

NOTICE OF DECISION
Modification of street right-of-way
Collina at Springbrook Subdivision, West of N Aspen Way and South of Ne Bell Road –
MIMD223-0001

February 8, 2024

Pahlisch Homes at Springbrook, Limited Partnership
210 SW Wilson Avenue, Suite 100
Bend, OR 97702
Emailed to: southerlandg@aks-eng.com

CC: pdxpermits@pahlisch.com
Bcc: All persons who provided public comment

The Newberg Community Development Director has approved the modification of street right-of-way for the Collina at Springbrook Subdivision (MIMD223-0001) for Yamhill County Assessor's Tax Lots R32084900, R32085000, R32085100, R32085200, R32085300, R32085400 and adjacent rights-of-way subject to certain conditions. The decision will become effective on February 22, 2024, at 4:30p, unless an appeal is filed.

Affected parties may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code Section 15.100.170. All appeals must be in writing on a form provided by the Planning Division. If you wish to appeal, you must submit the written appeal form together with the required fee of \$582.00 plus 5% technology fee to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is by 4:30 pm on February 22, 2024.

If you have any questions, please contact me at 503-554-7762 or jeremiah.cromie@newbergoregon.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremiah Cromie".

Jeremiah Cromie
Associate Planner

Attachment: Decision & Findings

STAFF REPORT
MODIFICATION OF STREET RIGHT-OF-WAY
COLLINA AT SPRINGBROOK SUBDIVISION, WEST OF N ASPEN WAY
AND SOUTH OF NE BELL ROAD (FILE NO. MIMD223-0001)

FILE NO: MIMD223-0001

REQUEST: Modification of Street Right-of-Way and Improvement Width to Roads within the Collina at Springbrook Subdivision

TAX LOTS: R320804900, R320805000, R320805100, R320805400, R320805300, R32085200 and adjacent Right-of-Ways

APPLICANT: Pahlisch Homes at Springbrook Limited Partnership

OWNER(S): Aspen Way West LLC

ZONE: Springbrook District Low Density Residential (SD/LDR)

PLAN DISTRICT: Springbrook District Low Density Residential (SD/LDR)

Section I. Project Description
Section II. Findings
Section III. Conditions of Approval

Attachment 1. Application Materials
Attachment 2. Agency Comments
Attachment 3. Public Comments

SECTION I. PROJECT DESCRIPTION
MODIFICATION OF STREET RIGHT-OF-WAY
COLLINA AT SPRINGBROOK SUBDIVISION, WEST OF N ASPEN WAY
AND SOUTH OF NE BELL ROAD (FILE NO. MIMD223-0001)

PROJECT SUMMARY:

Pahlisch Homes (Applicant) applied for a modification of the street right-of-way width and cross-section modification in the Collina at Springbrook subdivision (File No. SUB322-0002). The purpose of this application is to adjust the cross-sections of E Mountainview Drive from N Center Street to N Villa Road as well as adjust local road cross-sections in the subdivision. As depicted on the Application Materials' (Attachment 1) Exhibit sheets, portions of E Mountainview Drive are proposed to be modified from having a 12' median to an 8' median with 2' shy buffers, instead of a 12' turn lane where there is no turn lane proposed.

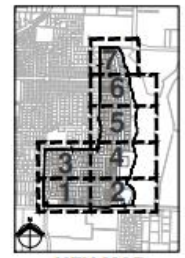
ANALYSIS:

Palisch homes applied for modification to the street right-of-way for the Collina at Springbrook subdivision (SUB322-0002) and fulfill Order No. 2023-44 and Ordinance No. 2023-2915 conditions of approval number C4(s) and C4(t) which required a Type II modification application option if they did not want to meet the requirements for cross-sections. The original Springbrook Master Subdivision cross-sections that are referenced in the Applicant's materials do not apply to this proposal as they were all addressed in Order No. 2023-44 and Ordinance No. 2023-2915.

The Applicant proposed modifying cross-sections of local streets in the approved subdivision. All proposed cross-sections for local streets meet current standards and conditions of approval in Order No. 2023-44 and Ordinance No. 2023-2915. They do not need modifications and can be approved as is.

Site Plan of Proposed Modifications

-  E Mountainview Dr Median Cross-Section C-5
-  E Mountainview Dr Turn Lane Cross-Section C-2/C-3
-  Local Street Cross-Section K-2
-  N Villa Rd Collector



KEY MAP

AND DRAWING FILE: 4461-01-038-CONCRETE | LAYOUT | 9-19-10



PROCESS: Pursuant to Newberg Municipal Code (NMC) 15.505.030(H), modifications of Street Right-of-Way and improvement width are handled using the City's Type II procedure with a final decision by the Community Development Director. Important dates related to this application are as follows:

- 12/21/2023: The Community Development Director deemed the application complete.
- 01/15/24: The Applicant mailed notice to the property owners within 500 feet of the site.
- 01/15/24: The Applicant posted notice on the site.
- 01/31/24: Public comment period ended.

AGENCY COMMENTS: On December 21, 2023, the application was routed to several public agencies and City departments for review and comment. Comments and recommendations from City departments have been incorporated into the findings and conditions of approval. As of the writing of this report, the City received the following responses from the following referral agencies which are also provided in Attachment 2:

- Building Official: Reviewed, no conflict.
- City Manager: Reviewed, no conflict.
- Engineering: Reviewed and supplied extensive comments which can be read in the findings.
- Public Works – Compliance: Reviewed, no conflict.
- Public Works Director: Reviewed, had comments saying that the modification should be reviewed by the City Engineer.

Staff Response: The modification request was reviewed by the Engineering Division for compliance with the City Code and previous conditions of approval.

- Public Works – Maintenance: Reviewed and had comments that they did not want to have medians and if they did, that they should be complete concrete with no vegetation. They said that medians add maintenance issues and vehicle hazards. They also commented that there should be no mid-block crosswalks at E Mountainview Drive and Thorne Street as it creates a higher risk for pedestrians.

Staff response: Medians are allowed per Newberg Municipal Code 15.505.030(G)(1) and medians are required to be landscaped per the same code. A change to City code would need to happen for medians not to be allowed and not be landscaped. It is likely that crossing at Thorne St and E

Mountainview Dr will be closed for safety purposes.

- Public Works – Water: Reviewed, no conflict.
- Finance: Reviewed, no conflict.

PUBLIC COMMENTS: Six public comments were received on this application. Most of these comments were general concerns around safety for pedestrians and bikes in the Collina at Springbrook Subdivision. The full set of comments can be found in Attachment 3.

Staff Response: These concerns were addressed with the subdivision approval conditions in Order No. 2023-44 and Ordinance No. 2023-2915. Conditions related to pedestrian bike safety include requiring a shared use trail from N Villa Road across Hess Creek and back to Mountainview Drive (this is mitigation for not constructing improvements for bikes and pedestrians on Mountainview Drive east of N Villa Road at this time). It also included a condition that a stoplight be put in at E Mountainview Drive and N Villa Road. Both requirements are for the first phase of development.

Mark Carleton, (Oak Knoll HOA President) submitted comments on January 29, 2024, regarding an extension of E Foothills Drive from Aldersgate Drive to N Villa Road should not be a local road but rather a major collector based on standard already adopted. They also mentioned their concerns about on-street parking and alley spacing.

Staff Response: Staff agrees that the extension of N Foothills from Aldersgate Drive to N Villa Road should be a major collector street and has conditioned it to be so. Findings on this can be found in Section II. The proposed local streets meet all current requirements and there is nothing that says no on-street parking be required. Alley spacing is not part of this modification request and is not further addressed.

An anonymous letter was received regarding the subdivision and how wildlife and open spaces will be impacted and that they are not in favor of that.

Staff Response: The cross-section modification would have no impact on open space.

SECTION II. FINDINGS
MODIFICATION OF STREET RIGHT-OF-WAY
COLLINA AT SPRINGBROOK SUBDIVISION, WEST OF N ASPEN WAY
AND SOUTH OF NE BELL ROAD (FILE NO. MIMD223-0001)

Formatting notes: The Newberg Municipal Code (NMC) criteria are written in **italic bold** font and the findings are written in regular font. The NMC criteria will be presented first, followed by the findings of fact. Finding of fact with underlined font indicate subsequent inclusion in Section III. Conditions of Approval.

NMC Chapter 15.326 Springbrook (SD) District

NMC Section 15.326.060 Modification to the master plan

A. The following modifications to the master plan shall follow the Type I administrative procedure identified in NMC 15.100.020:

1. Land use district boundary modifications prior to development within that phase of no more than one acre that adjust a boundary no more than 50 feet.

B. The following modifications to the master plan shall follow a Type II procedure identified in NMC 15.100.030:

1. Land use district boundary modifications prior to development within that phase greater than one acre and less than five acres that adjust a boundary no more than 100 feet.

2. Modifications to the “Trip Cap” established with approval of the master plan.

C. The following modifications to the master plan shall follow a Type III procedure identified in NMC 15.100.050:

1. Modifications other than those noted above.

2. Modifications to the Springbrook district boundary.

Findings: Because the proposed modifications to the street cross-sections do not modify the Springbrook District Master Plan, this criteria is not applicable.

NMC Chapter 15.505. Public Improvement Standards

NMC Section 15.505.030 Street Standards

[...]

G. Street Width and Design Standards.

1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
Arterial Streets						
<i>Expressway**</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>
<i>Major arterial</i>	<i>95 – 100 feet</i>	<i>74 feet</i>	<i>4 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor arterial</i>	<i>69 – 80 feet</i>	<i>48 feet</i>	<i>2 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
Collectors						
<i>Major</i>	<i>57 – 80 feet</i>	<i>36 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor</i>	<i>61 – 65 feet</i>	<i>40 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes*</i>	<i>Yes*</i>
Local Streets						
<i>Local residential</i>	<i>54 – 60 feet</i>	<i>32 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking both sides</i>	<i>44 – 50 feet</i>	<i>28 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking one side</i>	<i>40 – 46 feet</i>	<i>26 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>One side</i>
<i>Local commercial/ industrial</i>	<i>55 – 65 feet</i>	<i>34 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>No*</i>	<i>Yes*</i>

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
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** May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.*

*** All standards shall be per ODOT expressway standards.*

Findings: The Applicant’s response states:

“Since the E Mountainview Drive right-of-way adjacent to the project site is planned to provide a meandering sidewalk and expanded planter strip along the north side of roadway, the cross-section proposed a 65-foot right-of-way with the north planter strip and 8-foot sidewalk being provided within a public access and utility easement. The proposed E Mountainview Drive cross-section provides the other required elements and conforms with the listed standards for Minor Arterial streets. These criteria are met.”

The proposed cross-sections of E Mountainview Drive from N Center Street to N Villa Road meets the street design standards. The proposed Right-of-Way width is 74 feet, curb to curb pavement is 48 feet, has 2 travel lanes, has a proposed median or Two Way Left Turn Lane (TWLTL), has striped bike lanes on both sides and does not have on-street parking. The modified cross-section drawings do not show a landscaped median. Because no landscaped median is shown, all applications for public improvements on E Mountainview Drive that have a median shall be shown as a landscaped median. The landscaped median shall conform to the Plant Material Matrix located in NMC 15.420.020 and as determined by the Engineering Department.

The application materials show that the extension of E Foothills Drive from N Aldersgate Drive to N Villa Road is being considered as a local street. This street is designated as a major collector by the City’s Transportation Plan and Ordinance No 2023-2915 in the findings. There is no proposal for cross-section modifications of this street. Because there are no proposed cross-section modifications or justification for the extension of E Foothills Drive to be a local street instead of a major collector, Newberg street width and design standards for a major collector street shall be applied to the extension of E Foothills Drive between N Aldersgate Drive and N Villa Road.

The proposed modifications to the local street cross-section meet current development code requirements of NMC 15.505.030 as well as Order No. 2023-044 and Ordinance No. 2023-2915. Modifications are not needed for the proposed cross-sections of the local streets.

This criterion would be met with the aforementioned conditions.

2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

Findings: The Applicant's response states:

"Since The proposed cross-section for E Mountainview Drive has a minimum vehicle travel lane width of 12 feet. The proposed cross-section meets this criterion."

Because the proposed vehicle travel lanes have a minimum width of 12 feet, the proposed motor vehicle travel lanes meet the minimum width required for collector and arterial streets.

This criterion is met.

3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

Findings: The Applicant's response states:

"Along E Mountainview Drive, striped 6-foot-wide lanes have been proposed per the standards within the NMC and Newberg TSP. The proposed cross-sections meet this criterion."

The proposed cross-street sectionals only show an existing 5-foot bike lane instead of the required 6-foot bike lane under Order No. 2023-44 and Ordinance No. 2023-2915 condition (C)(4)(s)(1) in some sections. The Applicant states in their written response that there will be 6-foot bike lanes and that their cross-section drawings show that. The submitted drawings show a 5-foot existing bike lane on the southern side of E Mountainview Drive in certain areas (just east of the intersection with N Center Street and the transition into the intersection at N Villa Road) and a proposed 6-foot bike lane otherwise. Because there was no justification or discretion for a 5-foot bike lane in the narrative, the Applicant shall provide a 6-foot-wide bike lane shall on E Mountainview Drive from N Center Street to N Villa Road where any of the road is to be improved or re-striped.

This criterion would be met with the aforementioned condition.

[...]

5. Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

Findings: The Applicant's response states:

"Planned center turn lanes are 12 feet wide. This criterion is met by the modified cross-section."

Because a 12-foot turn lane is provided in all areas shown with a center turn lane instead of a median, the proposed plan meets the minimum width required for center turn lanes.

This criterion is met.

[...]

7. Sidewalks. *Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.*

a. Exception.

i. Twelve-foot-wide sidewalks, inclusive of the curb, with tree wells along S River Street from the bypass to E Fourteenth Street.

ii. Twelve-foot-wide shared-use path and four-foot buffer, inclusive of the curb, with tree wells along the east side of S River Street from the bypass to E Fourteenth Street.

Findings: The Applicant's response states:

"Sidewalks at least 5 feet in width have been planned on both sides of all proposed public streets. The listed exceptions do not apply to this project site. This criterion is met."

Because 5-foot sidewalks are shown and provided in all drawings for the cross-section modification, the proposed project meets the minimum requirement for sidewalks.

This criterion is met.

8. Planter Strips. *Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:*

a. *Additional reinforcement is done to the sidewalk section at corners.*

b. *Sidewalk width is six feet.*

Findings: The Applicant's response states:

"Curb-side sidewalks have not been planned within Collina at Springbrook. Planter strips are provided along all proposed Minor Arterial, Major Collector, and Local

Residential Streets within the subdivision. Modification has been requested from the Springbrook Master Subdivision for planter strip width from 6.5 feet in width to 5 feet in width, inclusive of the curb, which meets the requirements of the Newberg Municipal Code. The modified street cross-section meets the criteria for sidewalk width.”

There is a minimum of at least 5 feet for a planter strip on both the north and south side of E Mountainview Drive. The north side has a meandering 8-foot sidewalk that will make the size of the planter strip vary but at no times does the planter strip go less than 5 feet of the 37-foot of right-of-way to the centerline of the road.

This criterion is met.

[...]

H. Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

1. The modification is necessary to provide design flexibility in instances where:

a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or

Findings: Regarding sub-section 1(a), the Applicant’s response states:

“Significant grade differences exist between the eastern and western halves of E Mountainview Drive which have influenced the phasing and layout of Collina at Springbrook. The northern portion of the existing right-of-way about an area which requires regrading to accommodate the planned pathway, open space area, and residential lots. The proposed cross-section fits within the existing right-of-way without additional dedication. While this increase can also be expected to fit within the varied-width planter strip without additional right-of-way dedication, the requirement necessitates further encroachment north and additional grading as a result.”

The Applicant’s submitted materials describe and show topographic conditions for a reduced overall street cross-section width, from that previously conditioned for the E Mountainview Drive improvements, to match into existing conditions. The Applicant has proposed that the reduced cross-section width from that previously conditioned would occur by reducing the median width from 12-feet to 8-feet. No other street cross-sectional elements are proposed to be impacted by the proposed reduction in median width other than the possibility of the existing bike lane remaining 5 feet as seen in the findings above in 15.505.030(G)(3).

The E Mountainview Drive cross-section is proposed to be modified to have a 2-foot buffer, 8-foot median, 2-foot buffer instead of the previously conditioned 2-foot buffer, 12-foot median, 2-foot buffer. The proposed modification to the median width results in the overall width of the median plus buffers being 12-feet. This matches the 12-foot center turn lane width in the other sections of the proposed E Mountainview Drive improvements and matches the minimum center turn lane width of 12-feet in NMC 15.505.030(G)(5). To ensure that the proposed median stays within the 12-foot requirement, the median when there is no turn lane shall have a 2-foot buffer, 8 foot median and 2-foot buffer on E Mountainview Drive.

This criterion is met.

b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of the section; or

Findings: Regarding sub-section 1(b), the Applicant’s response states:

“The proposed project involves an area and right-of-way previously approved as part of the Springbrook Master Plan. As such, the areas adjacent to E Mountainview Drive have been planned for a landscaping tract with a multiuse path and residential lots within Phases 1 and 3. The proposed Collina at Springbrook layout proposes to retain these tracts along E Mountainview Drive between N Villa Road and N Center Street. These areas have been set aside for landscaping, screening, and the provision of a pedestrian walkway. Narrowing due to widening of the street will force the pedestrian walkway closer to the rear of the lots and lessen the space available for landscaping and perimeter fencing.”

While the Applicant’s submitted materials describe how the overall street cross-section width previously conditioned for the E Mountainview Drive improvements impact an existing landscaping tract adjacent to E Mountainview Drive, there is no indication that the full street cross sectional standards of the NMC section 15.505.030 are not met by the proposed reduction in median width.

The proposed modification to the median width results in the overall width of the median plus buffers being 12-feet. This matches the 12-foot center turn lane width in the other sections of the proposed E Mountainview Drive improvements and matches the minimum center turn lane width of 12-feet in NMC 15.505.030(G)(5). The NMC code does not state a minimum or maximum width requirement or standard for medians. There is no indication that the full street cross sectional standards of the NMC section 15.505.030 are not met by the proposed reduction in median width.

This criterion is not applicable.

c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or

Findings: Regarding sub-section 1(c), the Applicant’s response states:

“This situation does not apply to the request for modification.”

The modification does not affect any existing trees or natural features.

This criterion is met.

d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.

Findings: Regarding sub-section 1(d), the Applicant’s response states:

“A planned unit development is not proposed; however, the Springbrook Master Plan and Newberg Municipal Code permit changes to the required street cross-sections to better fit the development situation. The proposed street sections allow for the road to remain within the currently platted right-of-way and allow the adjacent open space tracts to provide greater screening and landscaping between the subdivision and E Mountainview Drive. Additional dedication of right-of-way required to contain the increase paved width would decrease the width of these open areas.”

The Collina at Springbrook Subdivision is not a Planned Unit Development.

This criterion is not applicable.

2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.

“The reduction in median width, which is not specified by the Newberg Municipal Code, is not anticipated to create hazardous conditions for traffic based on the expected traffic volumes for a Minor Arterial street. Per Ordinance No. 2023-2915, Conditions of Approval C.4.s.1 and .2, modification to the conditions is permitted through a Type II process with decision by the Director.

Findings: The proposed cross-sections still have the same dimensions for required travel lanes as the Newberg Municipal Code (NMC) standards and Ordinance No. 2023-2917. There are no changes in allowances of roads coming in or off of streets. The proposed E Foothills Drive Extension will need to be a major collector street and meet the standards for such to meet the anticipated traffic volume and the City’s Transportation Plan. Because of this, Newberg street width and design standards for a major collector street shall be applied to the extension of E Foothills Drive between N Aldersgate Drive and N Villa Road.

Because the proposed project can meet the criterion of NMC 15.505.030(H)(1) and (H)(2) subject to conditions of approval, it is noted that this approval is only for modifications of the required right-of-way street cross-section modifications of E Mountainview Drive from N Center Street to N Villa Road and for the clarification that the E Foothills Drive extension from N Aldersgate Drive to N Villa Road shall be classified and improved to meet the standards of a Major Collector Street. All conditions of approval for SUB322-022/MISC322-0002/MISC222-0005 from Order No. 2023-44 and Ordinance No. 2023-2915 shall otherwise still apply.

This criterion would be met with the aforementioned conditions.

CONCLUSION

The proposed modifications meet the applicable criteria if the aforementioned conditions of approval are adhered to and is hereby **APPROVED** subject to the conditions listed below in Section III.

**SECTION III. CONDITIONS
MODIFICATION OF STREET RIGHT-OF-WAY
COLLINA AT SPRINGBROOK SUBDIVISION, WEST OF N ASPEN WAY
AND SOUTH OF NE BELL ROAD (FILE NO. MIMD223-0001)**

Approval of the proposed modifications is subject to the following conditions:

1. All applications for public improvements on E Mountainview Drive that have a median shall be shown and constructed as a landscaped median. The landscaped median shall conform to the Plant Material Matrix located in NMC 15.420.020 and as determined by the Engineering Department.
2. The median when there is no turn lane shall have a 2-foot buffer, 8 foot median and 2-foot buffer on E Mountainview Drive.
3. Newberg street width and design standards for a major collector street shall be applied to the extension of E Foothills Drive between N Aldersgate Drive and N Villa Road.
4. The Applicant shall provide a 6-foot-wide bike lane on E Mountainview Drive from N Center Street to N Villa Road where any of the road is to be improved or re-striped.
5. This approval is only for modifications of the required right-of-way street cross-section modifications of E Mountainview Drive from N Center Street to N Villa Road and for the clarification that the E Foothills Drive extension from N Aldersgate Drive to N Villa Road shall be classified and improved to meet the standards of a Major Collector Street. All conditions of approval for SUB322-022/MISC322-0002/MISC222-0005 from Order No. 2023-44 and Ordinance No. 2023-2915 shall otherwise still apply.

ATTACHMENT 1: APPLICATION MATERIALS/DRAWINGS

December 8, 2023

Jeremiah Cromie, Associate Planner
Planning Division
City of Newberg
414 E First Street
Newberg, OR 97132



RE: Incomplete Notice – MIMD223-0001 – Modification of Cross-Sections for Collina at Springbrook

Dear Jeremiah:

This letter serves as a response to the completeness response received November 6, 2023. We appreciate your review of our materials.

The following outlines the additional materials being submitted in order to address your comments and provide missing information identified in the incompleteness determination:

Incompleteness Items:

1. *Please provide a site plan of proposed modified conditions showing which streets, or portions of streets, the proposed cross-sections are intended for.*

Response: A detailed plan of modified conditions showing the Mountainview Drive right-of-way (Section “C”) and the intended cross-sections have been added to Exhibit A. The proposed cross-sections allow the street to fit within the existing right-of-way without overly complicated transitional areas between medians, turn lanes, and unchanging street sections.

As proposed, the local street (Section “K-2”) meets the requirements of Newberg Municipal Code but does not match the local road cross-section (Section “K-1”) proposed in the Springbrook Master Subdivision. The proposed alternative cross-section K-2 is intended to be used for all local roads within Collina at Springbrook unless otherwise specified with future phasing. This item has been satisfied.

Other Items:

1. *An existing conditions plan to show any topographic or other conditions that might apply to criteria in NMC 15.505.030(H)*

Response: An existing conditions plan with topographic conditions was submitted with the original application for Collina at Springbrook Subdivision. An excerpt of those plans is provided as part of this resubmittal for clarity. Further narrative responses addressing NMC 15.505.030(H) have been added to the written narrative.

2. *A cross-section that meets the Springbrook Master Plan Mountainview Drive cross-section as approved with conditions for changes in Ordinance 2007-2678 as described in Ordinance 2023-2915 Subdivision Order No. 2023-44 Condition of Approval 4.6 to show the differences between what was approved in Ordinance 2007-2678 and the propose request street right-of-way and improvement width.*

Response: The originally approved Springbrook Master Subdivision (Ord. 2007-2678) cross-sections, Collina at Springbrook (Ord. 2023-2915/Order No. 44) conditioned cross-sections, NMC-

compliant cross-sections, and proposed cross-sections are demonstrated Exhibit A. The sections are aligned for comparison along the street centerline. It should be noted that the project will only construct the northern half of E Mountainview Drive; hence, only the northern half is shown.

3. *Clarification over the modifications to the local road standards as the proposed cross-section meets current code and Ordinance No. 2023-2915 and Order No. 2023-44 for local road standards.*

Response: The proposed local roads are planned to meet the current City standards and Collina at Springbrook Subdivision Conditions of Approval. The K-2 cross-section is provided as an alternative to those within the Springbrook Master Plan which meets the current standards as well as the requirements of Ordinance No. 2023-2915 and Order No. 2023-44. Local roads which meet the requirements of NMC, as proposed, will be selected for all local roads within Collina at Springbrook.

4. *A more complete narrative addressing specific criteria in NMC 15.505.030(H)*

Response: The written narrative has been amended to provide additional findings addressing NMC 15.505.030(H).

The original application was submitted on October 6, 2023. Per ORS 227.178(2)(a), the Applicant is providing all of the missing information identified within 180 days of the date that the application was first submitted.

With this submittal, we believe that the application is complete. Please feel free to contact me with any other questions or concerns you may have. We appreciate your review of these materials.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Glen Southerland, AICP
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
503-563-6151 | SoutherlandG@aks-eng.com

Attachment: Revised Application Package

Collina at Springbrook Type II Street Modification Application

Date: October 2023
Revised December 2023

Submitted to: City of Newberg
414 E 1st Street
Newberg, OR 97132

Applicant: Pahlisch Homes at Springbrook
Limited Partnership
210 SW Wilson Avenue, Suite 100
Bend, OR 97702

AKS Job Number: 4487-01



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

Table of Contents

I.	Executive Summary	2
	E Mountainview Drive Median Cross-Section Modification	2
	Local Road Alternate Cross-Section	4
II.	Site Description/Setting	5
III.	Applicable Review Criteria	5
	CITY OF NEWBERG MUNICIPAL CODE.....	5
	Title 15 – Development Code	5
	Chapter 15.505 Public Improvements Standards	5
	ORDINANCE 2023-2915 CONDITIONS OF APPROVAL.....	9
	Exhibit “E” Order No. 2023-44 and Ordinance No. 2023-2915 Conditions of Approval	9
	C. Subdivision (Order No. 2023-44).....	9
IV.	Conclusion	12

Exhibits

Exhibit A: Preliminary Modification Plan (Updated December 2023)

Exhibit B: Application Form

Exhibit C: Ownership Information

Exhibit D: Mailing List & Sample Notices

Collina at Springbrook

Type II Street Modification Application

Submitted to:	City of Newberg 414 E First Street Newberg, OR 97132
Applicant:	Pahlisch Homes at Springbrook Limited Partnership 210 SW Wilson Avenue, Suite 100 Bend, OR 97702
Property Owners:	Aspen Way West, LLC 3113 E Crestview Drive Newberg, OR 97132
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062
	Contact(s): Glen Southerland, AICP Email: southerlandg@aks-eng.com Phone: (503) 563-6151
Site Location:	West of N Aspen Way, south of NE Bell Road, east of N College Street, and north of E Mountainview Drive
Yamhill County Assessor's Map:	Map 3 2 08; Tax Lots 4900, 5000, 5100, 5200, 5300, and 5400
Site Size:	±97.09 acres
Land Use Districts:	Springbrook District – Low Density Residential (SD/LDR)



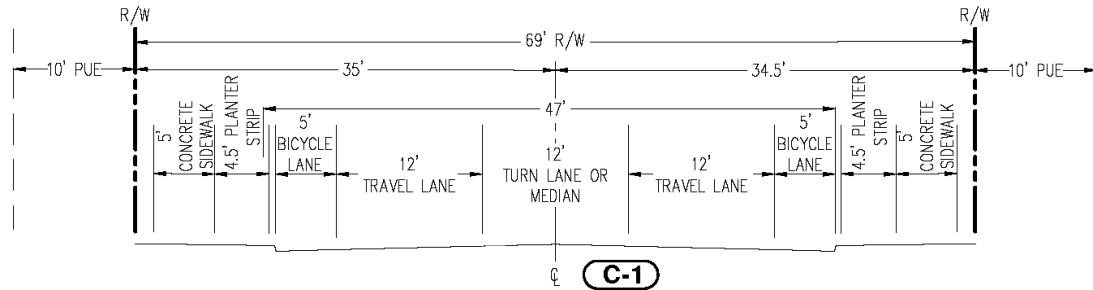
I. Executive Summary

Pahlisch Homes at Springbrook Limited Partnership (Applicant) is submitting this application for a Type II Modification to the Springbrook Master Subdivision street cross-section standards for local and arterial streets and Modification to the Conditions of Approval for Ordinance No. 2023-2915 and Order No. 2023-44. The Collina at Springbrook subdivision and Springbrook Master Plan modifications for the area of Springbrook west of Hess Creek were approved by the City of Newberg City Council on July 3, 2023, through Ordinance No. 2023-2915 and Order No. 2023-44. The conditions of approval required submittal of revised street cross-sections or applications for modification of the required street cross-sections.

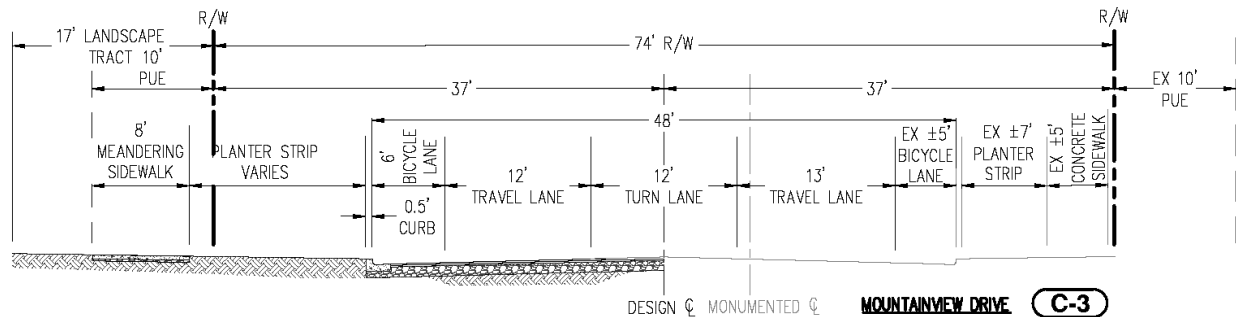
E Mountainview Drive Median Cross-Section Modification

For E Mountainview Drive, the Applicant proposes to modify the conditioned cross-section (C-4) that shows a 12-foot-wide median with two 2-foot buffers (16-foot total width) to an 8-foot median with two 2-foot buffers (C-5, 12-foot total width) adjacent to the travel lane. Each of the proposed cross-sections meet the requirements of the Newberg Municipal Code (NMC) shown for comparison below as “E Mountainview Drive – City Standard Cross-Section (C-1)” and the other listed requirements of the Collina at Springbrook Conditions of Approval. The revisions bring the street cross-sections into compliance with City standards, while construction of the streets as conditioned would create streets that do not comply with City Code.

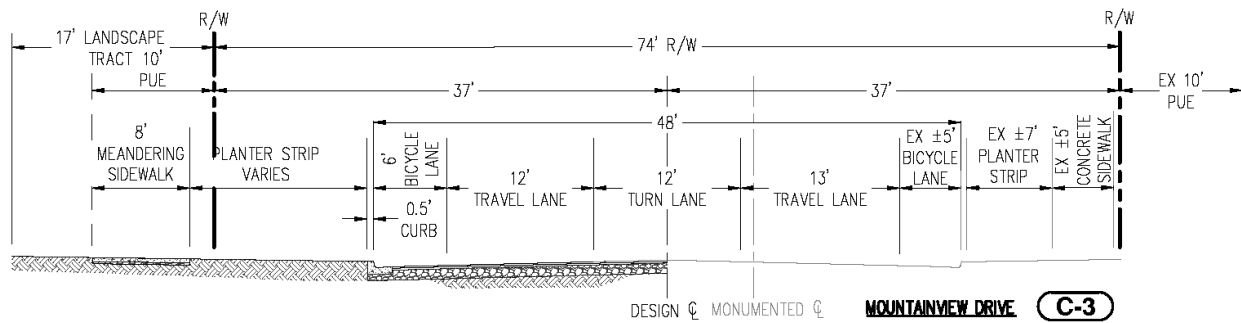
E Mountainview Drive – City Standard Cross-Section (C-1)



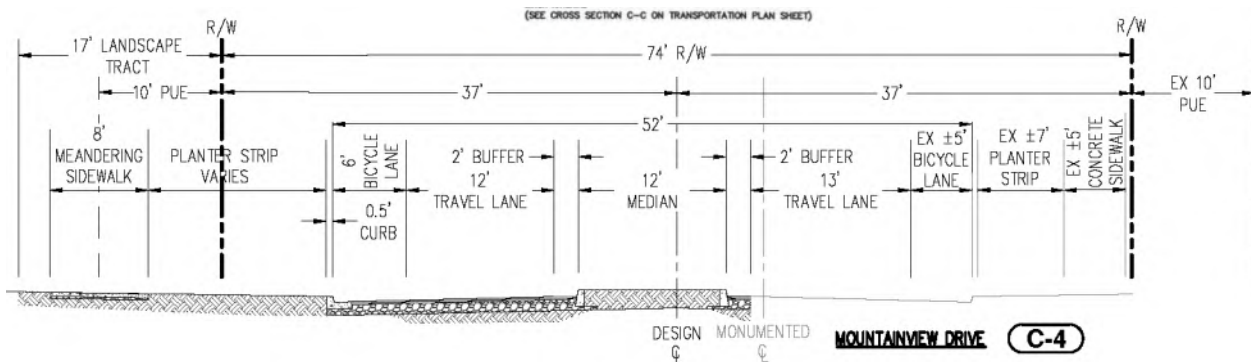
E Mountainview Drive – Proposed Turn Lane Cross-Section (C-3)



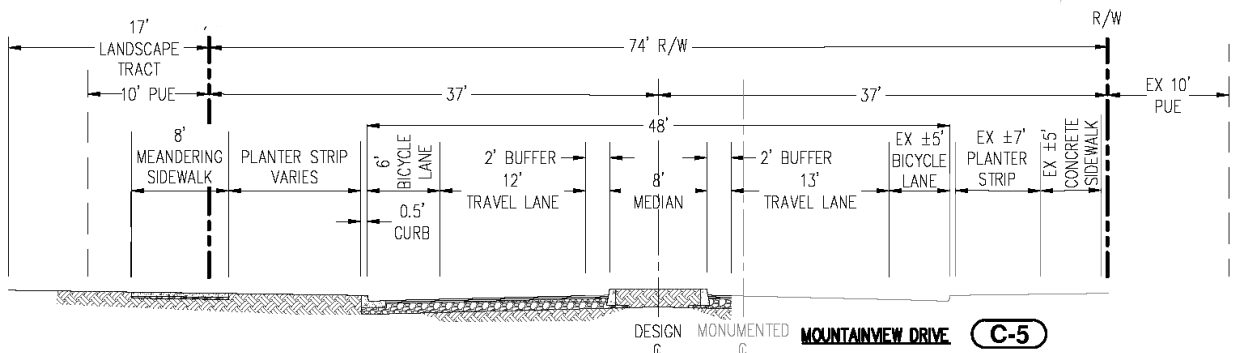
E Mountainview Drive – Conditioned Turn Lane Cross-Section (C-3)



E Mountainview Drive – Conditioned Median Cross-Section (C-4)



E Mountainview Drive – Proposed Median Cross-Section (C-5)



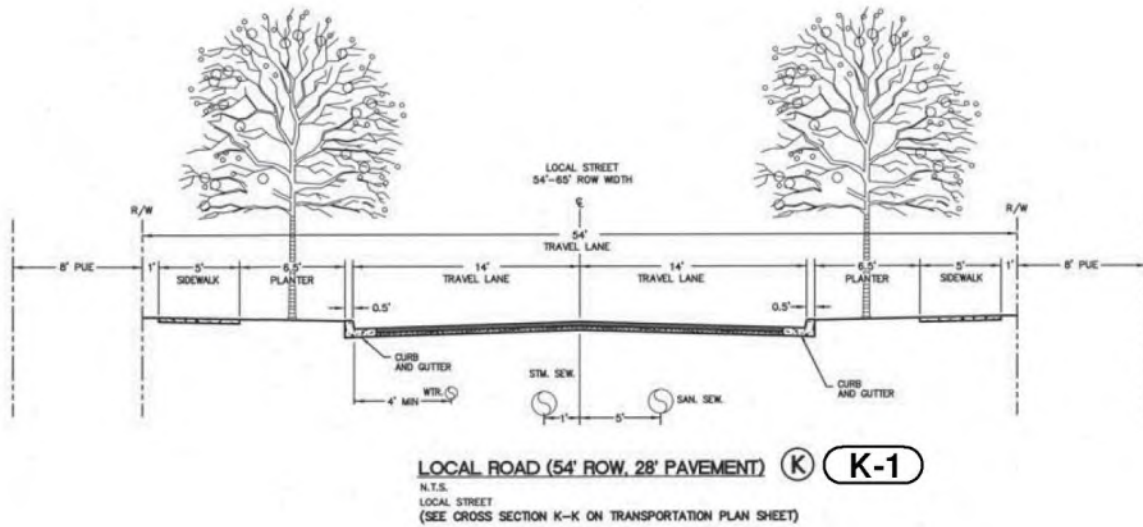
As shown above, the Proposed Turn Lane (C-3) and Conditioned Turn Lane (also C-3) E Mountainview Drive cross-sections are identical and require 48 feet of paved width. These cross-sections meet the requirements of City Code and the Collina at Springbrook Conditions of Approval. Both turn lane cross-sections require the same 48 feet of paved width as the Proposed Median cross-section (C-5) while the Conditioned Median (C-4) cross-section requires 52 feet of paved width. Complying with the condition will require an additional 4 feet of pavement width to accommodate sections where medians are planned. The portions of E Mountainview Drive leading up to these medians will also require additional width in order to transition to the full 52 feet required. Providing medians within areas of paved width which do not match other proposed segments of Mountainview could cause fluctuations in the roadway width as the median increases and decreases, shifting the travel and bicycle lanes left and right as a result. As drivers can typically be expected to take the shortest/straightest route, this may pose safety concerns for

vehicle encroachment into the bicycle lane. The oscillating roadway also poses concerns during construction and for future maintenance and modification of the roadway.

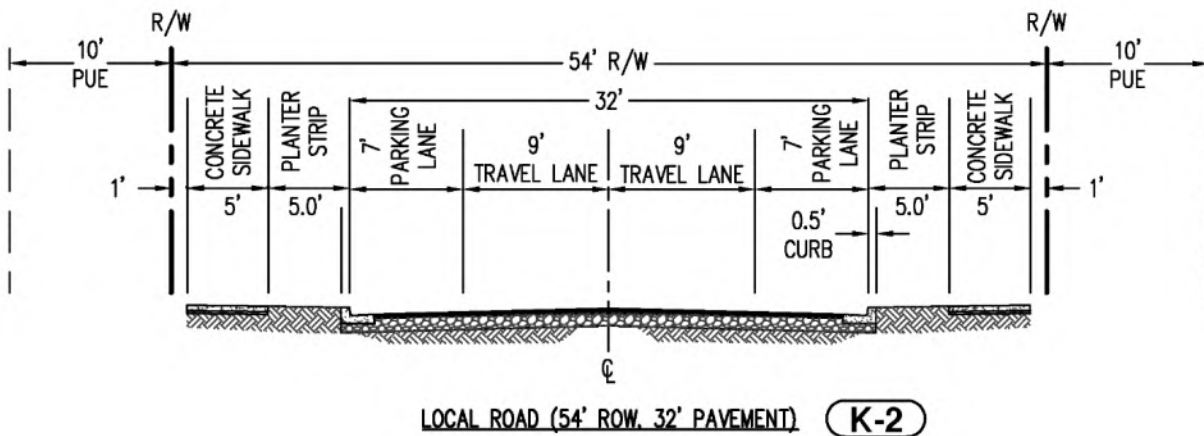
Local Road Alternate Cross-Section

The Applicant also seeks to modify the approved street cross-sections to add an alternative Local Street option that allows parking on both sides. The Springbrook Master Subdivision requires two 14-foot travel lanes within a 54-foot right-of-way (K-1), while the Collina at Springbrook subdivision proposes a right-of-way of the same width with a two 9-foot-wide travel lanes and two 7-foot parking lanes (a total of 32 feet) (K-2).

Local Road – Springbrook Master Subdivision Cross-Section (K-1)



Local Street – Proposed/Code-Compliant Cross-Section (K-2)



The proposed alternate Local Road cross-section (K-2) would also provide five-foot-wide planter strips rather than the 6.5-foot planter strips proposed in 2007. The alternate Local Road sections meet the applicable requirements of NMC, the City’s Transportation System Plan (TSP), and the applicable Collina at Springbrook Conditions of Approval. The cross-section approved as part of the Springbrook Master Subdivision (K-1) is no longer compliant with the City Code, conform to the streets required as part of the

Conditions of Approval of the approved Collina at Springbrook subdivision, nor match existing streets adjacent to the development; therefore, alternative cross-section “K-2” is the appropriate local road for use within Collina at Springbrook.

The submittal materials include the City application form, written documentation, and other required information necessary for City staff to review and determine the application’s compliance with the applicable approval criteria. The evidence supports the City’s approval of the application.

II. Site Description/Setting

The site is north of E Mountainview Drive, west of N Aspen Way, and east of N College Street. The six lots included in this application are within the Springbrook District and were part of the recently approved Collina at Springbrook project (Ordinance 2023-2915). The properties comprise a total area of ±97.09 acres. Hess Creek lies east of the subject properties, largely within Assessor’s Map 3 2 08 Tax Lot 5500.

III. Applicable Review Criteria

CITY OF NEWBERG MUNICIPAL CODE

Title 15 – Development Code

Chapter 15.505 Public Improvements Standards

15.505.030 Street standards.

[...]

G. Street Width and Design Standards.

- 1. Design Standards.** All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards						
Type of Street	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes	Median Type	Striped Bike Lane (Both Sides)	On-Street Parking
Arterial Streets						
Expressway**	ODOT	ODOT	ODOT	ODOT	ODOT	ODOT
Major arterial	95 – 100 feet	74 feet	4 lanes	TWLTL or median*	Yes	No*
Minor arterial	69 – 80 feet	48 feet	2 lanes	TWLTL or median*	Yes	No*
Collectors						
Major	57 – 80 feet	36 feet	2 lanes	None*	Yes	No*
Minor	61 – 65 feet	40 feet	2 lanes	None*	Yes*	Yes*
Local Streets						
Local residential	54 – 60 feet	32 feet	2 lanes	None	No	Yes
Limited residential, parking both sides	44 – 50 feet	28 feet	2 lanes	None	No	Yes
Limited residential, parking one side	40 – 46 feet	26 feet	2 lanes	None	No	One side
Local commercial/ industrial	55 – 65 feet	34 feet	2 lanes	None*	No*	Yes*

Notes:

* May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.

** All standards shall be per ODOT expressway standards.

Response: The proposed K-2 Local street cross-section width conforms to the listed standards for a Local Residential street above.

Since the E Mountainview Drive right-of-way adjacent to the project site is planned to provide a meandering sidewalk and expanded planter strip along the north side of roadway, the cross-section proposed a 65-foot right-of-way with the north planter strip and 8-foot sidewalk being provided within a public access and utility easement. The proposed E Mountainview Drive cross-section provides the other required elements and conforms with the listed standards for Minor Arterial streets. These criteria are met.

2. **Motor Vehicle Travel Lanes.** Collector and arterial streets shall have a minimum width of 12 feet.

Response: The proposed cross-section for E Mountainview Drive has a minimum vehicle travel lane width of 12 feet. The proposed cross-section meets this criterion.

-
- a. Exception.
 - i. Minimum lane width of 11 feet along S River Street from E First Street to E Fourteenth Street.

Response: This exception does not apply to the project site.

- 3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

Response: Along E Mountainview Drive, striped 6-foot-wide lanes have been proposed per the standards within the NMC and Newberg TSP. The proposed cross-sections meet this criterion.

- 5. Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

Response: Planned center turn lanes are 12 feet wide. This criterion is met by the modified cross-section.

- 7. Sidewalks. Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.

- a. Exception.
 - i. Twelve-foot-wide sidewalks, inclusive of the curb, with tree wells along S River Street from the bypass to E Fourteenth Street.
 - ii. Twelve-foot-wide shared-use path and four-foot buffer, inclusive of the curb, with tree wells along the east side of S River Street from the bypass to E Fourteenth Street.

Response: Sidewalks at least 5 feet in width have been planned on both sides of all proposed public streets. The listed exceptions do not apply to this project site. The criterion is met.

- 8. Planter Strips. Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:

- a. Additional reinforcement is done to the sidewalk section at corners.
- b. Sidewalk width is six feet.

Response: Curb-side sidewalks have not been planned within Collina at Springbrook. Planter strips are provided along all proposed Minor Arterial, Major Collector, and Local Residential Streets within the subdivision. Modification has been requested from the Springbrook Master Subdivision for planter strip width from 6.5 feet in width to 5 feet in width, inclusive of the curb, which meets the requirements of the Newberg Municipal Code. The modified street cross-section meets the criteria for sidewalk width.

[...]

- H. Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow

modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

1. The modification is necessary to provide design flexibility in instances where:
 - a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or

Response: Significant grade differences exist between the eastern and western halves of E Mountainview Drive which have influenced the phasing and layout of Collina at Springbrook. The northern portion of the existing right-of-way abuts an area which requires regrading to accommodate the planned pathway, open space area, and residential lots. The proposed cross-section fits within the existing right-of-way without additional dedication. While this increase can also be expected to fit within the varied-width planter strip without additional right-of-way dedication, the requirement necessitates further encroachment north and additional grading as a result.

- b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or

Response: The proposed project involves an area and right-of-way previously approved as part of the Springbrook Master Plan. As such, the areas adjacent to E Mountainview Drive have been planned for a landscaping tract with a multiuse path and residential lots within Phases 1 and 3. The proposed Collina at Springbrook layout proposes to retain these tracts along E Mountainview Drive between N Villa Road and N Center Street. These areas have been set aside for landscaping, screening, and the provision of a pedestrian pathway. Narrowing due to widening of the street will force the pedestrian walkway closer to the rear of lots and lessen the space available for landscaping and perimeter fencing.

- c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or

Response: This situation does not apply to the request for modification.

- d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.

Response: A planned unit development is not proposed; however, the Springbrook Master Plan and Newberg Municipal Code permit changes to the required street cross-sections to better fit the development situation. The proposed street sections allow for the road to remain within the currently platted right-of-way and allow the adjacent open space tracts to provide greater screening and landscaping between the subdivision and E Mountainview Drive. Additional dedication of right-of-way required to contain the increased paved width would decrease the width of these open space areas.

2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.

Response: The reduction in median width, which is not specified by the Newberg Municipal Code, is not anticipated to create hazardous conditions for traffic based on the expected traffic volumes for a Minor Arterial street. Per Ordinance No. 2023-2915, Conditions of Approval C.4.s.1 and .2, modification to the conditions is permitted through a Type II process with decision by the Director.

ORDINANCE 2023-2915 CONDITIONS OF APPROVAL

Exhibit “E” Order No. 2023-44 and Ordinance No. 2023-2915 Conditions of Approval

C. Subdivision (Order No. 2023-44)

[...]

4. The Applicant must provide the following information for review and approval prior to construction of any improvements:

[...]

o. Streets – Local

1. The Applicant shall submit final plans for public improvement permits to show local residential streets consisting of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, minimum 4.5-foot planter, 0.5-foot curb, 7-foot parking lane, 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, minimum 4.5-foot planter, 5-foot sidewalk, 1-foot from back of walk to right-of-way.
2. The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 54-feet of right-of-way to construct the local residential streets to serve the subdivision.

p. Streets – N Aldersgate Drive

1. The Applicant shall revise submit final plans for public improvement permits to show completion of street improvements to N Aldersgate Drive, a local residential street, consisting of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, minimum 4.5-foot planter, 0.5-foot curb, 7-foot parking lane, 9-foot travel lane, 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, minimum 4.5-foot planter, 5-foot sidewalk, 1-foot from back of walk to right-of-way.
2. The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 54-feet of right-of-way to construct the remaining improvements to N Aldersgate Drive, a local residential street.

Response: The proposed “K-2” Alternative Local Street cross-section meets the standards established by the Conditions of Approval. The additional cross-section requires a modification per the specified Type II application process. The submitted plans will conform to these standards, which also meet the standards of NMC.

s. Streets – E Mountainview Drive West of N Villa Road

1. The Applicant shall provide plans for public improvement permits to show construction of required ½ street improvements to E Mountainview Drive, a minor arterial street, conforming to Ordinance No. 2007-2678 consisting of the following: 8-foot meandering sidewalk, partially in and partially out of the right-of-way with a public access easement for any portion of the sidewalk outside of the right-of-way, 10.5-foot planter, 0.5-foot curb, 6-foot bike lane,

12-foot travel lane, 2-foot minimum shy distance between edge of median and 12-foot-wide travel lane, 12-foot turn lane/median, 2-foot minimum shy distance between edge of median and 12-foot-wide travel lane, 12-foot travel lane, 6-foot bike lane, 0.5-foot curb, +/-5-foot planter, +/-5-foot sidewalk, 0.5-foot from back of walk to right-of-way. Alternatively, the applicant has the option to submit a Type II application for modification of street right-of-way and improvement width per NMC 15.505.030(H).

Response: Modification of the median/turn lane section required by the above condition is requested. As conditioned, the criteria of NMC 15.505.030(H) are addressed below.

The applicant proposes to modify the conditioned E Mountainview Drive cross-section (C-4) that shows a striped 12-foot-wide median with two 2-foot buffers to a raised 8-foot median with two 2-foot buffers (C-5, 12-foot total width) adjacent to the travel lane or, dependent on the needed section, a 12-foot turn lane without buffers (C-3). The 12-foot median in combination with the 2-foot shy distance buffers, however, would require a 16-foot center section of the street, necessitating that the right-of-way width of portions of E Mountainview Drive featuring this section be an additional 4 feet wide. The condition would also necessitate transitional areas to accommodate the increased width between turn lane sections. A modified median section with the required shy distance would meet the requirements of the Newberg Municipal Code (NMC) (C-1) and the other listed requirements of the above condition of approval.

Table 15.505.030(G), other applicable sections of NMC, and the Newberg Transportation System Plan (TSP) do not specify a standard median width. The median type, per Table 15.505.030(G), is eligible for modification per the table note, which reads “*May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.” Therefore, per this note and the text of the above condition of approval, a modification is requested. Planting details for the landscaped median will be provided with future applications.

The City of Newberg TSP includes aspirational roadway cross-sections for each classification of road. Table 3: Functional Classification Design Standards of the TSP states that E Mountainview Drive, a Minor Arterial, should feature a two-way left turn lane or no median. Figure 16, as pictured below, demonstrates a 12-foot center turn lane. The proposed Minor Arterial cross-section would provide a center turn lane that matches this figure and a median that fits within the same width to permit ease of transition between sections.

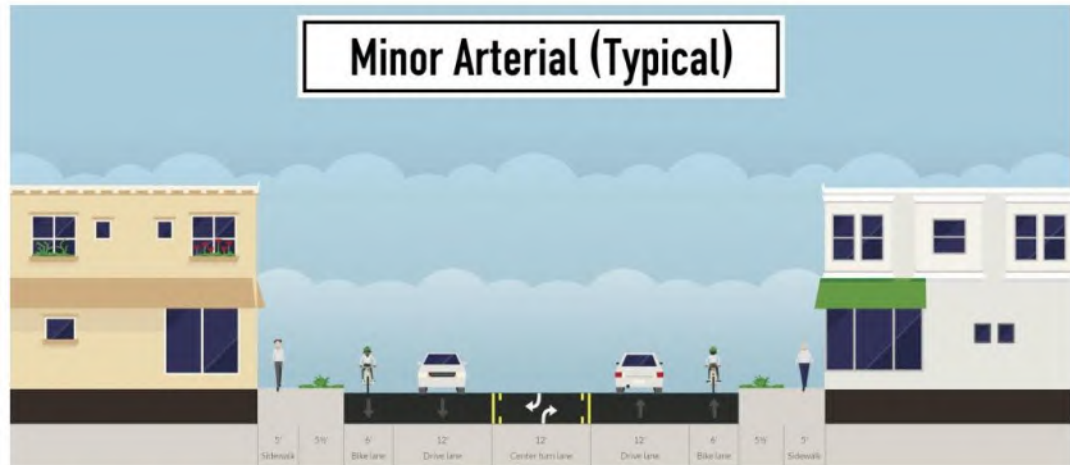


Figure 16: Typical Minor Arterial

The Springbrook Master Subdivision approval (Ordinance No. 2007-2678) included E Mountainview Drive (C-2) as a Minor Arterial providing a 12-foot median and 12-foot travel lanes without an additional shy distance buffer. The addition of the 2-foot buffer will allow for safer use of the travel lane, such as when the bicycle lane is in use.

A portion of the E Mountainview Drive roadway to the width proposed by the Springbrook Master Subdivision was previously constructed to the east of the project site. The portion of the roadway between N Aspen Way and the Crestview Drive roundabout provides several sections of turn lanes and center medians. Where provided, center medians have been constructed to a width of 8.5 feet adjacent to a 13-foot travel lane. The proposed roadway is substantially similar to these existing segments of roadway, with 12-foot travel lanes with either a 2-foot buffer and 8-foot median or 12-foot turn lane for a total curb-to-curb width of 48 feet.

Modification of the south side of E Mountainview Drive cross-section is not proposed. The existing lanes are of appropriate width and will need to be restriped in the future to match the approved width.

Because no standard exists for median widths, the proposed “C-5” street cross-section, with this application for a Type II modification of street right-of-way and improvement width, is appropriate for sections of E Mountainview Drive which require a raised median and satisfies this condition of approval.

2. [The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 74-feet of right-of-way to construct the required improvements to E Mountainview Drive, minor arterial street. Alternatively, the applicant has the option to submit a Type II application for modification of street right-of-way and improvement width per NMC 15.505.030\(H\).](#)

[...]

Response: The E Mountainview Road right-of-way is proposed to satisfy this right-of-way width requirement. Facilities adjacent to the northern curb line are planned to meander through an existing landscaping tract, with an 8-foot sidewalk and variable-width planter

strip being provided within a public access and utility easement. The total width of these improvements is planned to exceed the required 74 feet of right-of-way, allowing for greater pedestrian amenities to be provided than those specified within the Minor Arterial street standards contained within Table 15.505.030(G). The 74-foot-wide right-of-way has been shown on the attached plans (Exhibit A). This condition of approval will be met with dedication of the planned 74 feet of right-of-way.

u. **Construction of New Streets**

[...]

3. **To comply with Ordinance No. 2007-2678 the Applicant shall:**

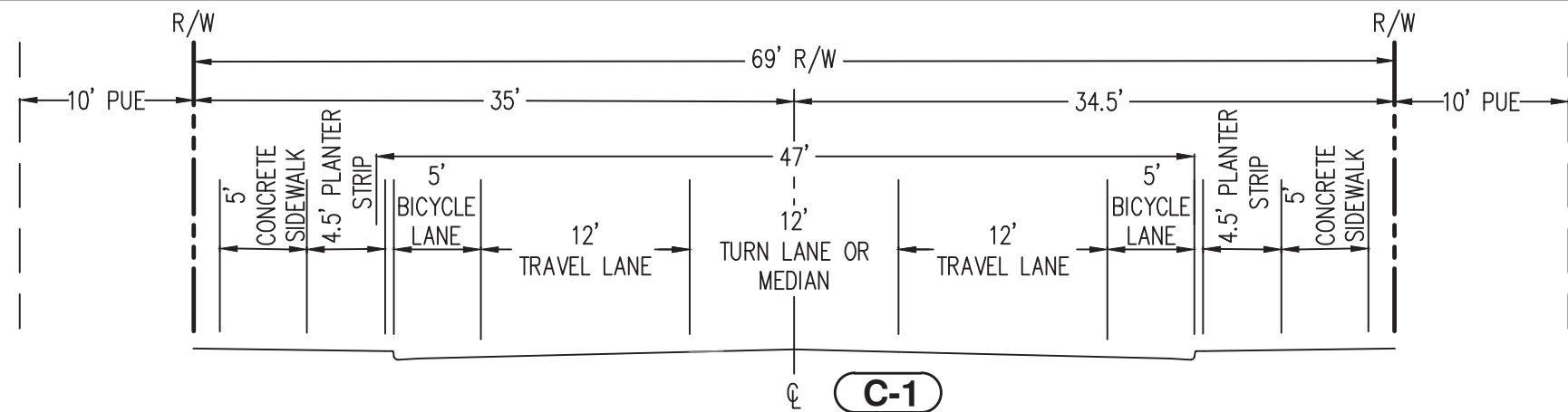
- a. **Provide construction plans for review for the street improvement required on Aldersgate Ln. The frontage must be fully improved with sidewalks, street trees, curb and gutters, with the width of the improvement to be determined during approval of the construction drawings. Also, construct short segments of streets east of Aldersgate Ln. to Vill Road.**
- b. **Provide construction plans for any other streets, including spur entrance roads, that will be constructed as part of the subdivision.**
- c. **A 2-foot minimum shy distance is required from the edge of all medians to the 12 ft wide travel lane. A 6-foot wide bike land is required on the minor arterial.**

Response: Modification of Condition of Approval C.4.u.3 is not needed. A 2-foot minimum shy distance will be provided from the edge of the proposed 8-foot-wide median. A 6-foot-wide bicycle lane will be provided adjacent to the project frontage along E Mountainview Drive. The modified Minor Arterial street cross-section proposed will satisfy this condition of approval.

IV. Conclusion

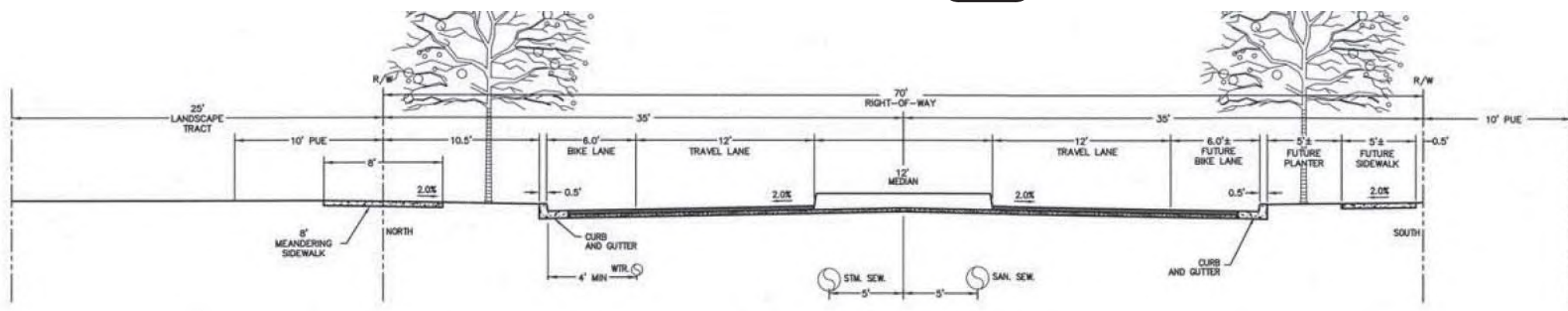
The required findings have been made, and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Newberg Municipal Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve these applications for Type II Modification.

Exhibit A: Preliminary Modification Plan **(Updated December 2023)**



MINOR ARTERIAL PER NEWBERG
MUNICIPAL CODE TABLE 15.505.030(G)

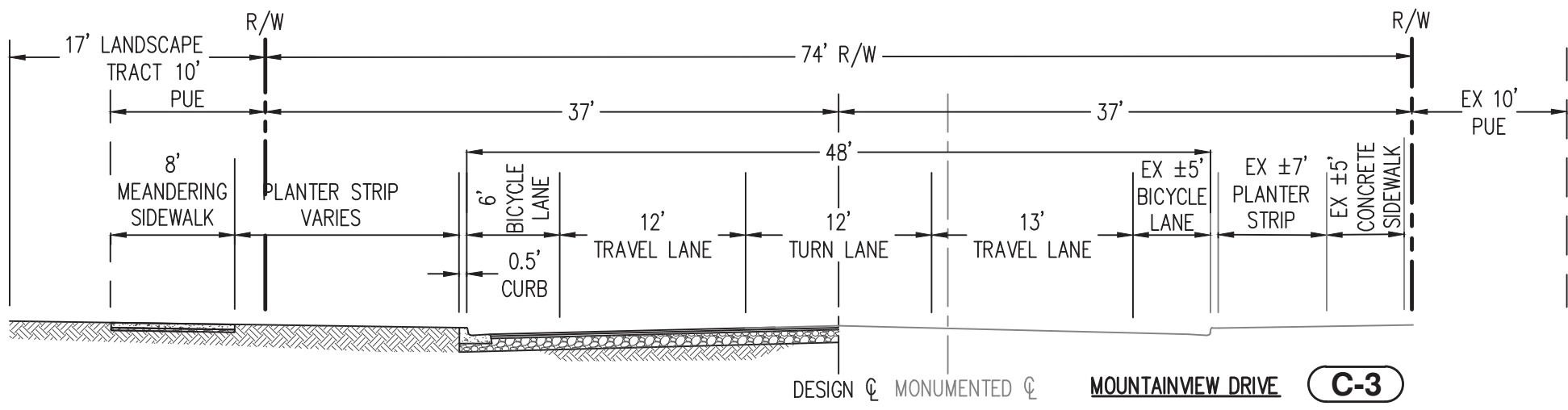
C-1



SPRINGBROOK MASTER SUBDIVISION
MOUNTAINVIEW DRIVE CROSS SECTION

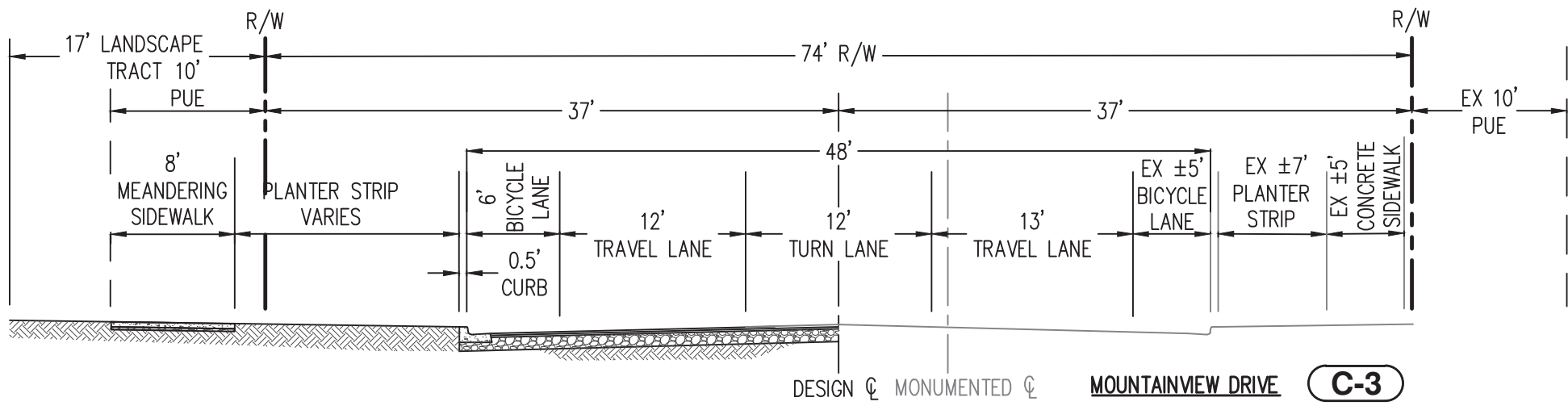
MOUNTAINVIEW DRIVE
N.T.S. MINOR ARTERIAL
(SEE CROSS SECTION C-C ON TRANSPORTATION PLAN SHEET)

C-2



CONDITIONED MOUNTAINVIEW DRIVE
CROSS SECTION WITH TURN LANE

C-3



PROPOSED MOUNTAINVIEW DRIVE
CROSS SECTION WITH TURN LANE

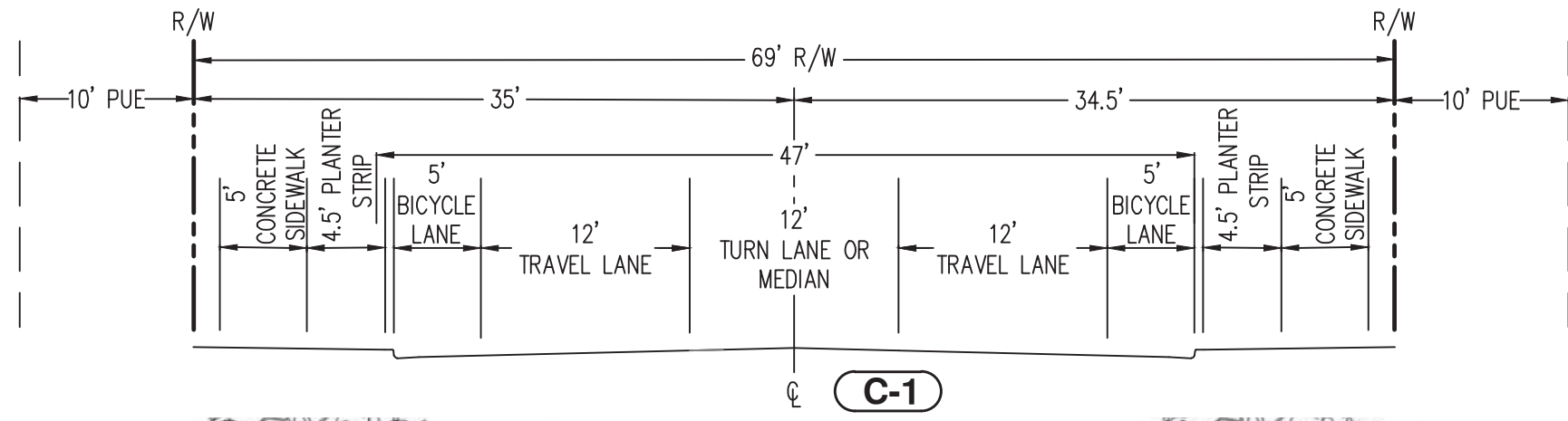
C-3

DATE: 12/7/2023

MOUNTAINVIEW DRIVE CROSS SECTION WITH TURN LANE		EXHIBIT
COLLINA AT SPRINGBROOK		1
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: TS CHKD: TS AKS JOB: 4487-01

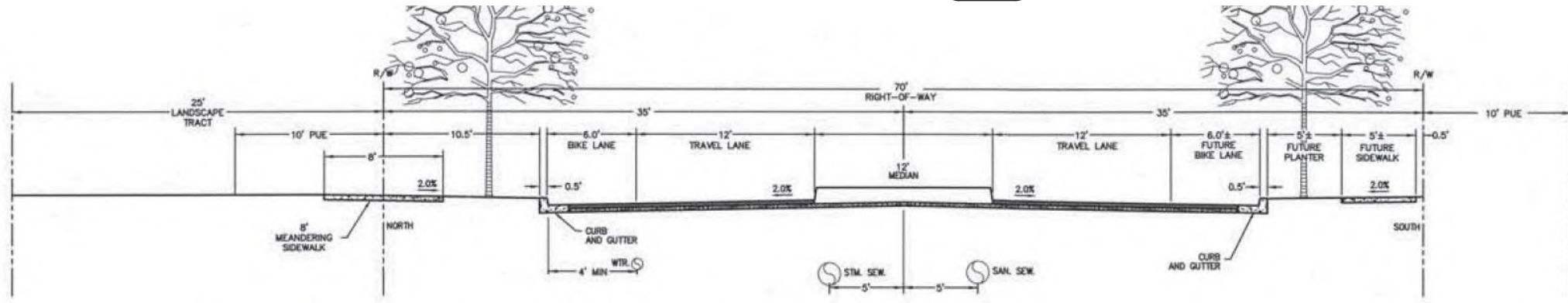


DWG: 4487-01 LU MOD CROSS SECTIONS | TURN LANE



MINOR ARTERIAL PER NEWBERG
MUNICIPAL CODE TABLE 15.505.030(G)

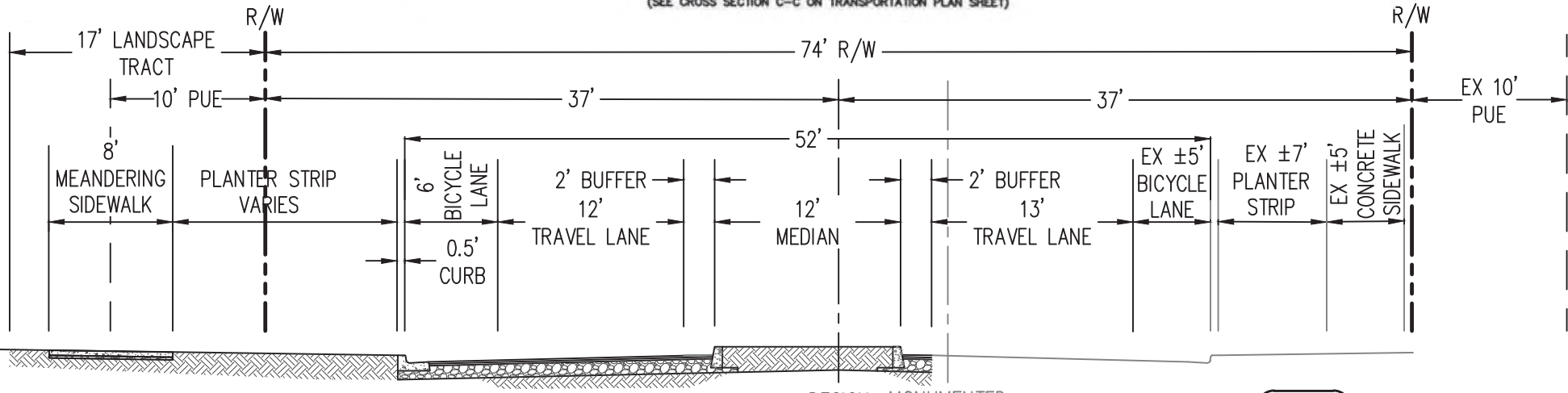
C-1



SPRINGBROOK MASTER SUBDIVISION
MOUNTAINVIEW DRIVE CROSS SECTION

MOUNTAINVIEW DRIVE
N.T.S.
MINOR ARTERIAL
(SEE CROSS SECTION C-C ON TRANSPORTATION PLAN SHEET)

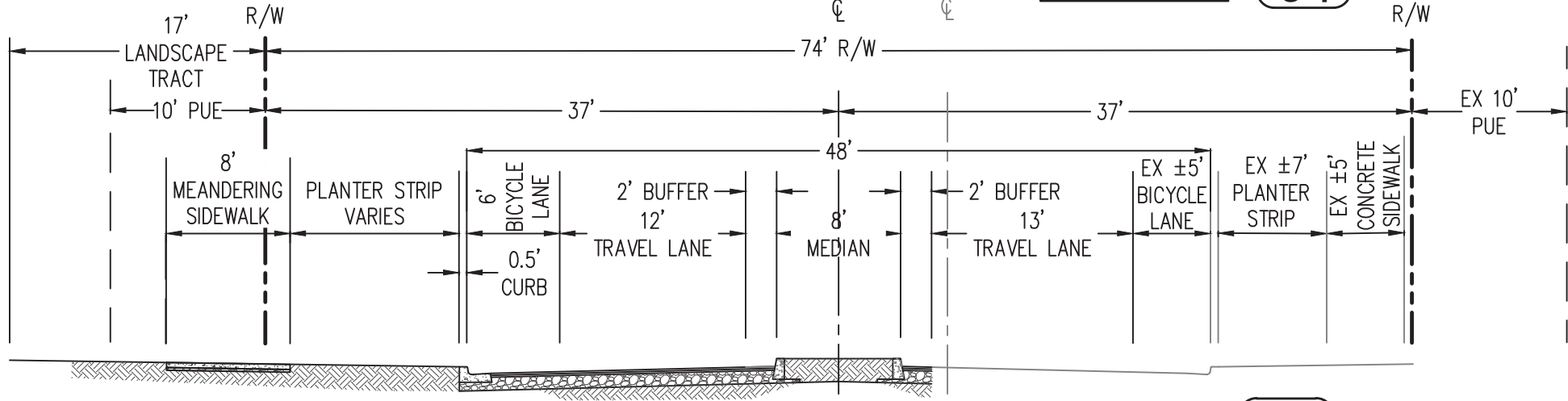
C-2



CONDITIONED MOUNTAINVIEW DRIVE
CROSS SECTION WITH RAISED MEDIAN

DESIGN MONUMENTED
MOUNTAINVIEW DRIVE

C-4



PROPOSED MOUNTAINVIEW DRIVE
CROSS SECTION WITH RAISED MEDIAN

DESIGN MONUMENTED
MOUNTAINVIEW DRIVE

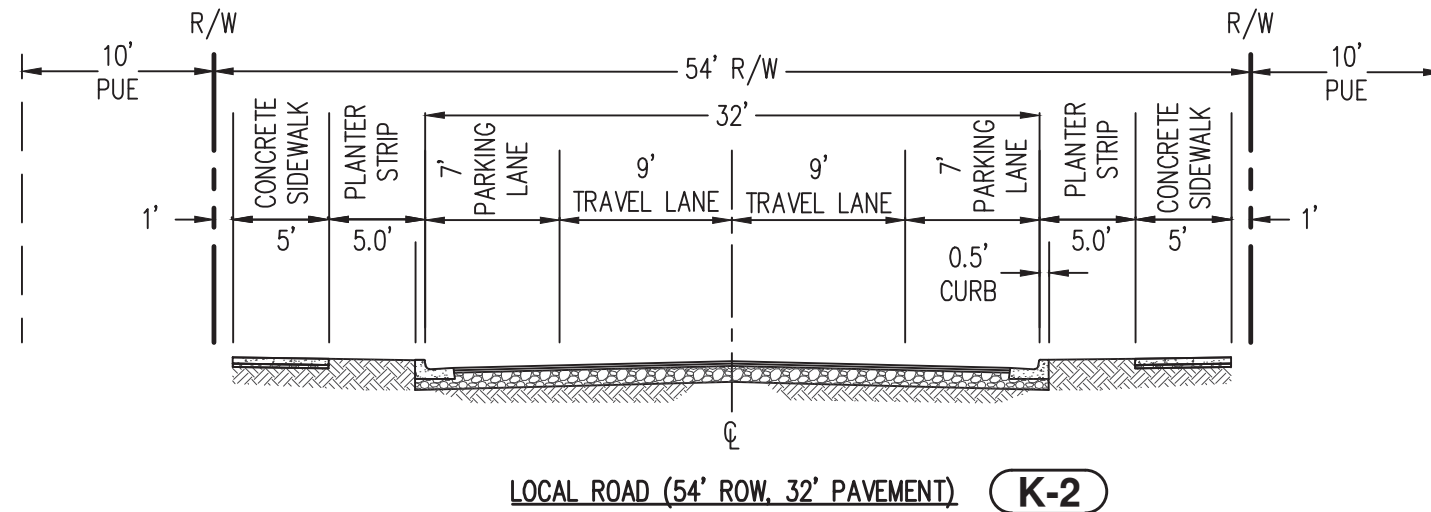
C-5

DATE: 12/7/2023

MOUNTAINVIEW DRIVE CROSS SECTION WITH RAISED MEDIAN		EXHIBIT
COLLINA AT SPRINGBROOK		2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: TS CHKD: TS AKS JOB: 4487-01

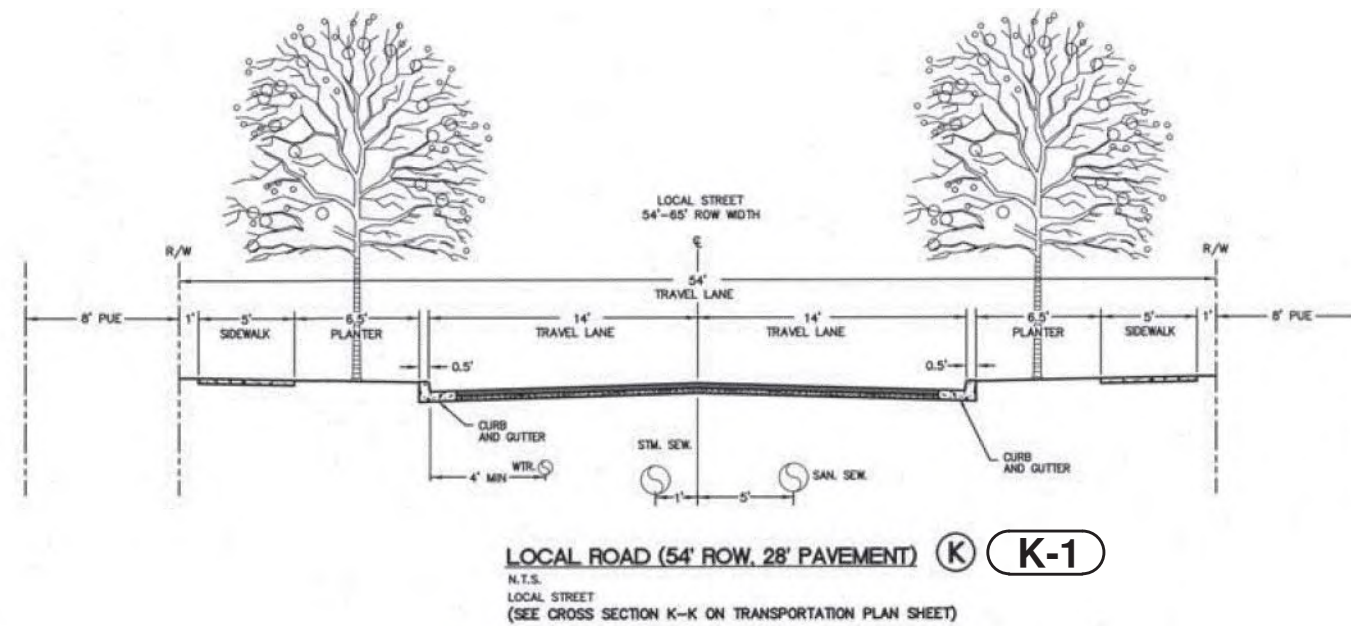


DWG: 4487-01 LU MOD CROSS SECTIONS | RAISED MEDIAN



**PROPOSED ADDITIONAL
SPRINGBROOK MASTER SUBDIVISION
LOCAL ROAD CROSS SECTION**

**K-2 SECTION TO BE USED FOR LOCAL
ROADS: LOCAL A-G, CENTER, VINTAGE,
EDGEWOOD, SUNSET, AND HILLSDALE
WITHIN COLLINA AT SPRINGBROOK**



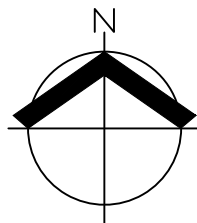
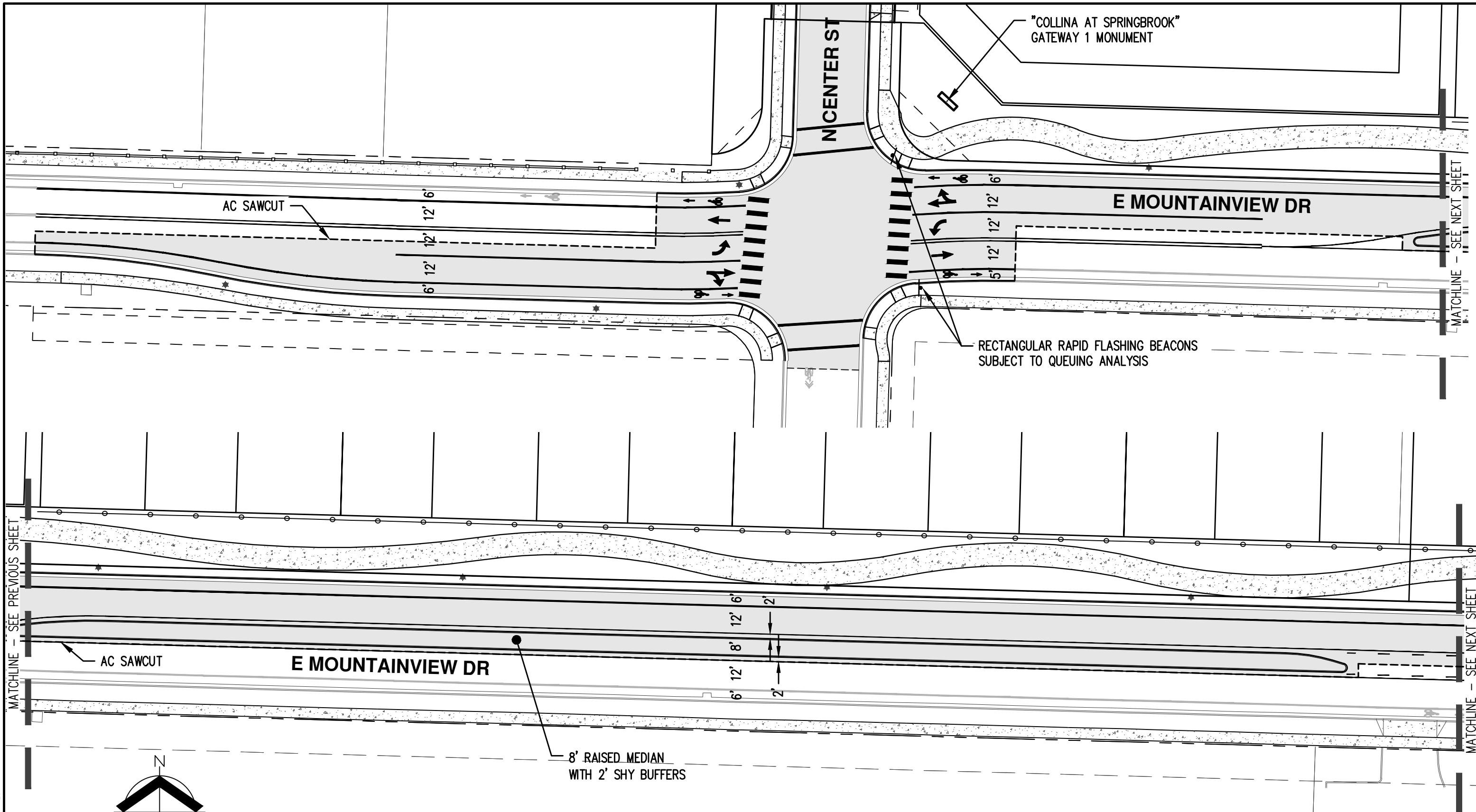
**SPRINGBROOK MASTER SUBDIVISION
LOCAL ROAD CROSS SECTION**

DATE: 12/7/2023

LOCAL ROAD CROSS SECTIONS	EXHIBIT
COLLINA AT SPRINGBROOK	3
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	DRWN: TS CHKD: TS AKS JOB: 4487-01



DWG: 4487-01 MOUNTAINVIEW EXHIBIT | MTNWV WEST



SCALE: 1" = 40 FEET



E MOUNTAINVIEW DR

8' RAISED MEDIAN WITH 2' SHY BUFFERS

E MOUNTAINVIEW DR

N CENTER ST

"COLLINA AT SPRINGBROOK" GATEWAY 1 MONUMENT

RECTANGULAR RAPID FLASHING BEACONS SUBJECT TO QUEUING ANALYSIS

AC SAWCUT

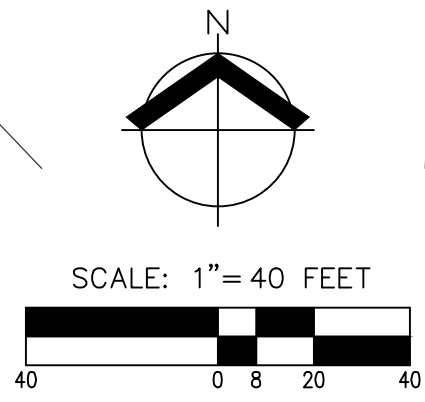
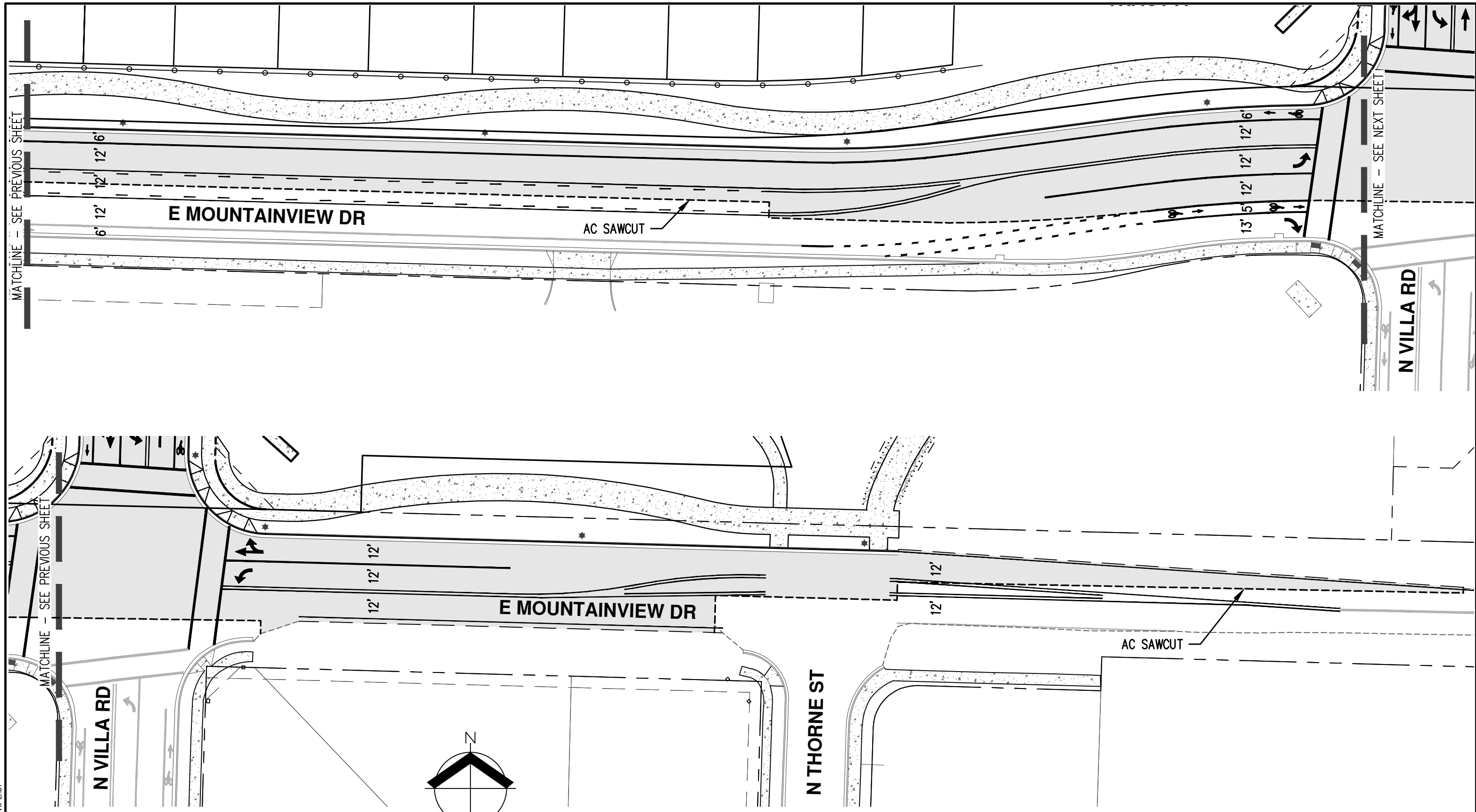
AC SAWCUT

DATE: 11/20/2023

E MOUNTAINVIEW DR IMPROVEMENTS ULTIMATE		EXHIBIT
COLLINA AT SPRINGBROOK		A-1
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: RSK CHKD: TS AKS JOB: 4487-01



DWG: 4487-01 MOUNTAINVIEW EXHIBIT | MTNWV EAST



DATE: 11/20/2023

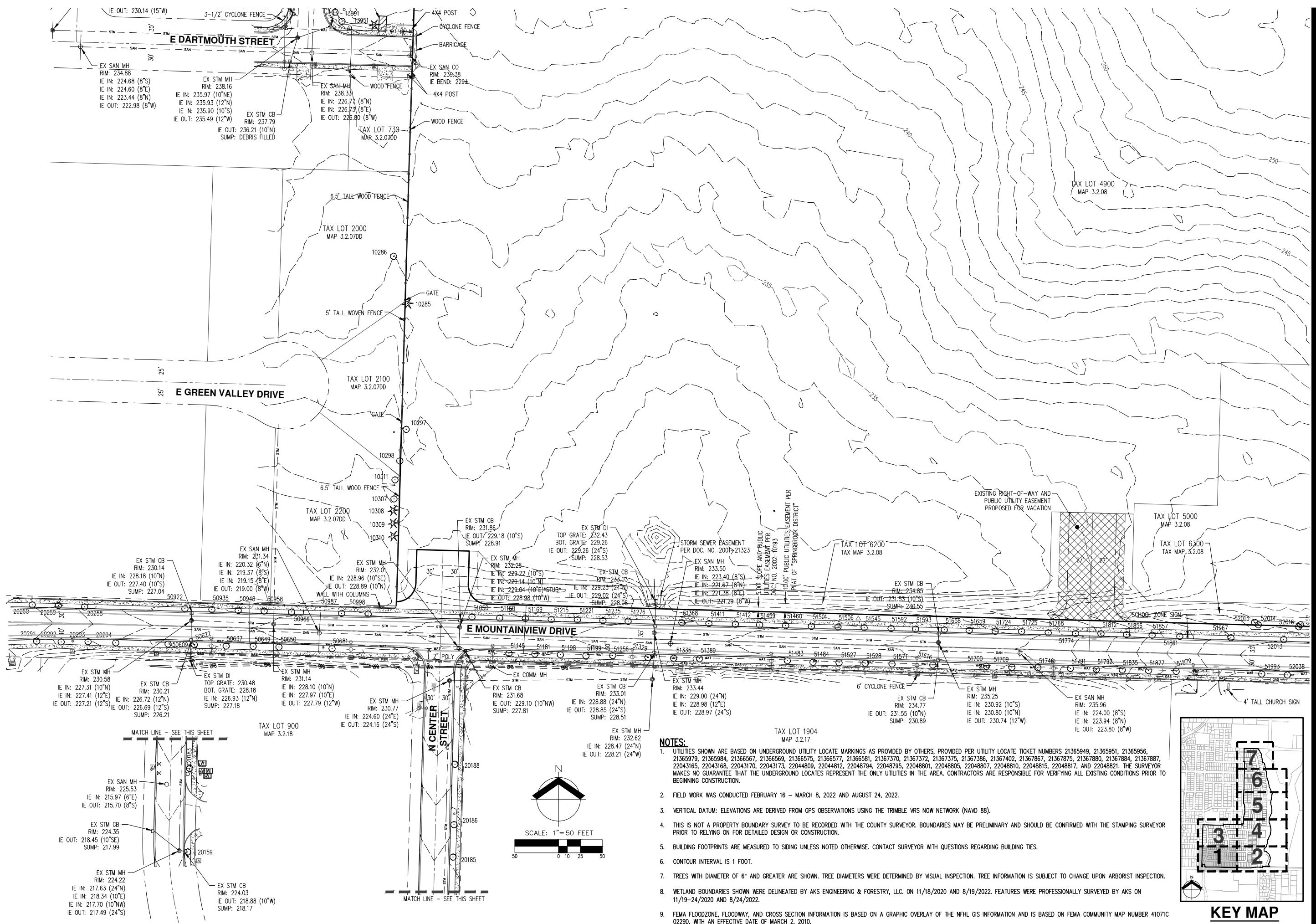
E MOUNTAINVIEW DR IMPROVEMENTS ULTIMATE		EXHIBIT
COLLINA AT SPRINGBROOK		A-2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: RSK CHKD: TS AKS JOB: 4487-01



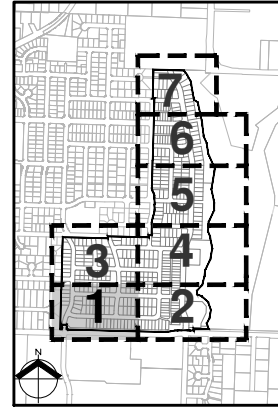
**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

JOB NUMBER: 4487-01
 DATE: 02/08/2023
 DESIGNED BY: GPS
 DRAWN BY: STL
 CHECKED BY: MTS

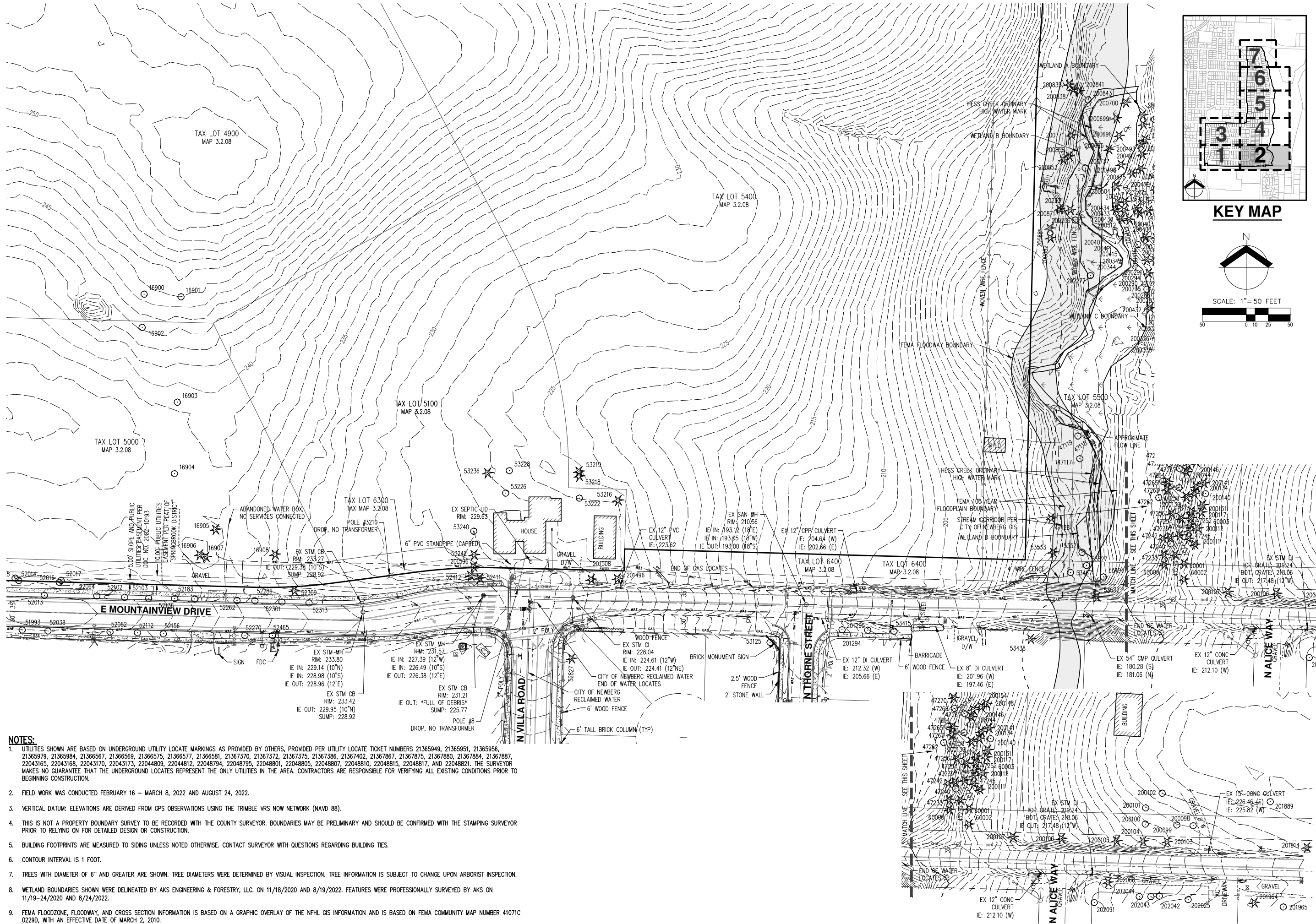
EX-01



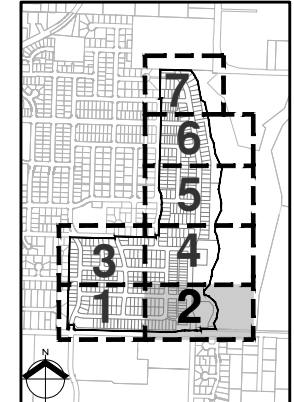
- NOTES:**
- UTILITIES SHOWN ARE BASED ON UNDERGROUND UTILITY LOCATE MARKINGS AS PROVIDED BY OTHERS, PROVIDED PER UTILITY LOCATE TICKET NUMBERS 21365949, 21365951, 21365956, 21365979, 21365984, 21366567, 21366569, 21366575, 21366577, 21366581, 21367370, 21367372, 21367375, 21367386, 21367402, 21367867, 21367875, 21367880, 21367884, 21367887, 22043165, 22043168, 22043170, 22044809, 22044812, 22048794, 22048795, 22048801, 22048805, 22048807, 22048810, 22048815, 22048817, AND 22048821. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND LOCATES REPRESENT THE ONLY UTILITIES IN THE AREA. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
 - FIELD WORK WAS CONDUCTED FEBRUARY 16 - MARCH 8, 2022 AND AUGUST 24, 2022.
 - VERTICAL DATUM: ELEVATIONS ARE DERIVED FROM GPS OBSERVATIONS USING THE TRIMBLE VRS NOW NETWORK (NAVD 88).
 - THIS IS NOT A PROPERTY BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY SURVEYOR. BOUNDARIES MAY BE PRELIMINARY AND SHOULD BE CONFIRMED WITH THE STAMPING SURVEYOR PRIOR TO RELYING ON FOR DETAILED DESIGN OR CONSTRUCTION.
 - BUILDING FOOTPRINTS ARE MEASURED TO SIDING UNLESS NOTED OTHERWISE. CONTACT SURVEYOR WITH QUESTIONS REGARDING BUILDING TIES.
 - CONTOUR INTERVAL IS 1 FOOT.
 - TREES WITH DIAMETER OF 6" AND GREATER ARE SHOWN. TREE DIAMETERS WERE DETERMINED BY VISUAL INSPECTION. TREE INFORMATION IS SUBJECT TO CHANGE UPON ARBORIST INSPECTION.
 - WETLAND BOUNDARIES SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC. ON 11/18/2020 AND 8/19/2022. FEATURES WERE PROFESSIONALLY SURVEYED BY AKS ON 11/19-24/2020 AND 8/24/2022.
 - FEMA FLOODZONE, FLOODWAY, AND CROSS SECTION INFORMATION IS BASED ON A GRAPHIC OVERLAY OF THE NFHL GIS INFORMATION AND IS BASED ON FEMA COMMUNITY MAP NUMBER 41071C 0229D, WITH AN EFFECTIVE DATE OF MARCH 2, 2010.



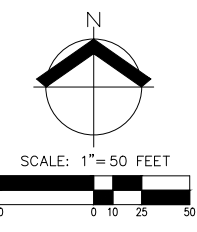
KEY MAP



- NOTES:**
- UTILITIES SHOWN ARE BASED ON UNDERGROUND UTILITY LOCATE MARKINGS AS PROVIDED BY OTHERS, PROVIDED PER UTILITY LOCATE TICKET NUMBERS 21365949, 21365951, 21365956, 21365979, 21365984, 21366567, 21366569, 21366575, 21366577, 21366581, 21367370, 21367372, 21367375, 21367386, 21367402, 21367867, 21367875, 21367880, 21367884, 21367887, 22043165, 22043168, 22043170, 22043173, 22044809, 22044812, 22048794, 22048795, 22048801, 22048805, 22048807, 22048810, 22048815, 22048817, AND 22048821. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND LOCATES REPRESENT THE ONLY UTILITIES IN THE AREA. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
 - FIELD WORK WAS CONDUCTED FEBRUARY 16 - MARCH 8, 2022 AND AUGUST 24, 2022.
 - VERTICAL DATUM: ELEVATIONS ARE DERIVED FROM GPS OBSERVATIONS USING THE TRIMBLE VRS NOW NETWORK (NAVD 88).
 - THIS IS NOT A PROPERTY BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY SURVEYOR. BOUNDARIES MAY BE PRELIMINARY AND SHOULD BE CONFIRMED WITH THE STAMPING SURVEYOR PRIOR TO RELYING ON FOR DETAILED DESIGN OR CONSTRUCTION.
 - BUILDING FOOTPRINTS ARE MEASURED TO SIDING UNLESS NOTED OTHERWISE. CONTACT SURVEYOR WITH QUESTIONS REGARDING BUILDING TIES.
 - CONTOUR INTERVAL IS 1 FOOT.
 - TREES WITH DIAMETER OF 6" AND GREATER ARE SHOWN. TREE DIAMETERS WERE DETERMINED BY VISUAL INSPECTION. TREE INFORMATION IS SUBJECT TO CHANGE UPON ARBORIST INSPECTION.
 - WETLAND BOUNDARIES SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC. ON 11/18/2020 AND 8/19/2022. FEATURES WERE PROFESSIONALLY SURVEYED BY AKS ON 11/19-24/2020 AND 8/24/2022.
 - FEMA FLOODZONE, FLOODWAY, AND CROSS SECTION INFORMATION IS BASED ON A GRAPHIC OVERLAY OF THE NFHL GIS INFORMATION AND IS BASED ON FEMA COMMUNITY MAP NUMBER 41071C 02290, WITH AN EFFECTIVE DATE OF MARCH 2, 2010.



KEY MAP



**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

JOB NUMBER:	4487-01
DATE:	02/08/2023
DESIGNED BY:	GPS
DRAWN BY:	STL
CHECKED BY:	MTS

Exhibit B: Application Form



Type I Application (Administrative Review)

File #: _____

TYPES – PLEASE CHECK ONE:

- Code Adjustment
- Final Plat
- Minor Design Review
- Property Line Adjustment
- ADU or Cottage Cluster Design Review
- Historic Landmark Minor Alteration/Demolition
- Property Line Consolidation
- Type I Extension or Type I Minor/Major Modification
- Type II or Type III Extension or Minor Modification
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: Pahlisch Homes at Springbrook Limited Partnership

ADDRESS: 210 SW Wilson Avenue, Suite 100 CITY: Bend STATE: OR ZIP: 97702

EMAIL ADDRESS: Please contact Applicant's Consultant PHONE: Please contact Consultant MOBILE: Please contact Consultant

OWNER (if different from above): Aspen Way West LLC PHONE: Please contact Applicant's Consultant

ADDRESS: 3113 Crestview Drive CITY: Newberg STATE: OR ZIP: 97130

ENGINEER/SURVEYOR: AKS Engineering & Forestry, LLC CONTACT: Glen Southerland, AICP

EMAIL ADDRESS: southerlandg@aks-eng.com PHONE: (503) 563-6151 MOBILE: _____

GENERAL INFORMATION:

PROJECT LOCATION: North of E Mountainview Drive, west of Hess Creek PROJECT VALUATION: \$ _____

PROJECT DESCRIPTION/USE: Type II street cross-section modifications for Collina at Springbrook

MAP/TAX LOT NO. (i.e.3200AB-400): Various - see project narrative SITE SIZE: ±80.34 SQ. FT. ACRE

COMP PLAN DESIGNATION: Springbrook District CURRENT ZONING: SD-LDR

CURRENT USE: Vacant/former farm fields

SURROUNDING USES:

NORTH: Urban and rural residential SOUTH: School, industrial, urban residential

EAST: Rural residential & resort WEST: Urban residential

ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check box's)

- Required Information:**
- Fees
 - Written Criteria Response
 - 2 Hard copies of full Application Packet
 - Current Title Report
 - Owner Signature
 - 1 Digital Copy of full Application Packet

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

Code Adjustment.....	p. 5
Final Plat	p. 7
Minor Design Review	p. 10
Minor Modification	p. 12
Property Line Adjustment/Consolidation	p. 13
Historic Landmark Minor Alteration/Demo.....	p. 15

Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief.

Mike Morse 10/16/2023 | 9:01 AM PDT
Applicant Signature Date

Brian Naffin 10/18/2023 | 8:22 AM PDT
Owner Signature Date

Mike Morse
Print Name

Brian Naffin
Print Name

NEWBERG PERMIT CENTER FEE SCHEDULE**5% TECHNOLOGY FEE WILL BE ADDED TO TOTAL FEES (Resolution No. 2016-3268)**

PRE-APPLICATION REVIEW		\$100
TYPE I (ADMINISTRATIVE REVIEW)		
OTHER: ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION		\$202
HOME OCCUPATION BUSINESS LICENSE REVIEW		\$202
ADU DESIGN REVIEW		\$202
COTTAGE CLUSTER DESIGN REVIEW		\$404
PROPERTY CONSOLIDATION		\$202
CODE ADJUSTMENT		\$505
* DESIGN REVIEW (DUPLIX OR COM. /IND. MINOR ADDITION REVIEW)	0.3% OF PROJECT VALUE, \$505 MINIMUM	
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION		\$202
MAJOR MODIFICATION OF TYPE I DECISION	50% OF ORIGINAL FEE	
* PARTITION FINAL PLAT		\$1,015 + \$88 PER PARCEL
PROPERTY LINE ADJUSTMENT		\$1,015
SIGN REVIEW	\$89 + \$1.00 PER SQ. FT. OF SIGN FACE	
* SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT		\$2,034 + \$88 PER LOT OR UNIT
HISTORIC LANDMARK MINOR ALTERATION/DEMOLITION		\$0
TYPE II (LAND USE DECISION)		
OTHER-ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION		\$1,015
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION		\$202
MAJOR MODIFICATION OF TYPE II DECISION	50% OF ORIGINAL FEE	
* DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS)	0.6% OF TOTAL PROJECT COST, \$1,015 MINIMUM	
* PARTITION PRELIMINARY PLAT		\$1,015 + \$88 PER PARCEL
* SUBDIVISION PRELIMINARY PLAT		\$2,034 + \$88 PER LOT
VARIANCE		\$1,015
TYPE III (QUASI-JUDICIAL REVIEW)		
OTHER-ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION		\$2,155
ANNEXATION	\$2,833 + \$270 PER ACRE	
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC)		\$2,655
CONDITIONAL USE PERMIT		\$2,155
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION		\$202
MAJOR MODIFICATION OF TYPE III DECISION	50% OF ORIGINAL FEE	
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION		\$0
HISTORIC LANDMARK ELIMINATION		\$2,471
* SUBDIVISION PRELIMINARY PLAT		\$2,034 + \$88 PER LOT
* PLANNED UNIT DEVELOPMENT		\$4,304 + \$88 PER LOT
ZONING AMENDMENT (SITE SPECIFIC)		\$2,684
TYPE IV (LEGISLATIVE AMENDMENTS)		
COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION		\$3,053
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION		\$3,053
APPEALS		
TYPE I OR II APPEAL TO PLANNING COMMISSION		\$582
TYPE I OR II APPEAL TO CITY COUNCIL		\$1,055
TYPE III APPEAL TO CITY COUNCIL		\$1,239
TYPE I ADJUSTMENTS OR TYPE II VARIANCES (That are not designed to regulate the physical characteristics of a use permitted outright)		\$326
EXHIBITOR LICENSE FEE APPEAL TO THE CITY COUNCIL	50% OF EXHIBITOR LICENSE FEE	
OTHER FEES		
TECHNOLOGY FEE (This fee will be added to all Planning, Engineering and Building Fees, does not apply to SDC fees)		5% OF TOTAL
TREES IN PUBLIC RIGHT-OF-WAY REMOVAL PERMIT		\$10.50
EXPEDITED LAND DIVISION	\$7,563 + \$88 PER LOT OR UNIT	
URBAN GROWTH BOUNDARY AMENDMENT		\$4,833
VACATION OF PUBLIC RIGHT-OF-WAY		\$2,005
FEE-IN-LIEU OF PARKING PROGRAM	\$16,231 PER VEHICLE SPACE	
VERTICAL HOUSING DEVELOPMENT ZONE FEES	\$600 CERTIFICATION & APPLICATION FEE	
	\$400 ANNUAL MONITORING FEE	
BIKE RACK COST SHARING PROGRAM		\$100 PER RACK
LICENSE FEES		
GENERAL BUSINESS		\$50
HOME OCCUPATION		\$25
PEDDLER/SOLICITOR/STREET VENDOR	NO FEE (GENERAL BUSINESS LICENSE FEE ONLY)	
EXHIBITOR		\$148
TEMPORARY MERCHANT	\$120/45 DAYS OR \$401/PERPETUAL	

*** ADDITIONAL LAND USE REVIEW FEES – ENGINEERING DEPARTMENT**

PLANNING REVIEW, PARTITION, SUBDIVISION & PUD'S (TYPE II/III APPLICATIONS).....	\$329.90 FIRST 19 LOTS + \$14.66 PER LOT OVER 19
FINAL PLAT REVIEW: PARTITION & SUBDIVISION	\$329.90 + \$8.29 PER LOT OR PARCEL
DEVELOPMENT REVIEW FOR PUBLIC IMPROVEMENTS ON COMMERCIAL, INDUSTRIAL, INSTITUTIONAL ZONES, & MULTIFAMILY DEVELOPMENTS	\$461.37 1ST ACRE + \$263.54 PER ADDITIONAL ACRES

Exhibit C: Ownership Information



THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF THE FOLLOWING CUSTOMER:

Fidelity National Title
Phone No.: (503)223-8338

Date Prepared: August 21, 2023
Effective Date: August 16, 2023 / 08:00 AM
Charge: \$400.00
Order No.: 45142206160
Reference: Springbrook - Supp 2

The information contained in this report is furnished to the Customer by Fidelity National Title Company of Oregon (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report ("the Report"). Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

REPORT

- A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:
As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:
As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof.
- C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:
As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.
- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:
As fully set forth on Exhibit "D" attached hereto and by this reference made a part hereof.

Fidelity National Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 45142206160

EXHIBIT "A"
(Land Description)

Lots 1 and 2; Tracts AA, BB, C, D, E and F, SPRINGBROOK DISTRICT, in the City of Newberg, County of Yamhill, State of Oregon, according to the Plat thereof, recorded August 19, 2011, as Instrument No. 2011-10367, Yamhill County Deed and Mortgage Records.

Fidelity National Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 45142206160

EXHIBIT "B"
(Tax Account and Map)

APN/Parcel ID(s) 547318, 547321, 547324, 547327, 547330, 547333, 547357 and 547360 as well as Tax/Map ID(s) R320804900, R320805000, R320805100, R320805200, R320805300, R320805400, R320806200 and R320806300

Fidelity National Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 45142206160

EXHIBIT "C"
(Vesting)

Aspen Way West LLC, an Oregon limited liability company

EXHIBIT "D"
(Liens and Encumbrances)

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$10,368.39
Levy Code: 29.0
Account No.: 547321
Map No.: R3208 05000

Affects: Lot 1

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$10,963.08
Levy Code: 29.0
Account No.: 547324
Map No.: R3208 05100

Affects: Lot 2

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$7.85
Levy Code: 29.0
Account No.: 547357
Map No.: R3208 06200

Affects: Tract AA

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$7.85
Levy Code: 29.0
Account No.: 547360
Map No.: R3208 06300

Affects: Tract BB

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$15,716.63
Levy Code: 29.0
Account No.: 547318
Map No.: R3208 04900

Affects: Tract C

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$3,333.00
Levy Code: 29.0
Account No.: 547333
Map No.: R3208 05400

Affects: Tract D

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$90,607.84
Levy Code: 29.0
Account No.: 547330
Map No.: R3208 05300

Affects: Tract E

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023
Amount: \$43,973.48
Levy Code: 29.0
Account No.: 547327
Map No.: R3208 05200

Affects: Tract F

1. The Land has been classified as Farm land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Affects: Lot 2 and Tracts C, D, E and F

2. City Liens, if any, in favor of the City of Newberg.
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Yamhill County, a political subdivision of the State of Oregon
Purpose: underground Storm Drainage
Recording Date: May 22, 1989
Recording No: Film Volume 232, Page 775
Affects: Tract F

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: the City of Newberg, a municipal corporation
Purpose: storm sewer inlet
Recording Date: November 30, 2001
Recording No: 200121323
Affects: Tract AA

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: the City of Newberg, a municipal corporation
Purpose: slope and public utilities
Recording Date: May 22, 2002
Recording No: 200210193
Affects: Tracts AA and BB

6. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Springbrook District
Recording Date: August 11, 2011
Recording No: 2011-10367

7. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the Plat of Springbrook District;

Purpose: utilities
Affects: 10 feet along street right of way lines/as delineated on said Plat

8. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the Plat of Springbrook District;

Purpose: utilities
Affects: Tracts AA, BB, D, F, Lot 2./as delineated on said Plat

9. Development Agreement - Springbrook Master Plan

Executed by: City of Newberg and Springbrook Properties, Inc.
Recording Date: February 6, 2008
Recording No.: 200801964

Amendment(s)/Modification(s) of said Development Agreement

Recording Date: August 11, 2011
Recording No: 2011-10366

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

Amendment(s)/Modification(s) of said Development Agreement

Recording Date: August 30, 2018
Recording No: 201812616

10. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
11. The proposed transaction may be subject to statutory requirements for the partitioning or subdivision of land pursuant to Chapter 92 of Oregon Revised Statutes. Violation may subject parties to both civil and criminal penalties. Furthermore, title insurance policies do not provide coverage against violation of these statutes.
12. Any claim based on the failure to comply with the provisions of Governmental Laws and Regulations regarding the division of land.
13. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2023-2024..
14. As disclosed by the assessment and tax roll, the premises herein were once specially assessed for farmland, forestland or other special assessment status and later disqualified. Per ORS 308A.700 to 308A.733, additional taxes were imposed and remain as potential additional tax liability for the property. A check with the Assessor's office will be necessary to determine the effect and continuation of the additional tax liability.

Additional Tax Liability Amount: \$58,433.12
Tax Account: 547327
Map No.: R3208 05200

Affects: Tract F

15. As disclosed by the assessment and tax roll, the premises herein were once specially assessed for farmland, forestland or other special assessment status and later disqualified. Per ORS 308A.700 to 308A.733, additional taxes were imposed and remain as potential additional tax liability for the property. A check with the Assessor's office will be necessary to determine the effect and continuation of the additional tax liability.

Additional Tax Liability Amount: \$198,114.98
Tax Account: 547330
Map No.: R3208 05300

Affects: Tract E

****End of Liens & Encumbrances****

BOUNDARY DEEDS:

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

Boundary Deed

Recording Date: May 15, 1996
Recording No.: 199607569

Boundary Deed

Recording Date: June 20, 1996
Recording No.: 199609864

Boundary Deed

Recording Date: September 28, 2001
Recording No.: 200117165

Boundary Deed

Recording Date: April 26, 2002
Recording No.: 200208416

Boundary Deed

Recording Date: November 17, 2004
Recording No.: 200423482

Boundary Deed

Recording Date: July 19, 2005
Recording No.: 200514996

Boundary Deed

Recording Date: September 5, 2012
Recording No.: 2012-12594

Boundary Deed

Recording Date: November 30, 2015
Recording No.: 201518589

Boundary Deed

Recording Date: November 9, 2017
Recording No.: 201718041

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

Boundary Deed

Recording Date: May 22, 2018
Recording No.: 201807236

Boundary Deed

Recording Date: January 4, 2019
Recording No.: 201900134

Boundary Deed

Recording Date: February 15, 2019
Recording No.: 201901897

Boundary Deed

Recording Date: July 8, 2019
Recording No.: 201908989

Boundary Deed

Recording Date: October 8, 2019
Recording No.: 201914515

Boundary Deed

Recording Date: November 6, 2019
Recording No.: 201916213

Boundary Deed

Recording Date: November 24, 2020
Recording No.: 202021253

Boundary Deed

Recording Date: June 10, 2021
Recording No.: 202111895

Boundary Deed

Recording Date: September 14, 2021
Recording No.: 202118527

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

Boundary Deed

Recording Date: September 27, 2021
Recording No.: 202119350

Boundary Plat - Green Valley Subdivision

Recording Date: November 13, 1952
Recording No.: Volume 6, Page 9

Boundary Plat - Hazelwood Farm

Recording Date: May 15, 2018
Recording No.: 201806920

Boundary Plat - Jeffrey Park

Recording Date: December 28, 1979
Recording No.: Cabinet 9, Slide 191B

Boundary Plat - Northwood Estates

Recording Date: August 17, 1992
Recording No.: Film Volume 3, Page 266

DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
 - (a) "Customer": The person or persons named or shown as the addressee of this report.
 - (b) "Effective Date": The effective date stated in this report.
 - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
 - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.
2. **Liability of Company.**
 - (a) This is not a commitment to issue title insurance and does not constitute a policy of title insurance.
 - (b) The liability of the Company for errors or omissions in this public record report is limited to the amount of the charge paid by the Customer, provided, however, that the Company has no liability in the event of no actual loss to the Customer.
 - (c) No costs (including without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
 - (d) In any event, the Company assumes no liability for loss or damage by reason of the following:
 - (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.
 - (2) Any 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, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
 - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights or claims or title to water.
 - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
 - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
3. **Report Entire Contract.** Any right or action or right of action that the Customer may have or may bring against the Company arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of the Company. By accepting this form report, the Customer acknowledges and agrees that the Customer has elected to utilize this form of public record report and accepts the limitation of liability of the Company as set forth herein.
4. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

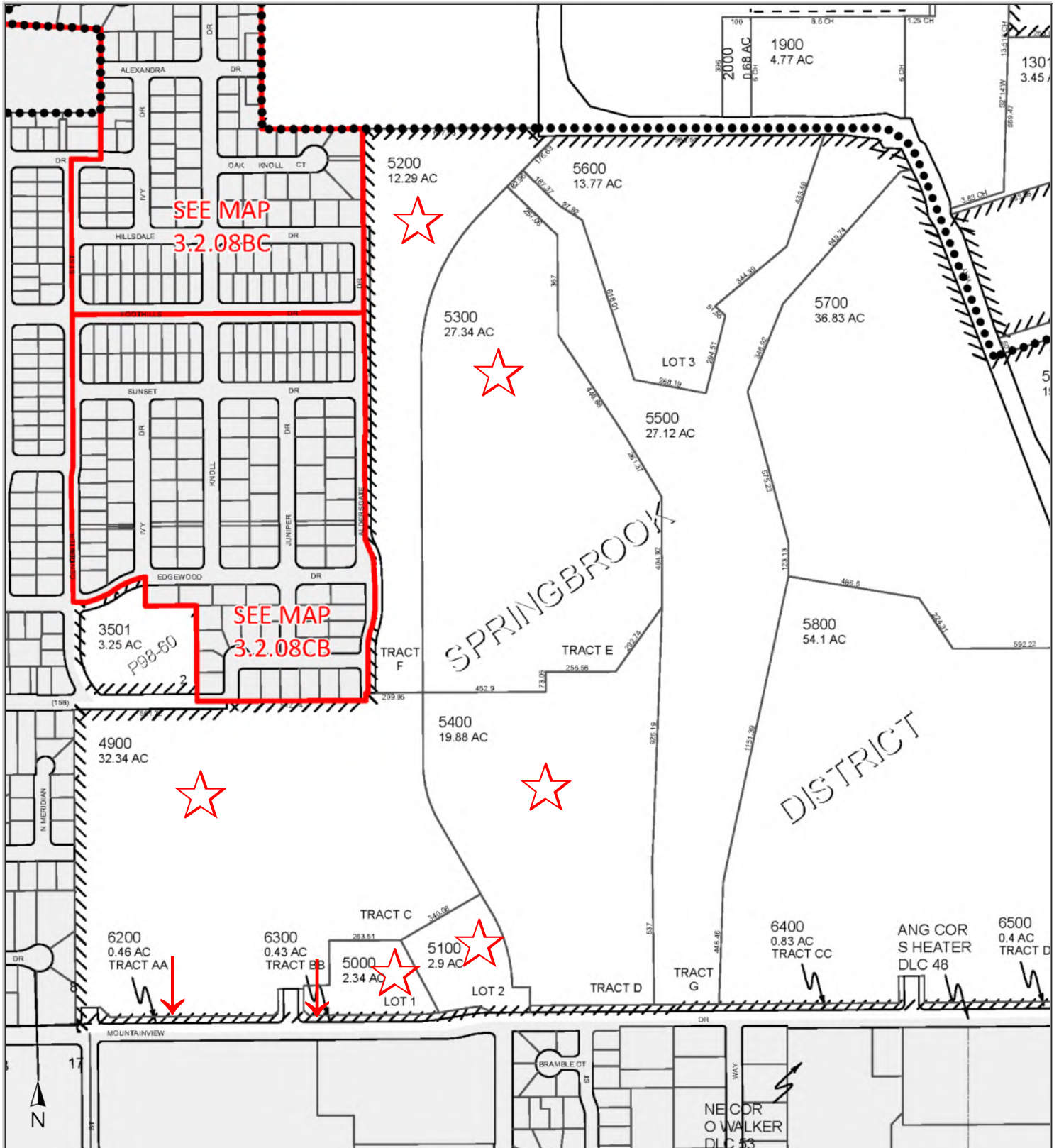
Fidelity National Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 45142206160

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY



This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Yamhill County Official Records	202215920
PR-VACPR	12/20/2022 09:30:01 AM
Stn=3 SUTTONS	
13Pgs \$65.00 \$5.00 \$11.00 \$5.00 \$60.00	\$171.00
\$25.00	
I, Keri Hinton, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Keri Hinton - County Clerk	

ORDINANCE NO. 2022-2910



An ordinance vacating ±6,800 square feet of right-of-way of an unnamed street connecting to the northside of E Mountainview Drive, east of N Center Street and west of N Villa Road generally described previously within the corporate city limits of Newberg, Oregon.

Recitals:

1. The Newberg City Council initiated the vacation on October 17, 2022, through Resolution No. 2022-3869.
3. Notice was published in The Newberg Graphic newspaper once a week for two consecutive weeks (October 26, 2022, and November 2, 2022) prior to the final public hearing of the City Council.
4. The Newberg City Council conducted a public hearing on November 21, 2022, to consider the vacation and any written objections or remonstrances and take public comment.
5. All of the abutting property owners have signed consent to vacate forms.

The City of Newberg Ordains as Follows:

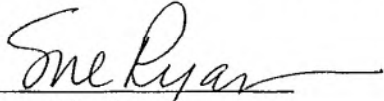
1. The findings, listed as Exhibit "A" and attached to this ordinance, are hereby adopted and by this reference incorporated.
2. The following described public right-of-way within the City of Newberg, County of Yamhill, State of Oregon, is hereby vacated: A tract of land located in the southwest quarter of Section 8, Township 3 South, Range 2 West of the Willamette Meridian in the City of Newberg, Yamhill County, Oregon, being described as ±6,800 square feet of right-of-way of an unnamed street connecting to the northside of E Mountainview Drive, east of N Center Street and west of N Villa Road as shown in Exhibit "B". Exhibit "B" is hereby adopted and by this reference incorporated.
3. Subject to the above provisions, the applicant is hereby directed to file for recording with the County Clerk and Ex-Officio Recorder of Conveyances of the County of Yamhill, State of Oregon, a certified copy of this ordinance and a map of said public right-of-way (Exhibit "B") so vacated, and the applicant is further directed to file a copy of this ordinance and a map with the Surveyor, Assessor, and Clerks offices of said Yamhill County, Oregon, respectively. A copy of all recorded documents shall be provided to the City of Newberg by the applicant; including any documents required by private utilities and franchises.

Effective Date of this ordinance is the 30 days after the adoption date, which is: December 20, 2022.

Adopted by the City Council of Newberg, Oregon, this 21st day of November 2022, by the following votes:


This instrument filed for record by LEV #4131/ARCO
 Fidelity National Title as an accommodation
 only. It has not been examined as to its
 execution or as to its effect upon the title.

AYE: 5 NAY: 0 ABSTAIN: 0 ABSENT: 2 (Rogers, District 3 Vacant)



Sue Ryan, City Recorder

Attest by the Mayor this 22nd day of November, 2022.



Rick Rogers, Mayor

Certifying to a Copy of a Document

State of OREGON

County of Yamhill

I certify (or attest) that this is a true and correct copy of a record in the possession

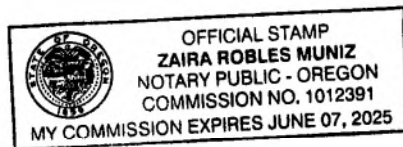
of City of Newberg.

Dated: Dec 02, 2022.



Notary Public - State of Oregon

Official Stamp



Document Description

This certificate is attached to page 5 of a Ordinance No. 2022-2910 (title or type of document),
dated NOV 22, 2022, consisting of 12 pages.

EXHIBIT “A”
FINDINGS FOR APPROVAL OF A STREET RIGHT-OF-WAY VACATION

*Oregon Revised Statutes (ORS) Chapter 271
Use of Public Lands; Easements
Public Lands*

Vacation

271.080 Vacation in incorporated cities; petition; consent of property owners.

(1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

Finding: On August 16, 2022, AKS Engineering & Forestry, LLC on behalf of Pahlisch Homes, Inc. filed a petition requesting the City to initiate the vacation the ±6,800 square feet of right-of-way of an unnamed street connecting to the northside of E Mountainview Drive, east of N Center Street and west of N Villa Road. Throughout the rest of this report this specific area will be referred to as the unnamed ROW (right-of-way). The petition included the description of the area to be vacated and can be noted in Exhibit “B”. The petition also included the purpose and reason for the vacation. As stated by the applicant, the area is located within the Springbrook District – Low Density Residential zone. This unnamed ROW was an area dedicated to the City for future street improvements as part of the 2007 subdivision application, SUB3-07-009, that resulted in the Springbrook District development. The applicant is purposing the unnamed ROW be vacated to allow for additional home sites when future development occurs within this area. This unnamed ROW is undeveloped and therefore the existing parcels of land are using alternative routes of access and the vacation of this piece would not have any negative affect on current access requirements. This criterion has been met.

(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing. [Amended by 1999 c.866 §2]

Finding: Included in the petition is consent signatures from all abutting property owners and one of real property affected, which totals two-thirds of the required signatures of real property affected owners. Exhibit “B” depicts which tax lots are abutting properties and which tax lots are within the area defined as real properties affected. Abutting properties are included in the definition of real properties affected. There

is a total of six individual tax lots that are either abutting or within the area of real property affected. Two-thirds of six is four. Therefore, all three abutting property owners' and one real affected property owners' signatures were required to reach a two-thirds consensus. A copy of the submitted signatures can be viewed in Ordinance 2022-2910 Attachment 3, Exhibit "C". This criterion has been met.

Tax Lot	Property Type	Signature
R3208 4900	Abutting	Obtained
R3208 5000	Real Affected	Obtained
R3208 6200	Abutting	Obtained
R3208 6300	Abutting	Obtained
R3217 1901	Real Affected	Not Obtained
R3217 1904	Real Affected	Not Obtained

271.090 Filing of petition; notice. The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.

Finding: The Community Development Department staff acting on behalf of the city recorder, deemed the filed petition application complete on August 30, 2022, and consequently notified the applicant that the request to initiate the petition would be presented to City Council on October 17, 2022. This requirement has been met.

271.100 Action by city governing body. The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.

Finding: On October 17, 2022, City Council adopted Resolution No. 2022-3869, initiating the vacation process and setting a formal hearing date for November 21, 2022. This criterion is met.

271.110 Notice of hearing. (1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city

recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor. [Amended by 1991 c.629 §1; 2005 c.22 §196]

Finding: Notice was published in the Newberg Graphic for two consecutive weeks (October 26, 2022, and November 2, 2022) prior to the November 21, 2022, public hearing. In addition, public notice was posted in four public places on October 26, 2022. The applicant on October 28, 2022, posted notice at the area to be vacated in two locations in conformance with ORS 271.110 to property owners within 100 feet. The City of Newberg maintains a flat fee for publications with The Newberg Graphic and did not require the applicant to put forth funds. The applicant was responsible for all costs associated with the mailing of property owner notices and both site postings. These requirements have been met.

271.120 Hearing; determination. At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

Finding: A public hearing with the Newberg City Council is scheduled for November 21, 2022, to consider the vacation of the unnamed ROW contained in the application and City Council will decide whether to vacate this area based on the requirements, including the public interest. This requirement is met.

271.130 Vacation on city governing body's own motion; appeal. (1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.

(2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

(3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.

(4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases. [Amended by 1995 c.658 §101]

Finding: This vacation was initiated by persons interested in real property, and not by the City of Newberg. Therefore, these requirements are not applicable.

271.140 Title to vacated areas. The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been otherwise disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest in the city. [Amended by 1981 c.153 §58]

Finding: The vacation boarders tax lots R3208 4900, R3208 6200, and R3208 6300 which are all under the same ownership of Aspen Way LLC to which the vacated areas shall attach to. There is no public square proposed in the vacation that would vest to the City of Newberg. This requirement is met.

271.150 Vacation records to be filed; costs. A certified copy of the ordinance vacating any street or plat area and any map, plat or other record in regard thereto which may be required or provided for by law, shall be filed for record with the county clerk. The petitioner for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance and map. A certified copy of any such ordinance shall be filed with the county assessor and county surveyor.

Finding: A certified copy of the ordinance and maps will be filed by the applicant with the Yamhill County Clerk. This requirement will be met.

271.160 Vacations for purposes of rededication. No street shall be vacated upon the petition of any person when it is proposed to replat or rededicate all or part of any street in lieu of the original unless such petition is accompanied by a plat showing the proposed manner of replatting or rededicating. If the proposed manner of replatting or rededicating or any modification thereof which may subsequently be made meets with the approval of the city governing body, it shall require a suitable guarantee to be given for the carrying out of such replatting or rededication or may make any vacation conditional or to take effect only upon the consummation of such replatting or rededication.

Finding: The vacation is not for the purposes of rededication. This requirement does not apply.

271.170 Nature and operation of statutes. The provisions of ORS 271.080 to 271.160 are alternative to the provisions of the charter of any incorporated city and nothing contained in those statutes shall in anywise affect or impair the charter or other provisions of such cities for the preservation of public access to and from transportation terminals and navigable waters.

Finding: The City of Newberg Municipal Code section 12.05 Streets and Sidewalks addresses notification of utility operators for street vacations. There is no city process related to street vacations; therefore, street vacations are processed in accordance with ORS 271.080 – 271.230.

NMC 12.05.360

The city shall notify the affected utility operator of vacation proceeding when notifying adjacent property owners. If the city vacates any right-of-way, or portion of a right-of-way, that a utility operator uses, the

utility operator shall, at its own expense, remove its facilities from the right-of-way unless the city reserves a public utility easement, which the city shall make a reasonable effort to do; provided, that there is no cost or expense to the city, or the utility operator obtains an easement for its facilities. If the utility operator fails to remove its facilities within 30 days after a right-of-way is vacated, or as otherwise directed or agreed to in writing by the city, the city may remove the facilities at the utility operator's sole expense. Upon receipt of an invoice from the city, the utility operator shall reimburse the city for the costs the city incurred within 30 days.

City staff notified private utility and service providers of the proposed vacation including Comcast, Northwest Natural, Portland General Electric, and Ziply Fiber. No comments were received.

This requirement is met.

271.180 Vacations in municipalities included in port districts; petition; power of common council; vacating street along railroad easement. To the end that adequate facilities for terminal trackage, structures and the instrumentalities of commerce and transportation may be provided in cities and towns located within or forming a part of any port district organized as a municipal corporation in this state, the governing body of such cities and towns, upon the petition of any such port, or corporation empowered to own or operate a railroad, steamship or other transportation terminal, or railroad company entering or operating within such city or town, or owner of property abutting any such terminal, may:

(1) Authorize any port commission, dock commission, common carrier, railroad company or terminal company to occupy, by any structure, trackage or machinery facilitating or necessary to travel, transportation or distribution, any street or public property, or parts thereof, within such city or town, upon such reasonable terms and conditions as the city or town may impose.

(2) Vacate the whole or any part of any street, alley, common or public place, with such restrictions and upon such conditions as the city governing body may deem reasonable and for the public good.

(3) If any railroad company owns or has an exclusive easement upon a definite strip within or along any public street, alley, common or public place, and if the city governing body determines such action to be to the advantage of the public, vacate the street area between the strip so occupied by the railroad company and one property line opposite thereto, condition that the railroad company dedicates for street purposes such portion of such exclusive strip occupied by it as the city governing body may determine upon, and moves its tracks and facilities therefrom onto the street area so vacated. The right and title of the railroad company in the vacated area shall be of the same character as previously owned by it in the exclusive strip which it is required by the city governing body to surrender and dedicate to street purposes.

271.190 Consent of owners of adjoining property; other required approval. No vacation of all or part of a street, alley, common or public place shall take place under ORS 271.180 unless the consent of the persons owning the property immediately adjoining that part of the street or alley to be vacated is obtained thereto in writing and filed with the auditor or clerk of the city or town. No vacation shall be made of any street, alley, public place or part thereof, if within 5,000 feet of the harbor or pierhead line of the port, unless the port commission, or other bodies having jurisdiction over docks and wharves in the port district involved, approves the proposed vacation in writing.

Finding: The proposed vacation is for a portion of an undeveloped public right-of-way and does not

involve a port, transportation terminal, or railroad. The requirement does not apply.

271.200 Petition; notice.

(1) Before any street, alley, common or public place or any part thereof is vacated, or other right granted by any city governing body under ORS 271.180 to 271.210 the applicant must petition the governing body of the city or town involved, setting forth the particular circumstances of the case, giving a definite description of the property sought to be vacated, or of the right, use or occupancy sought to be obtained, and the names of the persons to be particularly affected thereby. The petition shall be filed with the auditor or clerk of the city or town involved 30 days previous to the taking of any action thereon by the city governing body.

Finding: On August 17, 2022, AKS Engineering and Forestry, LLC on behalf of Pahlisch Homes Inc., filed a petition to the City of Newberg stating the requirements in this section. The application states that the area to be vacated was originally dedicated to the City of Newberg during the plat of the Springbrook District subdivision in 2007 (SUB3-07-009), however this area was never developed. The application includes a description of the property as approximately 6,800 square feet of unnamed right-of-way north of E Mountainview Drive, east of N Center Street and west of N Villa Road. Vacation of the area will allow for additional home sites to be developed with future projects. All property owners in the affected area were listed and can viewed in Ordinance 2022-2910 Attachment 3, Exhibit "D". The City Council held a meeting to review the request to initiate the vacation petition on October 17, 2022. This requirement is met.

(2) Notice of the pendency of the petition, containing a description of the area sought to be vacated or right, use or occupancy sought to be obtained, shall be published at least once each week for three successive weeks prior to expiration of such 30-day period in a newspaper of general circulation in the county wherein the city or town is located.

Finding: The petition was deemed sufficient and complete on August 30, 2022. City of Newberg published pendency of the petition in The Newberg Graphic for three consecutive weeks (September 14, 21 and 28, 2022). The notice included area to be sought and the proposed future use. This requirement was met.

271.210 Hearing; grant of petition. Hearing upon the petition shall be had by the city governing body at its next regular meeting following the expiration of 30 days from the filing of the petition. At that time objections to the granting of the whole or any part of the petition shall be duly heard and considered by the governing body, which shall thereupon, or at any later time to which the hearing is postponed or adjourned, pass by a majority vote an ordinance setting forth the property to be vacated, or other rights, occupancy or use to be thereby granted. Upon the expiration of 30 days from the passage of the ordinance and the approval thereof by the mayor of the city or town, the ordinance shall be in full force and effect.

Finding: The Newberg City Council has set a hearing for the petition on November 21, 2022. Public comments will be heard at this meeting if anyone chooses to testify. Council will then vote on Ordinance 2022-2910. This will occur more than 30 days from the initial filing of the petition. If Ordinance 2022-2910 is approved, it will not go into effect until December 20, 2022. This requirement is met.

271.220 Filing of objections; waiver. All objections to the petition shall be filed with the clerk or

auditor of the city or town within 30 days from the filing of the petition, and if not so filed shall be conclusively presumed to have been waived. The regularity, validity and correctness of the proceedings of the city governing body pursuant to ORS 271.180 to 271.210, shall be conclusive in all things on all parties, and cannot in any manner be contested in any proceeding whatsoever by any person not filing written objections within the time provided in this section.

Finding: No objects to the petition were received by The City of Newberg within 30 days from the filing of the petition. This requirement is met.

271.230 Records of vacations; fees. (1) If any town or plat of any city or town is vacated by a county court or municipal authority of any city or town, the vacation order or ordinance shall be recorded in the deed records of the county. Whenever a vacation order or ordinance is so recorded, the county surveyor of such county shall, upon a copy of the plat that is certified by the county clerk, trace or shade with permanent ink in such manner as to denote that portion so vacated, and shall make the notation "Vacated" upon such copy of the plat, giving the book and page of the deed record in which the order or ordinance is recorded. Corrections or changes shall not be allowed on the original plat once it is recorded with the county clerk.

(2) For recording in the county deed records, the county clerk shall collect the same fee as for recording a deed. For the services of the county surveyor for marking the record upon the copy of the plat, the county clerk shall collect a fee as set by ordinance of the county governing body to be paid by the county clerk to the county surveyor. [Amended by 1971 c.621 §31; 1975 c.607 §31; 1977 c.488 §2; 1979 c.833 §30; 1999 c.710 §12; 2001 c.173 §5]

Finding: If approved, the ordinance vacating the unnamed ROW will be recorded in the deed records of Yamhill County. This requirement will be met.

City of Newberg Criteria

The City of Newberg Vacation Application states that the following criteria based on ORS 271.130 must be addressed by the applicant; however, these criteria are not found within the Newberg Municipal Code or other city regulatory documents.

Criteria 1. Notice shall be given as provided by ORS 271.110. Notice will be published in *The Newberg Graphic* for two consecutive weeks prior to the City Council hearing on this matter.

Finding: Notice has been provided in accordance with ORS 271.110. Notice was published in *The Newberg Graphic* for two consecutive weeks (October 26, 2022, and November 2, 2022) prior to the November 21, 2022, public hearing. Posted notice near the vacation area and mailed notice to all property owners per ORS 271.110 has occurred. In addition, the notice was posted by city staff in four public buildings.

Criteria 2. Obtain consent from the owners of all abutting property and at least 2/3 majority consent of owners in the affected area.

Finding: Please refer to the previous finding for ORS 271.080(2) for explanation. This criterion is met.

Criteria 3. Where owner consent has not been provided, the vacation will not significantly

affect the value of the abutting properties, unless the city provides for paying damages.

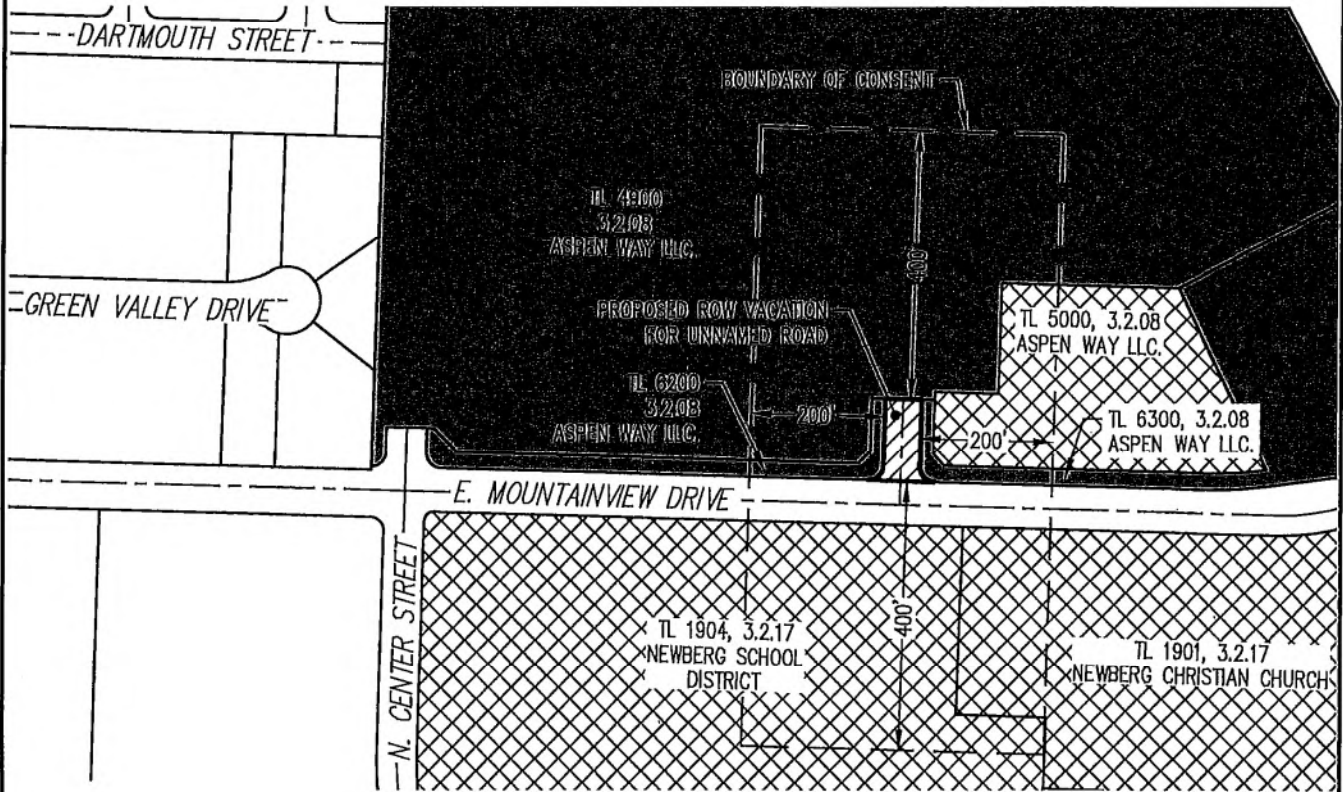
Finding: The owners of all abutting properties in the affected area have provided written consent.

Conclusion: Based on the findings above, the proposed vacation satisfies the applicable Oregon Revised Statutes and City of Newberg requirements.

EXHIBIT "B": UNNAMED PUBLIC RIGHT-OF-WAY

Ordinance 2022-2910
Exhibit B

RIGHT-OF-WAY VACATION LOCATED IN THE SW 1/4 OF SEC 8, T3S, R2W, W.M., CITY OF NEWBERG, YAMHILL COUNTY, OREGON



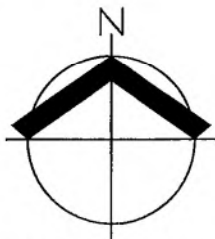
PREPARED FOR

PAHLISCH HOMES, INC.
16101 SW 72ND AVE, STE 140
PORTLAND, OR 97224

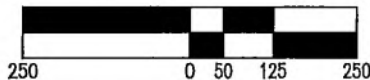
ABUTTING PROPERTY



AFFECTED PROPERTY



SCALE: 1" = 250 FEET



DATE: 3/21/2022

ABUTTING AND AFFECTED PROPERTIES		EXHIBIT A
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: EN CHKD: MK AKS JOB: 4487-01



AFTER RECORDING, RETURN TO:
Stoel Rives LLP
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
Attention: Margaret B. Kushner

Until a change is requested, all tax statements shall be sent to the following address:
Aspen Way West LLC
3113 Crestview Drive
Newberg, OR 97132

Yamhill County Official Records	201618832
DMR-DDMR	
Stn=0 SUTTONS	12/05/2016 01:53:59 PM
2Pgs \$10.00 \$11.00 \$5.00 \$20.00	\$46.00

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Brian Van Bergen - County Clerk

STATUTORY BARGAIN AND SALE DEED

SPRINGBROOK PROPERTIES, INC., an Oregon corporation, Grantor, conveys to **ASPEN WAY WEST LLC**, an Oregon limited liability company, Grantee, Lots 1, 2, 3, 4 and 5, and Tracts A, B, C, D, E, F, G, H, AA, BB, CC, DD and EE, **SPRINGBROOK DISTRICT**, in the City of Newberg, Yamhill County, Oregon, according to the plat thereof recorded August 19, 2011, at Plat Volume 15, Page 2, Yamhill County, Oregon.

The true consideration for this conveyance is NONE. This conveyance is a contribution to capital of Grantee.

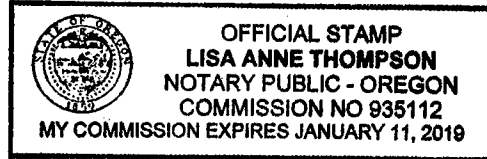
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY

OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 15th day of December, 2016.

SPRINGBROOK PROPERTIES, INC.,
an Oregon corporation

By: George K. Austin, Jr.
Name: George K. Austin, Jr.
Title: President



STATE OF OREGON)
)ss.
COUNTY OF Yamhill)

This instrument was acknowledged before me on December 15th, 2016, by George K. Austin, Jr., as President of **SPRINGBROOK PROPERTIES, INC.**, an Oregon corporation, on its behalf.

Lisa Anne Thompson
Notary Public
My commission expires:
Commission No.: Jan. 11, 2019

Exhibit D: Mailing List & Sample Notices



Community Development Department

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

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

A property owner in your neighborhood submitted an application to the City of Newberg to modify a portion of Order No. 2023-44 and No. 2023-2915 regarding street cross-sections. You are invited to take part in the City's review of this project by sending in your written comments. For more details about giving comments, please see the back of this sheet.

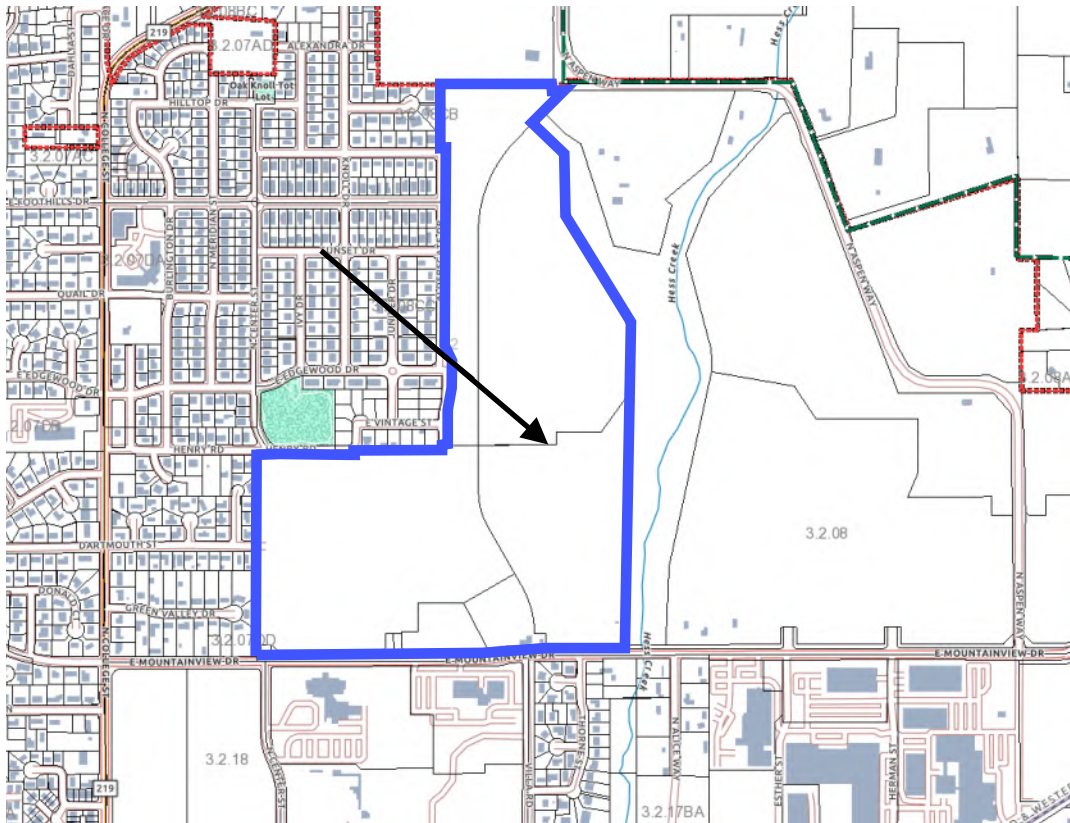
The modification would change the required 12-foot-wide median/turn lane with two 2-foot buffers on either side to an 8-foot-wide median with two 2-foot buffers or a 12-foot-wide turn lane.

APPLICANT: *Pahlisch Homes, Inc.*
APPLICANT'S
CONSULTANT: *Glen Southerland, AICP – AKS Engineering & Forestry, LLC*
TELEPHONE: *(503) 563-6151*

PROPERTY OWNER: *Aspen Way West LLC*

LOCATION: *No Assigned Address*

TAX LOT NUMBER: *Yamhill County Assessor's Map 3 2 08 Tax Lots 04900, 05000, 05100, 05200, 05300, 05400, 06200, 06300, and 06400*



Working Together For A Better Community-Serious About Service"

We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed.

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

Written Comments: **File No.XX** **(City staff will give you the file number for your project at the time of application)**
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

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

All written comments must be turned in by 4:30 p.m. on **enter date two weeks from date you mailed notice**. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for design review approval are found in Newberg Development Code 15.220.050(B).

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

Date Mailed: **Date notice is mailed**

Land Use Notice

FILE #:

**PROPOSAL: Modification to the approved
Collina at Springbrook street cross-section
requirements**

FOR FURTHER INFORMATION, CONTACT:

City of Newberg
Community Development Department
414 E First Street
Phone: 503-537-1240



Fidelity National Title
Client Services Group
900 SW 5th Ave, Mezzanine
Portland, OR 97204
O: 503-227-5478 F: 503-274-5472
csrequest@fnf.com

Friday, September 22, 2023

The enclosed radius search was created using data purchased from GeoAdvantage and Metro. This data is derived from county tax records and is deemed reliable, but is not guaranteed. Fidelity National Title cannot be held liable for any additions, deletions, or errors in this search.

This research was completed on the date stated above.

Thank you.

Enclosures:

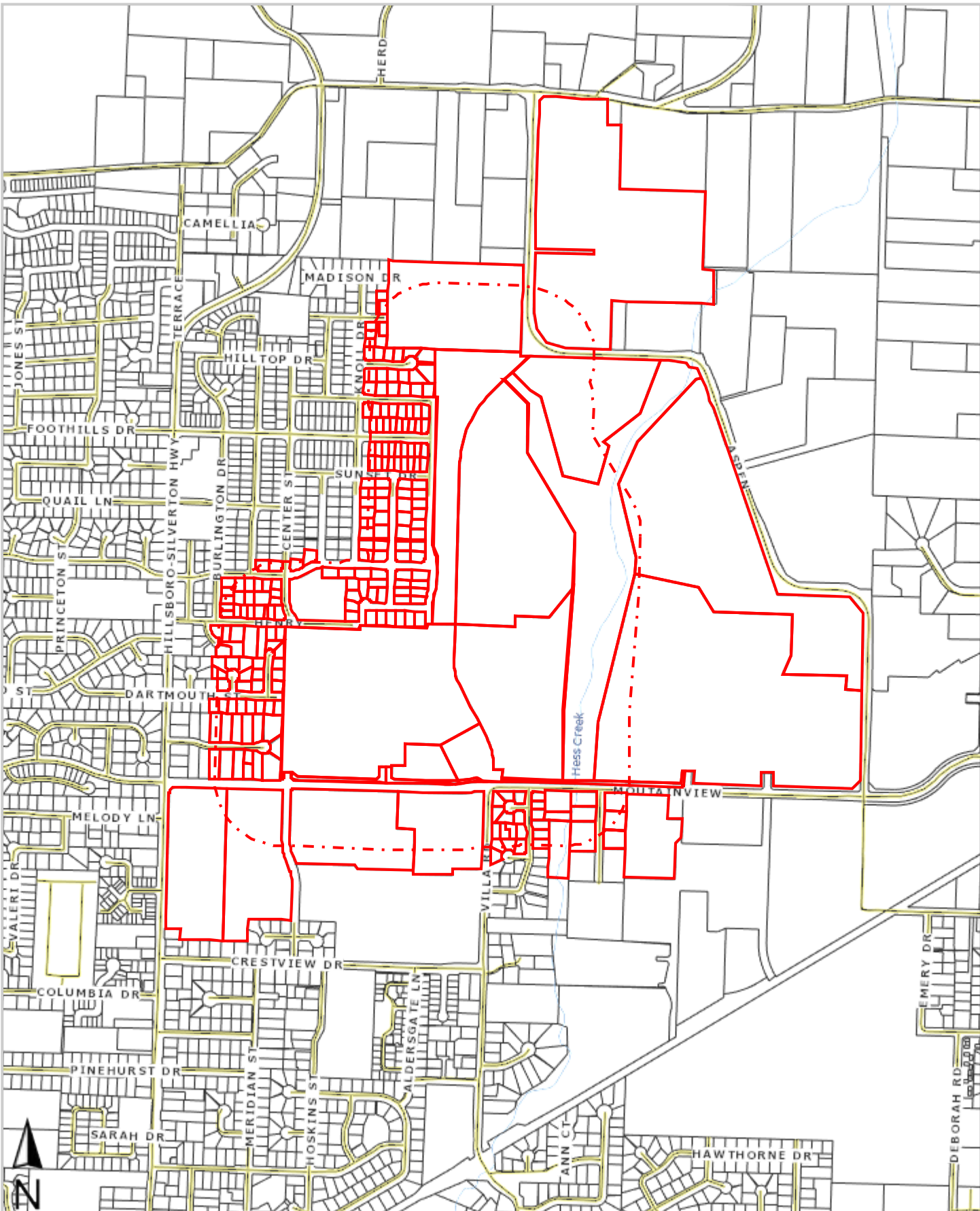
- Data summary of parcels to be notified
- Map of subject parcel, radius, and parcels to be notified
- County assessor maps for parcels to be notified
- Labels

Parcel Reference List

Subject Parcels



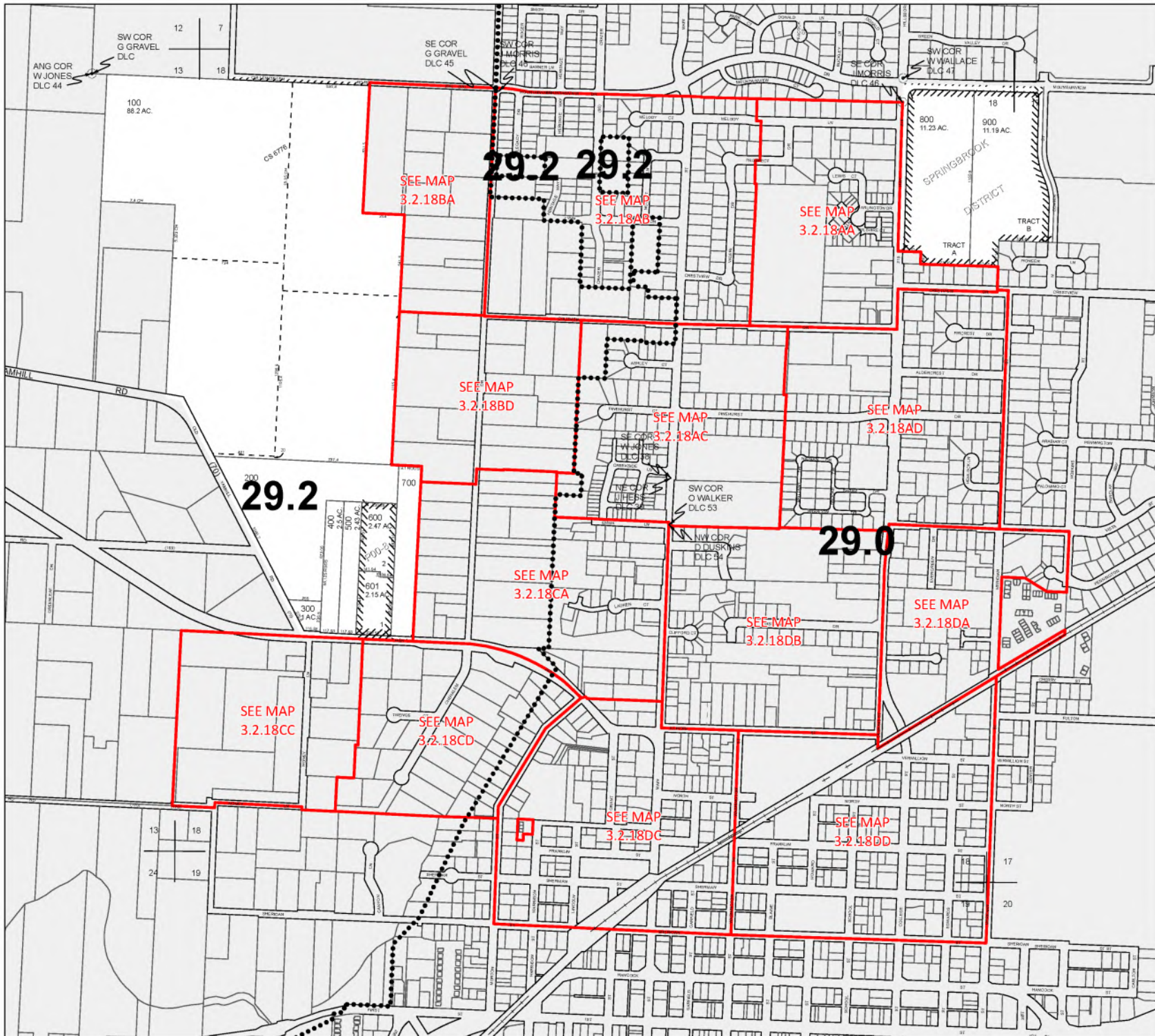
ParcelID	Tax Account	Owner	Site Address
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547321	R320805000	Aspen Way West LLC	Newberg 97132
547324	R320805100	Aspen Way West LLC	Newberg 97132
547327	R320805200	Aspen Way West LLC	Newberg 97132
547330	R320805300	Aspen Way West LLC	Newberg 97132
547333	R320805400	Aspen Way West LLC	Newberg 97132
547357	R320806200	Aspen Way West LLC	Newberg 97132
547360	R320806300	Aspen Way West LLC	Newberg 97132





ASSESSMENT & TAX
CARTOGRAPHY

SECTION 18 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



DATE PRINTED: 4/3/2015

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.

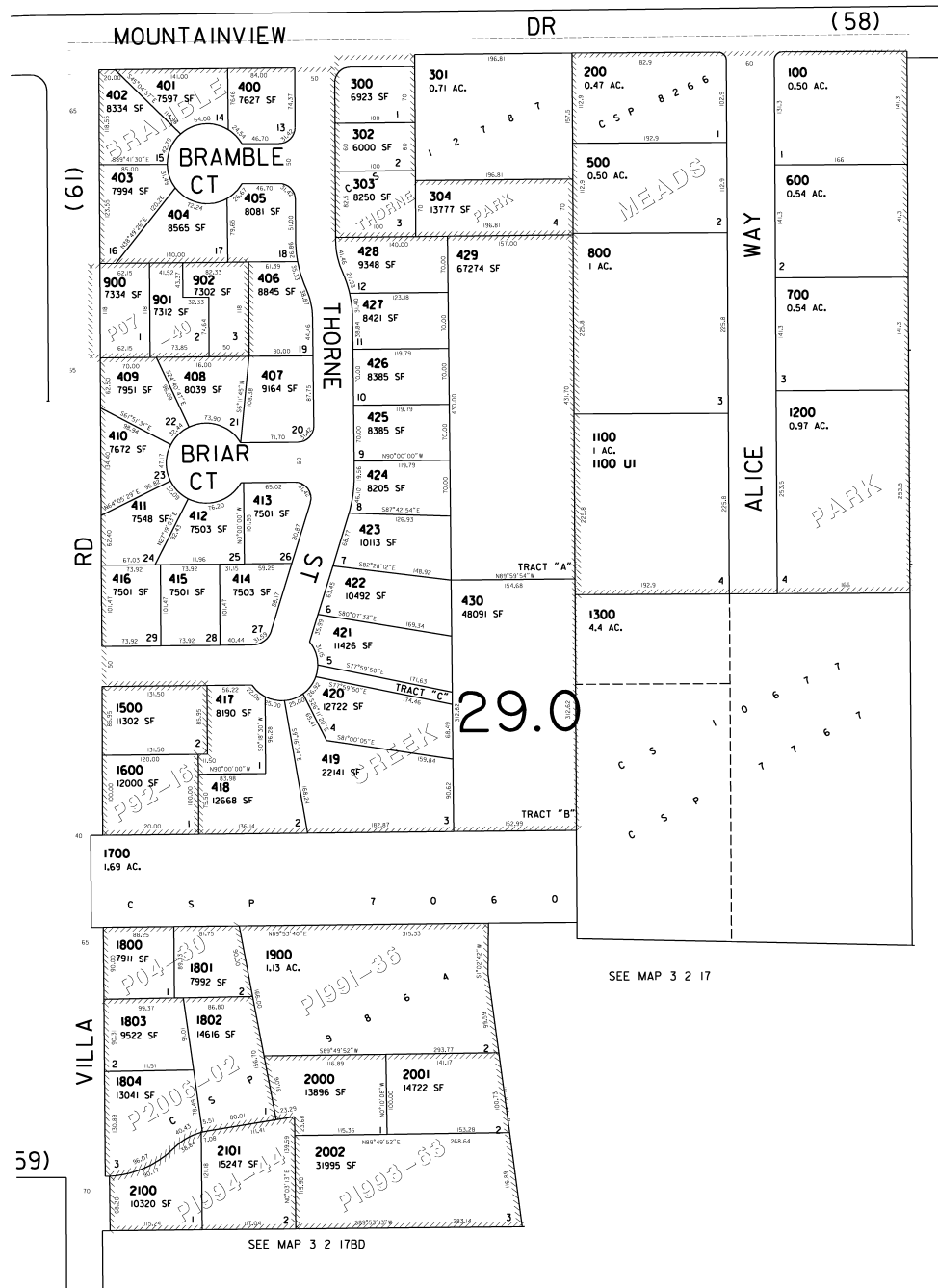
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NE 1/4 NW 1/4 SEC 17 T3S R2W
YAMHILL COUNTY
1" = 100'

3 2 17BA
NEWBERG

SEE MAP 3 2 08

CANCELLED
1000
1400



SEE MAP 3 2 17

SEE MAP 3 2 17

29.0

SEE MAP 3 2 17

39)

REVISED 2-25-13 SB

SEE MAP 3 2 17BD

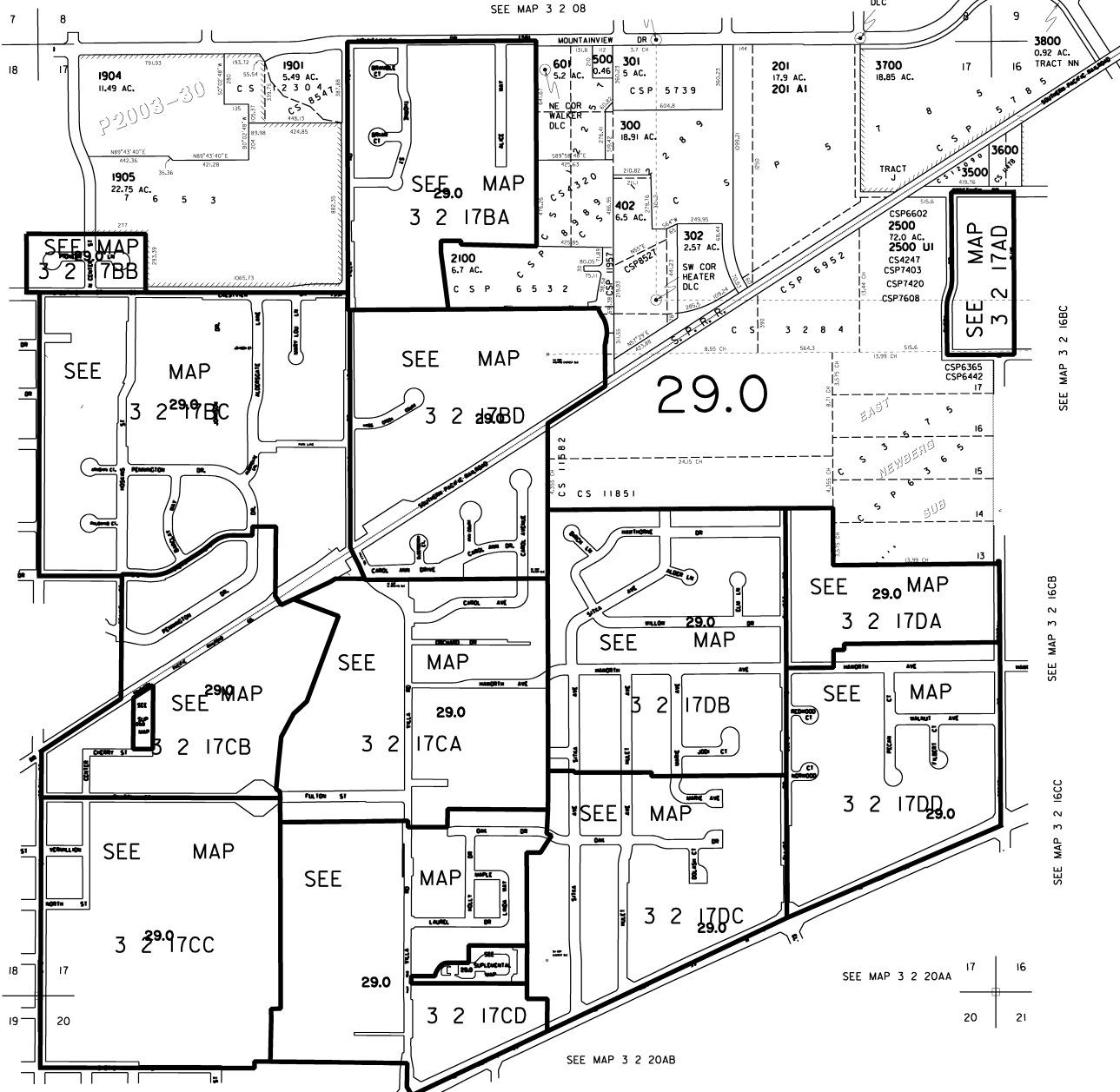
3 2 17BA

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 17 T3S R2W W.M.
YAMHILL COUNTY

1" = 100'

3 2 17
& INDEX
NEWBERG



- CANCELLED
- 100
 - 200
 - 303
 - 304
 - 305
 - 306
 - 307
 - 400
 - 401
 - 403
 - 404
 - 405
 - 700
 - 800
 - 900
 - 1000
 - 1100
 - 1200
 - 1201
 - 1202
 - 1300
 - 1400
 - 1500
 - 1600
 - 1700
 - 1800
 - 1801
 - 1802
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 - 1903
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 - 2104
 - 2105
 - 2200
 - 2300
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 - 2401
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 - 2602
 - 2700
 - 2800
 - 2900
 - 3000
 - 3001
 - 3002
 - 3003
 - 3004
 - 3100
 - 3200
 - 3300
 - 3301
 - 3302
 - 3303
 - 3304
 - 3305
 - 3306
 - 3400
 - 3700

SEE MAP 3 2 18AA

SEE MAP 3 2 18AD

SEE MAP 3 2 18DA

SEE MAP 3 2 18DD

SEE MAP 3 2 16BC

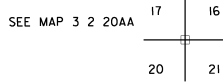
SEE MAP 3 2 16CB

SEE MAP 3 2 16CC

REVISED 5-16-12 SB

SEE MAP 3 2 20BB

SEE MAP 3 2 20BA





ASSESSMENT & TAX
CARTOGRAPHY

N.W. 1/4 S.W. 1/4 SEC. 8 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON

1" = 100'



CANCELLED TAXLOTS:

4320	700	2800	4315
100	800	2900	4316
200	900	3000	4317
300	1000	3100	4318
400	1100	3200	4319
500	1200	3300	4321
600	1300	3400	4322
700	1400	3500	4323
800	1401	3600	4324
900	1402	3700	
1000	1403	3800	
1100	1404	3900	
1200	1500	4000	
1300	1501	4100	
1400	1502	4200	
1401	1503	4300	
1402	1504	4301	
1403	1505	4302	
1404	1506	4303	
9600	1507	4304	
10200	1508	4305	
10300	1509	4306	
10400	1510	4307	
10500	1511	4308	
100	1512	4309	
200	1513	4310	
300	1514	4311	
400	1515	4312	
500	1516	4313	
600	1517	4314	

DATE PRINTED: 8/17/2018

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ASSESSMENT & TAX
CARTOGRAPHY

S.W.1/4 N.W.1/4 SEC.8 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON

1" = 100'



29.2

29.0

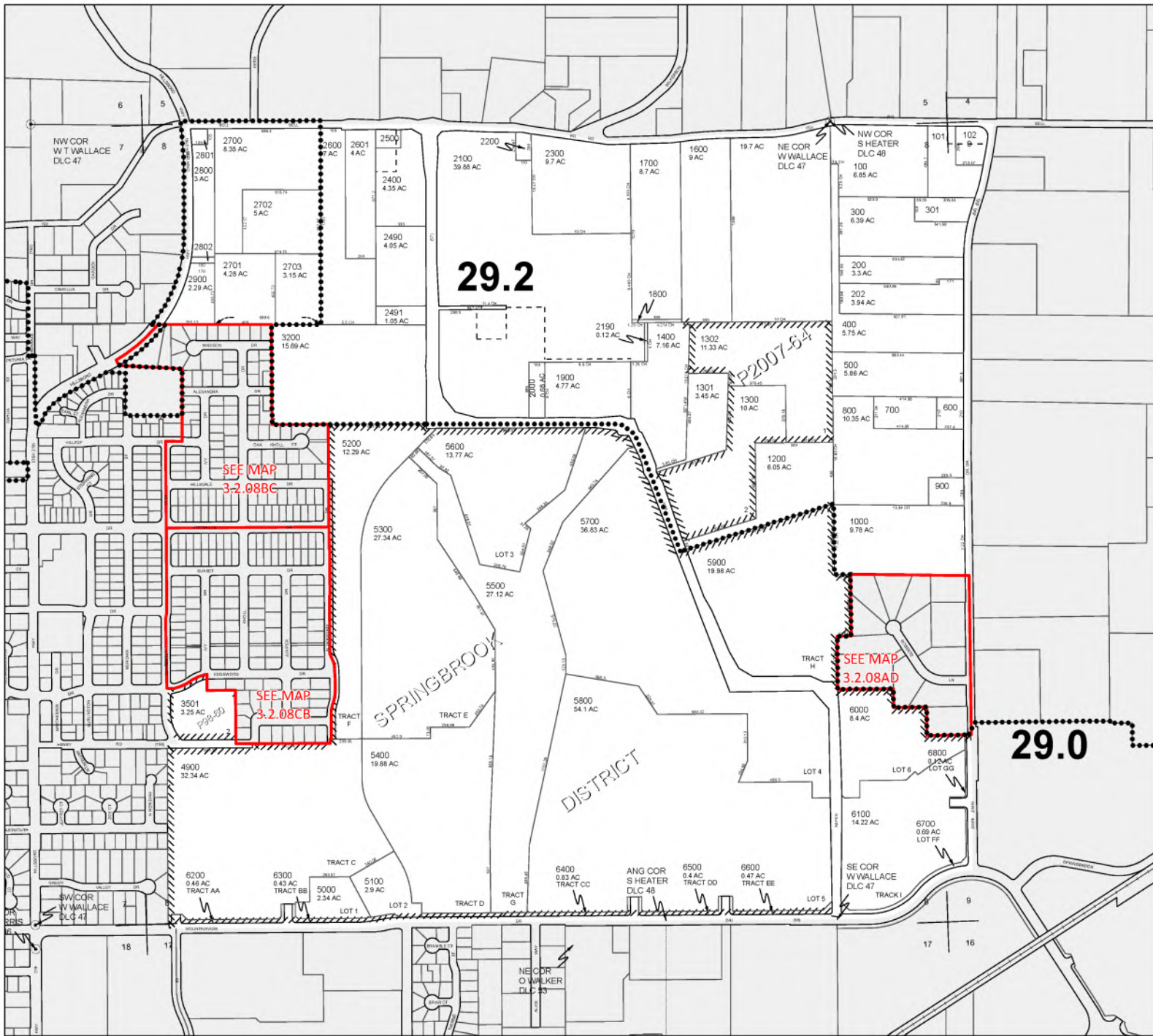
DATE PRINTED: 4/3/2015

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ASSESSMENT & TAX
CARTOGRAPHY

SECTION 8 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



CANCELLED TAXLOTS:

- 4600
- 4700
- 4600
- 4500
- 4401
- 4400
- 4300
- 4200
- 4101
- 4100
- 4000
- 3900
- 3800
- 3700
- 3601
- 3600
- 3504
- 3503
- 3502
- 3400
- 3300
- 3100
- 3001
- 3000
- 1100
- 201

DATE PRINTED: 6/24/2019

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ASSESSMENT & TAX
CARTOGRAPHY

S.E. 1/4 S.E. 1/4 SEC. 7 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 100'



- CANCELLED TAXLOTS:
- 305
 - 301
 - 300
 - 3230
 - 3231
 - 3232
 - 3233
 - 3234
 - 3235
 - 3236
 - 3237
 - 3238
 - 3239

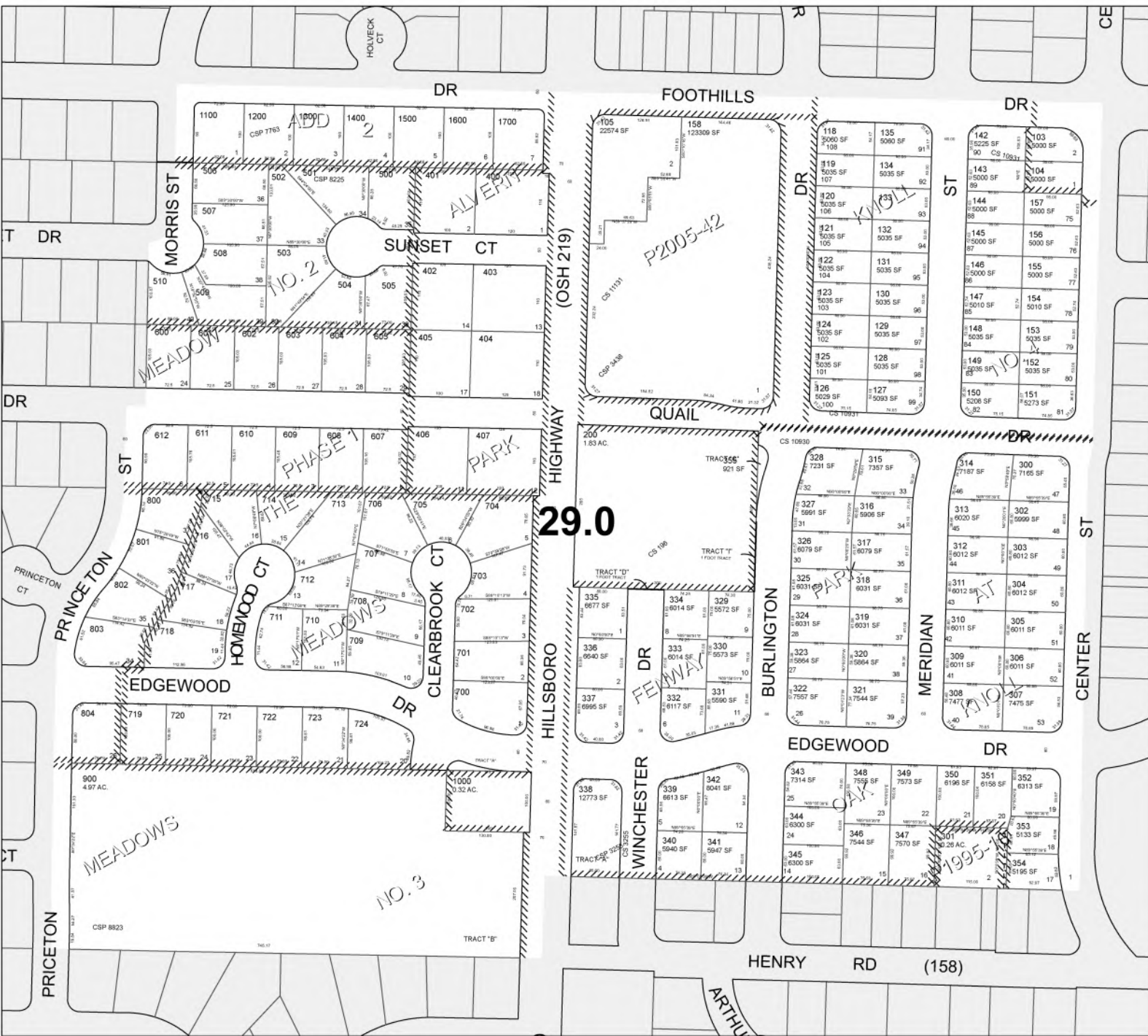
DATE PRINTED: 4/3/2015

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.



ASSESSMENT & TAX
CARTOGRAPHY

N.E. 1/4 S.E. 1/4 SEC. 7 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 100'



CANCELLED TAXLOTS:

- 2100
- 2000
- 1900
- 1800
- 1700
- 1600
- 1500
- 1400
- 1300
- 1200
- 1100
- 1000
- 900
- 800
- 700
- 600
- 500
- 400
- 358
- 107
- 106
- 4800
- 4600
- 5000
- 5100
- 5200
- 5300
- 1600
- 5400
- 100
- 101
- 102
- 108
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- 111
- 112
- 113
- 114
- 115
- 116
- 117
- 136
- 137
- 138
- 139
- 140
- 141

DATE PRINTED: 4/3/2015

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.

24422
R3207DD00200
Kristina Smith
908 E Henry Rd
Newberg OR 97132

24431
R3207DD00190
Gayle Bingham
905 Henry Rd
Newberg OR 97132

24459
R3207DD00400
Dennis Partipilo
816 Henry Rd
Newberg OR 97132

24486
R3207DD00700
Richard Lefebvre
2708 N Meridian St
Newberg OR 97132

24565
R3207DD01500
Trenton Becker
713 Green Valley Dr
Newberg OR 97132

24574
R3207DD01600
Vannoord Deborah A Trustee
801 Green Valley Dr
Newberg OR 97132

24583
R3207DD01700
Jason Pitcher
805 Green Valley Dr
Newberg OR 97132

24592
R3207DD01800
Williams Derin & Andra Living Trust
809 Green Valley Dr
Newberg OR 97132

24609
R3207DD01900
Derin Williams
809 Green Valley Dr
Newberg OR 97132

24618
R3207DD02000
Grow L Yvonne Trustee For
901 Green Valley Dr
Newberg OR 97132

24627
R3207DD02100
Leonard Lilley Jr
904 Green Valley Dr
Newberg OR 97132

24636
R3207DD02200
Thomas Nelson
900 Green Valley Dr
Newberg OR 97132

24645
R3207DD02300
Heath Cornick
812 Green Valley Dr
Newberg OR 97132

24654
R3207DD02400
Siegfried Candice C Irrev Trust
810 Green Valley Dr
Newberg OR 97132

24663
R3207DD02500
James Trigg
PO Box 76
Newberg OR 97132

24672
R3207DD02600
Brian Cordua
800 Green Valley Dr
Newberg OR 97132

24681
R3207DD02700
Jeanne Herron
PO Box 2142
Nevada City CA 95959

25485
R320802100
Rain Dance Ranch Vineyard LLC
PO Box 1060
Newberg OR 97132

256369
M00157928
Gary Brock
2304 NE Alice Wy
Newberg OR 97132

25911
R320803200
Somerset Ventures IV LLC
PO Box 1060
Newberg OR 97132

25939
R3208BC03900
Daniel Wardin
3600 Knoll Dr
Newberg OR 97132

33145
R3217BA00100
Robert Long
616 Harvard Ct
Newberg OR 97132

33172
R3217BA00600
Gary Brock
2304 NE Alice Wy
Newberg OR 97132

33190
R3217BA00700
Gary Brock
2304 NE Alice Way
Newberg OR 97132

33573
R3217BA00800
Warren Beaman
7015 SW 11th Dr
Portland OR 97219

33591
R3217BA00500
Larry Hartman
2313 NE Alice Way
Newberg OR 97132

33626
R3217BA00200
Jeffrey Clemmons
2317 NE Alice Way
Newberg OR 97132

33635
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Timothy Jungwirth
2360 Thorne St
Newberg OR 97132

33662
R3217BA00400
Grace Michael & Frances Rev Living Trust
1615 Bramble Ct
Newberg OR 97132

33680
R3217BA00900
Craig Spreng
2290 N Villa Rd
Newberg OR 97132

372117
R3207DD00701
Kay Sunnes
2709 N Meridian St
Newberg OR 97132

372144
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Exxie Wechensky
901 Dartmouth St
Newberg OR 97132

372171
R3207DD00707
Tammy Harper
817 Zoe Ct
Newberg OR 97132

372206
R3207DD00710
Nathan Cauthers
809 Dartmouth St
Newberg OR 97132

372359
R3207DD00725
John Svendsen
812 Dartmouth St
Newberg OR 97132

372386
R3207DD00728
Brenda Price
Robert Wilkinson
Brea CA 92823

372411
R3207DD00731
Kathryn Seelye
2700 N Meridian St
Newberg OR 97132

399982
M00233378
Exxie Wechensky
901 Dartmouth St
Newberg OR 97132

482467
R3207DD00303
David Allen Jr
902 Henry Rd
Newberg OR 97132

488167
R3207DD00306
Benjamin Calvert
822 Henry Rd
Newberg OR 97132

372126
R3207DD00702
Michael Bochart
2705 N Meridian St
Newberg OR 97132

372153
R3207DD00705
Jesse Edwards
821 Zoe Ct
Newberg OR 97132

372180
R3207DD00708
Lawrence Osborn
815 Zoe Ct
Newberg OR 97132

372331
R3207DD00723
Ronald Graham Jr
804 Dartmouth St
Newberg OR 97132

372368
R3207DD00726
Chris Field
900 Dartmouth St
Newberg OR 97132

372395
R3207DD00729
Randy Hamacher
1405 Dina Dr
Crowley TX 76036

372420
R3207DD00732
Jonah Harkema
2704 N Meridian St
Newberg OR 97132

423651
R321701901
Northwest Christian Church
2315 Villa Rd
Newberg OR 97132

486043
R3207DD00304
Aaron Olson
2701 Arthur Ln
Newberg OR 97132

489976
R3207DD00401
Matthew Burg
2808 Arthur Ln
Newberg OR 97132

372135
R3207DD00703
Joseph Pemberton
2701 N Meridian St
Newberg OR 97132

372162
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Daniela Hernandez
1907 N College St #11
Newberg OR 97132

372199
R3207DD00709
Misty Searles
813 Zoe Ct
Newberg OR 97132

372340
R3207DD00724
Ronald Stock
808 Dartmouth St
Newberg OR 97132

372377
R3207DD00727
Michael Mulcahy
904 Dartmouth St
Newberg OR 97132

372402
R3207DD00730
Patricia Jensen
11501 West Land Ln
Dayton OR 97114

399937
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Kathryn Seelye
2700 N Meridian St
Newberg OR 97132

482464
R3207DD00302
Stephen Lebeda
2700 Arthur Ln
Newberg OR 97132

487744
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Timothy Reeves
912 E Henry Rd
Newberg OR 97132

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Ralph Alton
920 Henry Rd
Newberg OR 97132

489994
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Roger Allen
2715 N Meridian St
Newberg OR 97132

489997
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Lawrence Moran
2714 N Meridian St
Newberg OR 97132

490054
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Cesar Garcia
1609 Bramble Ct
Newberg OR 97132

490057
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Matthew Miller
1601 Bramble Ct
Newberg OR 97132

490060
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Alexander Rolfe
1600 Bramble Ct
Newberg OR 97132

490063
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Susan Purcell
1610 Bramble Ct
Newberg OR 97132

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Scott Burg
1616 Bramble Ct
Newberg OR 97132

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Martin Gonzalez
2219 Thorne St
Newberg OR 97132

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Samuel Peterson
1615 Briar Ct
Newberg OR 97132

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David Hansen
1609 Briar Ct
Newberg OR 97132

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Alexander Dailey
1601 Briar Ct
Newberg OR 97132

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David Carrillo
1600 Briar Ct
Newberg OR 97132

490129
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Donald Swan
2210 Thorne St
Newberg OR 97132

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Lee A Thorne
2216 N Thorne St
Newberg OR 97132

490135
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Jack May
2220 Thorne St
Newberg OR 97132

490138
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Newberg City Of
414 E 1st St
Newberg OR 97132

498721
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Mary Ashcraft
913 Henry Rd
Newberg OR 97132

498724
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Mary Ashcraft
913 Henry Rd
Newberg OR 97132

501961
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Benjamin Kantz
1205 Oak Knoll Ct
Newberg OR 97132

501964
R3208BC04100
Vincent Oneil
PO Box 17
Guerneville CA 95446

501967
R3208BC04200
Bruce Newgard
1219 Oak Knoll Ct
Newberg OR 97132

501970
R3208BC04300
Jackson Living Trust
1309 Oak Knoll Ct
Newberg OR 97132

501973
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Curtis Oviatt
1319 Oak Knoll Ct
Newberg OR 97132

501976
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Michael Daniel
1318 Oak Knoll Ct
Newberg OR 97132

501979
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Kathy Caffall
1308 Oak Knoll Ct
Newberg OR 97132

501982
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Dale Raymond
1300 Oak Knoll Ct
Newberg OR 97132

501985
R3208BC04800
William Headley
1218 Oak Knoll Ct
Newberg OR 97132

501988
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Michael Hays
1208 Oak Knoll Ct
Newberg OR 97132

501991
R3208BC05000
Susan Sasse
1200 Oak Knoll Ct
Newberg OR 97132

501994
R3208BC05100
Bradley Berry
PO Box 191
Newberg OR 97132

501997
R3208BC05200
Francisco Ramos
1215 Hillsdale Dr
Newberg OR 97132

502000
R3208BC05700
Corey Craig
3419 Aldersgate Dr
Newberg OR 97132

502003
R3208CB01600
Jene Giles
1324 Foothills Dr
Newberg OR 97132

502006
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John Carlich
1218 Sunset Dr
Newberg OR 97132

504523
R3207DA00307
Suzanne Kinney
3001 N Center St
Newberg OR 97132

504526
R3207DA00308
Andrea L Wilburn
3000 N Meridian St
Newberg OR 97132

504631
R3207DA00343
Stacey Holcombe
2930 Burlington Dr
Newberg OR 97132

504634
R3207DA00344
Gloria Egli
2920 N Burlington Dr
Newberg OR 97132

504637
R3207DA00345
Dennis Lemen
2900 Burlington Dr
Newberg OR 97132

504640
R3207DA00346
Gregory Dougan
812 E Edgewood Dr
Newberg OR 97132

504643
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John Moore
818 Edgewood Dr
Newberg OR 97132

504646
R3207DA00348
Christopher M Tegland
806 E Edgewood Dr
Newberg OR 97132

504649
R3207DA00349
Justin Behrens
3030 Winchester Dr
Newberg OR 97132

504652
R3207DA00350
Robinson Patricia M Trustee For
900 E Edgewood Dr
Newberg OR 97132

504655
R3207DA00351
Joyce Tesky
908 E Edgewood Dr
Newberg OR 97132

504658
R3207DA00352
Christian Coontz
2929 N Center St
Newberg OR 97132

504661
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Brummett Rodney & Rebecca Living
Trust
2919 N Center St
Newberg OR 97132

504664
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Rachel Edwards
2901 N Center St
Newberg OR 97132

505879
R3208BC05300
Ethel Meyers
1225 Hillsdale Dr
Newberg OR 97132

505882
R3208BC05400
John Kertchem
1309 Hillsdale Dr
Newberg OR 97132

505885
R3208BC05500
Christopher Hansen
1317 Hillsdale Dr
Newberg OR 97132

505888
R3208BC05600
Timothy Lutz
1327 Hillsdale Dr
Newberg OR 97132

505891
R3208BC05800
Clifton Page
PO Box 368
Tualatin OR 97062

505894
R3208BC05900
Leon Paulus
1308 Hillsdale Dr
Newberg OR 97132

505897
R3208BC06000
Anthony Roos
1300 Hillsdale Dr
Newberg OR 97132

505900
R3208BC06100
Jeffrey Vandenhoeck
1228 Hillsdale Dr
Newberg OR 97132

505903
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Martin Millage
1218 Hillsdale Dr
Newberg OR 97132

505906
R3208BC06300
Richard Condon
1208 Hillsdale Dr
Newberg OR 97132

505909
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Joshua Cowger
3418 Knoll Dr
Newberg OR 97132

505915
R3208BC06600
Kurt Weger
1207 Foothills Dr
Newberg OR 97132

505918
R3208BC06700
Bryce Soumokil
1213 Foothills Dr
Newberg OR 97132

505921
R3208BC06800
Peter Matteson
1219 Foothills Dr
Newberg OR 97132

505924
R3208BC06900
Karen Piper
1225 E Foothills Dr
Newberg OR 97132

505927
R3208BC07000
Mendenhall David Trustee For
7486 SW Lakeside Lp
Wilsonville OR 97070

505930
R3208BC07100
Reilly Beverly A Trustee For
74 Winding Glen
Alamo CA 94507

505933
R3208BC07200
David Simpson
1313 Foothills Dr
Newberg OR 97132

505936
R3208BC07300
Reilly Beverly A Trustee For
74 Winding Glen
Alamo CA 94507

505939
R3208BC07400
Tracey Riverman
17172 Bolsa Chica St Apt 45
Huntington Beach CA 92649

505942
R3208CB01601
Tina Ramm
1318 E Foothills Dr
Newberg OR 97132

505945
R3208CB01602
Abby Okeefe
1312 E Foothills Dr
Newberg OR 97132

505948
R3208CB01603
Sonia Leet
1306 Foothills Dr
Newberg OR 97132

505951
R3208CB01604
Cowing Linda Rev Trust
1300 E Foothills Dr
Newberg OR 97132

505954
R3208CB01605
Chad Drew
18500 NE Rainbow Ln
Newberg OR

505957
R3208CB01606
Jose Alcantar
1218 E Foothills Dr
Newberg OR 97132

505960
R3208CB01607
Cindy Valladares
15110 SW Broken Fir
Sherwood OR 97140

505963
R3208CB01608
Ancheta Lowanda L Trustee
1206 E Foothills Dr
Newberg OR 97132

505969
R3208CB01610
John Dort
1213 Sunset Dr
Newberg OR 97132

506083
M00283614
Gary Brock
2304 N Alice Wy
Newberg OR 97132

511672
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Garrett Gibbs
1207 Sunset Dr
Newberg OR 97132

511675
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Pilcher Family Trust
1231 NW Michelbook Ln
McMinnville OR 97128

511678
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William Southwick
3220 Knoll Dr
Newberg OR 97132

513055
R320803501
Chehalem Park & Recreation District
1802 Haworth St
Newberg OR 97132

513058
R3207DD03000
Bryce Kurtz
2020 Heritage Way
Newberg OR 97132

513826
R3208CB01611
Cindy Garvin
1219 Sunset Dr
Newberg OR 97132

513829
R3208CB01612
Ken Stinnett Properties LLC
20850 NW Mikalo Ct
Portland OR 97229

513832
R3208CB01613
Cynthia Claassen
1301 Sunset Dr
Newberg OR 97132

513835
R3208CB01614
Katarina Santiago
680 SW Graystone Dr
Dundee OR 97115

513838
R3208CB01615
Dennis Apodaca
1315 Sunset Dr
Newberg OR 97132

513841
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Timothy Oleary
1321 Sunset Dr
Newberg OR 97132

513844
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Lilith Thompson
3307 Aldersgate Dr
Newberg OR 97132

513847
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Mark Jackson
3221 Juniper Dr
Newberg OR 97132

513850
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Todd Bradley
3230 Juniper Dr
Newberg OR 97132

513853
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Louis Larson
3220 Juniper Dr
Newberg OR 97132

513856
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Joseph Sarnacki
1324 Sunset Dr
Newberg OR 97132

513859
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Thomas Stram
3221 Aldersgate Dr
Newberg OR 97132

517339
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Jared Wright
3612 Knoll Dr
Newberg OR 97132

517342
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Paul Beaumont
3618 Knoll Dr
Newberg OR 97132

517345
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Paul Fontenot
3624 Knoll Dr
Newberg OR 97132

517348
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Cynthia Fox-Course
1207 Alexandra Dr
Newberg OR 97132

518176
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Jeanne Rose
1208 N Alexandra Dr
Newberg OR 97132

518179
R3208BC01602
Jason Ordway
1212 Alexandra Dr
Newberg OR 97132

518188
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Michelle Groves
1215 Alexandra Dr
Newberg OR 97132

520678
R3207DD00104
Joseph Wood
2830 Burlington Dr
Newberg OR 97132

520681
R3207DD00105
Travis Taylor
801 Henry Rd
Newberg OR 97132

520684
R3207DD00106
Ryan Weese
821 Henry Rd
Newberg OR 97132

520687
R3207DD00107
Kevin Dodge
827 Henry Rd
Newberg OR 97132

520690
R3207DD00108
Ellen McChesney
831 Henry Rd
Newberg OR 97132

521590
R3208CB09200
Deana Crutchfield
3010 N Center St
Newberg OR 97132

522172
R321700601
Ushio America Inc Oregon
Operations Div
Attn: Kathy Landry
Newberg OR 97132

523102
R3207DD03100
Steven Comfort
PO Box 263
Newberg OR 97132

523669
R3208CB06900
William Eason
3200 Knoll Dr
Newberg OR 97132

523672
R3208CB06800
James Wolfer
3130 Knoll Dr
Newberg OR 97132

523675
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Heath Emerson
3120 Knoll Dr
Newberg OR 97132

523678
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William Gannon
3100 Knoll Dr
Newberg OR 97132

523681
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Newberg City Of
414 E 1st St
Newberg OR 97132

525112
R3208CB05700
Bryan Lee
3201 Juniper Dr
Newberg OR 97132

525115
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Jacalyn Nissen
3121 Juniper Dr
Newberg OR 97132

525118
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Keith Caldwell
61309 Ring Bearer Ct
Bend OR 97702

525121
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Newberg City Of
414 E 1st St
Newberg OR 97132

525124
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Richard Waldren
3200 Juniper Dr
Newberg OR 97132

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Rodrigues Family Trust
3120 Juniper Dr
Newberg OR 97132

525130
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Ryan Sticka
3100 Juniper Dr
Newberg OR 97132

525133
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Newberg City Of
414 E 1st St
Newberg OR 97132

525496
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Christopher Taylor
3201 Aldersgate Dr
Newberg OR 97132

525499
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Jeff McNeal
3131 Aldersgate Dr
Newberg OR 97132

525502
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Raymond Touzeau
3121 Aldersgate Dr
Newberg OR 97132

525505
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Jimmie Phillips Jr
3101 Aldersgate Dr
Newberg OR 97132

525670
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The Public
535 NE 5th St
McMinnville OR 97128

526585
R321701904
Newberg School District 29j
714 E 6th St
Newberg OR 97132

529012
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Christopher Murphy
3039 Aldersgate Dr
Newberg OR 97132

529015
R3208CB05200
Erik Vingelen
3038 Juniper Dr
Newberg OR 97132

529018
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Dean Takashige
3037 Juniper Dr
Newberg OR 97132

529021
R3208CB06400
Casey Johnson
3036 Knoll Dr
Newberg OR 97132

529036
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Kaitlin Henningsen
3011 Ivy Dr
Newberg OR 97132

529045
R3208CB06300
Howard Davenport
3014 Knoll Dr
Newberg OR 97132

529048
R3208CB06200
Joanne Wiitala
1215 E Edgewood Dr
Newberg OR 97132

529051
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Gooden Family Trust
1305 E Edgewood Dr
Newberg OR 97132

529054
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Patrick Purington
3017 Aldersgate Dr
Newberg OR 97132

529057
R3208CB10800
Robert Coates
1320 E Edgewood Dr
Newberg OR 97132

529060
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Michael Smith
1302 E Edgewood Dr
Newberg OR 97132

529063
R3208CB10600
Barry Gerdts
1216 E Edgewood Dr
Newberg OR 97132

529066
R3208CB10500
Gary Hanifan
606 6th St
Lake Oswego OR 97034

529069
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Bowman Family Trust
1116 E Edgewood Dr
Newberg OR 97132

529072
R3208CB10300
Vera Rapicault
1102 E Edgewood Dr
Newberg OR 97132

538693
R3217BA00901
Ivory Tip Investments LLC
PO Box 436
Amity OR 97101

538696
R3217BA00902
Eric Schoenborn
PO Box 436
Amity OR 97101

547039
R3217BA00301
Eddie Slepicka IV
1800 E Mountainview Dr
Newberg OR 97132

547318
R320804900
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547321
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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547363
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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

556033
R3217BA00302
Dorothy Burns
2350 Thorne St
Newberg OR 97132

557209
R3207DD02401
Cline Don E & Judith L Living Trust
808 Green Valley Dr
Newberg OR 97132

710504
R3208CB11100
Yager Family Trust
2905 N Aldersgate Dr
Newberg OR 97132

710510
R3208CB11400
Thomas Heisler
2942 N Juniper Dr
Newberg OR 97132

710516
R3208CB11700
Anita Hampton
1205 E Vintage St
Newberg OR 97132

710522
R3208CB12000
Jordan Crist
2819 N Estate St
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547432
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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

556036
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Steve Myers
2340 Thorne St
Newberg OR 97132

710500
R3208CB10900
Peter Long
2923 N Aldersgate Dr
Newberg OR 97132

710506
R3208CB11200
Joseph Gawrieh
2918 N Juniper Dr
Newberg OR 97132

710512
R3208CB11500
Shelly Winterberg
2945 N Juniper Dr
Newberg OR 97132

710518
R3208CB11800
Michelle Wong
1201 E Vintage St
Newberg OR 97132

710524
R3208CB12100
The 1998 Ker Family Trust
2817 N Estate St
Newberg OR 97132

547333
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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

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Aspen Way West LLC
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Newberg OR 97132

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Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547435
R321800900
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

556039
R3217BA00304
David Riness
2330 Thorne St
Newberg OR 97132

710502
R3208CB11000
Jay Held
2913 N Aldersgate Dr
Newberg OR 97132

710508
R3208CB11300
J Sullivan Jr
2549 NW Pine Terrace Dr
Bend OR 97703

710514
R3208CB11600
Marcus Haugen
1217 E Vintage St
Newberg OR 97132

710520
R3208CB11900
Newberg City Of
PO Box 970
Newberg OR 97132

710526
R3208CB12200
Patricia Harris
2803 N Estate St
Newberg OR 97132

710528
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Adam Gladstone
1210 E Vintage St
Newberg OR 97132

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Adam Yackley
1222 E Vintage St
Newberg OR 97132

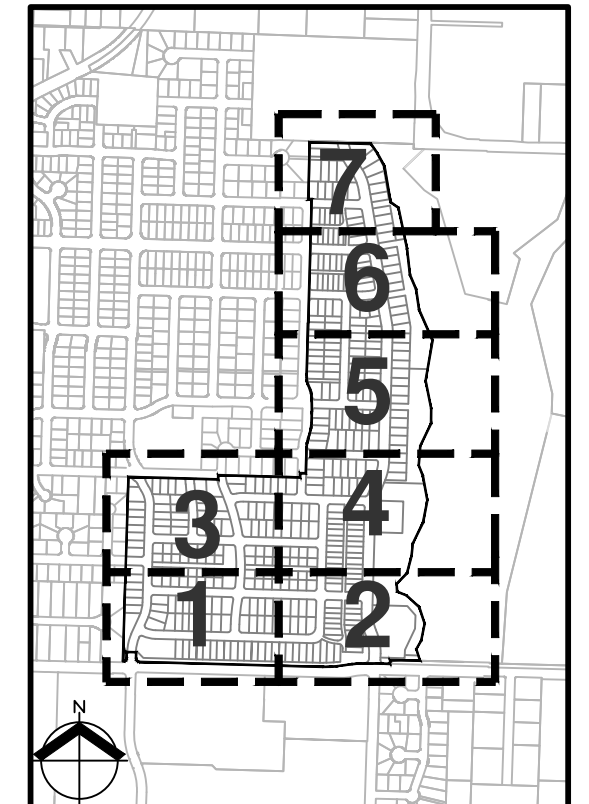
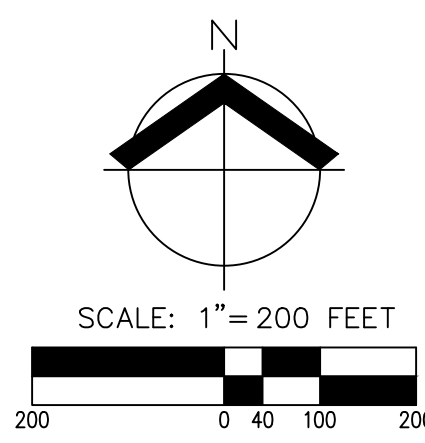
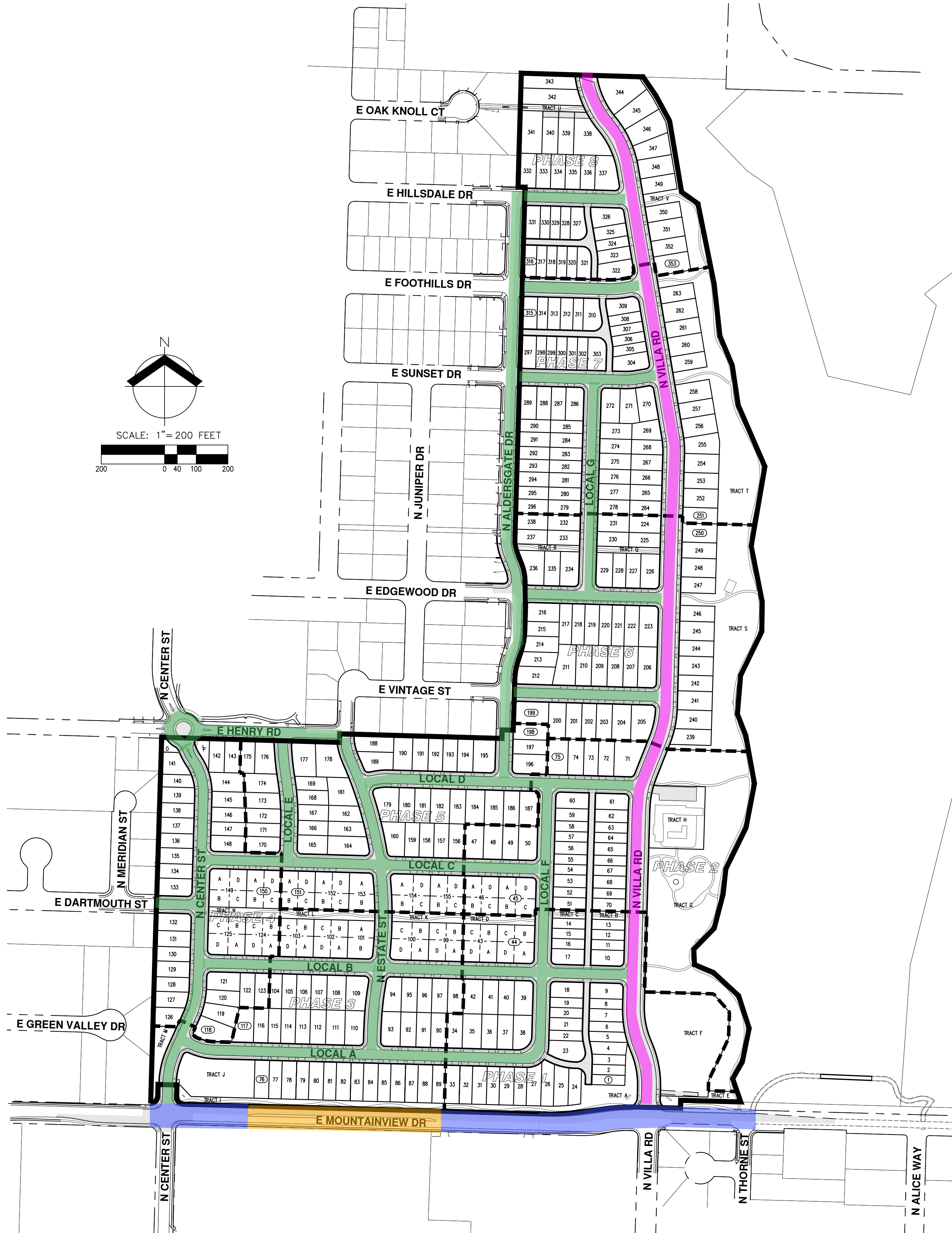
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Susan Gardner
1238 E Vintage St
Newberg OR 97132

710534
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Michael Dague
1306 E Vintage St
Newberg OR 97132

710536
R3208CB12700
Daniel Osterberg
1314 E Vintage St
Newberg OR 97132

710538
R3208CB12800
Dennis Grennan
1320 E Vintage St
Newberg OR 97132

- E Mountainview Dr Median Cross-Section C-5
- E Mountainview Dr Turn Lane Cross-Section C-2/C-3
- Local Street Cross-Section K-2
- N Villa Rd Collector



KEY MAP

PRELIMINARY STREET PLAN OVERVIEW
COLLINA AT SPRINGBROOK
PAHLISCH HOMES INC.
NEWBERG, OREGON

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

JOB NUMBER:	4487-01
DATE:	02/08/2023
DESIGNED BY:	GPS
DRAWN BY:	STL
CHECKED BY:	MTS

SP-00

pahlisch
 HOMES

AKS
 ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD., STE. 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENG.COM
 ENGINEERING • SURVEYING • NATURAL RESOURCES
 FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

ATTACHMENT 2: AGENCY COMMENTS



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: January 5, 2024
Please refer questions and comments to: Jeremiah Cromie

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Pahlisch Homes, Inc
REQUEST: Street Cross Sec. Modification for Collina at Springbrook(SUB322-0002)
SITE ADDRESS: N/A
LOCATION: W-N. Aspen Wy, S-NE. Bell Road, E- N. College St, & N of E. Mountainview Dr
TAX LOT: R3208 04900, 5000, 5100, 5300 & 5400
FILE NO: MIMD223-0001
ZONE: SD(Springbrook Dist) / LDR(Residential Low Density Zoning)
HEARING DATE: N/A

RECEIVED
1/3/2024
batesf

Project Information is Attached:

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

Jeremiah Cromie
Reviewed By:

1-2-24
Date:

BUILDING
Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: January 5, 2024
Please refer questions and comments to: Jeremiah Cromie

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Pahlisch Homes, Inc
REQUEST: Street Cross Sec. Modification for Collina at Springbrook(SUB322-0002)
SITE ADDRESS: N/A
LOCATION: W-N. Aspen Wy, S-NE. Bell Road, E- N. College St, & N of E. Mountainview Dr
TAX LOT: R3208 04900, 5000, 5100, 5300 & 5400
FILE NO: MIMD223-0001
ZONE: SD(Springbrook Dist) / LDR(Residential Low Density Zoning)
HEARING DATE: N/A



Project Information is Attached:

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

Digitally signed by Will Worthey
DN: cn=US, ou=Newberg, o=City of Newberg, cn=Will Worthey,
E=will.worthey@newbergoregon.gov
Reason: I have reviewed this document
Location: your signing location here
Date: 2023.12.22 08:58:10-0800'
Foxit PhantomPDF, Version: 10.1.12

12/22/23

Reviewed By:

Date:

Will Worthey CM

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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FILE NO: MIMD223-0001
ZONE: SD(Springbrook Dist) / LDR(Residential Low Density Zoning)
HEARING DATE: N/A

*Y - unable to verify
can state no city lien was
placed by
Finance.
[Signature]*

Project Information is Attached:

- Reviewed, no conflict. *no city liens*
- Reviewed; recommend denial for the following reasons:
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- Meeting requested.
- Comments. (Attach additional pages as needed)

RECEIVED
12/27/2023
batesf

[Signature]
Reviewed By:

12/27/23
Date:

Finance
Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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HEARING DATE: N/A

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- Comments. (Attach additional pages as needed)

April Catan

Digitally signed by April Catan
DN: cn=US, ou=Operations, o=City of Newberg, cn=April Catan,
E=april.catan@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
Date: 2023.12.26 09:24:16-08'00'
Foxit PhantomPDF, Version: 10.1.10

12/26/23

Reviewed By:

Date:

City of Newberg

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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HEARING DATE: N/A



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Reviewed; recommend denial for the following reasons:

Require additional information to review. (Please list information required)

Meeting requested.

Comments. (Attach additional pages as needed)

Street Cross Section modification request to be reviewed by City Engineer.

Reviewed By: _____

Date: _____

Organization: _____



COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

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FILE NO: MIMD223-0001
ZONE: SD(Springbrook Dist) / LDR(Residential Low Density Zoning)
HEARING DATE: N/A



Project Information is Attached:

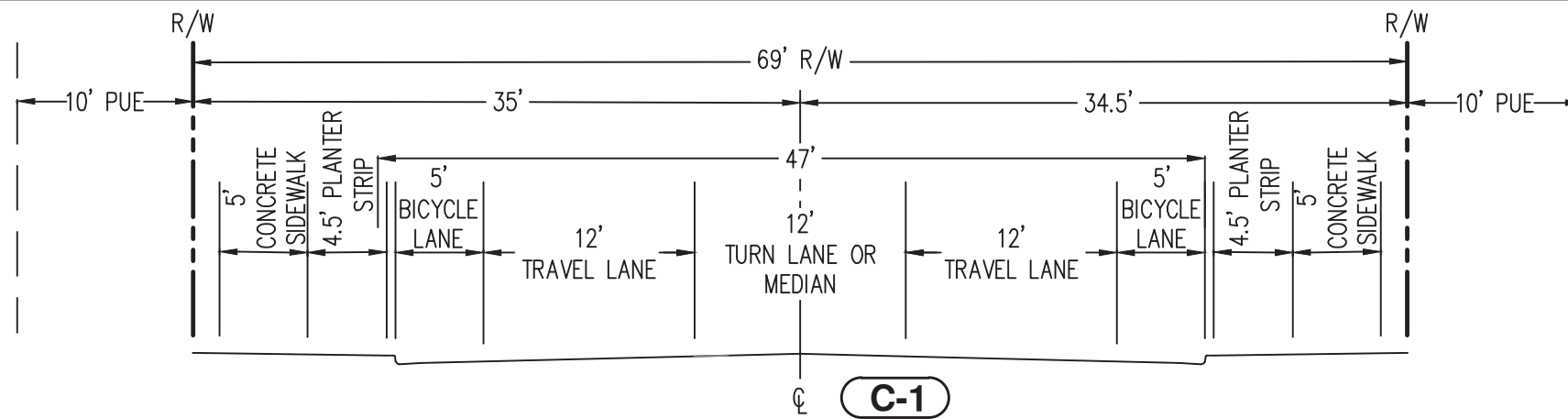
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- Meeting requested.
- Comments. (Attach additional pages as needed)

Pages 20-24

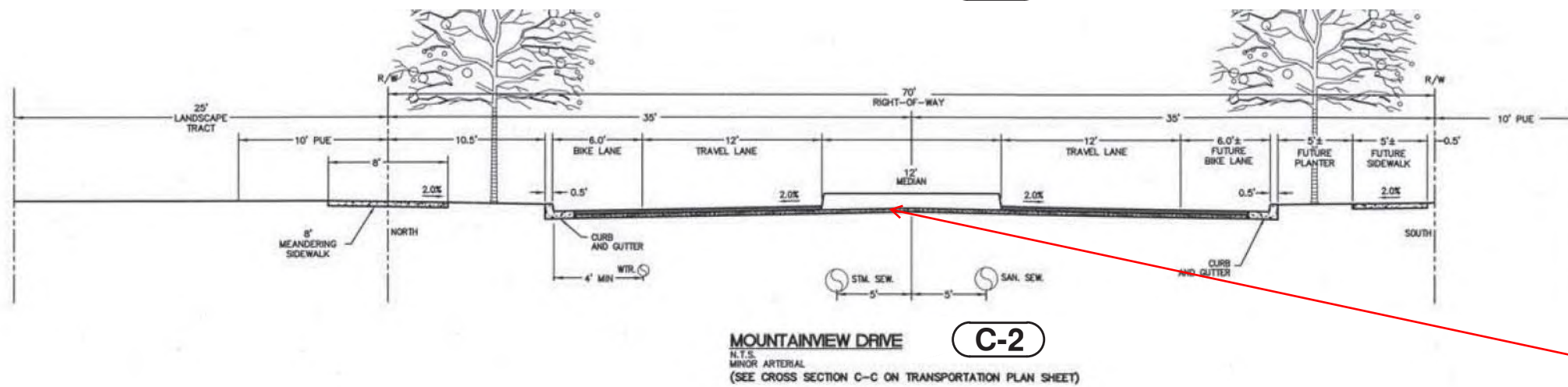

Reviewed By:

12/27/23
Date:

Maintenance Superintendent
Organization:

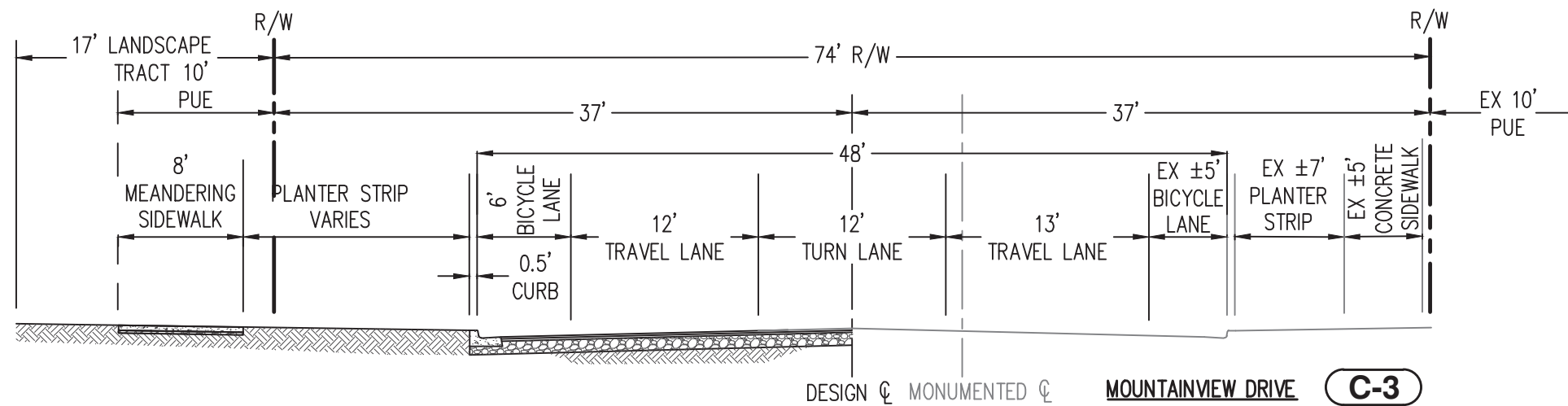


MINOR ARTERIAL PER NEWBERG
MUNICIPAL CODE TABLE 15.505.030(G)

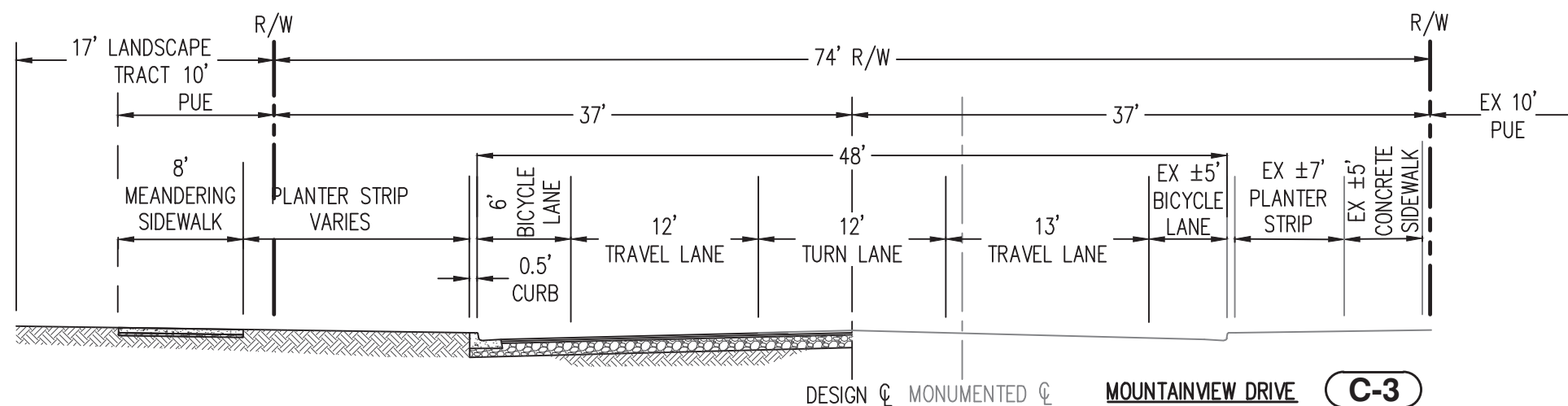


SPRINGBROOK MASTER SUBDIVISION
MOUNTAINVIEW DRIVE CROSS SECTION

Please remove all
medians



CONDITIONED MOUNTAINVIEW DRIVE
CROSS SECTION WITH TURN LANE

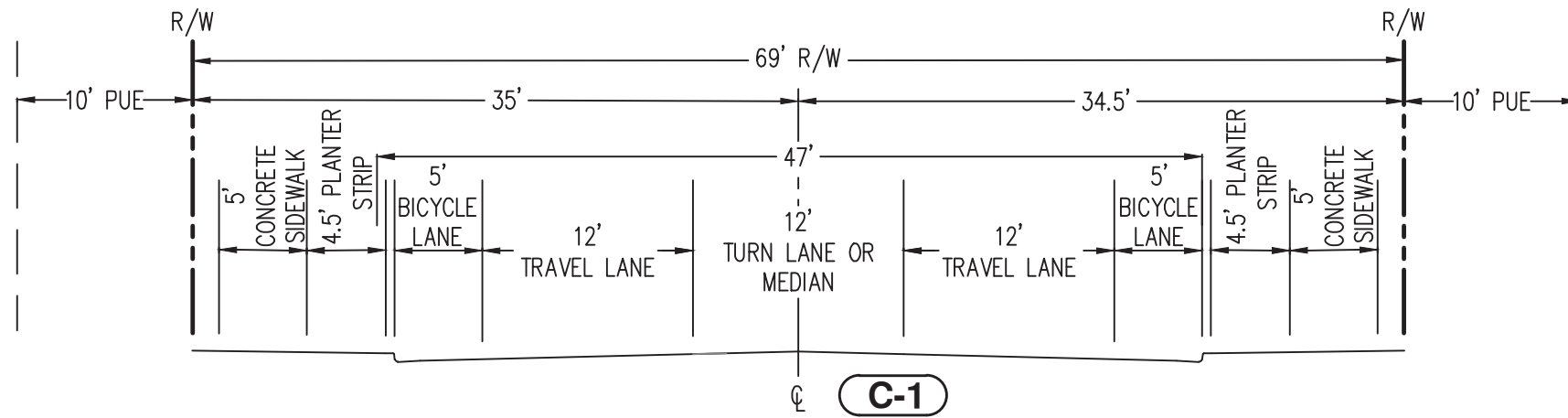


PROPOSED MOUNTAINVIEW DRIVE
CROSS SECTION WITH TURN LANE

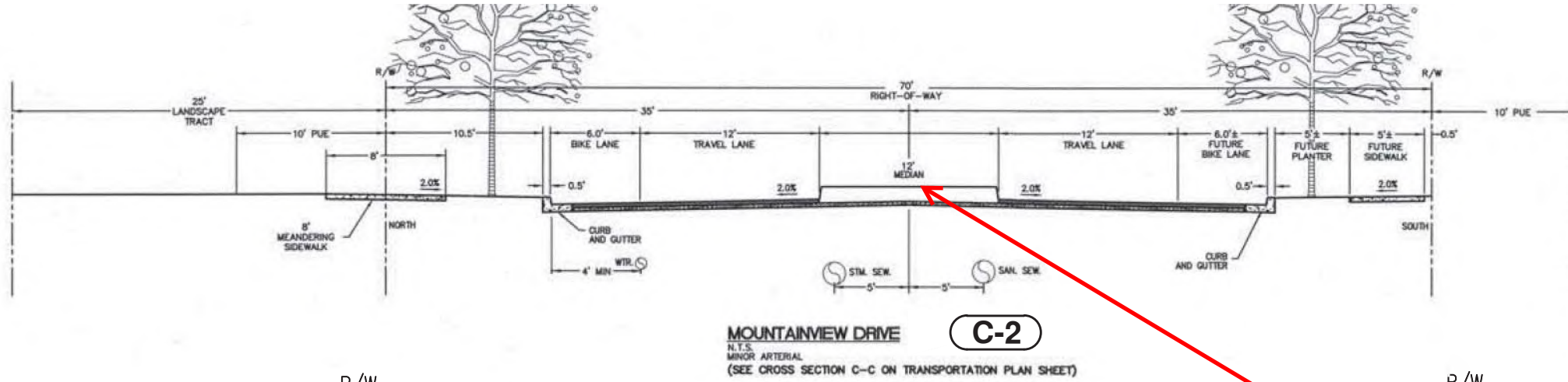
DATE: 12/7/2023

MOUNTAINVIEW DRIVE CROSS SECTION WITH TURN LANE	EXHIBIT
COLLINA AT SPRINGBROOK	1
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	DRWN: TS CHKD: TS AKS JOB: 4487-01

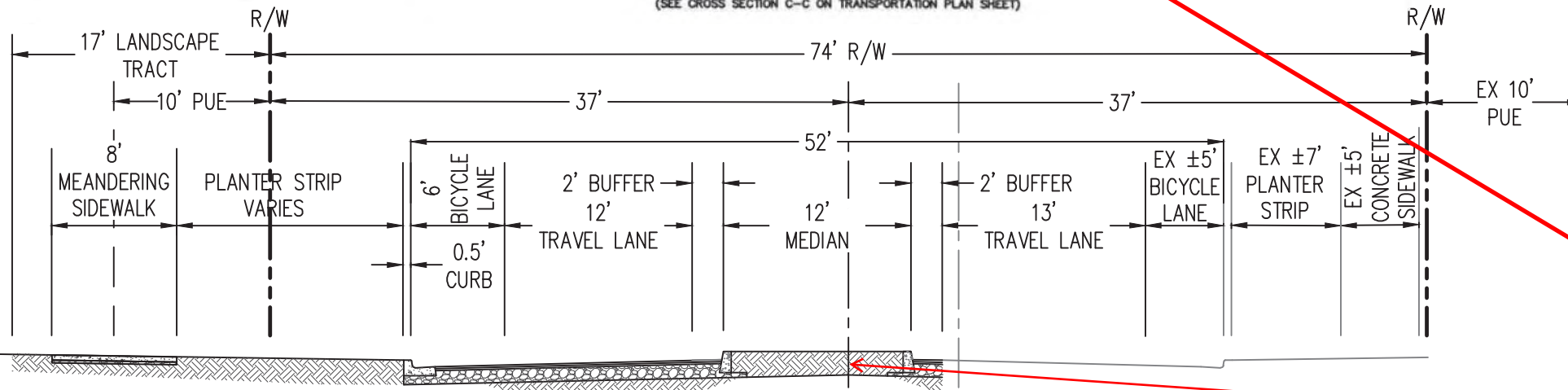




MINOR ARTERIAL PER NEWBERG
MUNICIPAL CODE TABLE 15.505.030(G)

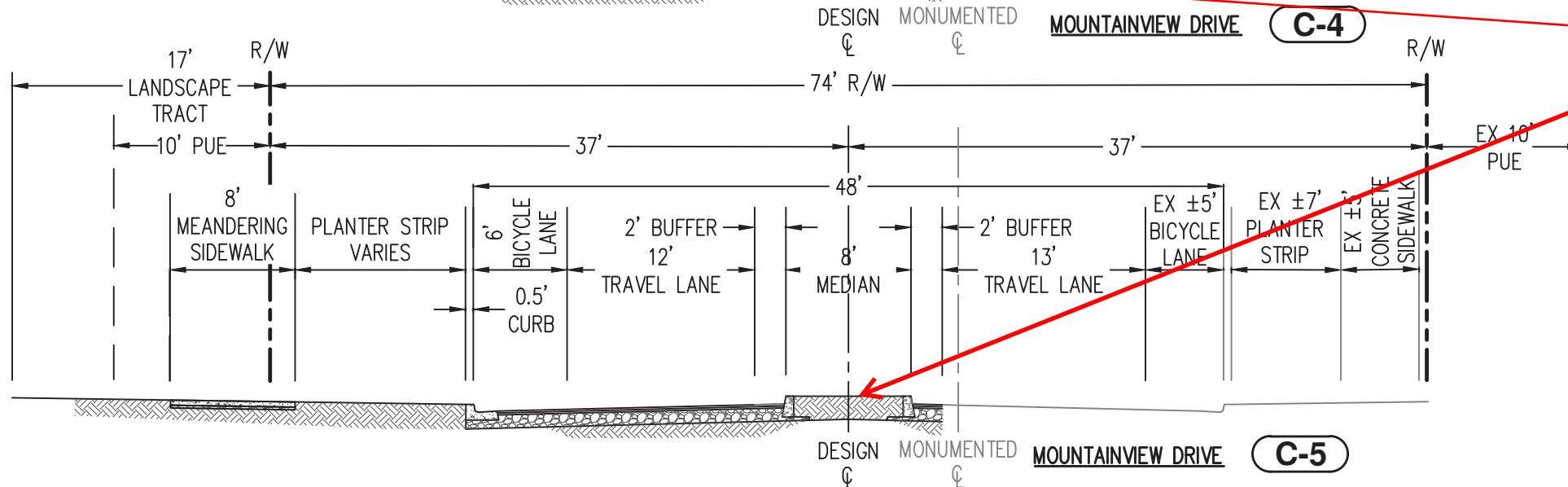


SPRINGBROOK MASTER SUBDIVISION
MOUNTAINVIEW DRIVE CROSS SECTION



CONDITIONED MOUNTAINVIEW DRIVE
CROSS SECTION WITH RAISED MEDIAN

What to have Medians removed and if not possible that should be complete concrete island with no vegetation.



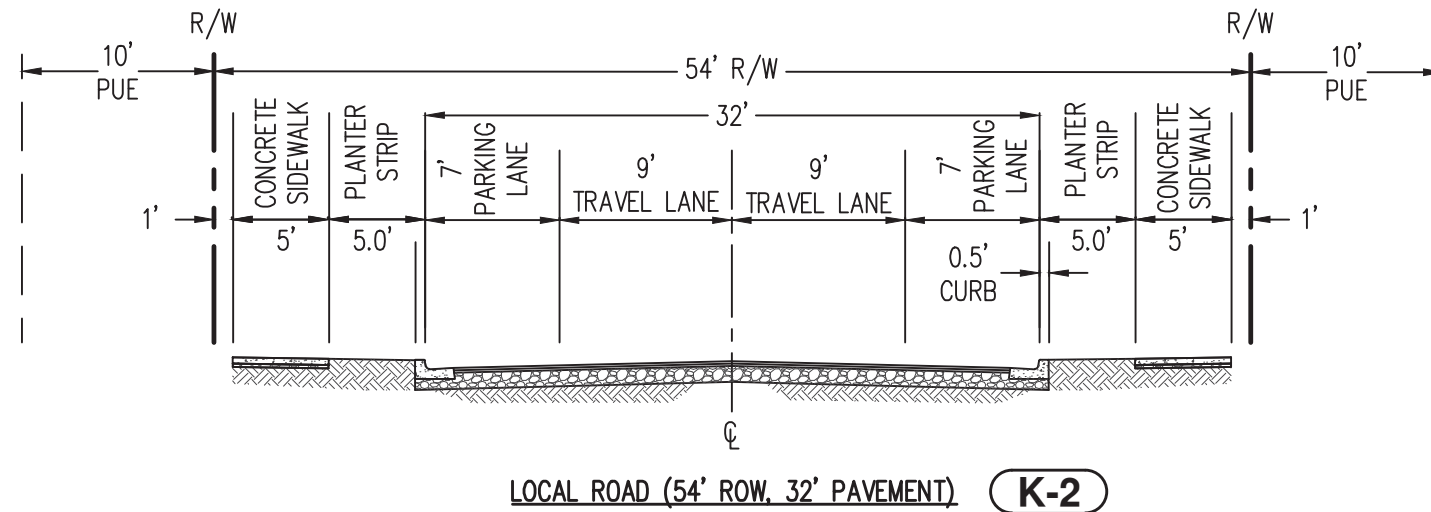
PROPOSED MOUNTAINVIEW DRIVE
CROSS SECTION WITH RAISED MEDIAN

DATE: 12/7/2023

MOUNTAINVIEW DRIVE CROSS SECTION WITH RAISED MEDIAN		EXHIBIT
COLLINA AT SPRINGBROOK		2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: TS CHKD: TS AKS JOB: 4487-01

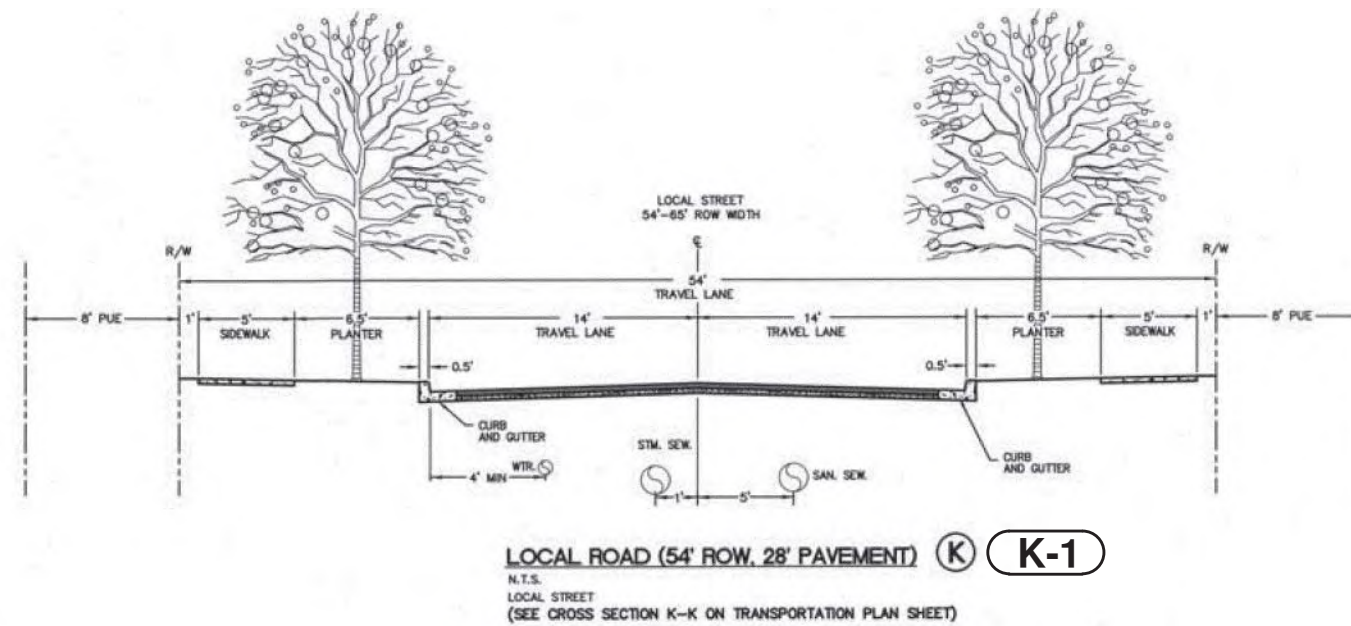


DWG: 4487-01_LU_MOD_CROSS SECTIONS | RAISED MEDIAN



**PROPOSED ADDITIONAL
SPRINGBROOK MASTER SUBDIVISION
LOCAL ROAD CROSS SECTION**

**K-2 SECTION TO BE USED FOR LOCAL
ROADS: LOCAL A-G, CENTER, VINTAGE,
EDGEWOOD, SUNSET, AND HILLSDALE
WITHIN COLLINA AT SPRINGBROOK**



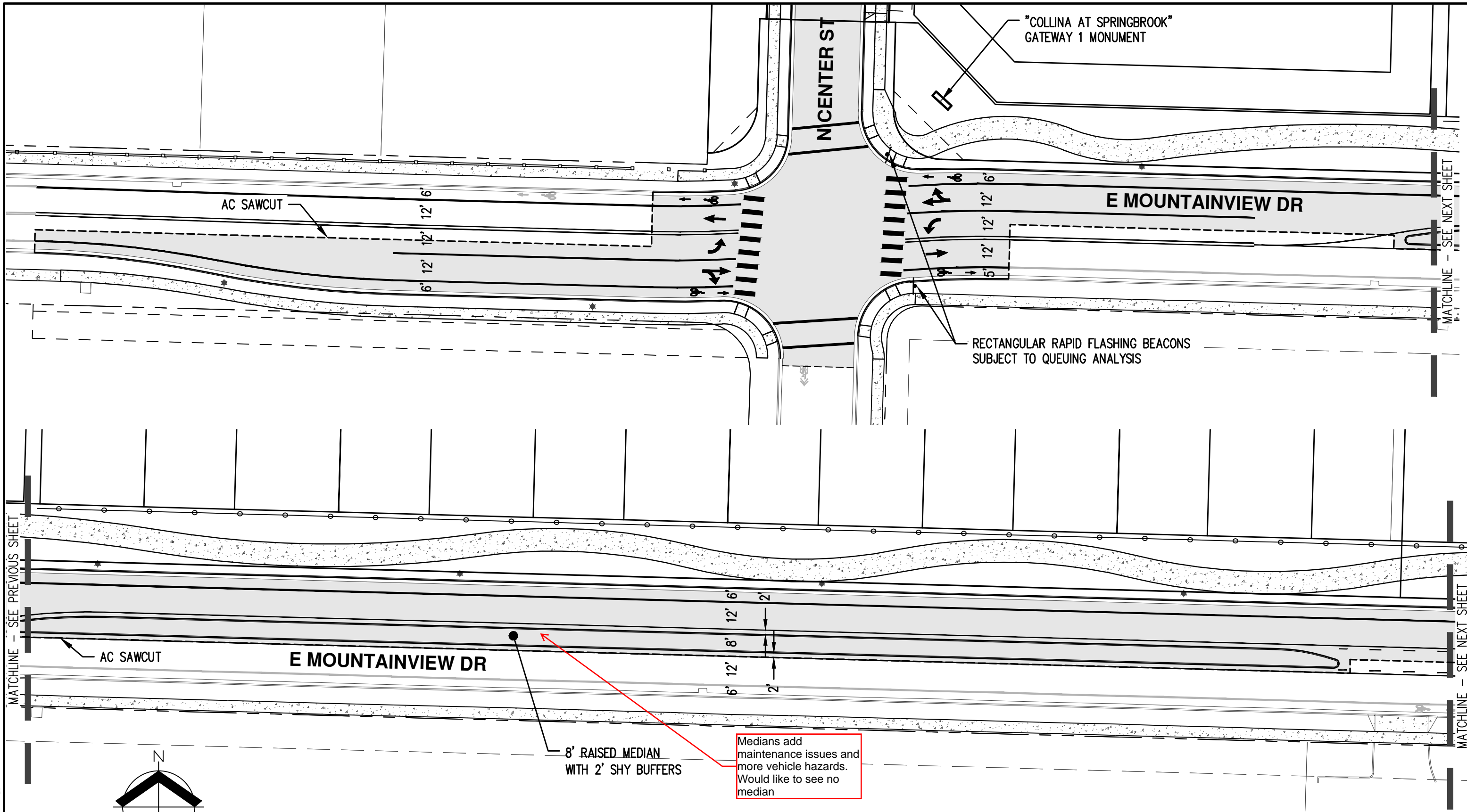
**SPRINGBROOK MASTER SUBDIVISION
LOCAL ROAD CROSS SECTION**

DATE: 12/7/2023

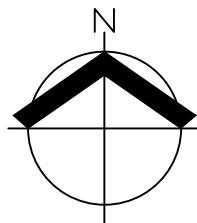
LOCAL ROAD CROSS SECTIONS	EXHIBIT
COLLINA AT SPRINGBROOK	3
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	DRWN: TS CHKD: TS AKS JOB: 4487-01



DWG: 4487-01 MOUNTAINVIEW EXHIBIT | MTNWV WEST



Medians add maintenance issues and more vehicle hazards. Would like to see no median



SCALE: 1" = 40 FEET

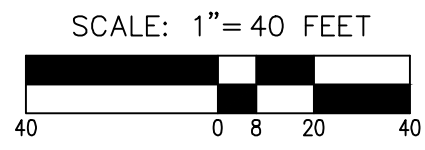
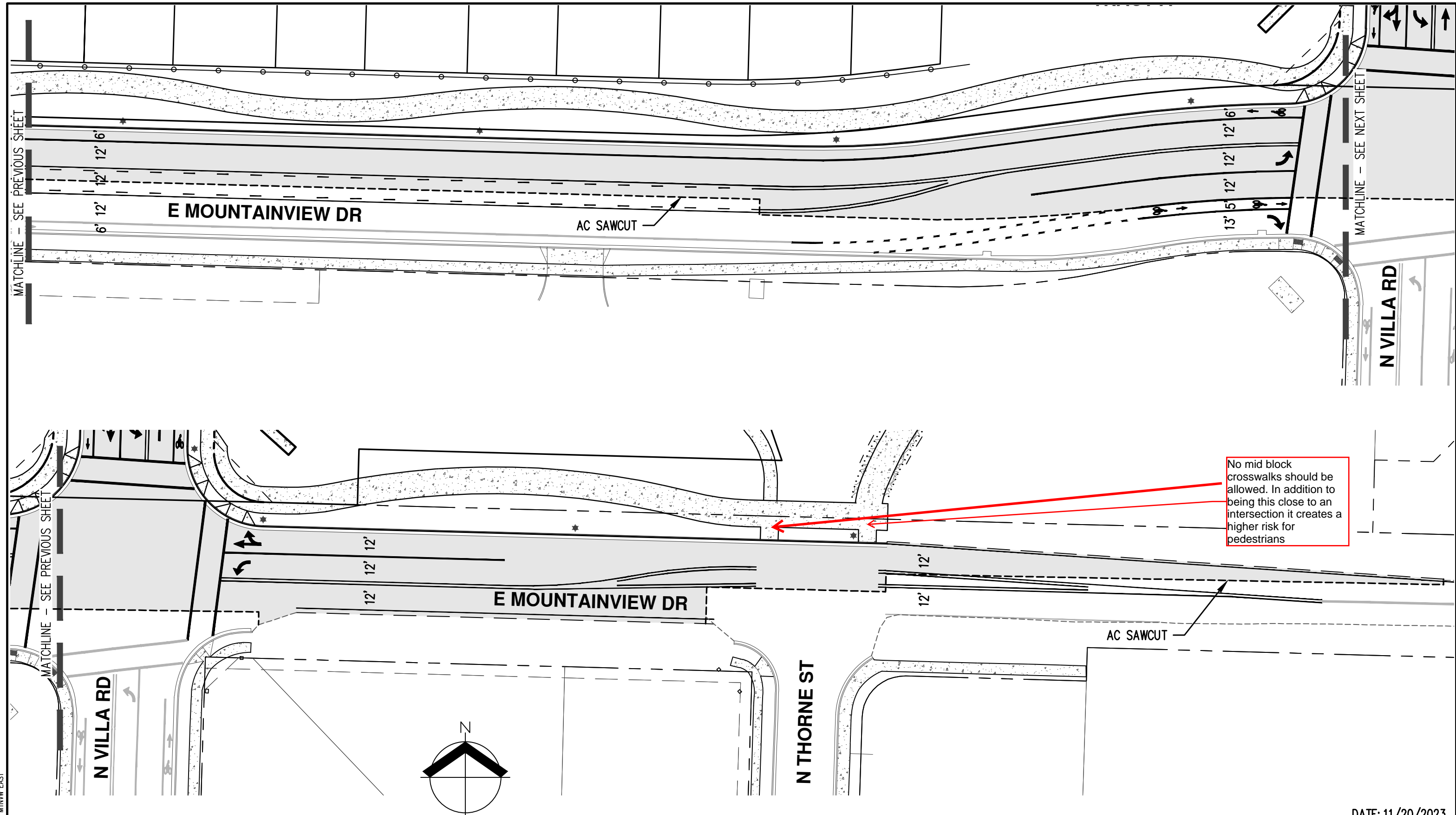


DATE: 11/20/2023

E MOUNTAINVIEW DR IMPROVEMENTS ULTIMATE		EXHIBIT
COLLINA AT SPRINGBROOK		A-1
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: RSK CHKD: TS AKS JOB: 4487-01



DWG: 4487-01 MOUNTAINVIEW EXHIBIT | MTNWV EAST



DATE: 11/20/2023

E MOUNTAINVIEW DR IMPROVEMENTS ULTIMATE		EXHIBIT
COLLINA AT SPRINGBROOK		A-2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: RSK CHKD: TS AKS JOB: 4487-01





COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: Jeremiah Cromie

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HEARING DATE: N/A

Project Information is Attached:

- Reviewed, no conflict.
 Reviewed; recommend denial for the following reasons:
 Require additional information to review. (Please list information required)
 Meeting requested.
 Comments. (Attach additional pages as needed)

RECEIVED

12/26/2023

batesf

Reviewed By:

City of Newberg - Operations

Organization:

12/26/23

Date:

ATTACHMENT 3: PUBLIC COMMENTS

Fe Bates

From: Jeremiah Cromie
Sent: Thursday, January 11, 2024 8:21 AM
To: Fe Bates
Subject: FW: Concerns with Collina at Springbrook Transportation

Follow Up Flag: Follow up
Flag Status: Flagged

Fe,

Below are comments received for MIMD223-0001 Collina at Springbrook Cross-Section modifications.

Jeremiah Cromie

Associate Planner

City of Newberg

City Hall: 503-537-1240

Direct: 503-554-7772



From: Cooper <cooperfoushee123@gmail.com>
Sent: Wednesday, January 10, 2024 10:23 PM
To: Jeremiah Cromie <Jeremiah.Cromie@newbergoregon.gov>
Subject: Concerns with Collina at Springbrook Transportation

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeremiah!

I'm glad that I caught this project while it was still accepting public comments. My name is Cooper and I felt like I had struck a goldmine when I discovered the urban planning web page for Newberg when I was a kid. I recently graduated from the University of Oregon with a degree in urban planning and economics and am now pursuing my master's in the field. I wanted to reach out to you with some concerns over the transportation designs proposed in this subdivision (across the street from the house I grew up in).

Inadequate Cycling Infrastructure:

The first major issue I took notice of was the lack of grade-separated cycling paths. Of course, I am happy to see that cycle paths are going to be included along E Mountainview Drive and Villa Road, however, they lack effective design that actually encourages cycling. There is a great opportunity here to develop

separated cycle paths like the ones in the figures below due to the close proximity of Joan Austin Elementary, a church, and the GFU sports centers. People *will* use cycle paths if they are designed in a way that separates them from fast traffic, they likely will *not* use them as they are currently proposed. Currently, Newberg has no cycle paths like those below, but this should be the first as there is ample room for them and numerous amenities nearby.

Newberg's comprehensive plan clearly outlines in Goal 5 that "The City should provide safe, convenient and well-maintained bicycle and pedestrian transportation systems that connect neighborhoods with identified community destinations, such as schools, parks, neighborhood commercial centers, and employment centers." I am aware that cycling will be included, it just concerns me that the city is continuing to build narrow lanes against car traffic in places that could have much better infrastructure.



Figures 1 and 2. Bikeways

Street Width:

According to the cross-sectional plans, there will be turn lanes added at both the intersections where E Mountainview Dr. meets Center St. and Villa Rd. While it seems excessive to add more lanes I am much more concerned about the lack of pedestrian islands. The crossing at Center St. connects Joan Austen Elementary School and the surrounding neighborhoods. It is irresponsible to widen a road in the area and not provide additional infrastructure to improve the safety of crossing by foot or bike (as many children and parents will). I recommend either including pedestrian islands at both intersections or refraining from the addition of more lanes.

The DOT recommends pedestrian islands and associates them with a 32 percent reduction in collisions. (https://safety.fhwa.dot.gov/ped_bike/step/docs/techSheet_PedRefugelIsland2018.pdf)



Figure 3. Pedestrian Islands

Trees:

Lastly, stronger consideration needs to be made surrounding mature trees along the corridor. Specifically at the intersection of E Mountainview Drive and Villa Road. Currently, there are around six mature trees clustered around where Villa Rd. will be extended. It looks very possible that those trees could be retained if the new roadway did not include a dedicated left turn lane. Projects like this often lose sight of the value that mature trees have, not only for the environment of course, but also for aesthetics.

McMinnville has a fantastic example of roadway design that considers the value of nature in its design. In Figure 5 the road was specifically built to preserve the oak tree. These things can easily be done if there is motivation and bravery to break away from the monotonous design of suburbs.

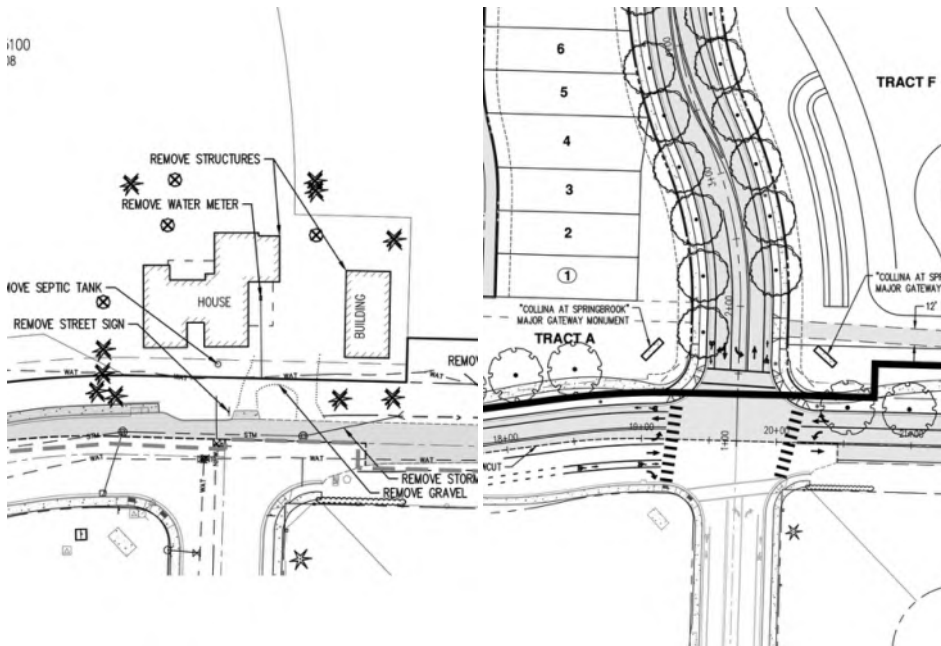


Figure 4. Overbuilt intersection



Figure 5. N Wallace Road Tree Preservation

Thank you for taking the time to read my recommendations. I grew up in Newberg and while I am fiercely pro-building-more-housing I am also tired of thoughtless designs and the burgeoning sheet of asphalt eating up the countryside.

Let me know what you think. I look forward to hearing back from you!

Best Regards,

Cooper Foushee (he/him)

<https://www.linkedin.com/in/cooper-foushee-157b931b7/>

From: [Michael Dague](#)
Sent: Friday, January 19, 2024 1:56 PM
To: [PLANNING](#)
Subject: Collina at Springbrook Subdivision/cross section mods

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Just a quick observation from an adjacent resident that travels occasionally on Mountainview road, near where the Collina subdivision will channel traffic onto this street... it is puzzling and concerning given the volume of traffic projected to exit from Collina/Villa St onto Mountainview that no provision or requirement has been made of Pahlisch for a formal traffic light to be part of this approval by the City.

Given the irregular road transition at the intersection of Villa and Mountainview which can obscure a driver's view, combined with existing traffic from the NW Church, the nearby Austin elementary school, and the existing daily commuters, adding Collina without traffic control to the equation certainly elevates the probability for congestion and accidents. It is difficult enough at present to make a turn in either direction of this intersection when stopped on Villa. Currently, the driver modus operandi is peek both ways, if clear, gun it and hope another driver isn't in the trough of that dip.

Although I'm supportive of Collina, the perception is that Pahlisch has been given a pass on several areas in exchange for the City's mandate to address the housing shortage. Short cutting, particular regarding safety, should be unacceptable.

Regards,

Michael Dague

1306 E Vintage St
Newberg

Michael Dague

West Coast Metals
541-390-6725

From: [Frances Grace](#)
Sent: Sunday, January 21, 2024 12:19 PM
To: [Jeremiah Cromie](#)
Subject: [QUESTIONABLE] Collina-Springbrook

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Jeremiah,
Our house sits at Mountainview and Thorne, so we are very interested in the new subdivision. After looking over the proposed changes to median/turn lanes it does not appear that any work will be done on the bridge over the Hess Creek on Mountainview. This bridge is already too small for the amount of traffic and foot traffic that it sees. It is a dangerous spot for pedestrians and bicyclists. Adding more traffic from this new subdivision would only make it worse. Does the city plan to address this problem?

Sincerely,
Frances Grace

20 January 2024

Written Comments: File No. MIMD223-0001



City of Newberg

Community Development Department

PO Box 970

Newberg, OR 97132

Newberg is growing. As a family physician who loves Newberg and lives and works in Newberg, I am glad to see that there is an increasing desire in the community to make it safer for pedestrians and bikes. Walking and bicycling are a great way to be healthy - unless you are maimed by being hit by a motorized vehicle.

Mountainview is a major thoroughfare for Newberg, and Pahlisch Homes plans to increase construction vehicle traffic and then residential vehicle traffic along Mountainview.

1. Whatever changes are made need to focus on INCREASING the safety of pedestrians and bikes on Mountainview.
2. The pedestrian bridge that Pahlisch Homes plans across Hess Creek needs to be built BEFORE Pahlisch Homes adds construction vehicle traffic to the currently unsafe stretch of Mountainview between Villa and Aspen.

For the City of Newberg to allow construction vehicle traffic and a planned increase in residential vehicle traffic to Mountainview in its current state, the City would be acting in a negligent manner and decreasing the safety of the people who live in Newberg.

Sincerely,

A handwritten signature in black ink that reads "Ben Calvert".

Dr. Ben Calvert

822 E. Henry Rd., Newberg

benjamin.calvert@providence.org

Oak Knoll Homeowners Association,

January 20, 2024



RE: Collina Springbrook Subdivision: File No. MIMD2323-0001

City of Newberg Planning Commission:

I am writing today in opposition to elements of the street modifications proposed for the Collina at Springbrook subdivision. I am the President of the Board of Directors of the Oak Knoll Homeowners Association, representing 198 homes located on the NW border of the Collina Springbrook Subdivision. Our HOA is located along Foothills Drive, east of OR219 (College Street) from Sunset Drive to Oak Knoll Ct.

The proposed modification of Foothills Drive from a Major Collector to a Local Street is in conflict with the City's adopted Transportation System Master Plan. From the 2016 Transportation Master Plan (with updates in 2021):

Connectivity Needs: The ability to travel between different areas of the city conveniently and efficiently (a direct route) is an important part of transportation system planning. The following Citywide connectivity needs have been identified for Newberg:

- The extensions of Villa Road to the north and Foothills Drive to the east are planned in the northeast area of Newberg. It will be important to provide these **collectors** through the development process.*

The concept that Foothills Drive be continued as a Major collector is further reinforced with a future identified projects, S17 and B13 in the Master Plan: *Reconstruct Foothills from Main to Aldersgate to Major Collector street standards between Main Street an Aldersgate Drive to include sidewalks and bicycle lanes on each side.*

This proposal to narrow Foothills from Aldersgate to Villa would degrade the connectivity options for cyclists and vehicles. We encourage the City to reject this element of the proposed modifications to Foothills Drive.

Given that Foothills Drive should remain a Collector, we would like City Engineering to review the access spacing of Alleys D and F in the proposed Collina Subdivision. Access spacing for intersections, and presumably alleys, should meet the intersection spacing standards of 200' for

Major Collectors (section 5.5.2 of the City's 2015 Public Works Design and Construction Standards). As shown in the Collina plans, the spacing for Alley's D and F are less than 100'.

Additionally, when we protested the change in zoning (SUB322-0002), the developer held a call with our HOA board. In response to our concerns about parking challenges related to the higher density housing adjacent to our HOA (instead of the original large lots approved in the original Springbrook Masterplan), she stated that Pahlisch Homes does not allow on-street parking within their subdivisions; this proposed change to local roads of Hillsdale Drive and Sunset Drive are not in alignment with her stated commitment to us. Their proposed Local Road option K-1 should be applied to Hillsdale and Sunset between Aldersgate and Villa.

On behalf of the Oak Knoll HOA, thank you for hearing our concerns to protect our community.

Sincerely,

Mark Carleton
Oak Knoll HOA President
markoakknollhoa@gmail.com
(503) 415-1138
1107 E Sunset Dr
Newberg

1-22-24

Why do you pester us with the width of median turn lanes on this project? Because you are required to address the needs & concerns of citizens on this matter? If you were really concerned you wouldn't have approved this project in the first place. I have not met even one person in the Oak Knoll / Fenway Park neighborhoods who is in favor of this project. The impact on wildlife in the undeveloped areas will be devastating. Among other factors animals require food, shelter and concealment for their survival. All three will be lost here, the habitat will be utterly destroyed. The ~~st~~ simple mitigation factors you have approved for the width of the stream / watercourse in the area simply is a feel good measure for a loss of habitat. Your Planning Dept. seems more than willing to allow heavy development of any remaining open space / natural area in Newberg, all the while disregarding the needs and wants of the people who live here. You seem hell-bent on making us look like another Tigard. So a special thank you to Planning, City Hall and the Austen family for doing your part to destroy the quality of life in Newberg. We won't sign this letter because we're not naive enough to believe government can be trusted any longer.