

Planning Commission Exhibit J

Applicant's Response to LCOG Completeness Letter Dated June 28, 2023 and Comments from LCOG staff, City Engineer of record, and other Public Agencies

The L-COG letter is generally reproduced below. Responses are in Text Boxes below the pertinent comments to set them apart from the original letter. We wish to thank LCOG for their timely response to our application submittals. Letter and response follows:

- ◆ Master Plan Development (MPD) Proposal: North Fork Gateway Master Plan will establish the general land use pattern, density ranges for future development, and a phasing plan for infrastructure improvements. The applicable approval criteria for Master Plan Developments are located in Chapter 25 of the Westfir Development Code (WDC).
- ◆ Zone Change (ZC) Proposal: To change the City of Westfir zoning map to clarify zoning for the North Fork Gateway consistent with the broad land uses established in the Westfir Comprehensive Plan. The applicable approval criteria for Zone Changes are located in Chapter 24 of the WDC.
- ◆ Subdivision Plat, Preliminary Proposal (SPP): North Fork Gateway Phase I Tentative Subdivision Plat will create 18 Lots primarily for detached single family homes and 5 Tracts for open space and shared access/utility easements. The applicable approval criteria for Zone Changes are located in Chapter 26 of the WDC.

Phase I ONLY allows the future development of detached single family homes and open space tracts.

After a review of your application materials, your application has been determined to be **complete** for processing. While staff do find your application materials meet the technical completeness requirements of the WDC, staff do take this opportunity to make the applicant aware of any issues, concerns or comments that have arisen as a result of our completeness review.

Thank you for addressing the issues, so that we might respond appropriately.

Acceptance as a complete application does not involve determining if the application is approvable based on the applicable approval criteria. In this regard, be aware that additional information regarding sewerage facilities will be required. It is the responsibility of the applicant to demonstrate that the application meets the approval criteria. The information provided by the applicant may or may not be adequate for this purpose.

Understood

Pursuant to the WDC, Chapter 3, Section 3.2.3(E), the three requested land use applications will be merged into one consolidated review process. The Planning Commission will make a recommendation for approval or denial and forward the recommendation onto City Council for final action.

Thank you.

City Engineer comments (attached in entirety as Exhibit A):

- Recommend water service be required, both to serve the units and to provide a loop in the City system.

- Recommend that sewer service be included. Sewer lines would probably need to extend further south than is shown on exhibits to be able to capture entire parcel.
- Roads be required to meet city standards.

Applicant is examining whether any or all of the water system can be installed during Phase I. However, the original request to allow for alternate water sourcing for Phase I was made because the density of development and the adsorption rate of lots in the Oakridge-Westfir area is not such that high infrastructure costs can economically be accommodated. This cost must also be balanced with the very important decision to install the pressure sewer main line during the Phase I Subdivision process. A water main pipe sized for fire flows to hydrants, will cost around \$60 per foot for the pipe alone. This does not include excavation, hydrants, valves, lateral stub outs, pipe and equipment installation, connection to the existing system, backfill, or surface finish. With a run of about 3,600 feet the cost easily could exceed a reasonable estimate of lot sales (sale price times number of lots that would sell, not counting already accumulated capital costs).

Pressure sewer was selected for the sewer option because a gravity line would need to either be installed along the river side of the property, causing major ecological disruption to essentially undisturbed ground, or would require very deep excavation through rock to meet grades along the existing road, or realignment “near the existing road” would disturb ground that could otherwise be used for building. This latter option would still require nearly every home owner to have a pressure sewer system to take the waste up to the gravity system. Its possible a lift station would be needed for a gravity system along the road alignment. All of the gravity sewer options are very much more expensive than a pressure sewer system that connects to the gravity system in Hemlock.

Pressure sewer systems have a long history (since the early 1970s) with millions of daily users. Community pressure sewer systems are typically long, often measured in miles; go over varying terrain; have almost no infiltration issues (water tight construction); make waste treatment easier because all the solids are either ground to a fine slurry, or pre-treated in septic tanks prior to pumping; have gas release valves installed at high points to relieve accumulated gases, rather than at manholes; control possible escaping odors by treated escaping gases at the gas relief valves, usually by simply putting the gas relief discharge in mounded earth; connection to conventional sewers is common; sewer pipes are smaller and not buried deeply, disturbing less ground; pipes do not need to be laid on grade; cost of installation is much lower than with gravity sewer lines; and very much less disruptive to install. The home owner would be required to install the appropriate pumping system (grinder pump or septic tank pre-treatment pump) that maintains the appropriate pressure when pumping. They also would be responsible for the connection line from the dwelling to the main pressure sewer line. Stub outs for connection to the mainline can be installed during initial installation of the main line.

The road will be private in Phase I and will remain private in Phase II. Lane County Public Works has made it clear they will not take jurisdiction and assume maintenance of any new local roads, and the City of Westfir has no capacity or reason to do so. Never-the-less, the extension of Sunset Avenue will meet local road standards with a 48 foot access easement reserved to the adjacent landowners, and a 20 foot all-weather surface for fire department needs. During installation of the pressure sewer line an additional 2 feet of gravel width will be added for foot and bicycle use. An all weather road surface does exist already along the Sunset extension, however since the days of mill use the roadside vegetation has slowly encroached upon the road. Clearing that vegetation will expose the old road surface that was constructed to carry off-road log trucks and heavy mill equipment. The walking path/bike lane to the south of the road will be installed during Phase II activity, along with surfacing of the Sunset extension. Additionally, walking paths will be developed within the dedicated park land

at the west end of the property during Phase II.

Turnarounds for the fire trucks already exist on the property due to its prior use as a mill site. During Phase I additional turnarounds can be provided by creating dedicated hammerheads along the Sunset Avenue extension where they are determined by the fire chief to be necessary to meet the fire department's needs. Many existing turnarounds are already available, and a walk through with the fire chief would give specific information where any additional turnarounds need to be placed during Phase I when a number of lots will remain undeveloped and the total number of developed lots will be less than 18. Since many lots may take years to develop even one dwelling, the need is not as great as for a subdivision where many dwellings will be clustered close together. Phase II type development will include secondary loop roads off of Sunset Avenue that will serve the purpose of a turn around and eliminate the need for dedicated turnarounds. The dedicated turnarounds will be placed where future loop roads are anticipated to the extent possible to reduce unnecessary disturbance to the land.

Lane County Transportation (attached in entirety as Exhibit B):

- Prior to final plat approval of the Phase 1 subdivision, regarding impacts to Office Covered Bridge, the applicant shall submit certification from the affected fire district and a structural-engineering analysis regarding the sufficiency of Office Covered Bridge to accommodate the proposed impacts (including any utility crossings).
- Prior to final plat approval of the Phase 1 subdivision, regarding primary access to and from the development, the applicant shall pave Sunset Avenue, from the subject property to 20th Street, to a minimum of 22 feet. It is noted that this work will require a Lane County Facility Permit.
- Prior to final plat approval of the Phase I subdivision, sidewalks shall be constructed along the frontage of the adjacent roads: Sunset Avenue, 20th Street, and Winfrey Road. It is noted that Lane County will defer to the City regarding urban standards for sidewalks.
- Additional TIA may be required when actual developments are known as part of Phase 2 implementation.

Emergency ingress and egress over the covered bridge is only anticipated to be for foot traffic and private passenger vehicles and small trucks (pickups). The applicants did not mean to infer that we could choose whether emergency equipment could travel over that structure, as that is a matter for the fire department to determine. Since the bridge is already deemed sufficient for private vehicular traffic we affirm that is all that would be necessary in an emergency, and only if for some reason, the Winfrey bridge was unavailable. There will be provision of a structural engineer's evaluation of the bridge with regard to any utilities proposed to cross over the bridge and their impact on the carrying capacity of the bridge.

We do not see a need to pave the street from 20th to the end of County Maintenance to a width of 22 feet (see below).

Walking paths will eventually be placed within the Park/Open Space adjacent to 20th Street and shown as Tract A in the tentative subdivision. Pedestrian paths within Tract A will obviate the need for sidewalks along the adjacent streets.

We do not disagree with there may be a need for additional TIA when actual Phase II development occurs.

Deputy State Fire Marshal (attached in entirety as Exhibit C):

- There is not a plan to approve the fire department access.
- There is no information about the water supply that may be required depending on what is built.
- Need fire hydrant flow rate information.
- All structures development shall meet current Oregon Fire Code requirements when built.

The fire department will enter by way of Sunset Avenue. The existing gate will either be removed or left accessible to the fire department. It is generally the fire department's responsibility to determine where and how they will access any location within their jurisdiction and the safety of the access. We do not propose to dictate to the fire department where and how they will access any part of the subject property.

The eventual water supply line that will be built in Phase II (and perhaps to some level in Phase I) will meet fire flow needs and will likely be an 8 to 10 inch water main. Currently, the fire flow appears to be 1,000 gpm with hydrants spaced every 500 feet where single family dwelling are extent. In the mixed use or high-density residential area fire flows may need to be as much as 2,500 gpm (10 inch pipe, hydrants 450 ft apart), depending on the density and type of development that occurs.

Staff Review:

- **Staff comment:** Applicant proposing street standards that are less than minimum standards as indicated in Table 28.8.1. Modifications to street standards may be permitted at the sole discretion of the Planning Commission and Fire Chief. Staff and City Engineer advocate for streets to meet adopted street standards.

TABLE 28.2.1
STREET STANDARDS

Type of Street	Right-of-Way Width	Paving Width"	Sidewalk Width**	Bike Lane Width
Arterials	60'-120'	36'-52'	6.5'	6'
Major and Minor Collector Streets	50'-80'	34'-46'	5.5'	6'
Local Streets	40'-60'	20'-36'	5.5'	Not required
Other Local Streets	40'-60'	20'-36'	5.5'	Not required
Cul-de-sacs	40'-50'	28'-36'	5.5'	Not required
Cul-de-sacs Bulb	92'***	70' ***	5.5'	Not required
Hammerhead or "T" Stubs	30' "T" end	15'-20'	5.5'	Not required

We consider the street a local street since it is a dead end street. According to WDC if the extension of Sunset Avenue is classified as a cul-de-sac it would require a minimum 28 foot surface. We strongly disagree that this would be a wise choice for the entire length of the Sunset extension. We do meet the local street standards in Phase II, but not the cul-de-sac standard. As shown on the subdivision plat,

the proposed extension of Sunset Avenue consists of a 48-foot wide access easement with a 7 foot wide public utility easement on the south side. During Phase I, the existing road surface will provide access for motor vehicles, bicyclists and pedestrians. The applicant will confirm that the existing road surface meets fire department requirements for width (minimum 20-feet) and structural integrity. The access easement and the adjacent PUE is sufficient to accommodate the street, surface drainage, water, sewer, power, and communication lines).

The proposed 20-foot wide paved surface for Sunset Avenue extension matches what is found in every street in Westfir. Further, if the paved surface is wider than 20 feet it invites higher travel speeds, especially with the long, relatively straight, alignment of the street. We do not believe that is in the best interest of the City. According to Lane County tax lot maps, the **right-of-way** of Sunset Avenue through Hemlock is 20 feet wide. Obviously the street surface is narrower. A footpath/bike trail will be provided also, during Phase II.

During Phase I there is a 20 foot all weather road suitable for the heaviest fire trucks. This road will be cleared of encroaching vegetation so that the travel surface is obvious and turnarounds will be provided and marked (i.e. emergency use only, no parking).

It is our belief that at the time these standards were developed for the WDC, they were simply taken from standards that applied in other small towns and communities. This is logical and reasonable to do for most locations. However in this instance, if one looks carefully at the standards, it can be seen that they do not comport with the character of Westfir, nor with reasonable development needs. For example, where in Westfir will an arterial be constructed with a need for a 120 foot right-of-way and a 52 foot paved surface? In fact, where would a 60 foot right of way with a 38 foot surface fit in Westfir? On the Oakridge-Westfir Road? Add 18 feet to the road surface width? Only on the subject property could one use the arterial criteria of the code, yet it would be an arterial to where? The proper thing is to have streets in residential areas that calm traffic, not encourage speed. Those are narrow streets, which do not require wide right-of-ways which would only waste space.

Page 7 of 27 of Master Plan narrative "*there are no required off-street public improvements.*"

- **Staff comment:** This statement differs from the applicant's TIA, which recommends Sunset Avenue east of 20th be paved to a width of 22".

The recommendation in the TIA to provide a minimum width of 22 feet on Sunset Avenue only applies to the extension of the street during Phase I when bicyclists and pedestrians share the road with motor vehicles. As explained previously, bikes/pedestrian paths in Tract A will prevent the need for sidewalks on the existing adjacent public streets in Lane County jurisdiction, As Sunset Avenue is extended, the applicant plans to construct a sewer line along the south side of the pavement. After installation of the sewer, the surface could be graded to accommodate a path for bikes and pedestrians until the proposed multi-use path is constructed in Phase II.

Page 16 of 27 of Master Plan narrative "*developer believes the existing road is sufficient for shared use by motor vehicles, bikes and pedestrians during Phase I.*"

- **Staff comment:** What facts back up this assertion? The width of the extended Sunset Avenue goes as low 11.63' at the western end of the property, which appears to involve Phase 1.

As stated earlier, the existing road's actual width is 20 feet. Vegetation has encroached on the road due to very low traffic use; just using a single lane. When vegetation is cleared, the actual road width will be apparent. This road historically accommodated off road log trucks and heavy mill equipment which

needed 20 feet to pass each other. The standard road in Westfir is 20 feet wide or less, and yet on any given nice day many of Westfir's residents make it down their 20 foot wide roads, on foot (often with their dogs) or on bikes, and wander around the subject property. It is part of Westfir's character that without sidewalks and with relatively narrow streets the people can still get out and walk and bike. When in Phase II a walking/biking path is created it will be the essentially the only one in the City. Note: there are two unused short sections of walking path up near the City Hall that were probably used when the school was in that location, one on either side of the road.

Apparently the surveyor did not understand they were to measure to the edge of the old road surface not just that road surface visible because of traffic use. The applicant will clear the existing road and re-measure the width of the finished surface.

Page 11 of 27 of Master Plan narrative "*Construction in this area could possibly encounter soil conditions that may require stabilization prior to construction of foundations. Soil testing strongly advised prior to development.*"

- **Staff comment:** WDC requires a Geotech study be completed for properties that are to be developed that contain slopes of 15% or greater. It does not appear a Geotech study is required for the initial proposed land use actions but may be required upon actual site development for home sites and other heavy-construction activities.

Correct. This is not a case of the code requiring a geotechnical study; this is a case of the fill put in this one location. A future purchaser should check for soil stability before building because the fill was wood waste, which has since decomposed and may not be sufficiently compacted for casual building. Testing is recommended, disclosure is required.

Page 11 of 27 of Master Plan narrative "*the development will consist of low-density residential development and other interim uses that do not require the extension of public water service or necessitate street improvement.*"

- **Staff comment:** Staff and City Engineer do not necessarily agree with applicant's statement. WDC requires street improvements when development is proposed and that units associated with development be connected to the City's municipal water system. It is the opinion of Staff and City Engineer that the applicant be required to provide full street improvements, consistent with the WDC, and that units be connected to the City's municipal water system.

If this were Eugene, Springfield, Veneta, Junction City, Coburg, or Creswell which all have a common market for jobs and housing, then a development of infrastructure for the full 3,600 feet might be feasible. Given the prices for which land in these communities can sell, and the absorption rate that lots in these communities experience then building complete infrastructure on the 50 acre parcel within Westfir City limits might make sense. But this is Westfir/Oakridge far from the economy of Eugene-Springfield, with a bankrupt subdivision just up the road that has its infrastructure in and the lots still not sold, even at a large discount. We understand why LCOG staff and the City Engineer have to recommend following the code to the letter, but that is not economically feasible. Especially, when the economy may be on the verge of a major recession.

Phase II will provide all of these amenities (over time), but Phase I is designed to make lots about 2-acres in size that can be developed initially for detached single-family homes. These lots represent a possible jump start for future development in Westfir, and encourage further interest in Westfir. If these smaller lots (less than 30 acres, but still around 2 acres lots) are not created then development will not be encouraged; a path to making the water loop and providing much wider sewer service will

be stymied. These smaller lots depend upon the assurance that their creation will not bankrupt even one of the current owners. Meanwhile, we understand the importance that having good streets, even if they are private, and having the water system fully looped and supported. We understood the importance of the sewer system and took a hard look to see if we could provide that during Phase I. We have agreed to do that. But we need help for this all to happen.

Page 11 of 27 of Master Plan narrative "*the site also contains wetland, including the old log pond (proposed to be refilled as a recreational amenity and as a fire pond for helicopter and fire truck use). A few other minor wetlands could be left alone and preserved or filled in and mitigated.*"

- **Staff comment:** Has a wetland delineation been completed and submitted to Department of State Lands (DSL) for review and concurrence? Staff have submitted City wetland notification to DSL.

A wetland delineation was done and approved by the DSL back when we first cleaned the site, removed the CERCLA Superfund Designation, and got the "No Further Action" letter from the DEQ. However, concurrences lapse after 5 years. Yes, there are wetlands on the site. Yes we know where they are generally. The most appropriate time to do another wetland delineation would be as each lot is proposed for actual development and the potential impacts on wetlands is reviewed during the building permit process. Site wide wetland delineation will simply lapse long before any real activity is to take place on most of the site. However, if DSL requires it for the creation of the lots during the subdivision process, then "red tape" triumphs over "common Sense".

Page 16 or 27 of Master Plan narrative "*Future phases will occur over time as the individual owners of the large lots submit land division applications or development permits*" and "*any development exceeding what is permitted in Phase I will require full street improvements from the end of Sunset Avenue at the west edge of North Fork Gateway to and through the proposed lot being divided or increased in development intensity*" and "*full street improvements include construction of a minimum 8-foot wide multi-use path on the south side of Sunset Avenue for bike and pedestrian circulation.*"

- **Staff comment:** The delayed phasing nature of the improvement improvements is a concern of the City; such an approach may not be in the City's best interest. Critical public improvements, meant for the public benefit, unless entirely private, should not be dependent upon individual property owners acting in their own self-interest. Such an approach to public improvement does not benefit the City or its residents. Further, the WDC requires sidewalks for all development. The Planning Commission may permit a multi-use path in lieu of sidewalks, but in either case, the sidewalks or multi-use path must be provided for concurrent with development - not delayed until subsequent, unknown phases.

OK, let's talk about the City's best interest. Is it in the City's best interest to have a sewer line that extends the full length of the mill site property so that all future development will have access to sewer service? Is it in the City's best interest to have the sewer service extend across the bridge into the old downtown of Westfir, so that, as necessary, there is a ready hook-up for the 16 or so dwellings plus businesses in that part of town? Is it in the best interest of Westfir if the new development occurring in the old downtown area is on a sewer system instead of septic tanks and drainfields? Is it in the best interest of the City if the tax base is increased so that everyone's property taxes can decrease? Is it in the best interest of the City if a clear path to getting the infrastructure they desire is laid out with clear triggers for when that infrastructure will be extended? Is it in the City's best interest to get a lot in a central location (to the population, and geography), to build a new fire station and perhaps City Hall? Is it in the City's best interest to get another treatment pod for their waste water treatment plant? Is it in the City's best interest to get something started in Westfir, rather than have the

status quo? Is it in the best interest of the City to have something else happening when new development is occurring the old downtown area? Is it in the City's best interest for this property to sit idle for another 25 years?

Or, is it too great a burden on the City for 17 lots to potentially get houses on them over the next decade or more and simply use the gravel and paved road that already exists like everybody does in all the rest of Westfir. Or is it too great a burden on the City if those 17 possible dwellings only extend the water line where its economically feasible, or use wells where it is not feasible to extend the water line (due to cost)? Is the City's interest fundamentally damaged for not paving 3,600 feet of road right now; for not building 3,600 feet of bike/pedestrian paths (or pave double sidewalks) right now; or extend 3,600 feet of water line all at once. The City could wait another 20 years or more for the current owners' heirs to try again, or the City can help us get all of this started now and perhaps have it all within a decade, or perhaps even less, if conditions change. Likely over the next decade some of the lots will want to divide again into smaller lots and the water line, road and bike/pedestrian path will be extended. Maybe if the water line is started from both ends it may even be completed and meet in the "middle" somewhere within a decade. Likely some of the large lots will still have nothing on them by then. Its how development works. But it doesn't work at all, if it never gets started.

Page 16 of 27 of Master Plan narrative "*individual lot owners will be responsible for obtaining necessary permits to construct wells, or at their discretion, to extend City water to their lot*" and "*any development exceeding what is permitted in Phase I will require the extension of City public water system from the existing connection point in Sunset Avenue to and through the lot proposed for development*" and "*the City of Westfir has upgraded its water supply and distribution system, which is now fully capable of supplying all the water needs for full-build out of the development.*"

- **Staff comment:** This type of extension and development of critical City infrastructure is piecemeal, and staff do not believe it to be in the City's best interest. As the narrative states, the City has upgraded its water system and is capable of supplying the water needs of the full-build out of the development. The City invested heavily in upgrading its City water system and should be used to accommodate growth and development in Westfir. Lastly, the WDC, Section 28.13.0 requires all new development, including single-family residences to extend and connect to the public water system when service is available. Water service is available nearby in Sunset Avenue.

Service is not nearby on Sunset when the furthest lot is 3,600 feet away and the waterline pipe alone costs \$60 or so a foot. Yes, this is piecemeal. Development of the full 50 acre site is not economically feasible and that is what is being asked. If this infrastructure was truly critical to the City of Westfir they would have built it already. The City will survive like it has for the last 25 years or so; while we have owned this property. If we don't develop, Westfir will still survive. But if Westfir wants to better itself this infrastructure IS important. And because it is simply too costly to put it all in at once and wait for a return on the money spent. From the history of Oakridge and Westfir it is clear that it is highly unlikely there will be a surge in people moving here that would take up enough lots to cover the cost of doing as is suggested here. Piecemeal is the only way to get it done. If the City is not willing to follow the broad outlines of what we have proposed, we refuse to go bankrupt, or at our age, to even risk going bankrupt, for the best interest of the City. It is not our job to build solely for the "best interest of the City" when that interest is being made by third parties with no skin in the game. If Westfir wants to stick with most or all of the infrastructure, and/or gravity sewer, to be built in Phase I, then Westfir can just wait and we withdraw the applications. Please let us know now if the City is not willing to help us get this started, so we don't waste your time or ours. Some will say we are OK with

development, but then will put in a poison pill that precludes development happening. I know some want the property to remain as it is; its been like a big park for free. Is that really in the best interest of the City?

Page 17 of 27 of Master Plan narrative "*a suction connection to the log/fire pond will be provided once the pond is filled with water.*"

- **Staff comment:** It is not clear who will be actually developing and implementing the log/fire pond and when it will occur and who will be responsible and liable for the long- term maintenance and vitality of the log/fire pond. What assurances does the City have that such a proposal will be realized?

This is our vision and hope to see the log pond become a fire pond. That is in the best interest of the City as well. But the initial beneficiaries (barring a major forest fire) will be the dwellings and townhouses that would overlook that pond. Likely they will be the first to initiate the establishment and upkeep of the pond. The City does not have the means currently to take on the log pond, and the real beneficiaries of the log pond aren't here yet, but a master plan should at least mention what we hope will become a reality.

Page 19 of 27 of Master Plan narrative "*future phases shall include a new multi-use path along the south side of Sunset Avenue.*"

- **Staff comment:** The City is uncertain about the timing of the multi-use path and who will be responsible for such an amenity. Such a proposal is piecemeal and not in the City's best interest and further, sidewalks are required for all development; with Planning Commission approval, a multi-use path may be constructed in lieu of, but such shall be provided concurrently with development - not delayed to subsequent, unknown phases of the development.

As stated in the Master Plan, any activity on a lot beyond a single residential structure will trigger the implementation of water (with hydrants), sewer (if not already present), paving the road (with street lights), and putting in the walking/bike path. This trigger will require the infrastructure to cross the width of the original developing lot which borders Sunset Avenue.

Page 19 of 27 of Master Plan narrative "*Phase I will not include city water service, street lights or fire hydrants.*"

- **Staff comment:** This statement defies WDC sections 28.13.0, 28.14.0, and 28.15.0 and therefore does not meet the criteria for approval.

From the beginning we have been clear that we were asking for something other than meeting all the standards until sufficient density could justify it and the smaller size of the development implemented on a smaller lots could lessen the risk. Putting in all the infrastructure for 6 lots when the infrastructure cost is \$250,000 is very different from 17 lots and \$1,200,000 in infrastructure cost. See previous response box. Infrastructure will get put in, just not all of it right now; but as rapidly as is feasible. The Master Plan is an outline of how that future development will go and the trigger to infrastructure development. After Phase I, any future development will be reviewed by the City for compliance with the approved Master Plan including the construction of required infrastructure improvements. The timing of development beyond Phase I and the timing of infrastructure improvements is dependent upon demand, and not based on a fixed schedule.

We warn the City, that if the absorption rate is not better in the future than it has been, or is now, the future potential developers may not be economically able to put in the required infrastructure then

either, even on the smaller parcels. But it is worth the try and eventually it will be feasible.

Page 20 of 27 of Master Plan narrative "*cottage cluster developments.*"

- **Staff comment:** WDC does not have adopted cottage cluster standards nor are cottage clusters listed as a permitted residential use. Staff are supportive of a variety of dwelling units, but these matters may require regulatory and legal investigation by staff.

By the time someone tries Cottage Clusters, the code may have changed to explicitly permit cottage clusters. The city council has the authority to interpret the Westfir development code to allow cottage clusters through approval of the Master Plan. Not every use is specifically listed in the Westfir developmet code.

Page 21 of 27 of Master Plan narrative "*waives the size restriction for new single-family dwellings in Table 3 of the WCP (800 to 2000 SF excluding garage).*"

Page 23 of 27 of Master Plan narrative "*waives the requirement that other non-residential development is subject to site review and is limited to four full-time employees working at any one time on the premise and shall not use sewer services in excess of five residential households.*"

Page 22 of 27 of Master Plan narrative "*the Master Plan waives the requirement in WDC 6.3.0 that a Conditional Use Permit be obtained for a duplex on a non-corner lot.*"

Page 22 of 27 of Master Plan narrative "*the Master Plan waives the requirement that Personal Services shall not exceed 2,000 square feet and shall be located in buildings designed consistent with the character of the surrounding residential development.*"

- **Staff comment:** Staff don't necessarily disagree with the applicant's statements, but the types of waivers the applicant is proposing may require regulatory and legal investigation by staff and for certain approval by the City Council, before agreeing to waivers.

The underlying purpose of the Master Plan is to set forth the unique development standards for the site. The Master Plan process allows for the modifications to code standards including waiving standards that the city council determines are not applicable to the site.

- **Staff comment:** Sheet A-1 shows lots 10-18 as being designated low-density residential. However, Sheet A-2 shows these lots designated as high-density residential and mixed- use. Why the difference? If the site is to be Master Planned, the entire subject property should be designated for the uses that are to occur as a result of the Master Planning process.

The maps show the difference between Phase I and Phase II. Sheet A-1 is the Conceptual Site Plan for Phase I. It does not reflect the full range and intensity of uses allowed by the adopted Westfir Comprehensive Plan or the Westfir Zoning Map. Sheet A-1 restricts the level of development due to the cost of infrastructure improvements required for the full build out of the site. Sheet A-2 is the Conceptual Site Plan for Full Build Out and depicts the vision for increased residential density and small scale mixed uses. The Proposed Zoning Map also reflects the long-term vision for the site and implements the Comprehensive Plan. The proposed zoning allows the uses and intensity of development shown on Sheet A-2.

It is our understanding that during review and approval of the Master Plan the City Council has the authority to modify City standards in a manner that better implements the Westfir Comprehensive Plan versus strick adherence to the City code. The Master Plan narrative and Sheet A-2 provide evidence to support the North Fork Gateway Master Plan and Phase I Subdivision applications.

We hope you carefully consider our response to the initial public agency comments.

We believe there is substantial evidence to support approval of the pending North Fork Gateway Zone Change, Master Plan and Phase I Subdivision applications.

Thanks for your consideration.

Sincerely,

Ralph Christensen
Teresa Bishow