



# City of Prineville

## DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

### STAFF REPORT

#### 4TH EXTENSION OF SUB-07-08-703

**APPLICATION NUMBER:** Ext-2012-101

**ORIGINAL APPROVAL  
AFTER APPEAL PERIOD:** February 17, 2008

**FIRST EXTENSION ENDED:** February 17, 2010

**SECOND EXTENSION ENDS:** February 17, 2011

**THIRD EXTENSION ENDS:** February 17, 2012

**FOURTH EXTENSION ENDS:** \_\_\_\_\_

**APPLICANT/  
OWNERS:** Greg Tibbot/Anglers Canyon LLC.  
2260 SE McGilchrist  
Salem OR 97302

**REQUEST:** 4th extension of subdivision SUB-07-08-703

**LOCATION:** S. Main St. Map and Tax lot 15-16-08 100, 109, 110.

**PROJECT REVIEWER:** Scott Edelman  
Planning Director

#### APPLICABLE CRITERIA:

(1) City of Prineville Code of Ordinances, § 153.157, 153.259.

#### *Criteria: § 153.259.010 Expiration of approval*

##### *C. Extensions.*

1. *The Planning Director may grant one extension of up to one year for a land use approval or a phase of a land use approval, regardless of whether the applicable criteria have changed, if:*

- a. An applicant makes a written request for an extension of the development approval period;*
- b. The request, along with the appropriate fee, is submitted to the City prior to the expiration of the approval period;*
- c. The applicant states reasons that prevented the applicant from beginning or continuing development or meeting conditions of approval within the approval period; and*
- d. The City determines that the applicant was unable to begin or continue development or meet conditions of approval during the approval period for reasons for which the applicant was not responsible, including, but not limited to, delay by a state or federal agency in issuing a required permit.*
- e. All fees charged to the project have been paid.*

2. Up to two additional one-year extensions, may be granted under the above criteria by the Planning Director or his/her designees with the condition that all plans be brought up to current city standards, including Land Use and Zoning Code requirements and Standards and Specifications.

3. Any additional extensions beyond the three allowed under 1 and 2 above may only be approved by City Council. Such extensions shall be based on the following:

a. All requirements listed for extensions under 1 (a), (b), (c), (e) and 2 above are met.

b. Council determines that, due to unforeseen general economic conditions, reasonable expectations for developing the project in a given timeframe have changed since the date of the original approval. General economic conditions refer to citywide (or broader) conditions, not the specific economic situation of the applicant.

c. The applicant demonstrates that a substantial effort has been made to move the project forward. Evidence of substantial effort shall be evaluated at the discretion of the Council and may include planning, engineering, architectural design, bonding for or construction of public improvements, or other similar demonstrations of economic commitment.

**Findings:** This is the applicant's 4th extension request; therefore, in accordance with criteria 3 above, this extension may only be approved by City Council. The applicant has submitted a narrative for Council review outlining the reasons for the extension request and requesting a multiple year extension if possible. Staff concurs with their reasoning and recommends the Council approve the extension for two years.

The City's Standards and Specifications for infrastructure have changed; River Steppes is an Outline Development Plan (ODP) that has yet to be fully designed. The ODP was planned as a Planned Unit Development (PUD) and therefore was partially designed to deviate from some standards. Infrastructure standards will be evaluated further with the first platted subdivision and it may be necessary to alter them to meet current standards and specifications prior to platting.

**The following are recommended conditions of approval:**

1. The extension along with the conditional use expires in two year beginning February 17, 2012 and ending February 17, 2014.
2. The applicant shall comply with all of the original conditions of application SUB-07-08 703 and conditions of the previous extensions.
3. The City reserves the right to bring the first phase and ODP up to current City standards prior to platting the first phase.

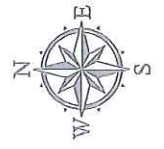
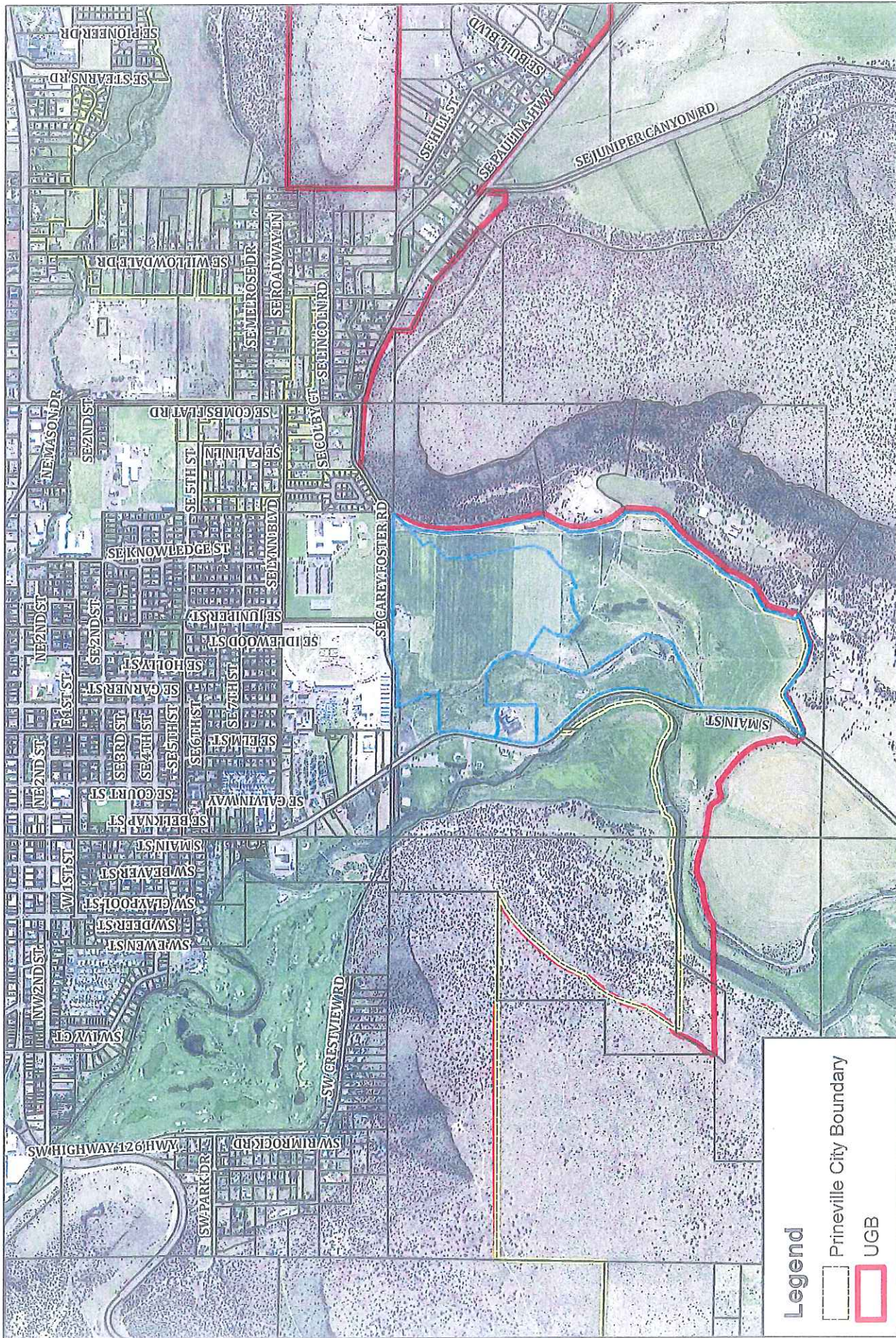
\_\_\_\_ Extension Approved

Mayor Roppe \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Lisa Morgan, City Recorder





# Anglers Canyon PUD - Location Map

0 1,000 2,000 Feet



## Legend

- Prineville City Boundary
- UGB





January 17, 2012

Joshua Smith  
Senior City Planner  
City of Prineville  
Planning Department  
387 NE Third Street  
Prineville, OR 97754

RE: SUB07-08-703  
Anglers Canyon Land Use Permit Extension Request

Mr. Smith,

Enclosed is an application for Extension of a Land Use Permit for the Anglers Canyon Outline Development Plan. We are requesting an extension based upon the continued current economic environment.

We intend on continuing development once the economic environment changes to a more favorable condition.

Please let us know if there are any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Harrell", is written over a horizontal line.

Matthew Harrell

Enclosures:  
Permit Application Form  
Narrative  
Check Amount \$464.00



CITY OF PRINEVILLE  
PLANNING DEPARTMENT  
387 N.E. THIRD STREET  
PRINEVILLE, OREGON 97754

## EXTENSION OF A LAND USE PERMIT

APPLICANT'S NAME Greg Tibbot/Matthew Harrell FEE: \$ 464.00

ADDRESS: 2264 McGilchrist SE, Suite 2010 Salem, OR ZIP: 97302 PHONE: 360-608-5548

PROPERTY DESCRIPTION: T 15 R 16 S 08 TAX LOT: 100,109,110

NATURE OF APPLICATION: Extension of Ph#1 Subdivision for Anglers Canyon Outline Development Plan


CITY OF PRINEVILLE APPLICATION NUMBER: SUB-07-08-703

DATE OF APPROVAL: 2/17/08 PERMIT EXPIRATION DATE: 2/17/12

PRESENT ZONE: R-2 ZONE WHEN APPLICATION WAS APPROVED: R-2

On a separate sheet of paper, please address the following:

1. Describe any action that has been taken to fulfill any or all conditions of approval.
2. Describe the reason(s) for not beginning or continuing development or meeting conditions of approval within the approval period.

DATE: 1/12/12 APPLICANT:   
(signature)

AGENT: \_\_\_\_\_  
(signature)

Phone: (541)447-8326 Fax: (541)447-5628 <http://www.cityofprineville.com>

Extension of a Land Use Permit

SUB-07-08-703 – Anglers Canyon

Narrative

**1. Describe any action that has been taken to fulfill any or all conditions of approval.**

Applicant Response:

Applicant has applied for three prior land use extension requests, of which all were granted. The third extension ends 2/17/12. On-going project financial analysis occurs quarterly with the emphasis on signing off Conditions of Approval while weighing in current economic conditions. Currently, the economic condition and climate limits the need for advancing the project. The Applicant requests additional land use extensions to help with getting through the current economic climate. If possible, a multiple year extension is requested from the City.

**2. Describe the reason(s) for not beginning or continuing development or meeting conditions of approval within the approval period.**

Applicant Response:

As previously mentioned above, the economic conditions limit the need for developing the project in the near future. It is the Applicants intention to develop the property in the most economically feasible way. As demand picks up for residential housing, the Applicant will begin processing the final plat and fulfilling additional obligations associated with the Conditions of Approval.

**3. Any additional extensions beyond the three allowed under 1 and 2 above may only be approved by City Council. Such extensions shall be based on the following:**

**(a) All requirements listed for extensions under 1 (a), (b), (c), (e) and 2 above are met.**

Applicant Response:

The requirements listed above for extensions can be reasonably met pursuant to Section #1 and #2 above.

**(b) Council determines that, due to unforeseen general economic conditions, reasonable expectations for developing the project in a given timeframe have changed since the date of the original approval. General economic conditions refer to citywide (or broader) conditions, not the specific economic situation of the applicant.**

Applicant Response:

The applicant, if needed, can assist with or provide Council with evidence that since the date of the original application and most recent approved land use extension, that would show residential housing economic conditions within the City/County have not materially improved. General economic conditions have changed in the City, not the specific economic situation of the applicant.

**(c) The applicant demonstrates that a substantial effort has been made to move the project forward. Evidence of substantial effort shall be evaluated at the discretion of the Council and may include planning, engineering, architectural design, bonding for or construction of public improvements, or other similar demonstrations of economic commitment.**

Applicant Response:

The applicant can reasonably demonstrate the substantial planning/engineering efforts and financial commitments that have been made on the project from initial design inception to current date. Most recently, the applicant has minimized expenditures on the project until local economic factors or demand has picked up. There is substantial evidence of available improved lots for buyers, builders, etc. to purchase within the City at discounted prices. It would not be prudent for the applicant to develop lots right now or in the near future.