the parties.

3. **Argument.**

At the time the application was submitted, Simon Trautman lived² within

² As noted in the affidavit filed by Mr. Trautman with his motion to intervene, Mr. Trautman lived at 109 Oakleigh Lane, but had to relocate temporarily for work. Ultimately, the location of Mr. Trautman's residence is immaterial as all that is required for standing and to receive notices is to participate in the local process. In its reply brief at LUBA, the Applicant argued that Mr. Trautman's actual residence was elsewhere. LUBA Rec 271-72. LUBA correctly disregarded that argument. Mr. Trautman's actual residence has no role in this matter – Mr. Trautman provided the City with his address and that was where the City was required to mail notice. Regardless of Mr. Trautman's actual residence, the City was required to provide notice to him at the address he

approximately 275 yards of the proposed PUD. When Mr. Trautman received notice of the proposal, he was alarmed and, on September 1, 2013, he submitted comments to the City's hearing official opposing the matter. Rec p 1308.

Subsequently, Mr. Trautman waited to hear what happened on the proposal.

While Mr. Trautman waited, on November 12, 2013, the City's hearing official approved the proposal – and did not inform Mr. Trautman of his decision. Rec pp 344 – 6. The approval was appealed to the City Planning Commission but, again, no information was provided to Mr. Trautman. On December 5, 2013, the Eugene Planning Commission held a hearing on the proposal – and again did not notify Mr. Trautman. Rec pp 315 - 17. On December 16, 2013, the Eugene Planning Commission affirmed the Hearings Official, but neglected to inform Mr. Trautman of that decision. Rec pp 3 – 5.

Those failures were significant, because they prevented Mr. Trautman from participating in the proceedings before the City. Mr. Trautman was faced with a new development as a neighbor, and the City's actions prevented him from having any input into the review during the local appeal of the Hearings Official's decision approving the Applicant's proposal. This failure to provide

provided. As it happens, that was his residence at the time the application was filed and will be his residence in the future.

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notice violated Goal One of the Statewide Planning Goals, which sets “citizen participation” at all stages of the land use process as one of the cornerstone’s of the Oregon land use system.

Other affected neighbors ultimately appealed the City’s decision to LUBA on January 3, 2014, but no one provided Mr. Trautman with notice of that appeal. LUBA Rec 880 - 82. Finally, in late January, the City discovered it had mishandled the process and failed to provide notice to all of the participants in the process below. This led the City to provide an additional notice to several people who had not received notice on January 28, 2014. Supp Rec p 6 – 8. Unfortunately, the City erred again and Mr. Trautman was not one of those to whom the City sent that delayed notice. Finally, on February 20, 2014, the Petitioner submitted a certificate of service to LUBA that, for the first time, demonstrated that Mr. Trautman had received notice that a decision had been made and that an appeal to LUBA had been filed.

The final notice prepared by the City specifically noted that an appeal had been filed with LUBA and instructed interested parties that they could intervene in that proceeding:

“A Notice of Intent to Appeal has already been filed with the Oregon Land Use Board of Appeals (LUBA). . . . *Persons who participated orally or in writing before the local government, and who are receiving this notice, may file a motion to intervene in the*

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LUBA appeal.” Supp Rec p 1 (emphasis added).

In short, Mr. Trautman participated in the local proceedings before the Hearings Official and did everything necessary to receive notice of subsequent proceedings, but the City, the original petitioners and others involved in the appeal failed to fulfill their statutory duties to inform Mr. Trautman of what later transpired in the application. As a result of those failures, Mr. Trautman never received notice of any decision, local appeal, LUBA appeal or any other action until February of 2014. Following the instructions on the City’s Notice of Decision that Trautman finally received, Trautman filed his Motion to Intervene within 21 days of receiving the notice that an appeal had been filed.

Notwithstanding the various failures on the part of the City and other parties to provide notice to Mr. Trautman, the Applicant moved to dismiss the intervention of Mr. Trautman³ based on ORS 197.830(7)(c), which provides as follows:

“(7)(a) Within 21 days after a notice of intent to appeal has been filed with the board under subsection (1) of this section, any person described in paragraph (b) of this subsection may intervene in and be made a party to the review proceeding by filing a motion to intervene and by paying a filing fee of \$100.

³ The City, perhaps realizing its role in the failure of Mr. Trautman to receive proper notice, did not challenge Mr. Trautman’s intervention. LUBA Rec p 406.

“* * * * *

“(c) Failure to comply with the deadline or to pay the filing fee set forth in paragraph (a) of this subsection shall result in denial of a motion to intervene.”

Initially, LUBA allowed Trautman’s Motion to Intervene based on its decision in *Mountain West Investment Corp. v. City of Silverton*, 38 Or LUBA 932, 934 (2000). In particular, LUBA held that:

“Trautman’s late filing of the motion to intervene was attributable to the petitioners’ failure, through no fault of their own, to initially serve a copy of the [Notice of Intent to Appeal] on ‘[a]ny other person to whom written notice of the decision was mailed as shown on the governing body’s records.’” LUBA Rec p 786.

Notwithstanding its initial decision to grant the Motion to Intervene, LUBA reconsidered the motion in its Final Opinion and Order and noted that, regardless of the inequity of the result, LUBA was required to “strictly adhere to deadlines imposed by statute.” ER p 5. LUBA expressly noted that *Mountain West* as recognized an “exception to the statutory deadline,” ER p 6, but distinguished that case because, in *Mountain West*, the unserved party was the applicant for the permit at issue. *Id.* In any event, LUBA denied the Motion to Intervene and did not consider Trautman’s procedural issue. LUBA’s decision was the result of an incorrect interpretation of that statute and is inconsistent with the policy governing LUBA review of land use decisions.

As this decision involves the interpretation of a statute, the Court's task is

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to attempt to discern the intent of the legislature. In doing so, it is to begin with the text and context of the statute but give due consideration to any relevant legislative history. *State v. Gaines*, 346 Or 160, 165-73, 206 P3d 1042 (2009). The context of a statute includes statutes and rules governing the same subject matter *DLCD v. Jackson County*, 151 Or App 210, 218, 948 P2d 731 (1997), *rev den* 327 Or 620, 971 P2d 412 (1998). Under ORS 174.020(1)(b) and *Gaines*, the court considers legislative history as part of the first level of statutory construction.

Although the text of ORS 197.830(7)(c) might seem to provide some support for LUBA's conclusion that statute first requires compliance with "the deadline . . . set forth in paragraph (a)" of ORS 197.830(7). Paragraph (a) allows 21 days for a person to file a motion to intervene, but that 21 days is triggered only when the notice of intent to appeal has been properly filed according to ORS 197.830(1).

A Notice of Intent to Appeal, properly filed under ORS 197.830(1) triggers the 21-day period for filing a Motion to Intervene under ORS 197.830(7). ORS 197.830(1) itself doesn't state what is required for a properly filed Notice of Intent to appeal. Those requirements are provided in LUBA's rules, which were adopted under ORS 197.820(4), authorizing LUBA to adopt

rules “governing . . . the conduct of review proceedings brought before it under ORS 197.830 to 197.845.”

Pursuant to that authority, LUBA adopted OAR 661-010-0015(2), which requires the notice of intent to appeal to be served on all parties who participated in the proceeding before the local government.⁴ Because the Notice of Intent to Appeal was not properly served on Mr. Trautman, until February 20, 2014, the deadline for the motion to intervene was not triggered until that date.

This understanding is consistent with other context of the provision at issue. ORS 197.805 provides that “[i]t is the policy of the Legislative Assembly that . . . decisions be made consistently with sound principles governing judicial review.” One of the principles governing judicial review is to ensure that participants have their day in court. The Court of Appeals has noted the importance of ensuring parties have their day in court, when it can be done “without doing violence to the regular disposition of litigation.” *Mary Ebel Johnson, P.C. v. Elmore*, 221 Or App 166, 171, 189 P3d 35, rev den, 345

⁴ OAR 661-010-0015(3)(f)(D) technically provides that the notice shall be served on “any other person to whom written notice of the land use decision or limited land use decision was mailed.” ORS 227.175 requires written notice to be provided to all participants in a hearing and, that notice was not provided to Mr. Trautman until February 2014.

Or 301, 194 P3d 147 (2008); *National Mortgage Co. v. Robert C. Wyatt, Inc.*, 173 Or App 16, 23–24, 20 P3d 216, *rev den*, 332 Or 430, 30 P3d 1183 (2001).

To that end, courts liberally construe procedural requirements so as to avoid the harsh result of depriving a party of its day in court. *See also Johnson v.*

Sunriver Resort Ltd. Partnership, 252 Or App 299, 287 P3d 1153 (2012) and

David M. Scott Construction v. Farrell, 285 Or 563, 592 P.2d 551 (1979)

(judicial policy favors preserving right to appeal). Thus, LUBA has a mandate to follow the “sound principle of judicial review” to ensure that all parties are able to participate in judicial and quasi-judicial matters, including appeals to LUBA. Allowing a petitioner to a LUBA proceeding to preclude intervention, intentionally or because of a local government’s errors, is inconsistent with that requirement.

Additional context for this interpretation can be found in the Statewide Land Use Planning Goals. *Beaver State Sand and Gravel, Inc. v. Douglas County*, 187 Or App 241, 65 P3d 1123 (2003). Goal One, the first of the land use planning Goals, requires local governments to ensure citizen involvement at all stages of the land use process. It requires local governments to have “a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.” This overarching Goal suggests

that LUBA erred in allowing the local government and other parties to benefit from failing to provide its citizens with the information necessary to participate in the decision before the City.

This view of the statute is also supported by the legislative history of the bill adopting the provision now codified at ORS 197.830(7)(c). *State v. Gaines*. ORS 197.830(7)(c) was adopted in 1997 as House Bill 2502. As initially proposed, the bill simply replaced language that required a motion to intervene be filed “within a reasonable time” with a 21- day deadline. An amendment was suggested by Chris Cook, an attorney for 1000 Friends of Oregon, a land use advocacy group. She suggested that the language now in ORS 197.830(7)(c) be added because of a recent experience in *Alliance for Responsible Land Use v. Deschutes County*, 23 Or LUBA 476 (1992). In that case, a party waited four months after receiving notice until one week before oral argument and then filed a motion to intervene, which was granted by LUBA. Ms. Cook noted that “a party which delays filing a motion to intervene until well along in the appeal can also conceivably disrupt or destroy mediation proceedings entered into good faith by other parties.”

No such concerns are present in this case. The concern that led to the adoption of this provision was with a party that delayed intervening in order to

disrupt the proceedings. Nothing could be further from what occurred here. Mr. Trautman filed his Motion to Intervene within 21 days of receiving the Notice of Intent to Appeal. No brief had been filed, nor had any mediation occurred. Allowing intervention in this case would be fully consistent with the legislative intent as shown by the legislative history of ORS 197.830(7)(c).

At the end of the day, Mr. Trautman filed his Motion to Intervene within 21 days of first receiving notice that an appeal had been filed in this matter. To deny him his right to participate in this appeal would not be consistent with the context of ORS 197.830(7)(c) nor the “sound principles of judicial review” governing the review of land use decisions. To affirm LUBA’s decision would allow a LUBA appellant to prevent the participation of anyone else by simply not serving the NITA on the other parties who participated in the local proceeding. It is not consistent with those “sound principles” to allow a party to benefit from its own failures. Such a result is absurd and statutes should not be construed to ascribe a legislative intent to produce unreasonable or absurd results. *Bell v. Tri-Met*, 353 Or 535, 301 P3d 901 (2013) (“This court has long recognized the prudential value of not construing legislative enactments ‘so as to ascribe to the legislature the intent to produce what we perceive to be an unreasonable result.’” *Baldwin, dissenting, quoting McKean-Coffman v.*

Employment Div., 312 Or 543, 552, 824 P2d 410 (1992)).

If LUBA's decision is allowed to stand, an appellant could dictate its own opponents by simply not serving any other party and no party would be entitled to recourse. Frequently, local governments do not appear at LUBA – most likely due to budgetary constraints. If an appellant could unilaterally prevent other participants from participating by simply failing to comply with its statutory duty to inform them of the filing of an appeal, it would provide an incentive to not provide notice. Such a result is contrary to sound principles of judicial review and the intent of the legislature in adopting HB 2502 (1997).

LUBA's decision in *Mountain West* is the proper result; when a party to a local government proceeding is not provided with notice of an appeal, the deadline to file a motion to intervene should be suspended in the interests of “sound principles of judicial review. That result is consistent with the intent of the legislature, as shown by the text and content of ORS 197.830(7) and the legislative history that led to the adoption of that provision.

Accordingly, LUBA decision should be reversed and this matter should be remanded to the City of Eugene to allow Mr. Trautman, as well as the other people who were not provided notice, to participate in the City's decision.

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SECOND ASSIGNMENT OF ERROR: LUBA Misconstrued the Requirements of EC 9.8320(5) and (6) and Failed to Enforce the Requirement for “Safe and Adequate Transportation Systems” and to prevent a “Significant Risk to Public Health and Safety.”

1. Preservation of Error.

The question of how to interpret EC 9.8320(5) and (6) was raised in Conte’s Petition for Review, LUBA Rec pp 457 – 84. LUBA resolved these issues in its decision, ER pp 29-36. This issue was preserved.

2. Standard of Review.

The Court of Appeals shall reverse or remand a LUBA final decision if it is “unlawful in substance.” ORS 197.850(9)(a); *Zirker v. City of Bend*, 233 Or App 601, 227 P3d 1174 (2010). When the judicial review involves the interpretation of a city ordinance, the Court reviews the interpretation to determine if LUBA incorrectly interpreted the ordinance. Because the interpretation was done by the Eugene Planning Commission, not the Eugene City Council, the Planning Commission’s interpretation is not entitled to any deference. *Green v. Douglas County*, 245 Or App 430, 437-8, 263 P3d 355 (2011). Instead, the court reviews LUBA’s interpretation under the court’s familiar framework first set out in *PGE v. Bureau of Labor and Industries*, 317 Or 606, 859 P2d 1143 (1993), and reset in *State v. Gaines*, 346 Or 160, 206 P3d 1042 (2009). In general, the court examines the text and context of the statute,

as well as any legislative history offered by the parties, to determine the intent of the City Council in adopting the provision at issue.

In addition, this Court has made clear that local governments must specifically articulate its findings and explain how it reached its decision. *1000 Friends of Oregon v. Metro*, 174 Or App 406, 410, 26 P3d 151 (2001). If the City has not specifically articulated and explained its findings, it is not the Court's function to "make assumptions and draw inferences from other portions of the local government's findings in order to surmise what the local government's decision really was." *Id.*, at 411. As the Supreme Court noted some time ago:

"We wish to make it clear that by insisting on adequate findings of fact we are not simply imposing legalistic notions of proper form, or setting an empty exercise for local governments to follow. No particular form is required, and no magic words need be employed. What is needed for adequate judicial review is a clear statement of what, specifically, the decision-making body believes, after hearing and considering all the evidence, to be the relevant and important facts upon which its decision is based. Conclusions are not sufficient."

Sunnyside Neighborhood v. Clackamas Co. Comm., 280 Or 3, 21, 569 P2d 1063 (1977); *see also Martin v. Board of Parole*, 327 Or 147, 157, 957 P2d 1210 (1998).

3. Argument.

(a) Introduction.

As noted in the Statement of Material Fact, *supra*, the only access for the estimated 168 daily trips generated by the proposed PUD is Oakleigh Lane, which, as LUBA noted, has “a 19-foot wide unstriped, paved surface [that] lacks curbs and gutters, storm drainage and sidewalks.”⁵ ER p 8. The paved surface is further constricted by residents’ cars parked in the street. Because there are no sidewalks or bike lanes, pedestrians and bicyclists must share the 19-feet of available pavement with moving vehicles, including emergency vehicles.

When the application was submitted, the Eugene Public Works Department (EPWD”) analyzed the minimum required improvements for Oakleigh Lane and submitted a report analyzing the impacts of the proposed PUD on the City’s transportation system. Rec pp 1255 – 1276. That report reached two separate conclusions for two different portions of the Oakleigh Lane right-of-way. This analysis was the only expert evidence regarding this

⁵ EC 9.6870 requires a minimum right of way width of 45 feet for low volume residential streets. Even alleys require a minimum right of way width of 20 feet if they provide primary access. This right of way width is intended to provide a paved surface for vehicles, plus room for curbs, gutters and sidewalks, none of which are present on Oakleigh Lane.

issue and was relied on by both the Hearings Official and the Planning Commission.⁶

Regarding the fifty-foot portion of Oakleigh Lane immediately adjacent to the proposed development's driveway, the EPWD took the position that, in order to be safe, Oakleigh Lane must be built to the City's minimum street standards and anything less than that would place "the public interest in safe vehicular, pedestrian and bicycle travel and emergency response and access . . . at risk":

"As discussed in EC 9.6815 and EC 9.6870, which are incorporated by reference, the required right-of-way width in Oakleigh Lane is 45' through the east side of the development's entry drive aisle.

"* * * * *

"It is in the public's interest to have Oakleigh Lane consist of 45 feet of right-of-way through the development site's entry drive aisle and to consist of 33 feet beyond the drive aisle to the terminus

⁶ The Applicant did submit a letter from a licensed traffic engineer. Rec p 1116. that letter primarily addressed the trip generation rate, BUT also included the conclusory statement that "I concur with the staff findings that this development will not require further traffic impact analysis or reduce safety or service levels on the area." *Id.* There is no indication that the engineer did any independent analysis of this issue or provided any additional evidence other than the one sentence concurrence. There was a significant amount of evidence from other residents of Oakleigh Lane explaining the unsafe nature of that street.

of the street in order to ensure safety for pedestrians, bicyclists and motorists traveling on Oakleigh Lane (a low-volume street), to ensure the efficient provision of emergency services and to guarantee that the proposed development and adjacent properties are accessible via Oakleigh Lane.

There is a nexus between the requirement to dedicate 22.5 feet of right-of-way through the drive aisle and to dedicate 13 feet of right-of-way east of the drive aisle to the end of the proposed turnaround and the public interest at issue. The 22.5 feet of right-of-way will result in one-half of the 45 feet of right-of-way which is necessary to construct Oakleigh Lane to the City's minimum street design standards which have been established for a low-volume street. The 13 feet of right-of-way will provide sufficient right-of-way on the south side of the centerline to construct an emergency vehicle turnaround with adjacent sidewalks to City standards. Improving Oakleigh Lane to these standards will allow for two-way vehicular and bicycle traffic, will provide separation between vehicular traffic and pedestrians and will also provide for emergency response and access to adjacent lots. *Because 45 feet of right-of-way is the minimum amount of right-of-way necessary to construct Oakleigh Lane in this manner as a low-volume street, and because 33 feet of right-of-way is the minimum amount of right-of-way necessary to construct the turnaround at this location, the public interest in safe vehicular, pedestrian and bicycle travel and emergency response and access will be at risk if the 22.5 foot and 13 foot strips of right-of-way are not dedicated.*

“* * * * *

“Without the additional right-of-way, Oakleigh Lane cannot be improved to the City's minimum street design standards and the 168 new vehicle trips per day generated by the proposed development, along with the additional pedestrian and bicycle traffic generated by the proposed development will not be assured of safe access via Oakleigh Lane.” Rec p 1256-7 (emphasis added).

In short, for the fifty-foot portion at the end of Oakleigh Lane, adjacent to the

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proposed PUD and providing the only access to the PUD dwellings, the City found that the *only* way to have a safe transportation system is to have a 45 foot wide right-of-way. That right-of-way must also have a paved section with curbs, gutters and sidewalks. Without those improvements, the vehicles, bicyclists and pedestrians “will not be assured of safe access via Oakleigh Lane.” Rec p 1257 (emphasis added).

The EPWD had no such concerns for the rest of Oakleigh Lane. That section, which already exists and runs from the property’s western border to River Road, will be used by all 168 of the estimated daily trips generated by the proposed PUD. The existing portion of Oakleigh Lane was not built to current City standards and here is what the EPWD said about the safety of that segment:

“Oakleigh Lane has an approximate 19 foot wide paved surface, but has not been improved to city standards, lacking curbs and gutters, storm drainage, sidewalks, and street trees. As is typical for unimproved local streets in the River Road area, i.e., those streets which do not have paving, curb & gutter and sidewalks or which have not been striped to identify dedicated travel lanes; the expectation is that pedestrians and bicyclists will share the paved surface with vehicles. Additionally, there is a tendency on dead end streets such as Oakleigh for motorists to travel at slower, more cautious speeds, because of the perceived narrowness of the street. Until such time that property owners elect to improve Oakleigh Lane to full City standards; including sidewalks, the existing paved surface in Oakleigh Street will continue to adequately provide for motorized and foot traffic, as well as for emergency vehicles and

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delivery services, *provided the paved surface is not blocked by parked vehicles*. Since the existing paved surface provides safe passage for two-way vehicular traffic, bicycles, pedestrians and emergency vehicles, and since there is nothing to suggest that the impacts of the proposed development will result in unsafe conditions in Oakleigh Lane, it is appropriate to defer public improvements via an irrevocable petition.” Rec p 1268 (emphasis added).⁷

Neither the EPWD, the City or LUBA ever explained how to synthesize those two very different views of the safety of a street that is not built to the City’ minimum standards.

These issues are important because the ordinances governing the approval of PUDs specifically require the PUD to address traffic and, in particular, traffic safety. EC 9.8320(5) and (6) require the PUD to address whether it has provided “safe and adequate transportation systems” and whether it will present a “significant risk to public health and safety.” Those provisions provide as follows:

⁷ It should be noted that, even though the City, Intervenor-Respondent and LUBA all relied on this evaluation in discussing the safety of Oakleigh Lane under EC 9.8320(5), the Public Works Department Report developed this information in responding to EC 9.6503(3)(b), which addresses paving improvements, not whether improvements should be made in the first place. The Public Works Department Report did not actually provide any such conclusion anywhere under its analysis of EC 9.8320(5) and (6). Instead, the only analysis found in these sections or the report claim dire risks to safety if Oakleigh Lane is not widened and improved to City standards.

“9.8320 Tentative Planned Unit Development Approval Criteria- General. The hearings official shall approve, approve with conditions, or deny a tentative PUD application with findings and conclusions. Decisions approving an application, or approving with conditions shall be based on compliance with the following criteria:

“* * * * *

“(5) The PUD provides safe and adequate transportation systems through compliance with the following:

“(a) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection (11) below).

“(b) Pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided the city makes findings to demonstrate consistency with constitutional requirements. ‘Nearby’ means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.

“(c) The provisions of the Traffic Impact Analysis Review of EC 9.8650 through 9.8680 where applicable.

“(6) The PUD will not be a significant risk to public health and safety, including but not limited to soil erosion, slope failure, stormwater or flood hazard, or an impediment to emergency response.”

(b) Interpretation of Eugene Code.

The City’s findings never addressed the inconsistencies between the City’s treatment of the two separate portions of Oakleigh Lane and LUBA

elided the question entirely – simply agreeing with Respondents that the City got it right. LUBA’s Opinion fails to engage with the question that was raised below and LUBA erred in its understanding of the question and, accordingly, erred in its interpretation of the City code.

(i) EC 9.8320(5).

The opening portion of 9.8320(5) is a simple and straightforward statement that an application for a PUD must provide “safe and adequate transportation systems.” LUBA affirmed the City’s conclusion that the opening provision, standing alone, was not an independent criterion and, instead, compliance with EC 9.8320(5)(a), (b) and (c) suffices to comply with the provision.⁸ In addition, LUBA held that EC 9.8320(b) required only that the City “consider off-site circulation and connectivity for pedestrians and bicycles along the entirety of Oakleigh Lane,” but never explained the content of that

⁸ As LUBA concluded:

“The planning commission found that compliance with EC 9.8320(5) is demonstrated by compliance with Subsections (a), (b), and (c) and that EC 9.8320(5) does not contain an independent requirement to determine whether a PUD provides ‘a safe and adequate transportation system’ beyond determining compliance with (a), (b), and (c).” ER p 30 – 31.

“consideration.” ER p 32. In doing so, LUBA skipped the difficult questions raised by this assignment of error.

A correct interpretation of EC 9.9320(5) requires all of its subsections to be read in concert with each other. This begins with the text of the opening provision of EC 9.8320(5):

“(5) The PUD provides safe and adequate transportation systems through compliance with the following.”

That text supports LUBA’s conclusion that compliance with the subsections of EC 9.8320(5) fulfills compliance with the entire provision, but it does not explain how that compliance occurs or how the subsections work together to achieve that result. That explanation requires an understanding of the interconnected nature of the subsections. Each of the subsections has the same grammatical construction – the subsections contain no verb or subject; instead they consist solely of a predicate that contains a portion of the entire requirement.

Subsection (a) identifies the standard that applies to the components of the “safe and adequate transportation systems”:

“(a) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection (11) below).”

That provision does not identify what must meet the standards in EC 9.6800 –

9.6875; the only reference for what must meet the standards is in the opening provision of the section, i.e., the “transportation systems” that are required of the PUD. In other words, subsection (a) only tells us that the “transportation systems” (whatever they are) must meet the City standards contained elsewhere in the City’s code.

Subsection (b) uses the same grammatical structure as subsection (a), but it does not identify any standards. Instead, it identifies three specific transportation elements (pedestrians, bicyclists and transit) that must be analyzed for consistency with the standards when evaluating whether the PUD provides “a safe and adequate transportation system”:

“(b) Pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided the city makes findings to demonstrate consistency with constitutional requirements. ‘Nearby’ means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.”

In contrast to subsection (a), subsection (b) contains no standards. All it does is identify elements of the transportation system that must be evaluated for consistency with the standards in subsection (a).

Finally, subsection (c) adds additional considerations, but only “where

applicable”:

“(c) The provisions of the Traffic Impact Analysis Review of EC 9.8650 through 9.8680 where applicable.”

Because the City concluded that the provisions of subsection (c) were not applicable (a determination that is not at issue in this appeal), that subsection is useful only to demonstrate a consistent structure with the rest of the ordinance section. In particular, the requirements for a Traffic Impact Analysis Review (“TIA”) in EC 9.8650 requires an evaluation of whether a development will “contribute to traffic problems in the area, or result in levels of service of the roadway system in the vicinity of the development.” In short, a TIA requires the analysis of land beyond just what is within the boundaries of the PUD.

After reviewing this provision, LUBA concluded that:

“The plain language of EC 9.8320(5) requires the city to determine that ‘the PUD’ meets the standards in (a). It does not require ‘all streets serving the PUD’ to meet the standards if those streets are not located within the PUD.” ER p 31

Despite this narrow interpretation of EC 9.8320(5)(a), LUBA acknowledged that, in contrast, EC 9.8320(5)(b) explicitly requires consideration of lands outside the boundaries of the proposed PUD. LUBA never identified what standards would apply in the evaluation of EC 9.8320(5)(b), nor did LUBA explain how the restricted scope that LUBA attributed to EC 9.8320(5)(a) squared with the explicitly broader scope LUBA acknowledged for

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EC 9.8320(5)(b).

LUBA's interpretation misconstrues the text and context of EC 9.8320(5) and, contrary to the requirement of ORS 174.010, leaves EC 9.8320(5)(b) bereft of meaning. Subsection (b) simply notes that, whatever must be required to show safe and transportation systems, that requirement must apply to "adjacent and nearby [within ¼ mile for pedestrians and 2 miles for bicycles] residential areas, transit stops, neighborhood activity centers, office parks and industrial parks." If the standards in EC 9.8320(5)(a) do not apply in the evaluation of EC 9.8320(5)(b), what standards do apply? The only way to read EC 9.8320(5) and give effect to all portions of the provision is to find that, overall, the section requires "safe and adequate transportation systems." Subsection (a) states the specific applicable standards and subsection (b) enumerate several transportation modes where those standards apply.⁹

⁹ As LUBA recognized, a portion of subsection (b) requires the City to "make findings to demonstrate consistency with constitutional requirements." However, the City never even began that evaluation; as noted elsewhere, the EPWD never analyzed EC 9.8320(5)(b) – it skipped directly from EC 9.8320(5)(a) to EC 9.8320(5)(c) without discussing subsection (5)(b). Rec p 1265. Although the "constitutional requirement" provision could alter the City's analysis, it does not allow the City to simply ignore the provision entirely.

(ii) EC 9.8320(6).

EC 9.8320(6) provides an additional backstop to the requirements in EC 9.8320(5). LUBA's Opinion, on ER p 29, misstates the requirements of that provision as follows:

“as relevant here, EC 9.8320(6) requires the city to find that ‘the PUD will not be a significant risk to public health and safety * * * or an impediment to emergency response.’” ER p 29.

That is not what the code provision requires. EC 9.9320(6) provides as follows:

“(6) The PUD will not be a significant risk to public health and safety, *including but not limited to* soil erosion, slope failure, stormwater or flood hazard, or an impediment to emergency response.” (Emphasis added.)

EC 9.8320(6) is an all-encompassing requirement to maintain safety for the PUD; not just for its residents, but for the benefit of the public's “health and safety.” The provision is not limited solely to the elements identified in the

The proper way to evaluate this issue was demonstrated in the recent case of *Butte Conservancy v. City of Gresham*, 52 Or LUBA 550 (2006). Once a city determines that a proposed development requires infrastructure improvements, the city had a choice – it may approve it with conditions requiring those improvements or it may deny the applications. If the improvements cannot constitutionally be imposed, the City cannot simply shift the impacts of the development onto the neighbors and future residents. If the development cannot be safely developed without imposing unconstitutional conditions, the City should have rejected the application rather than finding a different standard for a different section of the same local street that is subject to the same safety concerns.