

AGENDA

City of Aurora
PLANNING COMMISSION MEETING
Tuesday, September 03, 2013, 7:00 p.m.
Council Chambers
21420 Main Street N.E., Aurora, Oregon

1. **Call to Order of Planning Commission Meeting:**
2. **City Recorder Calls Roll**

Chairman, Schaefer
Commissioner, Willman,
Commissioner, Gibson
Commissioner, Graham,
Commissioner, Fawcett,
Commissioner, TBA,
Commissioner, Sallee

3. **Consent Agenda**

All matters listed within the Consent Agenda have been distributed to each member of the Aurora Planning Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the consent Agenda and placed on the Regular Agenda by request.

Minutes

- I. Aurora Planning Commission Meeting –August 06, 2013
- II. City Council Minutes – July, 2013
- III. Historic Review Board Minutes –

Correspondence

I.

4. **Visitor**

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Council could look into the matter and provide some response in the future.

5. **New Business**

**A. Discussion and or Action on Non-Remonstrance Agreement Application Scott Caufield
14943 Ottaway Rd tax Lot 6100.**

6. Old Business

A.

7. Commission Action/Discussion

A. City Planning Activity (in Your Packets) Status of Development Projects within the City.

8. Adjourn,

Minutes
Aurora Planning Commission Meeting
Tuesday, August 06, 2013 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Excused

STAFF ABSENT: Kelly Richardson, City Recorder
Renata Wakeley, City Planner

VISITORS PRESENT: **Bill Graupp, Aurora**

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:01 p.m.

2. City Recorder Did Roll Call

Chairman, Schaefer -	Present
Commissioner, Willman	Absent
Commissioner, Gibson	Present
Commissioner, Graham	Present
Commissioner, Fawcett	Present
Commissioner, Sallee	Present

3. Consent Agenda

Minutes

- I.** Aurora Planning Commission Meeting –July 02, 2013
- II.** City Council Minutes – June, 2013
- III.** Historic Review Board Minutes –

No comments....

A motion is made by Commissioner Sallee to approve the consent agenda as presented and seconded by Commissioner Gibson. Motion Approved.

Correspondence

- I.** NA

4. Visitor

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Planning Commission could look into the matter and provide some response in the future.

5. New Business

A. Discussion and or Action on Supreme Court Ruling on Takings. Not a lot of action Ruling on Koontz VS St.Johns River Water Management District they decided two things.

In this case the Koontz family had some wetlands that they wanted to develop. As often happens while development occurs surrounding it, the property got a lot wetter and so they proposed to develop and donate the rest to the water district. But the water district wanted more land and said if they didn't do as they asked the application would be denied. On that issue the Supreme Court agreed 9-0 that governments cannot escape the takings liability by denying an application. Many governments have used this in the past as a work around to have requirements be apart of the approval.

In the case of City of Tigard, they required an easement for a bike path to expand a plumbing store, and so many governments used it as a work around stating that if you don't include what we want we will deny you. This is what the Supreme Court said is unconstitutional. 9-0

Secondly, the water district told the Koontz family that if they didn't want to perform wetlands mitigation on their own property that they could pay a fee. Key thing is that if we ask someone to do something in response to an application, to dedicate a stream or something of that nature, that if we just decided to ask them to write us a check and we will take care of what actually needs doing we need to be careful that what we ask for is in direct impact of the development that is proposed.

6. Old Business

A. Discussion and or Action on Vending Carts on Private Property.

In your packet is a flyer that was prepared for the City of Portland that talks about the mechanics of how they regulate food carts however it really doesn't get to the issue of where food carts are allowed. I wanted it in the packet because it illustrates some of the practical issues that need to be flushed out.

- Zoning
- Permits
- Fire bureau
- Signs
- Health dept
 - Our bigger issue is when and where to allow food carts
 - Tricky thing is how they compare to other food businesses
 - We allow them to sell food items but not trinkets or other goods
 - I wanted to get a discussion going about this to see where everyone stands
- **Sallee** asks what is required of a food cart during Colony Days, that really is a temporary use permit or special event permit.
- **Gibson** has there been requests recently, Schaefer yes several recently.
 - On 99E at Southards property a few years ago that was denied
 - On 99E at Erickson's property we allowed one because it was actually where they manufactured the carts so it was an extension of that business.

- There has been a request for the downtown area most recently.

Sallee what has been the cities response, **Schaefer** there not permitted the code doesn't allow them.

Gibson so they are being excluded, correct. We do not have a code provision that allows them.

Graham how come we allowed the one on 99E on the Erickson's property? Because it was considered as an accessory or promotional sale item for the original business on the premises. The cart is gone it is no longer operating on this site.

I would like to hear from others:

Sallee had not really thought about it

Fawcett I think that if it were an extension of the business in some way I think it would be ok. I think a food cart permanently would it be successful and how much business would it take away from other businesses in town that's really not fair. When Amy's food cart for coffee was done they didn't have running water they had to treat the water with salt products to sanitize. It really could be an issue or result in issues. In the summer they might be nice for the other businesses in town to utilize a food cart to promote themselves.

Schaefer my thoughts are to allow them as an accessory use to the main business in town. My thought behind that is not only that its fair because they are all ready following our code as an established business but that they already are aware of the sanitary issues that goes along with operating a food business and infrastructure such as restrooms.

Sallee on this flyer it states that if you are not connected to plumbing fixtures and sanitary sewer than it's not allowed.

Gibson I am certainly an advocate for a small business and not a lot of capital outlay to have a way of starting and then certainly it could grow into something larger. Schaefer then you could have the opposite effect as well.

Sallee well then what about regulations on a certain length of time criteria that would allow a temporary business until you could grow.

Councilor Graupp in the audience, I think if they are on private property and they have access to water, and bathrooms. So my vision is to allow a Permanente cart on private property that has access to all services and are used for special events or seasons that already have a food business and then you have the temporary say taco truck that is there during lunch hour everyday during the weekend but is able to move.

Sallee right off I would say that the temporary or rolling cart is not flattering to our city. Even if not in the Historic District it's really not a look for Aurora.

Fawcett, isn't there something that specifically calls out drive through businesses, yes they are prohibited in the Historic District however in the remainder of the city it's ok.

There has been a recent application for a drive through at the old bank building on 3rd street and since it is not in the HRB then it is allowed.

Whats next?

Seems like everyone agrees with an extension of an established food service business in town mobile or fixed we should require access to bathrooms of the already established business.

Seems like everyone likes the concept and for the next step we present it to the HRB to see what they have as input.

Discussion goes on with a variety of comments..

B. **New discussion item is ODOT discussion** the I-5 Donald/Aurora interchange. Spoke with Dan Fricke with ODOT this is really on the back burner but they have been discussing realigning Bentz Rd to be potentially run around to the west.

C. **Discussion on SEDCOR**, We met with them myself (Sallee), Schaefer, Scott Brotherton and Bill Graupp with SEDCOR members Chad Freeman, President and Nick Harveld, Marion County Rep. about our tax incentives for our Enterprise Zone, to pick their brains on what those could be and set up a future meeting, The next steps would be for them to put a sample training together and then get volunteers in our area to collect data. At this point they are still approaching other communities.

Schaefer the main point I took away from that meeting was to focus on existing businesses and to help them grow and come into our community verses bringing others in from out of state.

Sallee, marketing our selves is very important for the success of this.

7. Commission Action/Discussion

- A. City Planning Activity (in Your Packets)
Status of Development Projects within the City.

9. Adjourn 7:54 P.M.

A motion to adjourn the August 06, 2013 meeting is made by Commissioner Sallee and seconded by Commissioner Fawcett. Motion Passes Unanimously.

Chairman, Schaefer

ATTEST:

Kelly Richardson, City Recorder

Minutes
Aurora City Council Meeting
Tuesday, July 09, 2013, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Jan Vlcek, Finance Officer
Bob Southard, Water Superintendent
Otis Phillips, Waste Water Superintendent
Dennis Koho, City Attorney
Pete Marcellais, Marion County Deputy

STAFF ABSENT: NONE

VISITORS PRESENT: Kris Sallee, Aurora
Spud Sperb, Aurora

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Greg Taylor at 7:00 p.m.

2. Administrative Assistant does roll call

Mayor Taylor – present
Councilor Graupp - present
Councilor Brotherton -absent
Councilor Sahlin – present
Councilor Vlcek – present

3. Consent Agenda

- I. City Council Meeting Minutes – June 11, 2013
- II. Planning Commission Meeting Minutes – June 04, 2013
- III. Historic Review Board Minutes –May 23, 2013

Correspondence

- I. Email from Kuri Gill from SHPPO comments on Title 17
- II. Information on HB 3317 Amendments Proposed and Information on 991 Tax
- III. Letter from Gus Wettstien on water usage (this item was added by the Mayor)

Motion to approve consent agenda was made by Councilor Graupp, seconded by Councilor Vlcek. Motion passes.

4. Visitors

Anyone wishing to address the City Council concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the City Council could look into the matter and provide some response in the future.

Ron Vancleef, Yukon Street, I would like to know when Yukon Street be paved or finished.

Councilor Sahlin I will review the development agreement to see when he is supposed to have the road finished. Or push this onto the next Planning Commission meeting and see where we are on that.

Guy Sperb 21262 Main Street, thank you for so quickly addressing the parking strips along 99E. Also earlier I talked about getting a group of people together to do some planting in the planter strips. I would really like to get a work party together for this.

Staff recommended that I come to Council to speak to them about doing the work detail,.

Councilor Graupp asks if you are asking City to purchase them so they are united in color and shape, **Mayor Taylor** asks if there is there any limitations as far as sight **Councilor Sahlin** I believe there are no restrictions.

It is the consensus of the Council to go ahead with doing an article in the City newsletter.

I had noticed in the City Park all the branches down around in the park so I took it upon myself and raked up all of the wooded area surrounding the picnic structures. I don't want any thanks but to point out that the tree area was very bad. Mayor Taylor stated he would check with our contractor about maintenance around the tree area. Councilor Sahlin traditionally we have a volunteer day to clean up the bulk of it prior to the Easter season and that didn't happen so maybe look at that again for next year.

Tom Potter, Liberty Street. enquires about the water quality or confidence report. Is there a more current report on file. He is also asking about when and how often chlorine is tested? The chlorine tests are done weekly.

Mayor Taylor we have been doing a lot with our water quality lately. Mainly many people do not understand how it works. He explains that the City is one of the last entities on the line of the Willamette aqua fir and each year our starting point is depleted each year depending on our year we have 3 wells that supply water and each one is different and 3 things that make it brown is the iron, manganese and the arsenic and to get them out is to produce a product through our chlorine and the filter system that we have in place. These wells can change daily so dealing with these well on a daily basis change and since we are using so much water we are chlorinating at a larger than normal amount and it is very hard to keep this at the level needed to keep the water clear. So with the usage as it is it is very hard to keep it uniform/clear. You're not going to get 100% everyday all day. This is the most we can do and what we can afford at this point. Is there better systems yes probably there are but we don't have the millions of dollars to have a better system put in.

We have no way to figure out if most people use bottled water we simply have no way to get that data. Also we have algae issue in our pool. Councilor Graupp states that this is a fertilizer issue from farmers. Is the drinking water safe yes it is (stated by Mayor Taylor).

It is because of the amount of water that we are pulling down and we are pulling down a lot of sediment because we are using much too much water.

Mayor Taylor maybe we look at other water alternatives. **Councilor Sahlin** we need to conserve this is paramount and not just for our situation we just need to conserve for the overall situation of the world it is just the right thing to do.

Potter, asks about a leak near his property.

Mayor Taylor yes it is a water leak that the city is currently working on it. what happens is slowly over time this copper sediment builds up and is very corrosive to the pipes and they are starting to fail and we are replacing them as time and money allows.

Councilor Sahlin we need to get compliance from citizens on the odd even watering schedule to help this situation out.

City Recorder Richardson explains how to sign up for the email notification so we can get notifications out to the public.

Guy Sperb does the city have an ability to show water usage and data, Richardson going by the meter read sheets it shows that Keil Park and Kasel Court are the highest usage areas.

No one else spoke.

5. Discussion with Parks Committee,

- Can we remove the stakes for the trees.
- Thank you TTT for cleaning up the parking strips along 99E
- The parking Ordinance sign has been hit at the park
- TTT fixed the sprinkler head that was recently vandalized.

6. Discussion with Traffic Safety Commission, none

7. Reports

A. Marion County Deputy Report – (included in your packet)

- Increased call for services
- Discussion of 911 calls and that Deputy Marcellais had not been informed either he will look into this.
- Councilor Graupp asks about shots fired. It was in the County comments are that its legal in the county to shoot.

Question from citizen about response time on 911 calls Marcellais responds 11 minutes and informs them where the call goes.

Mary Vancleef is informing the council and the deputy that we see a lot of happenings at night and at night a lot of teenagers come on foot and **Mayor Taylor** lets her know that they need to inform the deputy. We have people come up and ring door bell even.

No more questions from Council.

- **Finance Officer's Report – Financials** (included in your packets)
 - ❖ Spread sheet from July 1 the end balance should be the beginning balance as of now and they are very close. The street and storm funds are over at this time.
 - ❖ There are no questions at this point.
 - ❖ Working on work papers for audit.
- 1. Revenue & Expense Report
- **Public Works Department's Report –** (included in your packet)
 1. Monthly Status Report (Storm Water)
 2. Monthly Status Report (Water),
- Parks Report, everything is going good the report is straight forward. The trees will be done before the colony days..

A. **Waste Water Treatment Plant Update** (from Otis Phillips, (included in your packet)
Everything looks good...

No questions from Council.

- **City Recorder's Report** (included in your packet) , reads her report.
- Richardson informs Council about the ePermitting swipe fees Council asks her to do some research on what other cities do to offset these fees.
- **City Attorney's Report –** (not Included in your packet)
 - There has been an enormous amount of time spent on this ePermitting, you may want to rethink this next time to see if it is worth it.
 - The final order for the Eddy matter: we have proven the nuisance order and he has been given 30 days to comply and if not the City can make improvements and place a lien on his property if he doesn't pay. Or access a 500 dollar a day fine or both.
 - Mayor Taylor asks if we go in and do the work and then we go after him for the money could Eddy win in court.

- Attorney states that I have modeled the resolution in a way that will be defensible. Nothing is a guarantee in court but it all looks good.
- We can go in and deal with 5, 6 and 7 and the cost of that is a lien against the property and then 500 dollars a day until it is taken care of.
- Councilor Vlcek says maybe we just have 500 a day go until we get the money for the cleanup.
- Councilor Graupp no I think we have a responsibility to deal with the nuisance. Because it is a safety issue.
- This will need to be sealed up or filled in. Or new construction begin.

8. Ordinances and Resolutions

A. Discussion and or Action on Resolution Number 675 a Resolution to Adopt a Final Order for property at 21520 Main Street.

Read title only.

Motion to approve Resolution Number 675 is made by Councilor Sahlin and seconded by Councilor Vlcek motion passes.

9. New Business

- ### A. ADDED Discussion and or Action of Two Bids for Park Maintenance.
- Now it is removed from new business Mayor Taylor states that he doesn't need council approval because it is below the \$2500 dollar amount limit.

10. Old Business

A. Discussion and or Action on LED Proposal from PGE,

discussion purchase or not, they are intending to swap out the light and they would then own all of them. **Councilor Sahlin's** concern is that we worked hard to establish a lighting standard in the historic district and to eventually have a standard all around town. These samples that they have provided are very modern and not at all what we adopted for the standard. Councilor Sahlin I would just be cautious 22 thousand is just a carrot dangled at this point. Also who owns the ones on the bridge? There is acorn style up currently on Airport Rd and Kasel Court in the historic district.

Mayor Taylor we need to ask them about the lighting fixture in the Historic District we had adopted a standard and see what they say.

This proposal is to purchase the poles we own.

Mayor Taylor reads pg 2 where it talks about different globe options

Planning Commission member Sallee asks about luminance what determines that, Councilor Graupp because of location.

Councilor Vlcek believes that the luminance needs increased.

Mayor Taylor before we sign this we need to clarify

- the historic district standard globe
- if PGE has anything that will match it.

Councilor Sahlin we need to clarify the acorn lamp style for the historic district. Do we have an alternative option for our town.

Mayor Taylor needs a meeting with PGE to discuss options.

No more discussion

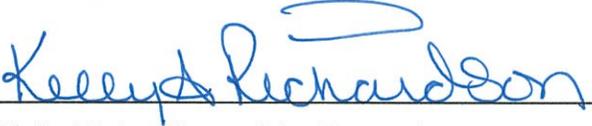
11. Adjourn

A motion to adjourn the July 09, 2013, meeting at 8:23 p.m. was made by Councilor Graupp and seconded by Councilor Sahlin and passed unanimously.



Greg Taylor, Mayor

ATTEST:



Kelly Richardson, City Recorder

**CITY OF AURORA
PLANNING COMMISSION**

STAFF REPORT: Interpretation 13-01 [INT-13-01]
DATE: August 27, 2013

APPLICANT/OWNER: Scott and Cynthia Caufield

REQUEST: Interpretation of the Aurora Municipal Code (AMC) by the Planning Commission in regards to approval of a non-remonstrance agreement for sidewalks in lieu of installation and application of a special setback to the property in lieu of additional right- of- way dedication

SITE LOCATION: 14943 Ottaway Road NE, Aurora (undeveloped parcel directly west of 14933 Ottaway Road NE). Also known as Map 41W13BD Lot 6100

SITE SIZE: Approximately 16,720 square feet, or 0.38 acres

DESIGNATION: Zoning: Low Density Residential (R1)

CRITERIA: Aurora Municipal Code (AMC) Chapter 16.34 Public Improvement and Utility Standards

ENCLOSURES: Exhibit A: Assessor Map
Exhibit B: Non-remonstrance Application

I. REQUEST

Interpretation of the Aurora Municipal Code (AMC) in regards to:

- (1) approval of a non-remonstrance agreement for sidewalks in lieu of street improvements as part of building permit review; and
- (2) application of a special setback to the property.

II. PROCEDURE

Pursuant to 16.34.030.A.2, subject to AMC 16.78 and approval of the Planning Commission, the City may accept and record a non-remonstrance agreement in lieu of street improvements. AMC 16.78 are Limited Land Use Decisions requiring written notice be provided to owners of adjacent property for which the application is made.

The application was received and fees paid on August 22, 2013. The application was determined complete by Staff and placed on the next available Planning Commission agenda. Notice of a limited land use decision on this property was also posted at City Hall with the Planning Commission agenda on August 27, 2013. Pending a decision from the Planning Commission at the September 3rd hearing, a Notice of Decision will be mailed to adjacent property owners. The City has until **December 20, 2013**, or 120 days from acceptance of the application to approve, modify and approve, or deny this proposal.

III. APPEAL

Appeals are governed by AMC 16.78.120. An appeal of the Commission's decision shall be made, in writing, to the City Council within 15 days of the Planning Commission's final written decision.

IV. CRITERIA AND FINDINGS

The applicable review criteria for non-remonstrance agreements are found in AMC Chapter 16.34 - Public Improvements and 16.78- Limited Land Use Decisions

16.34 Public Improvement and Utility Standards

16.34.030.A.2. Subject to AMC 16.78 and approval of the Planning Commission, the City may accept and record a non-remonstrance agreement in lieu of street improvements if the following conditions exist:

A. A partial improvement creates a potential safety hazard to motorists or pedestrians; or

FINDING: Installation of a sidewalk along the frontage of the subject property, would result in an unconnected sidewalk, or lack of sidewalks, to the east and to the west. Staff finds an unconnected sidewalk would create a safety hazard to pedestrians in an elevation change and potential trip hazard. Staff finds this criterion is met.

B. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity.

FINDING: Properties to the east and west of the subject property along Ottaway Road do not have sidewalks. The applicant is proposing a new single family dwelling which staff finds does not result in a significant increase to vehicle or pedestrian traffic to the residential neighborhood. Staff finds this criterion is met.

16.78 Limited Land Use Decision

16.78.090 Standards for the decision.

A. The decision shall be based on proof by the applicant that the application fully complies with:

1. The city comprehensive plan; and

FINDING: Staff finds the application meets the criteria under 16.34 for approval of a non-remonstrance agreement. The implementing ordinance of the comprehensive plan is included under Title 16- Land Development. A review of Title 16 is included below. Staff finds this criteria is met.

2. The relevant approval standards found in the applicable chapter(s) of this title and other applicable implementing ordinances.

FINDING: The property is zone Single Family Residential. Staff finds the property meets the size, width, and depth required under the zone. The applicant proposes construction of a single family residence on the property which is a permitted use under the zone.

Section 16.34.030.A. 4. under Public Improvement and Utility Standards states, "New structures that are proposed to be constructed on lots abutting an existing public street that does not meet the minimum standards for right of way width shall provide setbacks sufficient to allow for the future widening of the right of way. Building permits shall not be issued unless yard setbacks equal to the minimum yard requirements of the zoning district plus the required minimum additional right of way width is provided". Ottaway Road is classified as a Collector Street in the Transportation System Plan (TSP). Lot 6100 fronts on Ottaway Road. Ottaway Road currently has 40 feet of right-of-way (ROW) fronting on Lot 6100. The Aurora TSP identifies Collector streets as requiring 65 feet of ROW and sidewalks on both sides. In the previous Property Line Adjustment (File #13-01) for the subject property, a condition of approval was that the City may require the additional dedication of ROW required at building permit application, or may require that a special setback be applied to the property prior to building permit approval. As Ottaway is currently developed at 40 feet, staff recommends that Planning Commission approve application of a special setback of 10 feet to the subject property at the time of building permit review.

Staff finds this criteria can be met, with conditions.

V. CONCLUSIONS AND RECOMMENDATIONS

Planning Commission has three options as outlined below as part of this application. Based upon the findings outlined in the staff report, staff recommends Planning Commission **Action A.1** as outlined below for the Interpretation application (File No. INT-13-01) with the following conditions of approval:

1. The applicant execute and record a non-remonstrance agreement for sidewalks with Marion County. The non-remonstrance agreement shall be reviewed and approved by the City prior to recording.
2. A special setback of ten (10) feet be applied to the property at the time of building permit review.

VI. PLANNING COMMISSION SAMPLE MOTIONS

A. Motion to adopt the findings in the staff report and approve Interpretation 13-01:

1. As presented by staff, or
2. As amended by the City Council (stating revisions)

OR

B. Motion to deny Interpretation 13-01 (stating how the application does not meet the required standards),

OR

C. Continue the decision to a time certain or indefinitely (considering the 120-day limit on applications) in order to collect additional information from the applicant or staff (stating the information required in order to make a decision)

City of Aurora Building /Planning Application

(Check appropriate box)

- | | |
|---|---|
| <input type="checkbox"/> SITE DEVELOPMENT REVIEW (AMC 16.58)
<input type="checkbox"/> FLOOD PLAN DEV. PERMIT (AMC 16.18)
<input type="checkbox"/> HISTORIC OVERLAY DISTRICT (AMC 16.20-16.22)
<input type="checkbox"/> Certificate of Appropriateness
<input type="checkbox"/> Demolition Permit
<input type="checkbox"/> Sign Review
<input type="checkbox"/> MANUFACTURED HOME PARK (AMC 16.36)
<input type="checkbox"/> COMPREHENSIVE PLAN AMENDMENT (AMC 16.80)
<input type="checkbox"/> Text <input type="checkbox"/> Map
<input type="checkbox"/> ZONING ORDINANCE AMENDMENT (AMC 16.80)
<input type="checkbox"/> Text <input type="checkbox"/> Map | <input type="checkbox"/> CONDITIONAL USE (AMC 16.60)
<input type="checkbox"/> VARIANCE (AMC 16.64)
<input type="checkbox"/> HOME OCCUPATION (AMC 16.46)
Type I Type II
<input type="checkbox"/> NON-CONFORMING USE (AMC 16.62)
<input type="checkbox"/> LAND DIVISION
<input type="checkbox"/> Subdivision (AMC 16.72)
<input type="checkbox"/> Partition (AMC 16.70)
<input type="checkbox"/> Property Line Adjustment (AMC 16.68)
<input checked="" type="checkbox"/> APPEAL TO _____ (AMC 16.74-16.78)
<input checked="" type="checkbox"/> OTHER <u>Non-remonstrance agreement</u> |
|---|---|

APPLICANT GENERAL INFORMATION

Applicant Scott & Cynthia Caulfield Phone (503) 312-3638 (503) 694-8491
 Mailing Address 8780 SW Illahae Ct. Apt. 403 Wilsonville, OR 97070
 Property Owner Same Phone Same
 Mailing Address Same
 Contact person if different than applicant n/a Phone n/a
 Mailing Address n/a Email caulfie@web-ster.com

PROPERTY DESCRIPTION

Address 14933 Offaway Rd. NE-Tax lot 6100 newly assigned 14943 - as per Kelly Richardson City Record
 Tax Map # 4 1W 13 BD Tax Lot # 06100
 Legal Description (attach add'l sheet if necessary) See attached

Total Acres or Sq. Ft. ± 16,853 ft² Existing Land Use Vacant parcel
 Existing Zoning R-1 Proposed Zoning (if applicable) n/a
 Proposed use new single family dwelling
 ACTION REQUESTED: (use additional sheets as needed) non-remonstrance agreement

ATTACHMENTS:

- A. Plot plan of subject property- show scale, north arrow, location of all existing and proposed structures, road access to property, names of owners of each property, etc. Plot plans can be submitted on tax assessor maps which can be obtained from the tax assessor's office in the Marion County Courthouse, Salem OR.
- B. Legal description of the property as it appears on the deed (metes and bounds). This can be obtained at the Marion County Clerk's office in the Marion County Courthouse, Salem OR.

ADDITIONAL INFORMATION

In order to expedite and complete the processing of this application, the City of Aurora requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete. The submittal requirement relative to this application may be obtained from the specific sections of the Aurora Municipal Code pertaining to this application. If there are any questions as to submittal requirements, contact the City Hall prior to formal submission of the application.

In submitting this application, the applicant should be prepared to give evidence and information which will justify the request and satisfy all the required applicable criteria. The filing fee deposit must be paid at the time of submission. This fee in no way assures approval of the application and is refundable to the extent that the fee is not used to cover all actual costs of processing the application.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application. I understand that the original fee paid is only a deposit and I agree to pay all additional actual costs of processing this application, including, but not limited to, all planning, engineering, City attorney and City administration fees & costs. I understand that no final development approval shall be given and/or building permit shall be issued until all actual costs for processing this application are paid in full.

Scott D. Caulfield Cynthia D. Caulfield
 Signature of Applicant
Scott D. Caulfield Cynthia D. Caulfield
 Signature of Property Owner

8/21/13 8/21/13
 Date Date
8/21/13 8/21/13
 Date Date

Office Use Only: Received By: <u>YP</u>	Date: <u>8/22/13</u>	Fee Paid \$ <u>125.00</u> <u>OK 10908</u>
Receipt # _____ Case File # _____	Planning Director Review	Date: _____
Last updated 6-14-2010		

Exhibit B1

August 21, 2013

City of Aurora
21420 Main Street
Aurora, OR 97003

Attention Renata Wakeley, Planner, Mid-Willamette Valley Council of Governments

Legal Description 4 1W 13 BD 06100 Marion County, Oregon
Property Address Not yet assigned (has been previously identified as 14933 Ottaway Rd. NE, Aurora, OR 97002) *AS per Kelly, City Recorder 14943 - KB*
Applicants Scott and Cynthia Caufield

Dear Ms. Wakeley,

Attached you will find an application for a land use action seeking approval of a non-remonstrance agreement in the development of the above mentioned residential property.

Applicants are seeking to develop said property to construct a single family dwelling and request to delay the construction of improvements at that portion of the property that fronts Ottaway Road NE until such time in the future that the City of Aurora deems it necessary to improve the frontage, should that ever occur.

Attached is a copy of the current deed which describes the new property boundaries following the property line adjustment completed in July and also a copy of the site plan used in that same land use action.

If you should have any questions, please do not hesitate to contact me at the numbers listed below.

Thank you,



Scott Caufield
C (503) 312-3638
H (503) 694-8491

Exhibit B2

EXHIBIT 1

A tract of land in the northwest one-quarter of Section 13, Township 4 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being described as follows:

Beginning at a point on the southerly line of that tract of land described as Parcel 1 in Reel 2919, Page 29, Marion County Records, said point bearing South 89°58'48" West, a distance of 12.00 feet from the southeast corner of said Parcel 1 tract, and being on the northerly right-of-way line of Ottaway Road; thence North 00°22'31" East along a line which is parallel with and 12.00 feet westerly of, when measured at right angles to, the easterly line of said Parcel 1 tract, a distance of 191.15 feet to a point on the northerly line of said Parcel 1 tract; thence South 89°23'50" West along said northerly line, a distance of 87.91 feet to the northwest corner of said Parcel 1 tract; thence South 00°17'48" West along the westerly line of said Parcel 1 tract, a distance of 190.25 feet to the northerly right-of-way line of Ottaway Road; thence North 89°58'48" East along said northerly right-of-way line, a distance of 87.64 feet to the Point of Beginning.

EXHIBIT 1.

Exhibit B3

