

EXHIBIT B
REQUEST FOR COMMENTS RESPONSES

1. Oregon Department of State Lands (DSL)

See attached WLUN Response form.

Summary: There are wetlands/waterways on the property. A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways... There is a current delineation for this project... valid until June, 2027. Based on a review of the concurred delineation, the proposed development avoids impacts to onsite wetlands and waters. Best management practices for sediment and erosion control are recommended during site construction.

2. Oregon Department of Transportation (ODOT)

See attached letter.

3. Marion County Public Works, Engineering Division. John Rasmussen, PE

See also attached letter.

Final consolidated Traffic Eng and Land Dev requested Conditions:

- Urban frontage improvements should be obligated on all public road frontages. Marion County will need to review final engineering plans and issue a construction permit for improvements to Broadacres Rd and at 3rd St.
- Access for #17707 Front St to the proposed curbed Alley will need to be provided.
- A Broadacres striping plan will be needed that addresses the bike lane and potential accommodation for street parking.
- MC Traffic Engineering has identified a few projects that are eligible for proportionate share contributions based on the project's generated trips and distribution. These are future project needs identified in the County's Rural TSP that are locations impacted by the proposed project. TSP Project Needs. Proportionate share costs are calculated based on the percentage of ADT the new project is adding at an identified location for an identified horizon year and the cost of the improvement necessary (today's dollars). The ~~three~~ locations for proportionate share determinate are:
 - 1) ~~Boones Ferry/Broadacres realignment~~
 - 2) Widening of Woodburn-Hubbard Rd pavement to 28' between Woodburn and Hubbard
 - 3) Widening of Boones Ferry between Woodburn UGB and Crosby Rd

4. Marion County Surveyor's Office. Stephanie Heuschkel

 X 1. Subdivision name must be approved per ORS 92.090.

- ☒ 2. Must be surveyed and platted per ORS 92.050.
- ☒ 3. Subdivision plat must be submitted for review.
- ☒ 4. Checking fee and recording fees required.
- ☒ 5. Per ORS 92.065 - Remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- ☒ 6. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

5. Hubbard Public Works. Mike Krebs, Superintendent

[Additional feedback by phone and in meetings].

My thoughts, Road A needs to be completely paved before phase 1 begins construction. There is not a concern with either one of the phasing plans on my end.

6. Hubbard City Engineer. Matt Wadlington PE Principal, Civil West

[Additional feedback by phone and in meetings].

The Parks Master Plan was prepared in 2007 and does not specifically consider the development of the proposed Bear Creek PUD, however it does provide some guidance on neighborhood park amenities per a given population.

Pedestrian Connection:

Sidewalk connection should be required at both 3rd Street and Broadacres/J Street connections.

Transportation SDCs: Both 3rd Street and J street are shown in the TSP to have sidewalk and both are identified as being partially SDC eligible projects. The 2012 SDC Methodology authorizes a reimbursement of 74% of the cost, which is calculated at \$63.49 per l.f. of sidewalk (6') and an additional \$15.00 per lf of curb and gutter. Using 2022 dollars (13,772.83 ENR Seattle Index) to adjust the 2012 estimated cost (9,059.77 ENR Seattle Index), the estimated costs are \$96.52 per lf of sidewalk and \$22.80 per lf of curb and gutter. Therefore, reimbursement for sidewalk construction can be allowed at a rate of \$71.42 per lf of sidewalk and \$16.87 per lf of curb and gutter. Street improvements are not identified in the SDC methodology for this area.

Available SDC Credit: 1300 lf sidewalk along 3rd Street = \$92,846 & 240' along J (~70 east of 7th street to east boundary of PUD) of sidewalk, curb & gutter = \$21,190

Amenities:

The 2007 Parks Master Plan does identify recommended Park Standards (pp 12 -16) and recommended recreational facility standards (pp17 – 18).

Assuming the buildout of the Bear Creek PUD includes approximately 1000 new residents, a “Neighborhood Park” is recommended. Neighborhood parks should be 2.5 acres per 1000 population and amenities include:

“Neighborhood parks should be furnished with play equipment, both hard surfaced and sand play areas, benches, tables, small shelter, outdoor cooking facilities, basketball pad, multipurpose field or grassy area (if space is available), trees, vegetation.”

Trails:

I can’t find any requirements in the code that require ADA accessibility. I recommend the City require a portion of the trails to be ADA accessible, but not necessarily all of them.

Parking:

My recommendation is to have the developer demonstrate a minimum of 3.5 spots per unit (that allows for an average of 2.5 cars and the garage being used for storage). If they can really get to 4 spots per unit, then I’d be OK with that. That’s not really a technical issue, just my thoughts.

Alley Widths:

Existing standards for local streets are 28’ wide with parking on both sides. This leaves a single 14’ lane between vehicles. If the developer is willing to provide 20’ with no parking allowed, I think that is a better scenario than what is allowed by code.

Public Parks:

Reviewing the Development Code and the Parks Master Plan, I don’t see any support to making the parks privately (HOA) maintained. If it’s a public park, it should be maintained by the City. I would reiterate that the agreement should require the HOA to maintain the parks until there is a certain level of completion (i.e. 80% sold).

Regarding SDC eligibility, the SDC Methodology does not address a new park in this area, however it does address potential parks in the North UGB and East UGB. Those are SDC eligible for reimbursement at a rate of \$2.30 per sf of park space (\$100,000 per acre). Give the cost increases since 2012, I would recommend that park areas be eligible for reimbursement at a rate of \$3.50 per sf, with a maximum of 2.5 acres of “active” (i.e. not including parking or natural open area) park space.

OTHER COMMENTS:

I recommend that the City require HOA ownership and maintenance of the stormwater basins as a requirement of the PUD.

7. North Marion School District. Ginger Redlinger, Superintendent

When the subject property was under consideration for annexation, the School District’s comments were:

“The North Marion School District recognizes the need for growth in housing, supports the application and notes that the future development in Hubbard will likely lead to increased class sizes in grades PreK-5. Sequencing the number of occupied dwellings in a manner that allows the district to adjust to increased numbers over 3-5 years would serve the community's interests.”

Is it safe to assume this is still accurate?

“Thank you for checking. Yes this is still the case and I recognize that the plan is developed in a way that provides for this concern to be addressed in a reasonable manner.”

8. Hubbard Fire District. Michael Kahrmann

[Comments received by phone]

9. Hubbard Police Department. David Rash, Chief of Police

I am sure that they houses will have it, but 4 inch numbers identifying address and adequate lighting. Also adequate lighting in the park at nights.....

10. PGE

No comments received.

11. Northwest Natural

No comments received.



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *

WN2022-0737

Responsible Jurisdiction

Staff Contact

Holly Byram

Jurisdiction Type

City

Municipality

Hubbard

Local case file #

PUD 2022-01

County

Marion

Activity Location

Township

04S

Range

01W

Section

33

QQ section

Tax Lot(s)

100

Street Address

11984 Broadacres Rd NE

Address Line 2

City

Hubbard

State / Province / Region

OR

Postal / Zip Code

97032

Country

Marion

Latitude

45.129493

Longitude

-122.816222

Wetland/Waterway/Other Water Features

- ☒ There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- ☒ The National Wetlands Inventory shows wetland, waterway or other water features on the property
- ☒ Local Wetlands Inventory shows wetland, waterway or other water features on the property
- ☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Applicable Oregon Removal-Fill Permit Requirement(s)

- ☒ A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information



Additional Comments

There is a current delineation for this project (WD2022-0063). This delineation is valid until June, 2027.

Based on a review of the concurred delineation, the proposed development avoids impacts to onsite wetlands and waters. Best management practices for sediment and erosion control are recommended during site construction.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

☒ A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

7/26/2022

Response by:

Chris Stevenson

Response Phone:

503-986-5246



Oregon

Kate Brown, Governor

Department of Transportation

Region 2 Tech Center

455 Airport Road SE, Building A

Salem, Oregon 97301-5397

Telephone (503) 986-2990

Fax (503) 986-2839

DATE: July 13, 2022

TO: Casey Knecht, PE
Development Review Coordinator

FROM: Arielle Ferber, PE
Traffic Analysis Engineer

SUBJECT: Bear Creek Subdivision Development (Hubbard, OR) – Outright Use
TIA Review Comments

ODOT Region 2 Traffic has completed our review of the submitted traffic impact analysis (dated June 9, 2022) to address traffic impacts due to development south of Broadacres Road and north of Front Street in the city of Hubbard, with respect to consistency and compliance with ODOT's Analysis Procedures Manual, Version 2 (APM). The APM was most recently updated in April 2022. The current version is published online at: <http://www.oregon.gov/ODOT/TD/TP/Pages/APM.aspx>. As a result, we submit the following comments for the City's consideration:

Recommended analysis items to be addressed:

1. Seasonal adjustment factors were only applied to the background and build traffic volumes, however, seasonal adjustment factors should be applied to all conditions analyzed (per APM Section 5.2). As the analysis primarily focuses on the background conditions vs the build conditions this will not have an impact on the conclusions of the study.
2. While the OR 99E at G Street intersection does not exceed its respective OHP mobility target of 0.90, it just meets it (during the 2027 Build conditions the intersection is projected to operate with a v/c of 0.90 during the PM peak hour). The analysis also identified the intersection as exceeding its respective ODOT statewide 90th percentile crash rate. Prior to changing the traffic control at a state highway ODOT requires an Intersection Control Evaluation (ICE) be conducted, which evaluates several intersection control types including traffic signals and roundabout. While the intersection does not meet preliminary traffic signal warrants installation of a roundabout, also expected to reduce angle and turning movement crashes, may be considered as potential mitigation.
3. Our review identified the following:
 - Table 8 OR 99E SB/OR 551 SB at Grim Road 2025 Buildout Conditions should be LOS D, not LOS C

- 2025 Background Phases PM Synchro analysis of the Boones Ferry Road at Crosby Road intersection should have 61, not 18, on the NBL movement
- 4. Typically, ODOT will not run analyses with zero vehicles making available permitted movements. Rather, if count data does not identify any vehicles within the peak hour making a movement, we recommend assuming a low volume (1 or 2) rather than zero. The algorithms within Synchro utilize different formulas if there are zero conflicting vehicles.
- 5. When reporting the 95th percentile queues, study shall ensure all estimated queue lengths are consistently rounded up to the next 25 feet.
- 6. The Simulation Summary should be provided along with the SimTraffic reports to confirm that queueing analysis was conducted in accordance with Chapter 15 of the APM.

Proposed mitigation comments:

- 7. ODOT maintains jurisdiction of the Pacific Highway No. 81 (OR 99E) and Wilsonville-Hubbard Highway No. 51 (OR 551) and ODOT approval shall be required for all proposed mitigation measures to these facilities.
- 8. Region 2 Traffic supports the study's proposed interim improvement at the OR 99E NB at Scholl Road intersection of restriping the northbound approach of OR 99E to consist of two lanes instead of the current one lane. All proposed intersection and/or signal modifications (changes to existing phasing or timing), changes to lane configuration will require ODOT approval. Both the City and the applicant shall be aware no approval for any proposed mitigations have been issued at this time and proposed mitigations shall not be considered approved for installation until formal written approval has been issued. Approval request will need to be submitted to Region 2 Traffic and be accompanied by the appropriate analysis justifying such request. The approval process takes time and any approval could possibly have added features required to obtain such approval (such as confirming that the existing shoulder pavement is designed to handle highway traffic and installing advanced signage for the upstream I-5/OR 99E diverge). It should also be noted that ODOT does not collect proportionate shares for mitigation as it does not have a mechanism to do so.

Thank you for the opportunity to review this traffic impact analysis. As the analysis software files were not provided, Region 2 Traffic has only reviewed the submitted report.

If the City determines any of the above comments will merit the need for reanalysis, we would be willing and able to assist with a second round of review.

If there are any questions regarding these comments, please contact me at (971) 208-1290 or Arielle.Ferber@ODOT.state.or.us



Marion County **OREGON**

PUBLIC WORKS

(503) 588-5036

September 13, 2022

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Holly Byram
Associate Planner
Mid-Willamette Valley Council of Governments (MWVCOG)

RE: Bear Creek PUD, Hubbard

Dear Holly,

The Bear Creek PUD development is expected to contribute a proportionate share to the identified TSP recommended projects in the Marion County 2005 Rural TSP. The proportionate share will be determined based on the contributing traffic generated by the proposed project. This was discussed during the scoping of the TIA. The two projects are 1) the widening of Boones Ferry Road (to 32') between Broadacres and Woodburn UGB near Crosby Road; and 2) the widening of the Woodburn-Hubbard Highway (to 28') between Woodburn and Hubbard. I had originally flagged a third project that is mentioned in the TSP, but because it is listed as "other needs" and not "recommended" I have removed.

Proportionate share costs are calculated based on the percentage of ADT the new project is adding at an identified location/project for an identified horizon year and the cost of the improvement necessary. I am currently updating the cost of the improvements and able to discuss it with the owner. The cost is typically collected when the permit issued.

Sincerely,

Janelle Shanahan, PE
Marion County Public Works