



TUALATIN CITY COUNCIL

Monday, JANUARY 8, 2018

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 6:15 p.m.

BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Joelle Davis

Councilor Robert Kellogg
Councilor Paul Morrison

Councilor Frank Bubenik
Councilor Nancy Grimes

Councilor Jeff DeHaan

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 8, 2018

A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council update for January, 2018

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of December 11, 2017
2. Consideration of Approval of a New Liquor License Application for Free Public Wines
3. Consideration of **Resolution No. 5351-18** Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) between the City of Tualatin and the City of Durham for Building Inspection / Plan Review Services

E. PUBLIC HEARINGS – Quasi-Judicial

1. Request to Suspend the Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Locate at 6464 SW Borland Road
2. Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Located at 6464 SW Borland Road

F. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of Recommendations from the Council Committee on Advisory Appointments

G. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

H. COMMUNICATIONS FROM COUNCILORS

I. ADJOURNMENT

City Council Meeting

Meeting Date: 01/08/2018

ANNOUNCEMENTS: YAC Update

ANNOUNCEMENTS

Tualatin Youth Advisory Council update for January, 2018

SUMMARY

A. YAC Update

January 8, 2018

Tualatin Youth Advisory Council

Youth Participating in Governance

About Us...



- ◎ 19 members
 - 6 Seniors
 - 7 Juniors
 - 1 Sophomore
 - 4 Freshman
 - 1 Eighth Grade
- ◎ 10 female / 9 male
- ◎ General weekly meeting
- ◎ Weekly subcommittee meetings
- ◎ Average member contributes 85 hours/year

YAC Goals

- ⦿ Advise City Council on issues that affect youth
- ⦿ Provide primary communication link for youth to government
- ⦿ Identify and advocate for the needs of youth
- ⦿ Carry out events and activities for youth

We work throughout the year to meet these goals

Project FRIENDS

- Day-long anti-bullying workshop for 5th grade students
- Curriculum researched and designed by YAC members
- Scheduled for May, 2018





STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 01/08/2018

SUBJECT: Consideration of Approval of the Minutes for the Work Session and Regular Meeting of December 11, 2017

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of December 11, 2017.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of December 11, 2017](#)
[City Council Regular Meeting Minutes of December 11, 2017](#)



Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon

CALL TO ORDER

Mayor Ogden called the meeting to order at 6:15 p.m.

1. ***Metro Update with Councilor Craig Dirksen.***

Metro Councilor Craig Dirksen presented an update from Metro. He shared the Regional Snapshot on housing, jobs, changing communities, housing affordability, and the economy. He spoke to the importance of the 2017 state transportation package. Stating the region is growing rapidly and the transportation system needs to keep up. TriMet has been convening regional partner meetings about the potential for a 2018 transportation ballot measure. Metro is working closely with TriMet and continues to support their work to fund the SW Corridor, which is still very viable with a 2020 measure. Metro continues work on the Regional Transportation Plan and now has a draft project list that has been compiled for evaluation. In total \$21.4 billion in projects was submitted, with over half being in highways, roads and bridges. Councilor Dirksen spoke to the growth management plan stating a new decision will be made in 2018. With reforms passed by the Legislature in 2017, Metro now has a new tool allowing the Council to make a small UGB adjustment – up to 1000 acres – in 2021 if there is an unmet need, and shovel-ready land available to meet it.

Councilor Dirksen spoke to Metro's grants and partnership programs stating about \$1 million of the grants is designated for projects that have a strong emphasis on serving historically marginalized communities, or reducing barriers to equitable housing. A half-million is for projects to make development more possible in centers, corridors, station areas and employment areas inside the urban growth boundary. Another half-million is designated to help cities plan their urban reserves and areas brought within the UGB. The next cycle of community place-making grants opens in January 2018.

He spoke to the 2030 Regional Waste Plan which will include a vision for reducing the overall impacts of goods consumed in the region, policies to help ensure equity in the system, goals for achieving what residents want from the system by 2030, a plan that identifies actions to accomplish those goals, and ways to measure progress. Development of the new plan is happening in five phases, and it's expected that a new plan will be presented to Metro Council for adoption in the fall

of 2018. From Spring 2017 to Fall 2018, Metro will engage the public, local governments, and community and business leaders over five phases of development.

Councilor Morrison asked about a potential hazardous waste drop-off in Washington County. Councilor Dirksen stated there is no plans at this time but there are certain collection days located throughout the County.

2. Council Meeting Agenda Review, Communications & Roundtable.

None.

ADJOURNMENT

The work session adjourned at 6:54 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR DECEMBER 11, 2017

Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Associate Planner Erin Engman; City Engineer Jeff Fuchs

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:02 p.m.

B. ANNOUNCEMENTS

1. Update on the Tualatin Youth Advisory Council's Activities for December

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. YAC members participated in the Starry Nights and Holiday Lights event on December 1. Upcoming events include Park After Dark and preparations for Project FRIENDS.

2. New Employee Introduction- Betsy Ruef, Community Engagement Coordinator

Assistant to the City Manager Tanya Williams introduced Community Engagement Coordinator Betsy Ruef. The Council welcomed her.

3. New Employee Introduction- Jonathan Taylor, Economic Development Program Manager

Assistant City Manager Alice Cannon introduced Economic Development Program Manager Jonathan Taylor. The Council welcomed him.

4. Proclamation Declaring December 10, 2017 as Human Rights Day in the City of Tualatin

Council President Joelle Davis read the proclamation declaring December 10, 2017 as Human Rights Day in the City of Tualatin.

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

Scott Chamburg spoke to concerns of the proposed location of the bridge in the basalt creek area. He spoke to the potential affects it could have on his property value.

Dorthy Cofield, legal representative for the Tualatin Professional Center, spoke to concerns they have regarding the IGA with Clackamas County on the consent agenda. They believe it will affect the north accesses to their properties. She requested the item be heard separately.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Jeff DeHaan, SECONDED by Council President Joelle Davis to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of November 13, 2017
2. Consideration of Approval of a New Liquor License Application for Benza Vineyards
3. Consideration of the System Development Charge (SDC) Annual Reports on Sewer, Storm, Water, and Transportation Development Tax (TDT) for Fiscal Year 2016/2017
4. Consideration of the Parks System Development Charge (SDC) Annual Report for Fiscal Year 2016/2017

E. PUBLIC HEARINGS – Quasi-Judicial

1. Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Located at 6464 SW Borland Road

Mayor Ogden opened the public hearing for a request for review of MAR17-0041, Tualatin Professional Center (TPC) parking lot improvement land use decision located at 6464 SW Borland Road. He read the rules of the hearing in accordance with ORS 197.765(5) and (6) and ORS 197.79(3)(b).

Planning Manager Aquilla Hurd-Ravich and Assistant Planner Erin Engman presented the staff report. Manager Hurd-Ravich stated the appeal is for a Minor Architectural Review (MAR) for parking lot site improvements and regrading to match proposed Sagert Street extension. She stated an Architectural Review cannot be used to vary or change standards in the Tualatin Development Code so a Variance Application would be required. Planner Engman reviewed the current right of way conditions noting a temporary loss of Sothern access drives to TPC while Sagert Street is being improved. Background on the private improvements for TPC were reviewed noting the agreement allowing improvements expired in 1989 with clear provisions to remove the improvements when Sagert street was extended. The MAR project summary was reviewed. Planner Engman stated the application was approved on October 12, 2017 with seven conditions of approval. The conditions of approval were recapped.

Manager Hurd-Ravich reviewed the appeal summary stating staff found the request for review is without merit for the following reasons: the Sagert Farm subdivision design does not apply to improvements on this property, TPC's parking lot is not a legal, nonconforming use, and parking lot improvements are required to meet current code. Planner Engman reviewed the five appellant claims for the appeal and staff's findings. Manager Hurd-Ravich stated staff has informed the applicant the variance process is the best process for them as that is where standards can be altered and changed. TPC chose not to pursue the variance option at this time.

APPLICANT

Dorothy Cofield, Attorney for the TPC, and Chris Kalamo, Traffic Engineer, spoke on behalf of the request for review. Ms. Cofield spoke to concerns of loss of parking for the site. She requested to have the hearing remain open while the applicant has time to review ARB 83-06 as they did not receive it with their public records request.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS

Councilor Bubenik asked about the 50 foot depth of the drive aisle. Manager Hurd-Ravich stated it is necessary to allow room for car queuing coming in and out of the development.

Councilor Grimes asked if it is still possible for the applicant to pursue a variance for this request. City Attorney Brady stated having the hearing tonight does not preclude them from requesting a variance.

Councilor Kellogg asked if the map the applicant submitted was approved as part of the Sagert Farms subdivision. Manager Hurd-Ravich stated it is not an

approved map.

Councilor Morrison asked if the road being built was the trigger for this further development need. Assistant City Manager Alice Cannon stated it is and that is what makes them a candidate for the variance process.

City Attorney Brady made clarification regarding the request to leave the hearing open stating Ms. Cofield did receive ARB 83-06 in an email dated September 22, 2017.

Councilor DeHaan asked if an agreement had been met regarding the loss of parking spaces. Ms. Cofield stated they can't meet city code without losing the spaces.

Council President Davis asked how parking lot safety is affected with removal of the parking spots. Mr. Kalamo stated the parking lot would still be safe with a shorter queuing length since the lot has low turnover in cars.

Councilor DeHaan stated he is sympathetic but the code is very clear for a reason.

Councilor Morris asked if submitting the MAR means the entire development has to be brought to code. Manager Hurd-Ravich stated only what is in the scope of the MAR has to be brought to current standards.

PUBLIC COMMENT

James Walker stated he was told by city staff that Lennar would be required to reestablish the driveways as part of their land use approvals. Lennar eventually walked away from their negotiations with TPC and they were left to resolve the issue themselves.

Ms. Cofield asked if the driveway queuing measurement could be taken from the center of the road. Manager Hurd-Ravich stated it has to come from the property line.

Mayor Ogden stated the record will remain open for seven days per the applicant's request. Mayor Ogden closed the oral portion of the hearing stating the hearing will be continued on January 8, 2018.

F. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Resolution No. 5350-17** Authorizing the City Manager to Execute a 4-party Intergovernmental Agreement Seeking a Non-Appealable Decision from Metro Regarding the Central Subarea of the Basalt Creek Planning Area

City Manager Lombos presented an agreement between Metro, Washington County, the City of Wilsonville, and the City of Tualatin to have Metro make a non-appealable decision regarding the Central Subarea of the Basalt Creek Planning Area. The two cities have been unable to reach an agreement on the area and feel this is the best way to settle the dispute.

CITIZEN COMMENT

Tom Ray asked if all parties are in agreement regarding the IGA and how long will a decision take. Mayor Ogden stated all parties are in agreement. Metro Councilor Craig Dirksen stated Metro Council will receive an analysis for Metro Staff and evaluate the recommendations the first part of the year.

MOTION by Councilor Paul Morrison, SECONDED by Council President Joelle Davis to adopt Resolution No. 5350-17 authorizing the City Manager to execute a 4-party Intergovernmental Agreement seeking a non-appealable decision from Metro regarding the Central Subarea of the Basalt Creek Planning Area.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

2. Consideration of Council Rules

The Council took a break from 9:20-9:30 p.m.

Mayor Ogden briefly recapped previous discussion on the Council Rules. He presented his track changes as attached to the staff report. Discussion regarding the council rule items was held by the Council and will be reflected in the final draft.

G. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

1. Consideration of **Resolution No. 5348-17** Authorizing the City Manager to Execute the Termination of an Intergovernmental Agreement (IGA) with Clackamas County Relating to SW Borland Road

Dorothy Kofield, legal representative for the Tualatin Profession Center, stated they are concerned about the affect this will have on the northern accesses to their property. They would like to be considered a stakeholder during future IGA discussions as they believe it affects their property.

City Attorney Sean Brady stated the transfer of jurisdiction would not affect the access points. Assistant City Manager Alice Cannon stated the intent is to renegotiate the terms and conditions of an IGA in the future.

MOTION by Council President Joelle Davis, SECONDED by Councilor Robert Kellogg to adopt Resolution No. 5348-17 authorizing the City Manager to execute the termination of an Intergovernmental Agreement (IGA) with Clackamas County relating to SW Borland Road.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

H. COMMUNICATIONS FROM COUNCILORS

None.

I. ADJOURNMENT

Mayor Ogden adjourned the meeting at 10:50 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 01/08/2018

SUBJECT: Consideration of Approval of a New Liquor License Application for Free Public Wines

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Free Public Wines.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Free Public Wines.

EXECUTIVE SUMMARY:

Free Public Wines has submitted a new liquor license application under the category of Winery. They must principally produce wine or cider in Oregon. They can manufacture, store, and export wine and cider. This allows for the sale and service of malt beverages, wine, and cider for off-site consumption. The business is located at 12085 SW Myslony Street. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B- License Types](#)

Attachment C- Application



Free Public Wines

SW Myslony St

SW Herman Rd

SW 124th Ave

SW 118th Ave

Attachment A
Vicinity Map



OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 12/11/2017

IMPORTANT: This is a three-page form. **You are required to complete all sections of the form.**
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.

Thank you for your assistance and cooperation.

CITY OF TUALATIN
DEC 12 2017

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
- Temporary License - \$35.00 Application Fee.

MAYOR _____ COUNCIL _____ POLICE _____ ADM _____
FINANCE _____ COMM DEV _____ LEGAL _____ OPER _____
COMM SVCS _____ ENC & BLOG _____ LIBRARY _____

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): FREE PUBLIC WINES

Business address 12085 SW MYSLONY ST City TUALATIN State OR Zip Code 97062

Mailing address 329 NE COUCH ST #209 City PORTLAND State OR Zip Code 97232

Telephone # 503-250-4055 Fax # _____

Email ALYSSA.MCTIMPENY@DWT.COM

Name(s) of business manager(s) First MATTHEW Middle WILLIAM Last LOUNSBURY

Date of birth _____ Social Security # _____ DDL# _____

Home address _____
(attach additional pages if necessary)

Type of business WINERY

Type of food served N/A

Type of entertainment (dancing, live music, exotic dancers, etc.) N/A

Days and hours of operation NOT OPEN TO PUBLIC

Food service hours: Breakfast _____ Lunch _____ Dinner _____

Restaurant seating capacity _____ Outside or patio seating capacity _____

How late will you have outside seating? _____ How late will you sell alcohol? _____

How many full-time employees do you have? 0 Part-time employees? 0

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants _____

Type of liquor license (refer to OLCC form) _____

Form of entity holding license (check one and answer all related applicable questions):

INDIVIDUAL: If this box is checked, provide full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

PARTNERSHIP: If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name FREE PUBLIC SPC
Business address 12085 SW MYSLONY ST.

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name MICHAEL ETTER Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes X No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: MICHAEL ETTER Date of birth: _____
Residence address: _____
Full name of treasurer: MATT LOUNSBURY Date of birth: _____
Residence address: _____
Full name of secretary: MICHAEL ETTER Date of birth: _____
Residence address: (SEE ABOVE)

LIMITED LIABILITY COMPANY: If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.
Full name: _____ Date of birth: _____
Residence address: _____


Full name: _____ Date of birth: _____

Residence address: _____

OTHER: If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

Signature of  _____ Date 12/11/17

Sources Checked: _____ *City Use Only*

DMV by [Signature] PLEDS by [Signature] TuPD Records by [Signature]
 Public Records by [Signature]

Number of alcohol-related incidents during past year for location.
 Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted
 Denied
Cause of unfavorable recommendation: _____

 _____ Date 12-14-17

Bill Steele
Chief of Police
Tualatin Police Department



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Ginny Kirby, Office Coordinator
Chris Ragland, Building Official

DATE: 01/08/2018

SUBJECT: Consideration of **Resolution No. 5351-18** Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) between the City of Tualatin and the City of Durham for Building Inspection / Plan Review Services

ISSUE BEFORE THE COUNCIL:

The City of Tualatin has had an IGA with the City of Durham to provide Durham with building inspection/plan review services since 1998. For these services, the City received 80% of the fees collected by Durham for all inspections and plan reviews performed by Tualatin. This renewed agreement is effective through June 30, 2022, unless one of the parties gives 120 days notice of its intent to terminate sooner.

RECOMMENDATION:

Staff seeks City Council approval of the resolution authorizing the City Manager to execute the IGA between the City of Tualatin and the City of Durham for building inspection/plan review services.

FINANCIAL IMPLICATIONS:

Tualatin will receive 80% of the fees Durham collects to compensate for work performed.

Attachments: A - Resolution
B - IGA

RESOLUTION NO. 5351-18

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE BUILDING SERVICES TO THE CITY OF DURHAM.

WHEREAS, the City of Tualatin is a public body engaged in providing municipal services, including public safety, to its citizens; and

WHEREAS, the City of Durham is a public body engaged in providing municipal services to its citizens; and

WHEREAS, ORS 190.010 et. seq. authorizes the City of Tualatin and City of Durham to enter into an intergovernmental agreement (IGA) to allow one government entity to perform services on behalf of another government entity; and

WHEREAS, the City of Tualatin and City of Durham mutually agree that the City of Tualatin will provide Building Services to the City of Durham under the terms and conditions of the IGA;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute an IGA to provide Building Services to the City of Durham, which IGA is set forth in Exhibit A and incorporated by reference.

Section 2. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of January, 2018.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TUALATIN AND CITY OF DURHAM FOR BUILDING SERVICES

RECITALS:

WHEREAS the City of Tualatin is an Oregon municipal corporation engaged in providing municipal services, including building services, to its citizens; and

WHEREAS the City of Durham is an Oregon municipal corporation engaged in providing municipal services, including building services, to its citizens; and

WHEREAS ORS 190.010 et. seq. authorizes the City of Tualatin and City of Durham to enter into an intergovernmental agreement; and

WHEREAS the City of Tualatin and City of Durham mutually agree to strive to enhance building services within their respective cities and in neighboring communities; and

WHEREAS the City of Durham desires to have City of Tualatin perform its building inspection and plan reviews and City of Tualatin is willing to do so.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. Term. The term of this agreement will begin upon acceptance and approval by resolution by both City of Durham and City of Tualatin City Councils and will expire on June 30, 2022, unless terminated sooner as provided under the terms of this IGA.

Section 2. Purpose. By this agreement, the City of Tualatin shall furnish basic building services to the City of Durham in exchange for 80% of the fees City of Durham charges for building plan checks and site inspections exclusive of the State surcharge. A copy of the current fees is attached as *Attachment A*.

Section 3. City of Tualatin Obligations. City of Tualatin will provide building services to City of Durham. These services could include; but are not limited to:

- A. City of Tualatin will perform building plan checks and site inspections for structural, mechanical, plumbing, and building inspections for permit applications for City of Durham by the supervision of Tualatin's Building Official.
- B. City of Tualatin Building Official will inform the City of Durham when a building permit warrants a Certificate of Occupancy. If the City of Durham agrees, the Building Official will complete the Durham Certificate of Occupancy form, issue it on City of Durham forms, and provide a copy to the City of Durham.

- C. Transmit records within five (5) business days of completion of any inspection.

Section 4. City of Durham Obligations.

- A. In exchange for the City of Tualatin providing the services outlined in section 3, the City of Durham shall pay to the City of Tualatin 80% of the permit and plan check fees collected by City of Durham exclusive of the State surcharge.
- B. The City of Durham shall not make less than quarterly payments to the City of Tualatin, provided however that should City of Durham be in arrears in payment of its fees hereunder, such default shall not be deemed a material breach unless City of Durham's entire balance is still unpaid more than 45 days after written notice by City of Tualatin.
- C. City of Durham residents will apply for permits and plan reviews with City of Durham. City of Durham shall conduct all planning and zoning reviews and inspections. City of Durham will continue to perform its own engineering review and inspections, and will continue to contract with Washington County for electrical inspections.
- D. City of Durham agrees to charge not less than those fees charged by City of Tualatin for Building Services. If, during the term of this agreement, City of Tualatin increases its fees, City of Tualatin will notify City of Durham in writing. Within sixty (60) days of City of Tualatin providing notice, City of Durham will adjust its fees to be no less than City of Tualatin's.
- E. City of Durham is responsible for fee collection and payment of the State surcharge.
- F. City of Tualatin's inspection standards and guidelines shall apply in City of Durham.
- G. City of Durham will be the official custodian of records and will comply with its own retention policy regarding any relative documents.

Section 5. Administrative Responsibility.

- A. **Employees of City of Tualatin.** City of Tualatin shall have full authority and responsibility over hiring, training, discipline, scheduling, and assignment of personnel assigned to perform and to supervise services provided under this agreement. City of Tualatin shall have full discretion and authority to assign priority service among conflicting service demands at any given time.

- B. Subcontracting.** City of Tualatin may subcontract to provide services in its discretion; provided; however, City of Tualatin shall undertake no such obligation which has the effect of diminishing or degrading the level of service provided to City of Durham.

The parties acknowledge that depending upon needs, City of Tualatin may employ consultants or subcontractors to perform work under this agreement. These consultants and subcontractors shall be responsible to City of Tualatin.

- C. Administrative or Procedural Resolution.** If an administrative or procedural problem arises, the Durham City Administrator and the Tualatin City Manager may specify procedures by written agreement after the adoption of this agreement. This agreement may be otherwise amended by written agreement of both parties.

Section 6. Other Terms and Conditions.

- A. Indemnification.** To the fullest extent permitted by the Oregon Constitution, laws of the State of Oregon regarding units of local government and subject to the monetary limits of ORS 30.260 – 30.300, each party agrees to indemnify, defend and hold the other harmless from any liability claim or injury arising from that party's acts or omissions in connection with the performance of this Agreement. Each party shall give the other immediate written notice of any action or suit filed or any claim made against that party that may result in litigation in any way related to this agreement.
- B. Insurance.** Each party agrees to maintain insurance levels or self-insurance in accordance with the Oregon tort claims act for the duration of this agreement at levels necessary to protect the public body from liability.
- C. Compliance with Applicable Law.** Both parties agree to comply with all federal, state, county and local laws, ordinances, and regulations applicable to the work to be done under this contract. Failure or neglect on the part of the other party to comply with any or all such laws, ordinances, rules, and regulations shall not relieve the other party of its obligations or requirements under this contract.
- D. Independent Contract Relationship.** The City of Tualatin through its officers, employees, and agents, will provide the services described in this agreement as an independent contractor, and nothing herein shall be interpreted or construed as creating or establishing the relationship of employer/employee, principal/agent, partnership, joint venture, association, or any other type of legal or business relationship between the City of Durham and City of Tualatin. Each party shall be solely

responsible for paying its own taxes (federal, state, and local of any type or amount); the consideration owed to its own contractors and agents; its operational expenses; the wages, salaries, benefits, withholdings, and assessments for its employees (including, for example, federal and state income taxes, social security, Medicare, unemployment insurance, workers compensation, pension or retirement, medical or life insurance); and the damages or settlements for claims arising from the negligent, reckless, or intentional acts of its employees or agents, all without contribution from the other party. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party. The City of Durham shall have no right to direct or control the manner or method by which the City of Tualatin provides the services that City of Tualatin agrees to provide through this agreement.

- E. Ownership of Work Product.** All work product produced in furtherance of this agreement belongs to the City of Durham, except that any copyright, patent, trademark proprietary, or any other protected intellectual property right shall be owned by, vest in, and is hereby assigned to the City of Tualatin. City of Tualatin retains all rights to ownership or title in any copyright, patent, trademark, proprietary or any other protected intellectual property right resulting from the work under this agreement.
- F. Workers Compensation.** City of Tualatin agrees that it will comply with ORS 656.017 or is exempt under ORS 656.126.
- G. Force Majeure.** Neither party shall be held responsible for delay or default caused by fire, riot, acts of god and war which are beyond its reasonable control. The affected party shall; however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon cessation of the cause, diligently pursue performance of its obligation under the contract.
- H. Severability.** If any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held to be invalid.
- I. Waiver.** The failure of a party to enforce any provision of this contract against the other party shall not constitute a waiver of that provision or any other provision.
- J. Notices.** All notices regarding this Agreement should be sent to the parties at the following addresses:

To: City of Tualatin
Alice Cannon, Assistant City Manager
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062
503.691.3018
acannon@ci.tualatin.or.us

To: City of Durham
Linda Tate, City Administrator
17160 SW Upper Boones Ferry Road
Durham, Oregon 97224
503.639.6851
cityofdurham@comcast.net

Section 7. Merger. This agreement constitutes the entire agreement between the parties with respect to the subject matter hereto. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement.

Section 8. Modifications of Agreement. Modifications or amendments to this agreement are valid only if made with the same formalities as this agreement was executed, in writing, and signed by all parties. Any such amendment, consent, or waiver shall be effective only in the specific instance and for the specific purpose given.

Section 9. Termination. Either party may terminate the agreement upon the giving of no fewer than 120 days prior written notice to the other party of the intent to terminate.

Section 10. Breach; Default; Disputes. If a Party breaches a covenant in this IGA, the non-breaching Party may seek all remedies available at law or equity or may revoke this IGA upon giving thirty (30) days' written notice of the alleged breach. If the breach is not cured within that time, the non-breaching party may send a second notice terminating this IGA immediately, and the IGA will be terminated unless the disputing parties request dispute resolution in writing. Upon notice of a desire for dispute resolution the following process will apply:

- A. City Manager of Tualatin and Administrator of Durham will meet in an effort to resolve the matter within 30 days of the notice.
- B. If resolution is unsuccessful, then within ten (10) days any party may request mediation. If the parties cannot agree on a mediator, they will use a mediator selected by the Presiding Judge of the Circuit Court of the State of Oregon for Washington County. Mediation will be concluded within sixty (60) days unless the disputing party agrees to a different schedule. If resolved, a written agreement shall be executed and approved by the appropriate decision maker.

- C. If mediation is unsuccessful, within fifteen (15) days, any party may seek any legal or equitable remedy in the Circuit Court of the State of Oregon for Washington County.
- D. If any suit, action, arbitration, mediation or other proceeding is instituted to enforce rights or otherwise pursue, defend, or litigate issues related to this IGA, or any other controversy arises from this IGA and regardless of any statute to the contrary, each party will bear its own attorneys fees and costs. The award of costs and expenses on appeal from a judgment entered after trial will be to the prevailing party designated as such by the appeals court.

Section 11. Signatures. The parties, by their signatures below, acknowledge having read this agreement, understand it, have authority to bind their respective governments, and agree to be bound by its terms and conditions. As evidence of their intent to make their contract, the parties' duly authorized representatives have signed this agreement on the dates noted by their signature below.

CITY OF TUALATIN	CITY OF DURHAM
BY _____	BY <u><i>Linda Tate</i></u> _____
SHERILYN LOMBOS Date	LINDA TATE <u>11-28-17</u> City Administrator Date
City Manager	

APPROVED AS TO FORM

BY _____
Tualatin City Attorney



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Aquilla Hurd-Ravich, Planning Manager
Erin Engman, Associate Planner

DATE: 01/08/2018

SUBJECT: Request to Suspend the Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Locate at 6464 SW Borland Road

ISSUE BEFORE THE COUNCIL:

The Tualatin Professional Center submitted a request to suspend the Request for Review hearing and continue the hearing to a date certain of April 23, 2018, while they apply for a Variance with the Planning Commission.

RECOMMENDATION:

Staff recommends Council consider the motion, which is attached, grant the motion and continue the hearing to a date certain of April 23, 2018.

EXECUTIVE SUMMARY:

The Tualatin Professional Center submitted a Motion to Suspend its Request for Review of the Minor Architectural Review Hearing (see Attachment 100) to continue the hearing to April 23, 2018. The purpose of the delay is to allow the Tualatin Professional Center time to apply for a Variance with the Planning Commission. In addition, the Tualatin Professional Center agrees that if the motion is granted, the 120-day rule is extended to May 31, 2018.

Staff supports this request. The procedural implications of continuing the Architectural Review Hearing are as follows:

Architectural Review Hearing Process

- The Tualatin Professional Center extended the 120-day rule to May 31, 2018.
 - This means Council must make a final decision on the Architectural Review application before May 31, 2018, unless the Tualatin Professional Center makes a future written request to extend the deadline further.
- The Architectural Review Hearing remains active and is continued to April 23, 2018.
- The Tualatin Professional Center intends to use the time to apply for a Variance.

Variance Process

- Tualatin Professional Center must apply for a Variance.
- The Planning Commission is the initial hearing body for Variance applications.
 - City staff will process the application and schedule a hearing before the Planning Commission.
 - City staff will make a staff recommendation to the Planning Commission.
 - Planning Commission will decide the Variance.
- City Council is the appeal body for Variance applications.

Future City Council Process if Variance Granted by Planning Commission

- Architectural Review Hearing to be held by City Council on or before April 23, 2018.
 - Tualatin Professional Center will request that the City Council consider new evidence of the Planning Commission's Variance decision.
 - City staff will need to renotice the Architectural Review Hearing.
 - New notice to the public for consideration of new evidence.
 - City staff will make a new recommendation to the City Council based upon the Planning Commission's Variance decision.
- City Council will need to reopen the record of the Architectural Review Hearing to allow submittal of the Variance decision information and evidence.
- City Council will conduct the Architectural Review Hearing.
 - Conclude the hearing.
 - Deliberate and decide.

Future City Council Process if Variance Not Granted by Planning Commission

- If the Planning Commission denies (in whole or in part) the Variance, the Tualatin Professional Center may appeal the Variance decision to City Council.
- City Council Hearing on the Variance Application.
 - City staff will notice the hearing.
 - City Council will conduct the hearing and evidence will be submitted.
 - City Council will decide whether to grant the Variance.
 - Tualatin Professional Center may wish to further extend the 120-day rule because without an extension, the Architectural Review must be decided before May 31, 2018.
 - If City Council grants a Variance, the Variance decision impacts City Council's consideration of the Architectural Review application.
 - If City Council denies the Variance, the Tualatin Professional Center may appeal to LUBA.
- City Council Hearing on the Architectural Review Application.
 - If City Council denies the Variance, the City Council could decide on the current record or could reopen the record.
 - The Tualatin Professional Center may request the record be reopened.
 - If City Council grants the Variance, City Council will consider the Architectural Review Application with the additional Variance evidence.
 - City staff will need to renotice the Architectural Review Hearing.
 - New notice to public for consideration of new evidence.
 - Depending on time constraints and whether the 120-day rule is further extended by the Tualatin Professional Center, the Architectural Review decision may need to be acted upon before the Variance decision by Council. This is not likely, but could occur.
 - City staff will make a new recommendation to the City Council based upon the

City Council's Variance decision.

- City Council will need to be reopen the record of the Architectural Review Hearing to allow submittal of the Variance decision information and evidence.
- City Council will conduct the Architectural Review Hearing.
 - Conclude the hearing.
 - Deliberate and decide.

Attachments: Attachment 100 - Motion to Suspend

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE TUALATIN CITY COUNCIL

**IN THE MATTER OF MAR 17-0041
REQUEST FOR REVIEW BY
TUALATIN PROFESSIONAL CENTER**

**MOTION TO SUSPEND
REQUEST FOR REVIEW**

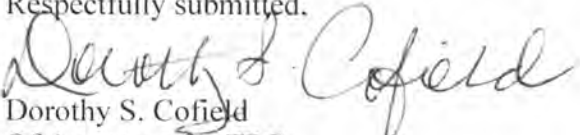
The appellant, Tualatin Professional Center (TPC) hereby requests that its Request for Review of MAR 17-0041 be suspended until April 23, 2018 to allow TPC to apply for a major variance to the Tualatin Planning Commission. Should the City Council grant the motion, the appellant agrees to extend the 120-day rule to May 31, 2018.

We have spoken to city staff and they are supportive of the TPC Motion to Suspend. To that end, city staff has prepared a Staff Memorandum of Support for the TPC Motion which details the procedure for the variance application and MAR 17-0041.

TPC has reviewed the staff memorandum and agrees with the process of review for the variance and associated MAR 17-0041 pending before the Council.

DATED this 3rd day of January, 2018.

Respectfully submitted,


Dorothy S. Cofield
Of Attorneys for TPC



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Erin Engman, Associate Planner
Aquilla Hurd-Ravich, Planning Manager

DATE: 01/08/2018

SUBJECT: Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Located at 6464 SW Borland Road

ISSUE BEFORE THE COUNCIL:

This item is continued from the December 11, 2017 meeting. The applicant's representative requested to leave the record open for 7 days during which time the applicant submitted new evidence (Attachment 110) and staff provided a clarifying memo (Attachment 111).

The Tualatin Professional Center Minor Architectural Review, MAR17-0041, driveway adjustment proposal was approved with conditions by staff on October 12, 2017. TPC submitted a request for review on October 26, 2017.

RECOMMENDATION:

Staff requests that City Council consider the staff report and attachments, and direct staff to prepare a resolution that conforms to the City Council's direction.

EXECUTIVE SUMMARY:

Applicant testimony and a staff recommendation for request for review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement, was discussed at the City Council hearing held on December 11, 2017. At this hearing, Dorothy Cofield of Cofield Law Office on behalf of the Tualatin Professional Center (TPC) asked to leave the record open for seven days. During this period, TPC provided new evidence for consideration under Attachment 110. Staff has also provided a memorandum that clarifies two points raised at the December 11, 2017 hearing as Attachment 111. This memorandum states that Sheet C220 is a construction document that was submitted for the Sagert Street right of way improvements and was not submitted or approved under the Sagert Farm subdivision land use decision. The memorandum also provides an email exchange that demonstrates that TPC's public records request was satisfied.

This is a quasi-judicial hearing before Council to consider approving MAR17-0041, Tualatin Professional Center Driveway Adjustment.

Parking lot improvements and expansions are subject to an Architectural Review (AR) pursuant to Tualatin Development Code (TDC) 73.040(1). When an applicant wishes to modify a site with an existing Architectural Review and the application is within a certain threshold, it is City practice to require a Minor Architectural Review as described in TDC 73.100(1) and (2).

A Minor Architectural Review (MAR) is a land use review for proposed changes to a previously-approved Architectural Review (AR) governing any existing commercial, manufacturing, institutional, or multi-family residential development. MARs are intended for small-scale modifications that will not substantially change the overall appearance and operation of the subject site.

KPFF Consulting Engineers, on behalf of the Tualatin Professional Center (TPC), submitted a Minor Architectural Review (MAR) application 17-0041 on August 21, 2017 (Attachment 104) for a parking lot improvement project.

The application was deemed complete on September 21, 2017 and approved with conditions on October 12, 2017 (Attachment 103). On October 26, 2017, a Request for Review was received from Dorothy Cofield of Cofield Law Office on behalf of the Tualatin Professional Center (TPC).

MAR 17-0041 was submitted by TPC because their parking lot previously encroached into the City right-of-way; that is now part of the public SW Sagert Street improvements that are currently being constructed. Staff met with the TPC development team at a Scoping Meeting on February 22, 2017 and at a Pre-application Meeting on April 5, 2017 to discuss their southern two accessways located off of SW Sagert Street.

To approve the Tualatin Professional Center parking lot improvement project, Council must find that the improvements meet Chapter 73: Community Design Standards with or without imposing conditions. The applicable standards used to evaluate the parking lot improvement project are listed in Attachment 101 and are discussed more fully in that document. To briefly summarize, MAR 17-0041 was approved with conditions to ensure the proposal met the following TDC development standards: 73.160(1)(a)(i) Pedestrian Circulation; 73.310(3), 73.340(1), 73.360(6)(a) Landscaping; and 73.400(11) Access.

Staff finds that the five points listed in the request for review are without merit, as discussed in more detail below.

Council may rely on the evidence submitted into the record at the evidentiary hearing, including documents and testimony.

BACKGROUND:

The Tualatin Professional Center is a medical office condominium association located at 6464 SW Borland Road, consisting of 2.16 acres on tax lot 21E30B 90000. The AR83-06 proposal was approved by ARB decision on March 16, 1983, which permitted four buildings, associated landscaping, and parking. The 1983 project was previously conditioned to dedicate land for SW Borland Road and SW 65th Street improvements, as well as land for the extension of SW Sagert Street. The project was also conditioned to provide half-street improvements along SW Borland Road and SW Sagert Street.

The Tualatin Professional Center also applied for a partition (LP83-01) in 1983 to divide their five-acre property into two lots: TL 21E30B 90000 / 2.16 acres and TL 21E30B 00500 / 2.47 acres. The partition required half-street improvements along SW 65th Avenue and SW Sagert Street. Rather than requiring construction, the City entered into Development Agreement 84-16657 that allowed TPC to provide what is known as a “fee-in-lieu.” TPC paid \$15,613.95 to the City and in exchange, the City allowed the development to proceed without making the improvements to SW 65th Avenue and SW Sagert Street.

In addition, the City allowed TPC to construct temporary driveway improvements within the City’s right-of-way. Section 11 of the original Agreement (Attachment 106) explicitly provides: “*The DEVELOPER agrees that the driveway improvement to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his [sic] expense.*” The Agreement had a five-year term that ended in 1989.

After 1989, the driveway improvements were no longer subject to the agreement. By City code, Council action through consideration of a revocable permit is required before a private improvement is allowed to encroach within City right-of-way. No record exists of the City Council granting a revocable permit or any other type of permission to TPC to allow their private driveway improvements to be located within the City’s right-of-way. As a result, for almost 30 years TPC has used the City’s right-of-way for the private driveway improvements without any legal basis to do so.

REQUEST FOR REVIEW:

The Request for Review (Attachment 102) submitted by TPC includes five reasons to appeal the approval decision:

1. TDC 73.400(11) Minimum Access Requirements for public use incorrectly applied to TPC’s restoration of two southern accesses
2. MAR17-0041 imposed additional code provisions beyond SB15-0002 Sagert Farm subdivision Conditions No. 16 and 48
3. MAR17-0041 violates TDC 35.020 Continuation of Non-Conforming Use
4. MAR17-0041 violates TDC 36.162 Modifications to Subdivision Plan Approval
5. MAR17-0041 imposes future standards under Tualatin Development Code Chapter 73 (Community Design Standards)

Staff does not agree with these statements and finds that the request for review is without merit for the following reasons:

1. Appellant incorrectly asserts that the Sagert Farms Subdivision (SB15-0002) approval on a separate property precludes MAR review of the subject improvements
2. Appellant incorrectly asserts that TPC’s southern two accessways are legal, nonconforming uses
3. Appellant incorrectly claims that the proposal is a simple restoration project

STAFF RESPONSE TO APPELLANT CLAIMS:

1. TDC 73.400(11) Minimum Access Requirements for public use incorrectly applied to TPC’s restoration of two southern accesses

In their Request for Review, TPC claims “The Planning Department incorrectly applied TDC 73.400(11) to TPC’s restoration of its two southern access per the Sagert Farm’s

subdivision approval (SB15-0002) Conditions Nos. 16 and 48.”

SB15-0002 Conditions 16 and 48 state:

PFR -16 *Submit plans that show one driveway for Tualatin Professional Center and one driveway for MEI to be at least 32-feet wide extending to the back of the proposed sidewalk.*

PFR-48 *Construct all public improvements shown on submitted plans and corrected by conditions of approval.*

TPC's argument is factually and legally incorrect. SB15-0002 approval and conditions only apply to the Sagert Farm subdivision located at 20130 SW 65th Avenue and street improvements in the affected public rights-of-way, namely SW Sagert Street. SB15-0002 conditions **do not** have any bearing on the private parking lot improvements proposed at 6464 SW Borland Road by the Tualatin Professional Center. Conditions 16 simply states that the Sagert Farm developer shall design a driveway access within the public right-of-way as noted by the statement “extending to the back of the proposed sidewalk.” Sheet C220 (Attachment 108) was submitted by 3J Engineering to comply with PFR-16, which includes a note that clearly states “work outside of R.O.W. part of separate permit.” This indicates that any improvements located on the TPC property was to be reviewed and performed under separate application and permit. Condition 48 states that the “public” (right-of-way) improvement shall be constructed as submitted.

The parking lot improvements proposed by TPC in MAR17-0041 includes improvements on the TPC private property that were not reviewed or approved as part of SB15-0002; therefore Conditions No. 16 and 48 do not preclude review of MAR17-0041.

TDC Section 73.400 Access

(11) Minimum Access Requirements for Commercial, Public and Semi-Public Uses.

<i>Required Parking Spaces</i>	<i>Minimum Number Required</i>	<i>Minimum Pavement Width</i>	<i>Minimum Pavement Walkways, Etc.</i>
100-249	2	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only

The 1983 parking lot (AR83-06) was originally approved in 1983 with 163 parking stalls; therefore, two accessways that are 32 feet wide for the first 50 feet from right-of-way would be required to meet current Code. The applicant proposed modifications to the southern two accessways located off SW Sagert Street as part of MAR17-0041. The applicant has not provided any information or described the existing conditions of the northern two accessways off SW Borland Road. Sheet C300 - Site and Horizontal Control Plan proposes and illustrates skewed access drives that are 32 feet wide at the property line and narrows down to twenty-five feet after the first ten feet from right-of-way at the western access and narrows down to twenty-nine feet after the first ten feet at the eastern access. Staff included the Condition No. 6 to meet the access width standard and to encourage a safer access drive design than what is currently proposed.

MAR17-0041 Condition No. 6 states: *The applicant must revise the appropriate sheets to provide evidence that two on-site access drives are thirty-two feet wide for the first fifty feet*

from the public right-of-way and install to approved plan set pursuant to TDC 73.400(11).

The Request for Review then addresses findings for TPC's appeal of the Sagert Farm subdivision decision: "Tualatin Professional Center will have substantially similar access as compared to its current condition" as further argument that SB15-0002 approved the two southern accesses to TPC. To clarify, SB15-0002 simply conditioned that two southern access points be provided in the public right-of-way that align with TPC's existing parking lot drive aisles. As the Tualatin Professional Center did not sign as an authorizing property owner of the SB15-0002 application, improvements on their private property were not considered as part of SB15-0002.

The Request for Review next addresses the scoping and pre-application meetings conversations. During these meetings it is staff process to review the proposal scope and draft diagrams and provide information on the appropriate application type, chapters of code to review, and timelines. Staff provided a Minor Architectural Review application to the applicant at the pre-application meeting. On the coversheet of this application, it clearly states, "In all cases, modifications must comply with all applicable TDC standards, particularly those pertaining to landscaping, lot coverage, parking, access and circulation, and community design." The applicant was additionally advised of driveway widths and TDC 73.400 Access standards in an email from Tony Doran, dated August 10, 2017 (prior to the MAR17-0041 submittal) and included as Attachment 107. Staff was very clear and transparent on both the development standards and application process prior to application submittal.

2. MAR17-0041 imposed additional code provisions beyond SB15-0002 Sagert Farm subdivision Conditions No. 16 and 48

In the Request for Review, the applicant states that the seven conditions of MAR 17-0041 approval exceed city approval of SB15-0002. The Sagert Farm subdivision (SB15-002) was approved in December 2015 with the requirement that SW Sagert Street be extended and fully improved to SW 65th Avenue. SB15-0002 Conditions No. 16 and 48 only apply to the Sagert Street right of way. These conditions did not review or authorize any improvements to the Tualatin Professional Center property. Staff has provided an Analysis and Finding for MAR 17-0041 Conditions as Attachment 101. This document provides findings based on interpretive compliance with the Tualatin Development Code (TDC) and other applicable ordinances.

3. MAR17-0041 violates TDC 35.020 Continuation of Non-Conforming Use

*TDC 35.020(1) states: Any nonconforming use of a structure or land existing on the date of the adoption of the Tualatin Community Plan, or any use of a structure or land becoming nonconforming subsequent to the effective date of the adoption of said Plan, may be continued, used, occupied or maintained **only in accordance with the provisions of this chapter.***

TDC 31.060 defines a Nonconforming Structure or Use as: A lawful existing structure or use at the time this Code or any amendment hereto becomes effective which does not conform to the requirements of the planning district in which it is located.

TPC is proposing to alter and significantly regrade its parking lot. Contrary to the applicant's claim, the TDC requires alterations of nonconforming uses to comply with design standards. Under TDC 35.030, nonconforming uses cannot be altered or enlarged, unless "such alteration or enlargement will bring the structure or use into conformity with the Planning District Standards for the planning district within which the use or land is located." As stated on the MAR17-0041 application, the proposal includes "demo of and modification of drive aisles." The MAR17-0041 proposal is an alteration under the code. As such, it must comply with current code requirements.

The driveway cuts at the location have already been installed by the Sagert Farms Development. The applicant is not proposing minor paving activities to simply connect the driveway cuts to the existing site. Rather, the proposal includes the demolition and reconstruction of the parking lot itself. As a result, even if the parking lot is a nonconforming use, alterations would not be permitted without complying with the City's development code and its design standards.

4. MAR17-0041 violates TDC 36.162 Modifications to Subdivision Plan Approval

TPC claims the City's actions violate TDC 36.162; however, TDC 36.162 applies to a subdivision plan approval. TPC did not and has not made an application for a subdivision. As such, TDC 36.162 does not apply and TPC's argument is completely without merit.

Despite the fact that TPC has not applied for a subdivision, TPC claims the City cannot impose conditions on TPC's proposal to improve its parking lot because the City previously approved the Sagert Farm Subdivision. The Sagert Farm Subdivision related to an entirely different property, not owned by TPC. TPC's argument is completely without merit.

This appeal is about TPC's parking lot improvements, not the subdivision. The parking lot was not part of the Sagert Farm Subdivision. Moreover, the applicant was not a signatory to the application for the Sagert Farm Subdivision. In fact, the applicant's property could not have been part of the Sagert Farm residential subdivision as the applicant's property is not zoned residential. The approval of the Sagert Farm Subdivision does not prohibit the City from imposing the parking lot design requirements in the TDC to the applicant's parking lot improvement project. [\[1\]](#)

The applicant also claims the residential subdivision approved a 25-foot drive aisle on the applicant's property. For the reasons stated above, this could not have occurred, as the applicant's property and Parking Lot were not part of the Subdivision approval. Even so, the subdivision approval is completely devoid of any approval relating to 25 foot drive aisle on the applicant's property. All references in the Sagert Farm Subdivision to the TPC property related to the driveway accesses. The grading and alteration of the TPC parking lot was not approved, nor even referenced, in the Sagert Farm Subdivision approval.

Lastly, the applicant claims the City's approval of its Parking Lot improvement with conditions is somehow a violation of the goalpost rule in ORS 227.178(3). The goalpost rule requires the City to judge an application based upon the criteria in effect at the time the application was filed. Here, the applicant applied for the MAR on August 21, 2017. All of the City's codes predated the Application. The City is not imposing any new regulations. The City did not violate the goalpost rule.

[1] Applicant's citation to David Hill Dev. LLC v. City of Forest Gove, 688 FSupp 2d 1193, 1205-1207 (2010) as support for its position lacks all legal applicability. The portion of the case cited by the Applicant dealt with a subdivision applicant claiming a contract violation and takings claim relating to the City of Forest Grove requiring the developer of a subdivision to provide public improvements. Applicant was not the developer of the Sagert Farms Subdivision and Applicant's property was not part of the subdivision approval.

5. MAR17-0041 imposes future standards under TDC 73 Community Design Standards

In the Request for Review, the applicant states that the City cannot impose code standards before TPC makes a development application. They also claim that code sections listed under "Following Code Sections Will Apply to the Site in an Ongoing Manner" relate to zoning enforcement. Staff finds that TPC submitted a development application through MAR17-0041. The statement does not impose future conditions, but is a statement of code provisions to assist TPC.

The Tualatin Professional Center has asked City Council to modify the Minor Architectural Review Decision as follows:

1. Approve the KPFF construction plans submitted for the MAR application
2. Delete the 50 ft access aisle requirement under TDC 73.400(11)
3. Delete the provision for future imposition of TDC 73.160(1)(g) and any future requirements to exterior building maintenance through the AR process
4. Remove any other condition inconsistent with the approval of Sheet C220 and SB15-0002

STAFF CONCLUSION:

Staff recommends that the City Council approve MAR 17-0041, Tualatin Professional Center Parking Lot Improvement Project with the recommended conditions of approval imposed. Staff finds City Council approval is supported by the findings of this report and on the supporting materials and information cited in the findings.

OUTCOMES OF DECISION:

Upholding the approval with conditions of MAR 17-0041, Tualatin Professional Center Parking Lot Improvement, will result in the following: Approval of the October 12, 2017 MAR 17-0041, Tualatin Professional Center Parking Lot Improvement, subject to the original conditions imposed.

ALTERNATIVES TO RECOMMENDATION:

The alternatives for City Council are:

- Council can uphold staff approval with conditions originally imposed.
- Council can uphold staff approval and modify conditions.
- Council can grant appellant's request which negates staff decision.

FINANCIAL IMPLICATIONS:

The appellant submitted the required \$145 fee with the Request for Review for MAR17-0041.

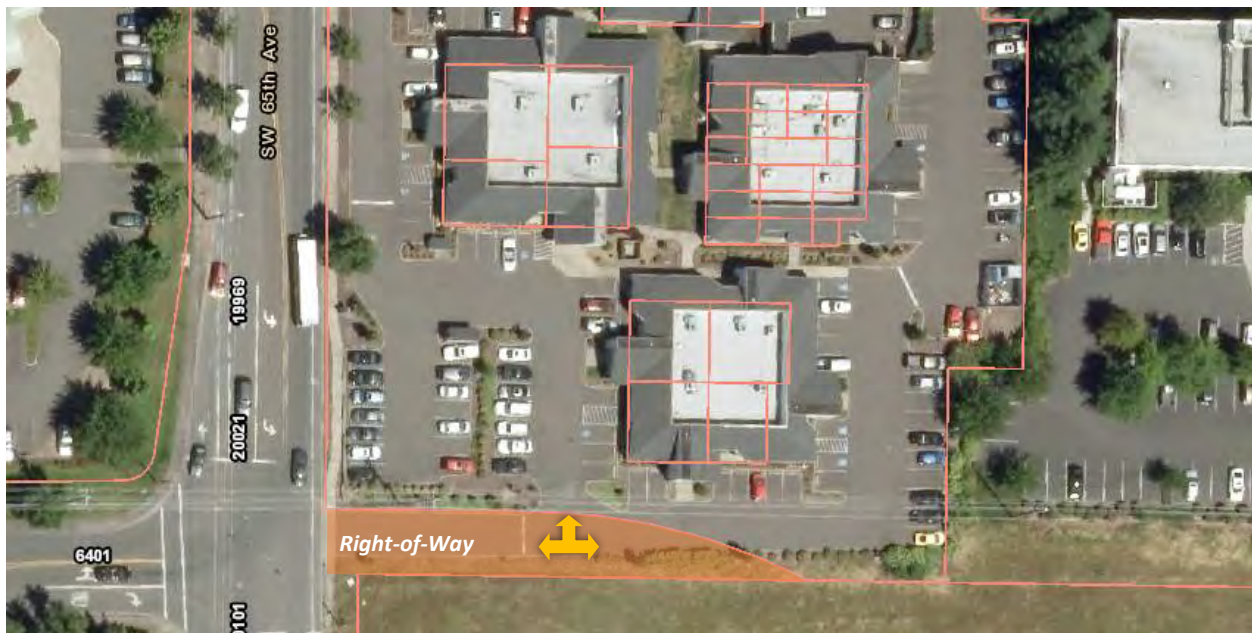
Attachments: Attachment 101- Analysis and Findings for MAR17-0041 Conditions
Attachment 102- Request for Review Application
Attachment 103 - MAR17-0041 Issued Decision
Attachment 104 - MAR17-0041 Application Submittal
Attachment 105 - SB15-0002 Sagert Farms Subdivision Conditions of
Approval
Attachment 106 - Development Agreement 84-16657
Attachment 107 - Email regarding access standard
Attachment 108 - Sheet C220 for SB15-0002
Attachment 109 - Presentation
Attachment 110 - TPC Open Record Submittal
Attachment 111 - Staff Memo to City Council during open record
Attachment 112 - Applicant Testimony Submitted day of Hearing
Attachment 113 - Response to City Attorney Memo

MAR 17-0041 Appeal – Attachment 101 ANALYSIS AND FINDINGS

Proposal

KPFF Consulting Engineers, on behalf of the Tualatin Professional Center (TPC) submitted a Minor Architectural Review (MAR) application 17-0041 on August 21, 2017 to adjust the southern two access drives previously approved through AR83-06, LP83-01, and Development Agreement 84-16657. Modifications and improvements to the southern parking lot, landscaping, and pedestrian network were also included in the proposal.

The MAR application was submitted in response to SW Sagert Street improvements that are currently being constructed by Lennar Homes. These street improvements were required by the Sagert Farm subdivision (SB15-0002). When the Tualatin Professional Center was permitted in 1983-1984, the City allowed TPC to provide a “fee-in-lieu” so that their development proposal could proceed without making improvements to the SW 65th Avenue and SW Sagert Street intersection. The City also allowed TPC to provide temporary driveway improvements in City right-of-way, which expired in 1989. The intended street improvement are now being installed in this dedicated right-of-way.



Temporary southern access to TPC in City right-of-way

A reconfigured accessway proposal would be subject to a land use application. Architectural Review applications are required for new access or parking lot improvements. A Minor Architectural Review is required when there is a modification proposed to a previously approved access or parking lot that does not result in a change of access points, on-site circulation, or parking area design. As the temporary accessway in the right-of-way has expired, the applicant is seeking to modify the southern accessways and parking lot that were approved through AR83-06, requiring a Minor Architectural Review application.

Staff approved the MAR 17-0041 proposal with conditions on October 12, 2017. The applicant submitted the subject Request for Review on October 26, 2017.

The Planning Division findings below are based on interpretive compliance with the Tualatin Development Code (TDC) and other applicable ordinances. All references are to sections in the TDC unless otherwise noted.

The first condition of approval is a standard condition that requires the Applicant to submit a revised plan set for staff review that demonstrates compliance with the conditions of approval.

1. *Prior to applying for permits on the subject site, the applicant must submit one revised paper plan set—24 x 36, a paper narrative, and electronically in Adobe PDF file format—for review and approval to the Planning Division that meet the conditions of approval below. The narrative must explain how and on what page each condition of approval has been met. The submittal must contain page numbers and a table of contents. No piecemeal submittals will be accepted. Each submittal will be reviewed in two (2) weeks.*

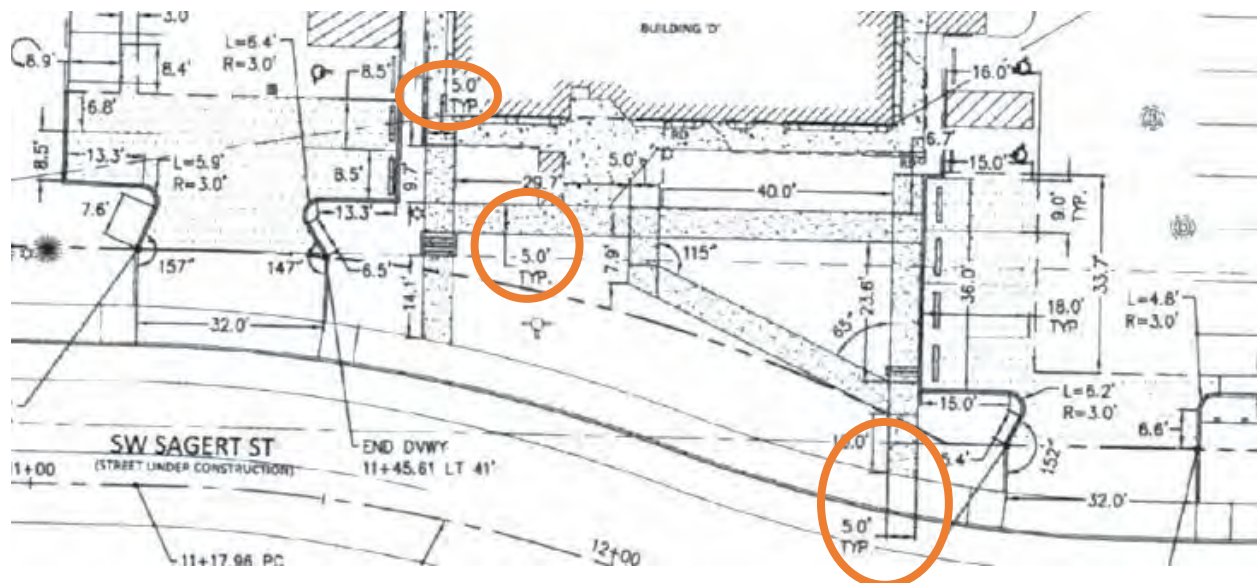
TDC 73.160 Standards

The following standards are minimum requirements for commercial, industrial, public and semi-public development, and it is expected that development proposals shall meet or exceed these minimum requirements.

(1) Pedestrian and Bicycle Circulation.

(a) For commercial, public and semi-public uses:

- (i) a walkway shall be provided between the main entrance to the building and any abutting public right-of-way of an arterial or collector street where a transit stop is designated or provided. The walkway shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;



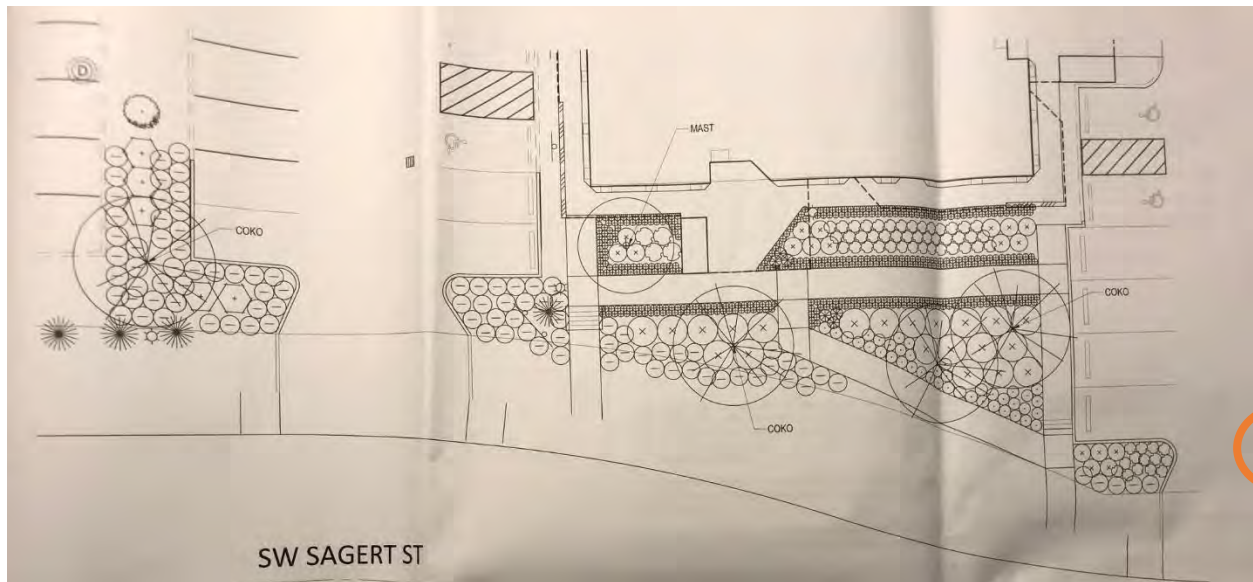
Staff Response: The Applicant submitted a plan set with a plot date of August 16, 2017 as part of the MAR17-0041 proposal. Sheet C300 - Site and Horizontal Control Plan proposes and illustrates five-foot wide walkways between SW Sagert Street and Building D. Two walkway connections to SW Sagert Street include stairs. One connection is proposed without stairs; however, it jogs at a 90-degree angle three times

to arrive at the building entrance. Staff included a condition of approval to comply with the minimum 6-foot wide walkway and ADA compliant standard.

2. The applicant must submit plans that illustrates a six foot wide ADA compliant walkway between the main entrance of the southern building of the Tualatin Professional Center complex (Building D) and SW Sagert Street and install to approved plan set pursuant to TDC 73.160(1)(a)(i).

TDC 73.310 Landscape Standards - Commercial, Industrial, Public and Semi-Public Uses

- (3) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.**



Staff Response: Sheet L200 – Planting Plan & Schedule and illustrates proposed landscaping for most of the defined development area. Sheet C300 indicates pavement improvements around the eastern most landscape island of the eastern access drive; however, this island is not depicted on Sheet L200. Staff also intended that this requirement cover any improvement revisions, in response to these conditions of approval.

3. The applicant must submit a landscape plan that illustrates areas within the defined project area that are not occupied by buildings, parking spaces, driveways, drive aisles, and pedestrian areas are landscaped and install to approved plan set pursuant to TDC 73.310(3).

TDC 73.340 Off-Street Parking Lot and Loading Area Landscaping - Commercial, Industrial, Public and Semi-Public Uses, and Residential and Mixed Use Residential Uses within the Central Design District.

- (1) A clear zone shall be provided for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of 8 feet as measured from the ground level, except for parking structures and underground parking where this provision shall not apply.**

PLANTING NOTES

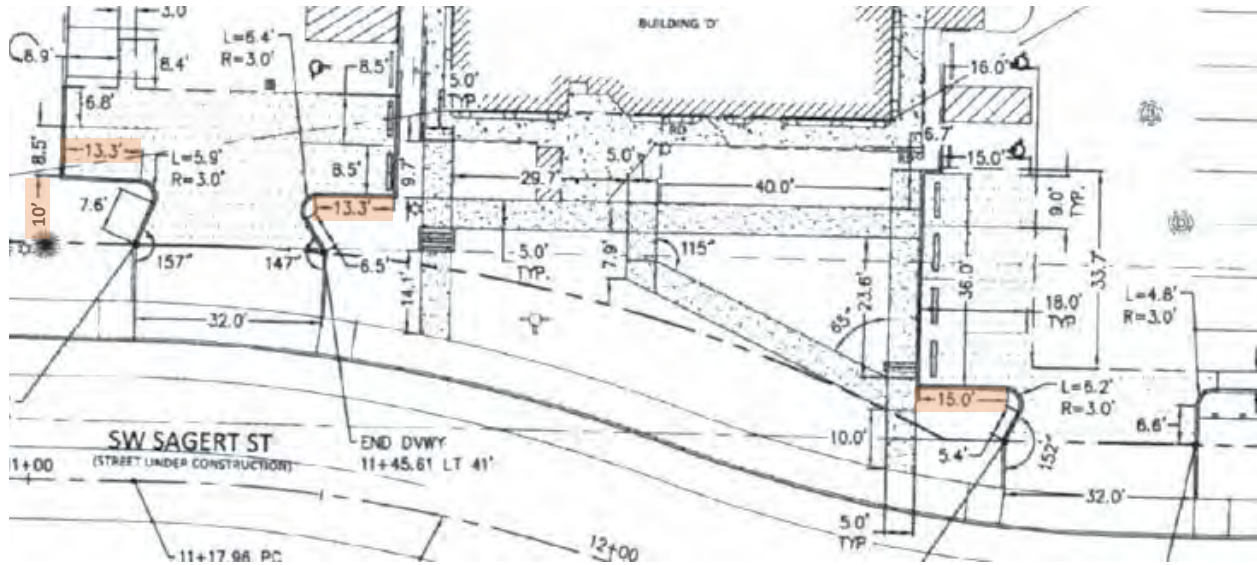
1. VERIFY LOCATION OF EXISTING TREES TO REMAIN PRIOR TO SOIL PREPARATION. PROTECT ALL TREES AND SHRUBS INDICATED TO REMAIN.
2. VERIFY AND COORDINATE WORK AROUND ALL UNDERGROUND UTILITIES BEFORE EXCAVATION. NOTIFY ALL UTILITY PROVIDERS AT LEAST TWO (2) WORKING DAYS PRIOR TO BEGINNING WORK.
3. VERIFY THAT THE CONDITIONS ARE SUITABLE TO PROMOTE HEALTHY PLANT GROWTH. DO NOT PROCEED IF CONDITIONS DETRIMENTAL TO HEALTHY GROWING ENVIRONMENT ARE PRESENT, INCLUDING OVER-COMPACTED SOILS, ADVERSE DRAINAGE CONDITIONS, DEBRIS, OR OTHER HARMFUL CIRCUMSTANCES. PROCEEDING WITHOUT NOTIFICATION DENOTES ACCEPTANCE.
4. COORDINATE WITH OTHER SUBCONTRACTORS AND TRADES TO ENSURE PROTECTION OF GROWING CONDITIONS AND PLANT MATERIALS.
5. REFER TO SPECIFICATIONS FOR ADDITIONAL PLANTING REQUIREMENTS, METHODS, AND MATERIALS.
6. VERIFY PLANT QUANTITIES SHOWN ON THE PLANS BASED ON GRAPHIC REPRESENTATION. QUANTITIES SHOWN ARE FOR CONTRACTOR CONVENIENCE ONLY.
7. PROVIDE POSITIVE DRAINAGE FOR ALL PLANTING AREAS.
8. UNLESS OTHERWISE INDICATED, ALL PLANTINGS SHALL BE TRIANGULARLY SPACED.
9. LABELLING REFERS TO ALL ADJACENT IDENTICAL SYMBOLS WHERE PLANTS ARE MASSED. LABEL FOR MASS INDICATES TOTAL NUMBER OF PLANTS IN GROUP, EVEN IF THE GROUP IS SPREAD OVER MORE THAN ONE SHEET.

Staff Response: Sheet L200 – Planting Plan & Schedule does not include a note regarding the required clear zone. Additionally Dwarf Burning Bush is proposed along the western entrance, which has an average height of 6-8 ft. Pink Beauty Potentilla is proposed along the eastern entrance and has an average height of 3 ft. Staff included the condition below, to note clear zone regulation in the plan set record.

4. *The applicant must submit a revised landscape plan that notes a clear zone will be provided at the proposed access drive entrances vertically between a maximum of thirty inches and a minimum of eight feet as measured from the ground level pursuant to TDC 73.340(1).*

TDC 73.360 Off-Street Parking Lot Landscape Islands - Commercial, Industrial, Public, and Semi-Public Uses

- (6)(a) Except as in (b) below, site access from the public street shall be defined with a landscape area not less than 5 feet in width on each side and extend 25 feet back from the property line for commercial, public, and semi-public development with 12 or more parking spaces and extend 30 feet back from the property line for industrial development, except for parking structures and under-ground parking which shall be determined through the Architectural Review process.**



Staff Response: Sheet C300 - Site and Horizontal Control Plan proposes and illustrates skewed landscape areas at the east and west access drives that extend ten feet back from the property line. These landscaped areas are generally between thirteen to fifteen feet in width. Staff included the condition below, to meet the depth standard of twenty-five feet.

5. The applicant must revise the appropriate sheets to illustrate landscape areas not less than five feet in width on each side of the southern two access drives located off of SW Sagert Street that extend for a distance of at least twenty-five feet from the property line and install to approved plan set pursuant to TDC 73.360(6)(a).

TDC 73.400 Access

(11) Minimum Access Requirements for Commercial, Public and Semi-Public Uses.

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
100-249	2	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only

Staff Response: AR83-06 was originally approved with 163 parking stalls; therefore, two accessways that are 32 feet wide for the first 50 feet from right-of-way would be required to meet Code. The applicant is proposing modifications to the southern two accessways located off SW Sagert Street. The applicant has not provided any information or described the existing conditions of the northern two accessways off SW Borland Road. Sheet C300 - Site and Horizontal Control Plan proposes and illustrates skewed access drives that are 32 feet wide at the property line and narrows down to twenty-five feet after the first ten feet from right-of-way at the western access and narrows down to twenty-nine feet after the first ten feet at the eastern access. Staff included the condition below, to meet the access width standard and to encourage a safer access drive design than what is currently proposed.

6. *The applicant must revise the appropriate sheets to provide evidence that two on-site access drives are thirty-two feet wide for the first fifty feet from the public right-of-way and install to approved plan set pursuant to TDC 73.400(11).*

Staff Response: The Engineering Division included the following condition for permitting work in the right-of way-and for permitting ground disturbance on-site.

7. *The applicant must apply for and obtain a Public Works Permit for all work within public right-of-way and an Erosion Control Permit for all disturbed area.*
 - a. *Provide an engineered plan that shows plan and profile of the proposed driveway connections and proposed pedestrian connections. All improvements must match back of sidewalk grades currently being constructed by Lennar Homes as part of public works permit number PW16-0211. Plan must meet requirements of Engineering Division for review and approval pursuant to the Tualatin Public Works Construction Code and must be approved by the Engineering Division.*
 - b. *Show back of sidewalk grades that match the elevations of SW Sagert Street right-of-way improvements currently being constructed by Lennar Homes as approved in Public Works Permit No. PW16-0211.*
 - c. *If proposed pedestrian connection to the Sagert Street sidewalk is the ADA accessible route to the public right-of-way, then improvements in the right-of-way must meet ADA criteria set forth in the 2010 Public Rights of Way Design Guidelines (PROWAG), including running slope, cross slope, and all other relevant requirements.*



Dorothy S. Cofield,
Attorney at Law

CITY OF TUALATIN
RECEIVED
OCT 26 2017
COMMUNITY DEVELOPMENT
PLANNING DIVISION

October 26, 2017

City Council
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092

VIA: HAND DELIVERY

Re: Request for Review to Tualatin City Council of Minor Architectural Review (MAR17-0041) Tualatin Professional Center, 6464 SW Borland Street, Tualatin, OR 97062

Dear Tualatin City Council,

This narrative letter, along with an appeal application and fee of \$145.00, is submitted to appeal the Tualatin Planning Department’s Minor Architectural Review (MAR) for access drive and parking lot improvements at the Tualatin Professional Center at 6464 SW Borland Street, Tualatin, OR 97062 (Tax Lot 2S1E30B90000) dated October 12, 2017. The Decision determined that a Request for Review to the City Council is the appropriate body to hear the appeal. Decision, p. 4. This Request for Review is being filed within fourteen (14) days of the Notice of Decision. Please incorporate the entire record below as part of this Request for Review.

As outlined in my letter to Assistant Planner Erin Engman dated October 3, 2017 (Exhibit 1) sent on behalf of my client Tualatin Professional Center (TPC) and my client’s engineer, Matt Johnson with KPFF Consulting Engineers, our appeal involves the Tualatin Development Code (TDC) sections outline below. Beneath the relevant TDC section, we have included the reason for our appeal and revision we are requesting of City Council.

1. TDC 73.400(11) – Access; Minimum Access Requirements for Commercial, Public and Semi-Public Uses

The Planning Department incorrectly applied TDC 73.400(11) to TPC’s restoration of its two southern accesses per the Sagert Farm’s subdivision approval (SB15-0002) Conditions Nos. 16 and 48.

Lennar Homes Northwest, the applicant for Sagert Farms, submitted and was approved for a site plan for the two southern TPC accesses. See Exhibit 2. During the application approval process for Sagert Farms, the City applied TDC Chapter 75 which required TPC to change its southwestern access to right-in-right-out due to the development of the Sagert Farm subdivision and Sagert Street. As part of

the Sagert Farms subdivision review, TPC appealed the City's requirement that its southwestern access be modified to a "right-in-right-out." In denying TPC's request, the extensive findings for TPC's appeal of the "right-in-right-out" requirement made clear that: **"Tualatin Professional Center will have substantially similar access as compared to its current condition."** Exhibit 5 (Staff Report, Request for Review SB 15-0002 "M." Findings Related to TPC). To be clear, its current condition included approval of the two southern accesses in SB15-0002.

As explained in detail in my letter attached as Exhibit 1 but mentioned here only for context, after the City approved SB 15-0002, TPC attended a scoping meeting with the City on February 22, 2017 to discuss restoring the two southern accesses. During the scoping meeting, the City did not indicate a revision of the parking lot would be required or otherwise suggest it would deem the restored accesses as a "parking lot improvement or expansion" as defined by the TDC. TPC then submitted construction plans that conformed with staff's direction provided during a April 5, 2017 pre-application conference attended by TPC and its engineer, Matt Johnson. Only after the conforming construction plans were submitted did TPC learn Planning Staff would impose the access standards under TDC 73.400(11) and require the imposition of the MAR land use process to its construction plans.

TDC applies when there is "an increase" to ingress and egress uses of a property. However, here, TPC is seeking to restore its two southern accesses which aligns with the approval already granted in SB15-0002.

With staff's imposition of TDC 73.400(11), TPC will lose up to 19 parking spaces in its existing, nonconforming use parking lot by requiring extension of each 32' wide access for the first 50 feet from the right-of-way of Sagert Street. This is not *substantially similar access* as represented in the Staff Report attached as Exhibit 5.

As Ms. Engman notes in her letter dated October 12, 2017, TDC 73.040 Architectural Review Approval applies to "parking lot improvement or expansion" and goes on to provide the TDC's definition of "parking lot improvement or expansion." As part of the Architectural Review Procedure found in TDC 31.071, TPC would be required to attend a pre-application conference, which it has already completed, and submit detailed site plans, which it has already submitted and for which it received approval with SB 15-0002. The City has no reason to require additional land use review when it has already made significant findings regarding access and design of this proposal and determined that TPC is afforded "substantially similar access as compared to its current condition." Exhibit 5, Staff Report. There is no need for a variance application because TPC does not need to vary its approved accesses to comply with TDC 73.400(11). Although not entirely relevant here, TPC was told a variance to TDC 73.400(11) would not be granted because the need for the variance is a "self-created" hardship.

At the appeal hearing, TPC will have its traffic engineer, Chris Clemow available to explain why the KPFF submitted construction plans with a 25' foot access drive aisle is safe and meets the Lennar approved access plan in C-220. The City Council relied on its city engineer and Lennar's private engineer when it approved C-220 in the Sagert Farms Subdivision review. The two realigned accesses were found to be safe then and they are safe now and in conformance with the Lennar access plan.

2. Other Conditions in the MAR Decision

The MAR Decision sets out seven (7) conditions labeled “Prior to Erosion Control Permit Approval.” Some of these conditions exceed the C-220 Sagert Farms Access Plan that Lennar submitted and the City approved in Conditions 16 and 48. The applicant has submitted construction plans consistent with the Sagert Farms Decision and those should be approved by the City Council. To the extent the City is imposing additional code provisions beyond what it already approved in the Sagert Farm’s Decision and they are inconsistent with the 25’ access aisles, they cannot legally be imposed now. For instance, it should be noted that Condition 2 (ADA six-foot compliant walkway under TDC 73.160(1)(a)(i) was a five-foot walkway in the Lennar approved plan (C-220). The applicant may be able to revise its construction plans to show a six-foot walkway but objects to the imposition of TDC 73.160(a)(i) as non-applicable to the approval of its construction plans. Condition 5 (TDC 73.360(6)(a) which requires landscape areas not less than five feet in width on each side of the southern two drives for twenty-five (25) feet from the property line cannot be imposed because it is inconsistent with the Lennar approved plan of a 25’ access aisle for the two southern driveways. The same is true of the following other conditions: Clear Zone Landscape Revisions under TDC 73.340(1); Landscape Plan under TDC 73.310(3); Plan and Profile for proposed driveway to meet PS 16-0211; Back of Sidewalk to meet PW16-0211 and Right-of-Way Pedestrian Connection (2010 Public Rights-of-Way Design Guidelines PROWAG). The MAR Decision goes beyond what the City approved in its Sagert Farm Decision and cannot be changed and added to now.

3. TDC 35.020 - Continuation of Non-Conforming Use; TDC 35.030 – Alteration or Enlargement Prohibited

As raised above, the City already approved the two realigned accesses in the Sagert Farms Subdivision review. However, even if the City hadn’t already reviewed and approved the realigned accesses, TPC has used these two accesses since 1983. The two accesses are lawful because the City approved them in 1983. Under TDC 35.020, a nonconforming use and structure(s) may be continued they existed on the date of the adoption of the TDC. TPC has lawfully existed since 1983 and in fact, dedicated right-of-way for the future Sagert Street as well as funding for the future Sagert Street improvements. The proposed restoration of the lawfully existing two southern accesses is not a prohibited alternation or enlargement as those terms are defined in TDC 35.030. That code provision allows TPC to alter or enlarge its use and structure(s) when it will bring the structure or use into conformity with the Planning District Standards. Here, the only reason for the restoration of TPC’s two accesses is to make them comply with Lennar’s construction of Sagert Street. But for the Sagert Farm Subdivision review process, TPC would not have needed to alter its two southern accesses. For that reason, the MAR decision is incorrect that TPC does not meet TDC 35.030.

4. The MAR decision violates TDC 36.162

Because the City already approved the two realigned southern accesses in SB 15-0002, and TPC is not requested any modification to the approved plan (C-220), the City cannot make TPC go through an additional land use review and require expensive changes to the approval. *See e.g. David Hill Dev. LLC v. City of Forest Grove*, 688 F. Supp. 2d 1193, 1205-1207 (2010). Oregon’s land use program provides that a preliminary plat gives a developer certainty that if the final plat is in substantial

conformance with the preliminary plat, the City cannot require additional and new requirements. Here, the City is imposing TDC 73.400(11) for the first time and requiring a 50' deep drive aisle when a 25' foot drive aisle was approved in SB 15-0002. The City is also imposing TDC 73.160(1)(g) as to the portion of the two accesses' driveways and finding they must be owned by the property owner, when a portion of the drive aisles will be in the public right-of-way. The additional requirements are changing what was approved which is not legal under ORS 92.040 and ORS 227.178(3) (Right to Stationary Goalposts).

5. The MAR decision imposes future standards under TDC 73

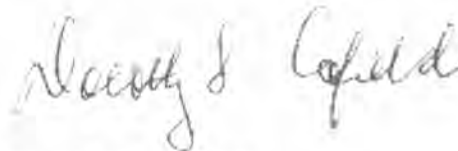
The Mar decision states that a number of code sections will be imposed on TPC as part of this MAR review. *See e.g.* p. 2 "Following Code Standards Will Apply to the Site in an On-Going Manner." The City cannot impose code standards before TPC makes a development application or changes its legal, nonconforming use and structures that exceed TDC 35.030. If the City believes TPC is using its property in violation of zoning standards, the correct process is a zoning enforcement which gives TPC certain due process rights. *See e.g.* TDC 31.077. It is unclear why the MAR decision raises future code requirements in this review. All uses under the TDC are subject to be in compliance with the TDC and there is no reason to raise a separate section in this access process. TDC 31.114.

TPC respectfully asks the City Council to review the MAR Decision and modify it as follows:

1. Approve the KPFF construction plans in Exhibit 4 of the MAR Decision;
2. Delete the 50' access aisle requirement under TDC 73.400(11)
3. Delete the provision for future imposition of TDC 73.160(1)(g) and any future requirements to exterior building maintenance through the AR process;
4. Remove any other conditions inconsistent with the approval of C220 from SB 15-0002.

I look forward to explaining this matter to the City Council so that the MAR decision can be remedied consistent with the City's approval of the two southern accesses in SB 15-0002.

Very truly yours,



Dorothy S. Cofield

Enclosures:

cc: Client
Matt Johnson
Margot Seitz
City Attorney



CITY OF TUALATIN RECEIVED

OCT 26 2017

COMMUNITY DEVELOPMENT PLANNING DIVISION

REQUEST FOR REVIEW

A Request for Review must be received by the Community Development Department - Planning Division or Engineering Department by 5:00 p.m. of the 14th calendar day after the Notice of the Decision. Only those persons who submitted comments during the notice period may submit a request for review. You must provide all of the information requested on this form, as required by TDC 31.075. This form must be signed and submitted in writing. You will be notified of the hearing date.

Name of Party requesting review Tualatin Professional Center

Address 6464 SW Borland Road, Tualatin, OR 97062

Date 10/26/17 Telephone (503) 542-3858

Did you submit comments on the proposal during the notification period? yes

You represent or you are:

- X The applicant
City Councilor
Government agency
City-recognized neighborhood association
Architectural Review Board (ARB) member
City Manager
Other

I request a review of Case No. MAR17-0041

This form is used in part to determine the appropriate hearing body for review. Check which portion of the decision for which you are requesting review:

- AR/Arch. Features
AR/Public Facilities
Historic Landmark
Industrial Master Plan
Interpretations
Partitions
Reinstatement of Use
Sign Variance
Subdivisions
Transitional Use Permit
Variances

Project: Minor Architectural Review (MAR17-0041) for access drive and parking lot improvements at the Tualatin Professional Center

Explain clearly which portions of the decision you are asking to be reviewed (attach separate sheet if needed). This should specify how you are adversely affected by the decision and how the decision is allegedly not in conformance with applicable TDC requirements: Please see the attached letter from Cofield Law Office detailing the applicable TDC sections relevant to this appeal, how the above-referenced decision does not conform with the TDC and how the applicant is adversely affected by the decision.

Appeal of Staff Architectural Review decision to ARB: \$0. Appeal of Decision to Council: Please see current fee schedule.

Your signature

FOR OFFICE USE ONLY:
Received by Planning
Fee received
The review will be heard by the

COFIELD LAW OFFICE

2716 NW MONTE VISTA TER
PORTLAND, OR 97210

CHASE  **for BUSINESS**

JPMorgan Chase Bank, N.A.
www.Chase.com

19-7076/3250

10/26/2017

PAY TO THE
ORDER OF City Of Tualatin

\$*145.00

One Hundred Forty-Five Only*****

DOLLARS

MEMO
Request for Appeal MAR 17-0041


AUTHORIZED SIGNATURE

⑈005140⑈ ⑆325070760⑆ 838838295⑈

COFIELD LAW OFFICE

City Of Tualatin
Office Expense

10/26/2017

5140

145.00

Cofield Law Office Busin Request for Appeal MAR 17-0041

145.00

COFIELD LAW OFFICE

City Of Tualatin
Office Expense

10/26/2017

5140

145.00

Cofield Law Office Busin Request for Appeal MAR 17-0041

145.00

RECEIPT DATE Oct 26, 2017 No. 815173

RECEIVED FROM Child Support Office \$ 145⁰⁰

One hundred forty-five and 00/100 DOLLARS

FOR RENT
 FOR appeal of MAR 17-0041 - Request for review

ACCOUNT	<u>5 -</u>	<input type="checkbox"/> CASH
PAYMENT	<u>45 -</u>	<input checked="" type="checkbox"/> CHECK
BAL. DUE	<u>4</u>	<input type="checkbox"/> MONEY ORDER
		<input type="checkbox"/> CREDIT CARD

FROM _____ TO ch# 514E

BY A. L. Linton



City of Tualatin

www.tualatinoregon.gov

E-mailed and sent via First Class Mail **October 12, 2017**

Matt Johnson
KPF Consulting Engineers
111 SW 5th Avenue
Portland, OR 97204

RE: Minor Architectural Review (MAR17-0041) for access drive and parking lot improvements at the Tualatin Professional Center at 6464 SW Borland Road, Tualatin, OR 97062 (Tax Lot: 2S1E30B90000)

Dear Mr. Johnson:

Thank you for submitting a Minor Architectural Review (MAR) application to the City of Tualatin Planning Division on Monday, August 21, 2017, to adjust the southern two access drives previously approved through LP83-01, AR83-0006, and Development Agreement 84-16657. Modifications and improvements to the southern parking lot, landscaping, and pedestrian network are also included in the proposal.

Pursuant to Tualatin Development Code (TDC), the City of Tualatin Planning Division approves the proposal as described, illustrated, and sited on the submitted Sheet C300 (Plot Date 8/16/17) with the following conditions:

Prior to Erosion Control Permit Approval:

1. Prior to applying for permits on the subject site, the applicant must submit one revised paper plan set—24 x 36, a paper narrative, and electronically in Adobe PDF file format—for review and approval to the Planning Division that meet the conditions of approval below. The narrative must explain how and on what page each condition of approval has been met. The submittal must contain page numbers and a table of contents. No piecemeal submittals will be accepted. Each submittal will be reviewed in two (2) weeks.
2. The applicant must submit plans that illustrates a six foot wide ADA compliant walkway between the main entrance of the southern building of the Tualatin Professional Center complex (Building D) and SW Sagert Street and install to approved plan set pursuant to TDC 73.160(1)(a)(i).
3. The applicant must submit a landscape plan that illustrates areas within the defined project area that are not occupied by buildings, parking spaces, driveways, drive aisles, and pedestrian areas are landscaped and install to approved plan set pursuant to TDC 73.310(3).
4. The applicant must submit a revised landscape plan that notes a clear zone will be provided at the proposed access drive entrances vertically between a maximum of thirty inches and a minimum of eight feet as measured from the ground level pursuant to TDC 73.340(1).

5. The applicant must revise the appropriate sheets to illustrate landscape areas not less than five feet in width on each side of the southern two access drives located off of SW Sagert Street that extend for a distance of at least twenty-five feet from the property line and install to approved plan set pursuant to TDC 73.360(6)(a).
6. The applicant must revise the appropriate sheets to provide evidence that two on-site access drives are thirty-two feet wide for the first fifty feet from the public right-of-way and install to approved plan set pursuant to TDC 73.400(11).
7. The applicant must apply for and obtain a Public Works Permit for all work within public right-of-way and an Erosion Control Permit for all disturbed area.
 - a. Provide an engineered plan that shows plan and profile of the proposed driveway connections and proposed pedestrian connections. All improvements must match back of sidewalk grades currently being constructed by Lennar Homes as part of public works permit number PW16-0211. Plan must meet requirements of Engineering Division for review and approval pursuant to the Tualatin Public Works Construction Code and must be approved by the Engineering Division.
 - b. Show back of sidewalk grades that match the elevations of SW Sagert Street right-of-way improvements currently being constructed by Lennar Homes as approved in Public Works Permit No. PW16-0211.
 - c. If proposed pedestrian connection to the Sagert Street sidewalk is the ADA accessible route to the public right-of-way, then improvements in the right-of-way must meet ADA criteria set forth in the 2010 Public Rights of Way Design Guidelines (PROWAG), including running slope, cross slope, and all other relevant requirements.

The Following Code Requirements Apply to the Site in an On-Going Manner:

- Accessways must be constructed, owned and maintained by the property owner. TDC 73.160(1)(g)
- All landscaping approved through the AR process must be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved by the AR decision, unless subsequently altered with Community Development Director's approval. TDC 73.100(1)
- All building exterior improvements approved through the AR process must be continually maintained, including necessary painting and repair, so as to remain substantially similar to original approval through the AR process, unless subsequently altered with Community Development Director's approval. TDC 73.100(2)
- Site landscaping and street trees must be maintained to meet the vision clearance requirements of TDC 73.400(16).
- The proposed development must comply with all applicable policies and regulations set forth by the TDC.

Response to Additional Claims Made in Your Letter of October 3, 2017.

Your attorney, Ms. Dorothy Cofield, submitted a letter dated October 3, 2017, where she made two additional legal claims: (1) that TPC believes the Minor Architectural Review process is not required for your improvements; and (2) that the parking lot is a nonconforming use and, therefore, you are allowed to make the improvements without complying with the design standards in the TDC. Neither of those arguments are supported by the TDC. In fact, the TDC specifically requires Architectural Review for your proposed improvements to demolish and reconstruct your parking lot. In addition, the TDC prohibits alterations of nonconforming uses.

1. The Architectural Review Process is Required for the Proposed Improvements to the Parking Lot.

You submitted an application for a Minor Architectural Review (MAR) and propose to make improvements to the parking lot at your site. In particular, you state in your application that “[t]he Tualatin Professional Center will make site improvements to its existing parking lot in order to match the proposed Sagert Street improvements. This will include the demo of and modification of the parking drive aisle and parking layout.”

Under TDC 73.040 Architectural Review is required for a “parking lot improvement or expansion.” TDC 31.060 defines “parking lot improvement or expansion” as “[t]he alteration of land or expansion of existing off-street parking, including grading, paving or installation of landscaping, on land intended to be regularly used for the temporary storage of motor vehicles. Parking lot improvement does not include resurfacing existing asphalt parking or re-striping of parking lots.”¹

The proposed improvements to demolish and reconstruct your parking lot fit the definition of “parking lot improvement or expansion” under the code. As a result, your proposed improvements require Architectural Review approval.² Your claim that you are not required to comply the Architectural Review process is without merit.

2. Alteration of Nonconforming Uses is Prohibited under the TDC.

You also claim that your parking lot is a nonconforming use and that, therefore, the improvements do not need to comply with the design standards in the TDC. To the contrary, the TDC requires alterations of nonconforming uses to comply with design standards.

Under TDC 35.030, nonconforming uses cannot be altered or enlarged, unless “such alteration or enlargement will bring the structure or use into conformity with the Planning District Standards for the planning district within which the use or land is located.” As you state in your application, you are proposing the “demo of and modification of drive aisles.” Your proposal is an alteration under the code.

The driveway cuts at the location have already been installed by the Sagert Farms Development. You are not proposing minor paving activities to simply connect the driveway cuts to the existing site. Rather, you are proposing the demolition and reconstruction of the parking lot itself. As a result, even if your parking lot is a nonconforming use, you cannot make alterations without complying with the City’s development code and its design standards. See, TDC 35.030; 31.110.³

¹ You point out in your letter that you were not required to go through the Architectural Review process a few years ago to “re-asphalt” your lot. The reason for this is because resurfacing of existing parking lots is excluded from the definition of “parking lot improvement or expansion” that would otherwise trigger the Architectural Review process.

² TDC 31.110 provides, “[n]o person shall erect, construct, reconstruct, alter or maintain or use any land, building or structure contrary to the provisions of the Tualatin Community Plan, the Tualatin Planning District Standards, or the Tualatin Development Code.”

³ As has been pointed out on a number of occasions, you may submit an application for a variance under TDC Chapter 33, for those code requirements that “cause an undue or unnecessary hardship.”

Appeal Process

If you disagree with this approval, you may appeal this decision to the City Council. To appeal the decision, submit an application, a fee of \$145, a narrative indicating the code section(s) you want to appeal, the requested revision, and your reason for appealing. City Council will hear the appeal in accordance with the process outlined in TDC Section 31.075. The appeal must be submitted before 5 pm on the 14th calendar day after the notice of decision.

Please contact me with any questions at 503.691.3024 or eengman@tualatin.gov.

Thank you,



Erin Engman
Assistant Planner

cc: Aquilla Hurd-Ravich, AICP, Planning Manager
Sean Brady, City Attorney
Tony Doran, Engineering Associate
Dorothy Cofield, cofield@hevanet.com
Dr. Walker, jpw@tualatinendo.com

File: MAR17-0041



City of Tualatin

www.tualatinoregon.gov

CITY OF TUALATIN
RECEIVED
AUG 21 2017
COMMUNITY DEVELOPMENT
PLANNING DIVISION

APPLICATION FOR MINOR ARCHITECTURAL REVIEW

Direct Communication to:			
Name: Matt Johnson		Title: Project Manager	
Company Name: KPFF Consulting Engineers			
Current address: 111 SW 5th Ave			
City: Portland, OR	State: Oregon	ZIP Code: 97204	
Phone: 503-858-1899	Fax:	Email: matt.johnson@kpff.com	
Applicant			
Name: James Walker D.D.S.		Company Name:	
Address: 6464 SW Borland Road - D2			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-858-1899	Fax:	Email: jpw@tualatinendo.com	
Applicant's Signature:		Date:	
Property Owner			
Name: Tualatin Professional Center			
Address: 6464 SW Borland Road			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-858-1899	Fax:	Email: jpw@tualatinendo.com	
Property Owner's Signature:		Date:	
(Note: Letter of authorization is required if not signed by owner)			
Project			
Project Title: Tualatin Professional Center Driveway Adjustment			
Address: 6464 SW Borland Road			
City: Tualatin	State: Oregon	ZIP Code: 97062	
Phone: 503-858-1899	Fax:	Email: jpw@tualatinendo.com	
Brief Project Description:			
The Tualatin Professional Center will make site improvements to its existing parking lot in order to match the proposed Sagert Street improvements. This will include the demo of and modification of the parking drive aisle and parking layout			
Value of Improvements: \$			
General Information			
Site Address: 6464 SW Borland Road Tualatin, OR 97062			
Assessor's Map #: Map 2-1E 30B		Tax Lot #: TL 90000	
Parcel Size: 2.70 acres		Planning District: Office Commercial	
Previous Architectural Reviews:			
Type of Development: <input checked="" type="checkbox"/> Commercial () Industrial () Institutional () Mixed Use () Residential			
	Existing	Proposed Change	Comments
Parking Spaces (#):	155	152	
Building(s) square footage:	~28775	No Change	
Landscaping square footage:			
Paving square footage:			
Density (for residential):			

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION ABOVE, ON THE FACT SHEET, AND THE SURROUNDING PROPERTY OWNER MAILING LIST IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.

Applicant's Signature:

[Handwritten Signature]

Date:

8/21/17

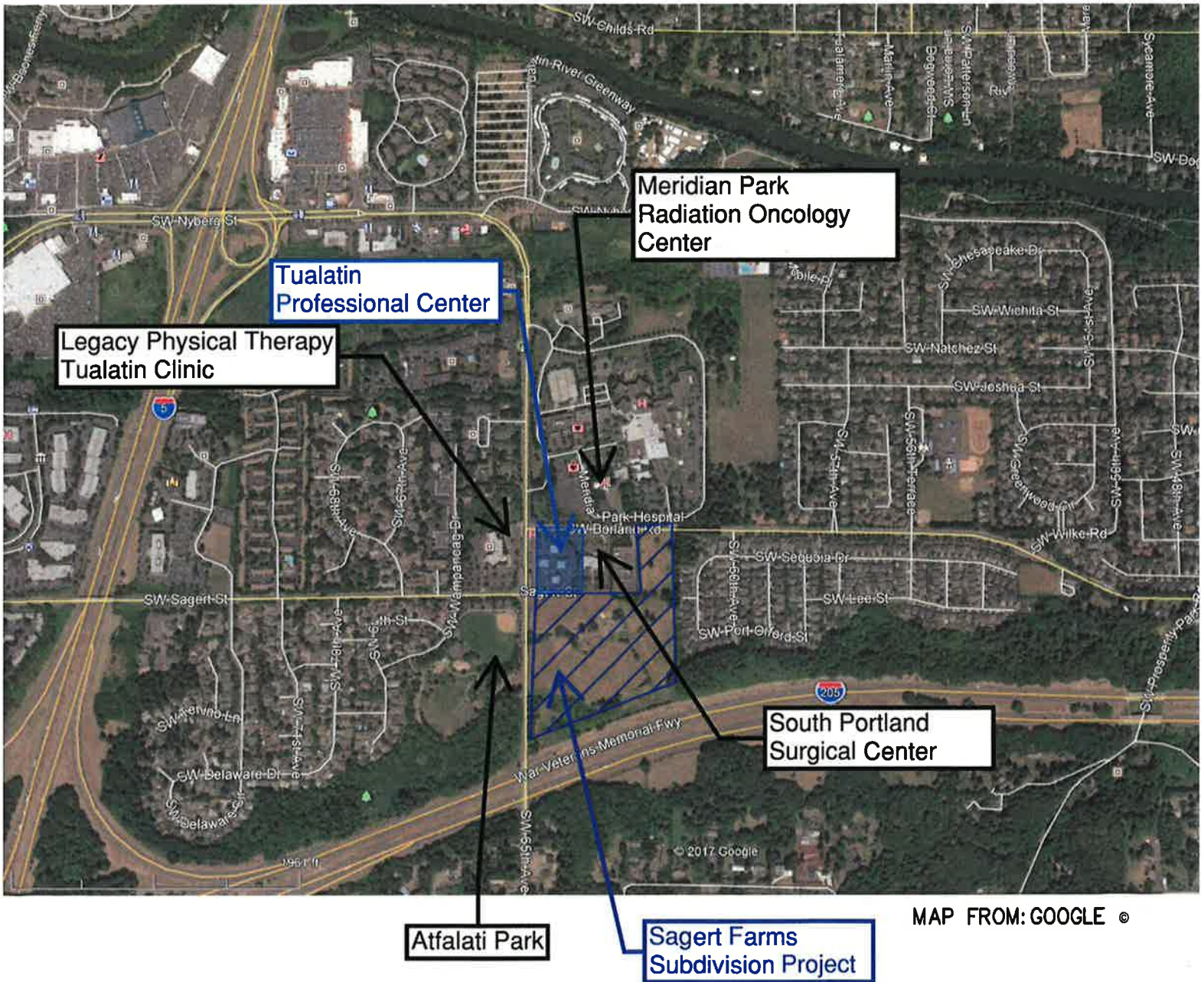
Secretary of the Tucson Professional Center

Office Use

Case No: <i>MAR 17-0041</i>	Date Received: <i>8-21-17</i>	Received by: <i>GK - [Signature]</i>
Fee: Complete Review: <i>7106.00</i>	Receipt No: <i>R4283</i>	
Application Complete as of:	Vicinity Map:	
Site Plan:	Landscape Plan, if applicable:	
Elevations, if applicable:	Materials Board or Color Samples, if applicable:	

PLEASE USE SPACE BELOW TO PROVIDE ANY ADDITIONAL INFORMATION ABOUT THE PROPOSED IMPROVEMENTS THAT YOU DEEM NECESSARY. ATTACH ADDITIONAL SHEETS, DRAWINGS, ETC., IF NEEDED.

TUALATIN PROFESSIONAL CENTER PARKING LOT IMPROVEMENTS VICINITY MAP



MAP FROM: GOOGLE ©

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Tualatin

2. Property Information (example 1S234AB01400)

Tax lot ID(s): 21E30B 90000
TL 90000

Site Address: _____

City, State, Zip: Tualatin, Oregon, 97062

Nearest Cross Street: SW 65th Ave

3. Owner Information

Name: James Walker

Company: Tualatin Professional Center

Address: 6464 SW Borland Road - D2

City, State, Zip: Tualatin, Oregon, 97062

Phone/Fax: 503-858-1899

E-Mail: jpw@tualatinendo

4. Development Activity (check all that apply)

- Addition to Single Family Residence (rooms, deck, garage)
- Lot Line Adjustment Minor Land Partition
- Residential Condominium Commercial Condominium
- Residential Subdivision Commercial Subdivision
- Single Lot Commercial Multi Lot Commercial

Other _____

Driveway and Parking lot improvements

5. Applicant Information

Name: Matt Johnson

Company: KPFF Consulting Engineers

Address: 111 SW 5th Avenue, Suite 2400

City, State, Zip: Portland, Oregon, 97204

Phone/Fax: 5035423858

E-Mail: matt.johnson@kpff.com

6. Will the project involve any off-site work? Yes No Unknown

Location and description of off-site work _____

7. Additional comments or information that may be needed to understand your project _____

Modify Tualatin Professional Center parking lot to connect two driveways to new SW Sagert Street.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Matt Johnson

Print/Type Title Project Manager

ONLINE SUBMITTAL

Date 8/22/2017

FOR DISTRICT USE ONLY

Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.

Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.

The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Chuck Anderson

Date 8/28/17

SHEET NOTES

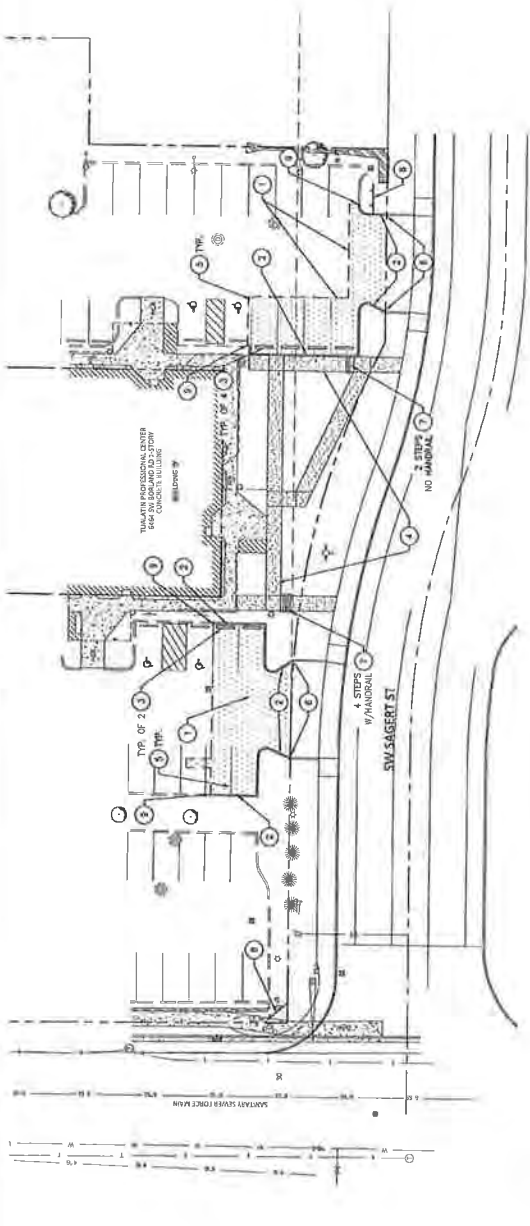
1. ALL DIMENSIONS ARE TO FACE OF CURB OR FACE OF WALL
2. ALL SIDEWALK PARALLEL JOINTS SHALL BE CONSTRUCTED PER SPECIFICATIONS.
3. PROPOSED SAGERT STREET AND CENTERLINE ALIGNMENT SHOWN FOR REFERENCE ONLY. SEE SAGERT FARM SUBDIVISION RECORD PLAN FOR EXISTING CENTERLINE ALIGNMENT. THE R.O.W. CONTRACTOR TO COORDINATE R.O.W. CONNECTIONS WITH SAGERT STREET CONTRACTOR AND CITY INSPECTOR.

KEY NOTES

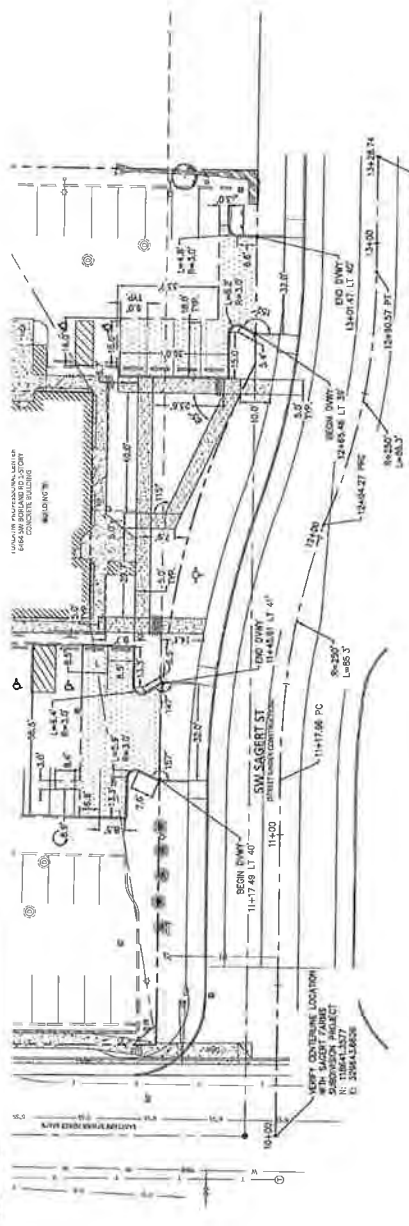
- | DESCRIPTION | DETAIL REF. |
|---|-------------|
| 1. SAWCUT LINE | 4/C500 |
| 2. WHEEL STOP | 5/C500 |
| 3. CONCRETE 5'-FT WIDE SIDEWALK | 6/C500 |
| 4. 4" WIDE WHITE STRIPE | |
| 5. SPRINKLER TO SAGERT STREET | |
| 6. CONCRETE STAIRS WITH HANDRAIL | 2/C501 |
| 7. ELECTRICAL LINE TO TRANSFORMER | |
| 8. ELECTRICAL LINE CONTRACTOR TO COORDINATE LOCATION WITH OWNER | |
| 9. CONNECT TO EXISTING CURB | |

SHEET LEGEND

- | PROPERTY LINE | CONCRETE SIDEWALK | STANDARD ASPHALT PAVEMENT |
|---------------|-------------------|---------------------------|
| | | |



SITE PLAN
SCALE: 1" = 20'



HORIZONTAL CONTROL PLAN
SCALE: 1" = 20'

		<p>644 SW Rowland Road TULATIN PROFESSIONAL CENTER PARKING LOT IMPROVEMENTS</p>	<p>C300</p> <p>SHEET NO. PROJECT: 4, 1P RECORD NO. 11</p>								
<p>DATE: 11/08/17 DRAWN BY: JAC CHECKED BY: JAC PROJECT NO.: 101817-2-2000 JOB NAME: CAGARLEY WAY TAX VALUE: C000</p>	<p>DATE: 11/08/17 DRAWN BY: JAC CHECKED BY: JAC PROJECT NO.: 101817-2-2000 JOB NAME: CAGARLEY WAY TAX VALUE: C000</p>	<p>kpff</p> <p>11110 SW 11TH AVE, SUITE 200 PORTLAND, OR 97224 TEL: 503.251.8888 WWW.KPFF.COM</p>	<p>SCALE: 1 INCH = 20 FEET</p>								
<table border="1"> <thead> <tr> <th>REVISION</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REVISION	DATE	DESCRIPTION	BY						<p>SITE AND HORIZONTAL CONTROL PLAN</p>	
REVISION	DATE	DESCRIPTION	BY								



Cash Register Receipt
City of Tualatin

Receipt Number
R4283

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$100.00
MAR17-0041 Address: 6464 SW BORLAND RD UNIT D2 Apn: 21E30B 80D02			\$100.00
ARCHITECTURAL REVIEW FEES			\$100.00
MINOR ARCHITECTURAL REVIEW FEE	XR01	0	\$100.00
TOTAL FEES PAID BY RECEIPT: R4283			\$100.00

Date Paid: Tuesday, August 22, 2017

Paid By: Kinetic Properties

Cashier: LSAN

Pay Method: CHECK 5082

NOTES:

- 1.) VERTICAL DATUM: NAVD 88 (GEOID 12A)
ELEVATION WAS ESTABLISHED THROUGH A 3 MINUTE GPS OBSERVATION ON CONTROL POINT NO. 1 USING THE OREGON REAL-TIME GPS NETWORK (ORGN).
- 2.) BASIS OF BEARINGS FOR THIS SURVEY IS THE OREGON COORDINATE REFERENCE SYSTEM (OCRS), PORTLAND ZONE. THE RESULTANT BEARING OF THE CENTERLINE OF SW 65TH AVENUE IS NORTH 00°14'40" EAST.
- 3.) BOUNDARY AND EASEMENTS WERE CREATED USING FOUND MONUMENTS AND THE "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1" PLAT (2646-P1). A TITLE REPORT WAS NOT PROVIDED FOR THE PURPOSE OF THIS SURVEY. EASEMENTS AFFECTING THE SUBJECT PROPERTY MAY EXIST.
- 4.) UTILITY LOCATIONS SHOWN ARE PER FIELD LOCATED UTILITY PAINT MARKS & REFERENCE MAPS MADE AVAILABLE BY THE VARIOUS UTILITY PROVIDERS. UNLESS INDICATED, DEPTHS OF UTILITY LINES ARE NOT AVAILABLE. ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED (POTHOLED) PRIOR TO CONSTRUCTION.

LEGEND:

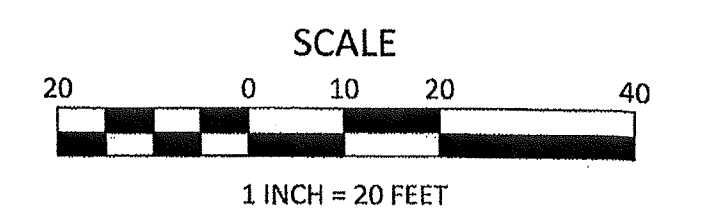
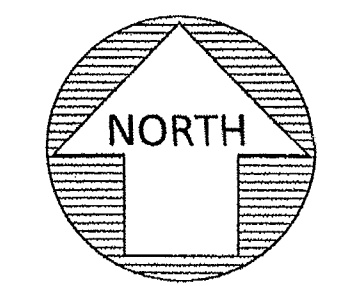
- BUILDING OUTLINE WITH DOOR
- CONCRETE SURFACE
- ASPHALT SURFACE
- WALL
- BUILDING OVERHANG
- CURB LINE
- EDGE OF ASPHALT
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- LOT LINE
- PROPERTY LINE
- ELECTRICAL LINE
- TELECOMMUNICATIONS LINE
- STORM LINE
- SANITARY SEWER LINE
- WATER LINE
- GAS LINE
- OVERHEAD UTILITY LINES
- UNDERGROUND LINE PER AS-BUILTS
- SIGN
- DOUBLE POST SIGN
- DRIVEWAY ENTRY
- HANDICAP RAMP
- ROOF DRAIN
- ELECTRICAL JUNCTION BOX
- GUY ANCHOR
- LUMINAIRE
- POWER POLE
- OVERHEAD LIGHT
- POWER POLE/OVERHEAD LIGHT
- GAS VALVE
- SANITARY MANHOLE WITH STRUCTURE
- STORM MANHOLE WITH STRUCTURE
- CATCH BASIN
- CURB INLET
- SANITARY/STORM CLEAN OUT
- SANITARY/STORM STRUCTURE #
- TELECOMMUNICATIONS MANHOLE
- TRAFFIC SIGNAL BOX
- PEDESTRIAN CONTROL SIGNAL ARM
- TRAFFIC CONTROL SIGNAL ARM
- TRAFFIC SIGNAL POLE
- WATER VALVE
- FIRE HYDRANT
- HOSE BIB
- UNKNOWN UTILITY VALVE
- DECIDUOUS TREE
-PERIMETER REPRESENTS DRIPLINE
- CONIFEROUS TREE
-PERIMETER REPRESENTS DRIPLINE
- MONUMENT
- PROJECT CONTROL POINT
- FINISHED FLOOR ELEVATION

STORM TABLE:

- 1 CATCH BASIN (SUMP TYPE)
RIM = 220.44'
WATER LEVEL = 219.39'
- 2 STORM MANHOLE
RIM = 222.48'
IE 12" IN (SE) = 215.08'
IE 12" OUT (NW) = 215.08'
- 3 STORM MANHOLE (DRYWELL)
RIM = 222.84'
IE 6" IN (NW) = 215.24'
- 4 CATCH BASIN (SUMP TYPE)
RIM = 224.00'
WATER LEVEL = 223.04'
- 5 STORM MANHOLE
RIM = 226.55'
IE 12" IN (E) = 220.05'
IE 12" IN (SW) = 220.05'
IE 12" IN (N) = 220.05'
IE 12" OUT (W) = 219.80'
- 6 CATCH BASIN (SUMP TYPE)
RIM = 225.56'
WATER LEVEL = 224.49'
- 7 STORM MANHOLE (DRYWELL)
RIM = 226.09'
IE 12" IN (E) = 219.64'
IE 12" IN (N) = CAPPED
IE 12" IN (SW) = CAPPED
- 8 CURB INLET
FLOW LINE = 224.30'
LOCKED
- 9 CATCH BASIN (SUMP TYPE)
RIM = 222.56'
WATER LEVEL = 220.94'

SANITARY TABLE:

- 1 SANITARY MANHOLE
RIM = 227.38'
IE 10" IN (N) = 213.38'
IE 10" IN (E) = 213.33'
IE 10" IN (S) = 213.33'
IE 10" OUT (W) = 213.18'



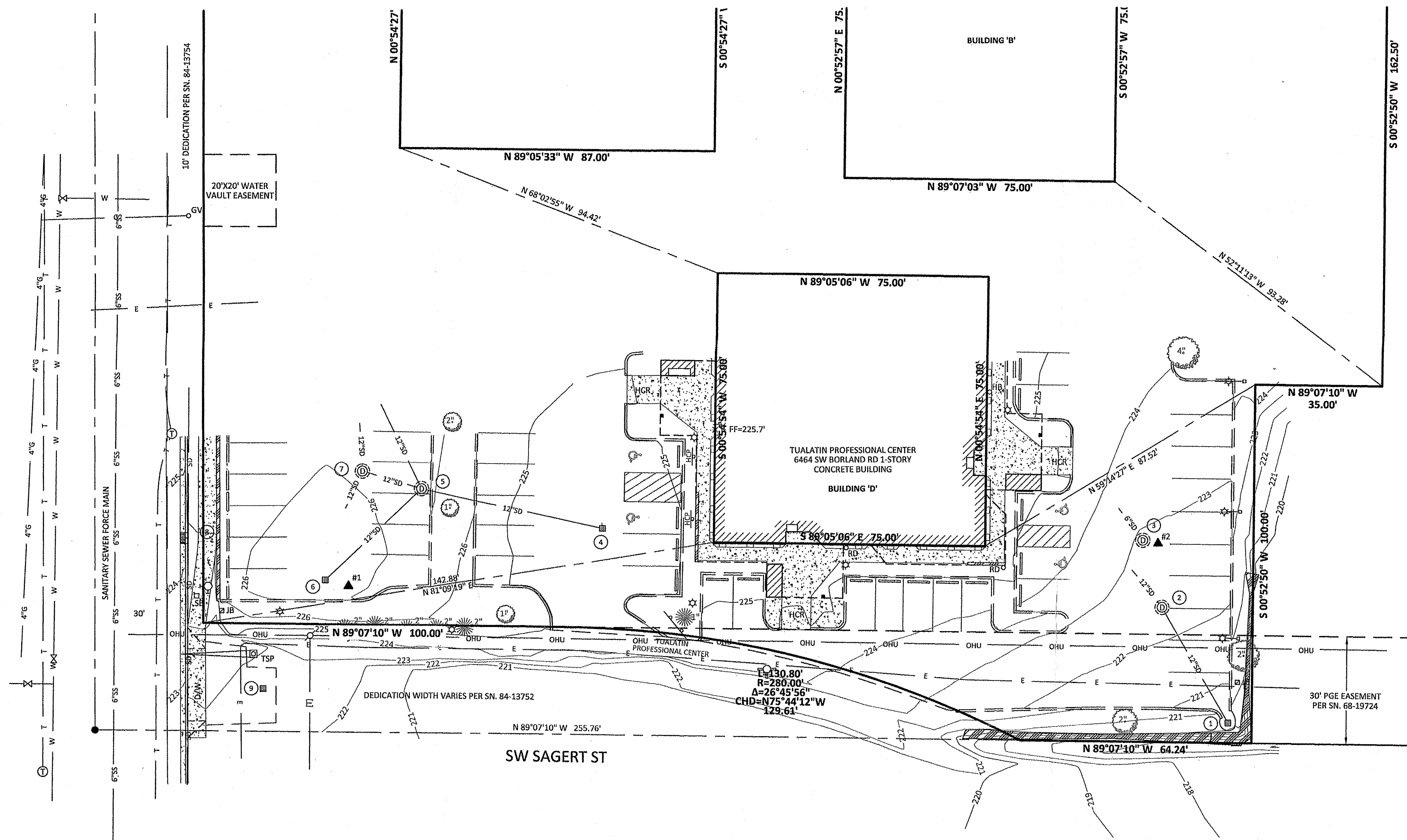
JOB NO. 1700026



111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

PROJECT CONTROL:

STATION	DESCRIPTION	NORTHING	EASTING	ELEVATION
1	MAG NAIL W/ WASHER "KPFF CONTROL"	118691.45	329714.01	225.87'
2	MAG NAIL W/ WASHER "KPFF CONTROL"	118702.68	329937.92	222.82'



File: N:\p\2017\1700026-Tualatin-Prof-Ctr-CAD\LOT\100-EX.dwg TAB: C100
22x34 Plotted: 8/10/17 at 7:53am By: achung

REVISION	DATE	DESCRIPTION	BY



FOR INFORMATION ONLY

JOB No.: 1700026
DESIGNED BY: AC
DRAWN BY: MB
CHECKED BY: MJ
PLOT DATE: 8/10/17 7:53am
PLOTTED BY: achung
DWG NAME: C100-EX.dwg
TAB NAME: C100

6464 SW Borland Road
TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS

SURVEY

SHEET NO.

C100

SHEET 2 OF 11
RECORD NO.

EROSION CONTROL PLAN NOTES

1. APPROVAL OF THIS EROSION/SEDIMENTATION CONTROL (ESC) PLAN DOES NOT CONSTITUTE AN APPROVAL OF PERMANENT ROAD OR DRAINAGE DESIGN (E.G., SIZE AND LOCATION OF ROADS, RESTRICTORS, CHANNELS, RETENTION FACILITIES, UTILITIES, ETC.).
2. THE IMPLEMENTATION OF THESE ESC PLANS AND THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, AND UPGRADING OF THESE ESC FACILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED AND PERMANENT VEGETATION/LANDSCAPING IS ESTABLISHED.
3. THE BOUNDARIES OF THE CLEARING LIMITS SHOWN ON THIS PLAN SHALL BE CLEARLY FLAGGED IN THE FIELD PRIOR TO CONSTRUCTION. DURING THE CONSTRUCTION PERIOD, NO DISTURBANCE BEYOND THE FLAGGED CLEARING LIMITS SHALL BE PERMITTED. THE FLAGGING SHALL BE MAINTAINED BY THE CONTRACTOR FOR THE DURATION OF CONSTRUCTION.
4. THE ESC FACILITIES SHOWN ON THIS PLAN MUST BE CONSTRUCTED IN CONJUNCTION WITH ALL CLEARING AND GRADING ACTIVITIES, AND IN SUCH A MANNER AS TO ENSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT ENTER THE DRAINAGE SYSTEM, ROADWAYS, OR VIOLATE APPLICABLE WATER STANDARDS.
5. THE ESC FACILITIES SHOWN ON THIS PLAN ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, THESE ESC FACILITIES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND TO ENSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT LEAVE THE SITE.
6. THE ESC FACILITIES SHALL BE INSPECTED DAILY BY THE CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING.
7. THE ESC FACILITIES ON INACTIVE SITES SHALL BE INSPECTED AND MAINTAINED A MINIMUM OF ONCE A MONTH OR WITHIN THE 24 HOURS FOLLOWING A STORM EVENT.
8. AT NO TIME SHALL MORE THAN ONE FOOT OF SEDIMENT BE ALLOWED TO ACCUMULATE WITHIN A TRAPPED CATCH BASIN. ALL CATCH BASINS AND CONVEYANCE LINES SHALL BE CLEANED PRIOR TO PAVING. THE CLEANING OPERATION SHALL NOT FLUSH SEDIMENT LADEN WATER INTO THE DOWNSTREAM SYSTEM.
9. STABILIZED CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE BEGINNING OF CONSTRUCTION AND MAINTAINED FOR THE DURATION OF THE PROJECT. ADDITIONAL MEASURES MAY BE REQUIRED TO ENSURE THAT ALL PAVED AREAS ARE KEPT CLEAN FOR THE DURATION OF THE PROJECT.

SHEET NOTES

1. CONTRACTOR MAY STAGE WITHIN LIMITS OF DEMOLITION.
2. REMOVE ALL SITE COMPONENTS AND RECYCLE COMPONENTS AS REQUIRED IN THE SPECIFICATIONS.
3. CONTRACTOR TO PROTECT AND MAINTAIN ALL UTILITIES WITHIN THE PROPERTY.
4. GENERAL DEMOLITION PERMIT SHALL BE SECURED BY THE CONTRACTOR.
5. ALL TRADE LICENSES AND PERMITS NECESSARY FOR THE PROCUREMENT AND COMPLETION OF THE WORK SHALL BE SECURED BY THE CONTRACTOR PRIOR TO COMMENCING DEMOLITION.
6. THE CONTRACTOR SHALL PRESERVE AND PROTECT FROM DAMAGE ALL EXISTING RIGHT-OF-WAY SURVEY MONUMENTATION DURING DEMOLITION. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING AND PAYING FOR THE REPLACEMENT BY A LICENSED SURVEYOR OF ANY DAMAGED OR REMOVED MONUMENTS.
7. PROTECT ALL ITEMS ON ADJACENT PROPERTIES AND IN THE RIGHT OF WAY INCLUDING BUT NOT LIMITED TO SIGNAL EQUIPMENT, PARKING METERS, SIDEWALKS, STREET TREES, STREET LIGHTS, CURBS, PAVEMENT AND SIGNS. CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ANY DAMAGED ITEMS TO ORIGINAL CONDITION.
8. PROTECT STRUCTURES, UTILITIES, SIDEWALKS, AND OTHER FACILITIES IMMEDIATELY ADJACENT TO EXCAVATIONS FROM DAMAGES CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, WASHOUT AND OTHER HAZARDS.
9. SAWCUT STRAIGHT LINES IN SIDEWALK, AS NECESSARY.
10. CONTRACTOR IS RESPONSIBLE TO CONTROL DUST AND MUD DURING THE DEMOLITION PERIOD, AND DURING TRANSPORTATION OF DEMOLITION DEBRIS. ALL STREET SURFACES OUTSIDE THE CONSTRUCTION ZONE MUST BE KEPT CLEAN.

X PROTECTION KEY NOTES

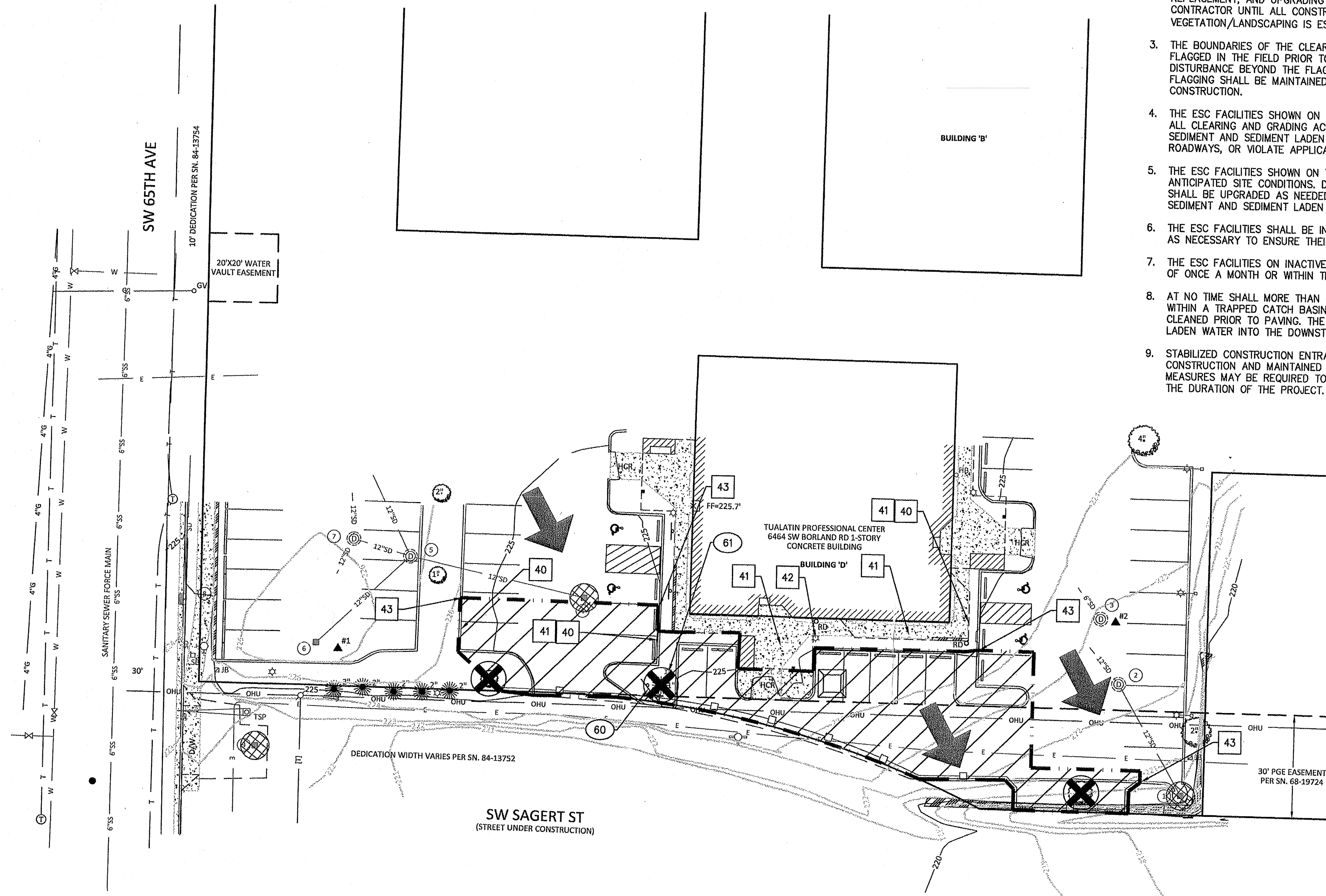
- 40 PROTECT CURB
- 41 PROTECT SIDEWALK
- 42 PROTECT LIGHTPOLE
- 43 SAWCUT CURB AT EDGE OF ADA STALL TO CONNECT TO NEW CURB. SEE SHT C300 FOR NEW CURB LAYOUT.

X SALVAGE KEY NOTES

- 60 SALVAGE SIGN AND STORE IN LOCATION AS DIRECTED BY OWNER.
- 61 REMOVE AND SALVAGE LIGHTPOLE AND STORE IN LOCATION AS DIRECTED BY OWNER.

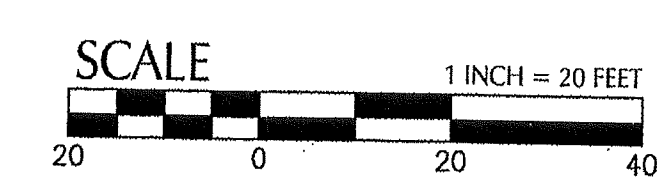
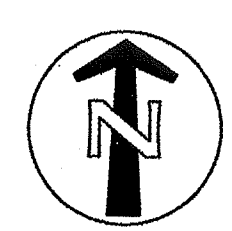
SHEET LEGEND

- PROPERTY LINE
- - - - - DEMOLITION/WORK LIMITS
- - - - - SEDIMENT FENCE (SHOWN OFFSET OF WORK LIMITS FOR CLARITY)
- [Hatched Box] REMOVE ALL SURFACE FEATURES UNLESS OTHERWISE NOTED.
- [X in Circle] REMOVE TREE
- [Globe in Circle] INLET PROTECTION
- [Arrow] FLOW DIRECTION
- [Square with X] CONCRETE WASHOUT

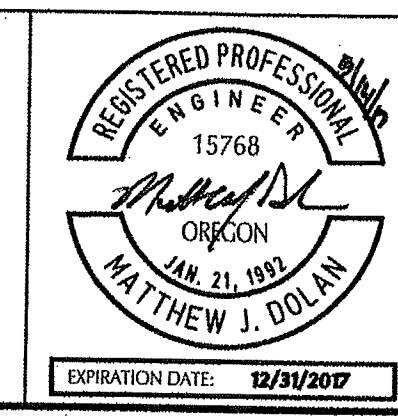


File: N:\c\p\2017\1700026-Tualatin-Prof-Cr\CAD\PLLOT\C200-DM.dwg TAB: C200
 22:34. Plotted: 8/14/17 at 2:09pm By: achung

REVISION	DATE	DESCRIPTION	BY



kpff
 111 SW Fifth Ave., Suite 2500
 Portland, OR 97204
 O: 503.227.3251
 F: 503.224.4681
 www.kpff.com



JOB No.: 1700026
 DESIGNED BY: AC
 DRAWN BY: MB
 CHECKED BY: MJ
 PLOT DATE: 8/14/17 2:09pm
 PLOTTED BY: achung
 DWG NAME: C200-DM.dwg
 TAB NAME: C200

6464 SW Borland Road
 TUJALATIN PROFESSIONAL CENTER
 PARKING LOT IMPROVEMENTS
DEMOLITION AND EROSION CONTROL PLAN

SHEET NO.
C200
 SHEET 3 OF 11
 RECORD NO.

SHEET NOTES

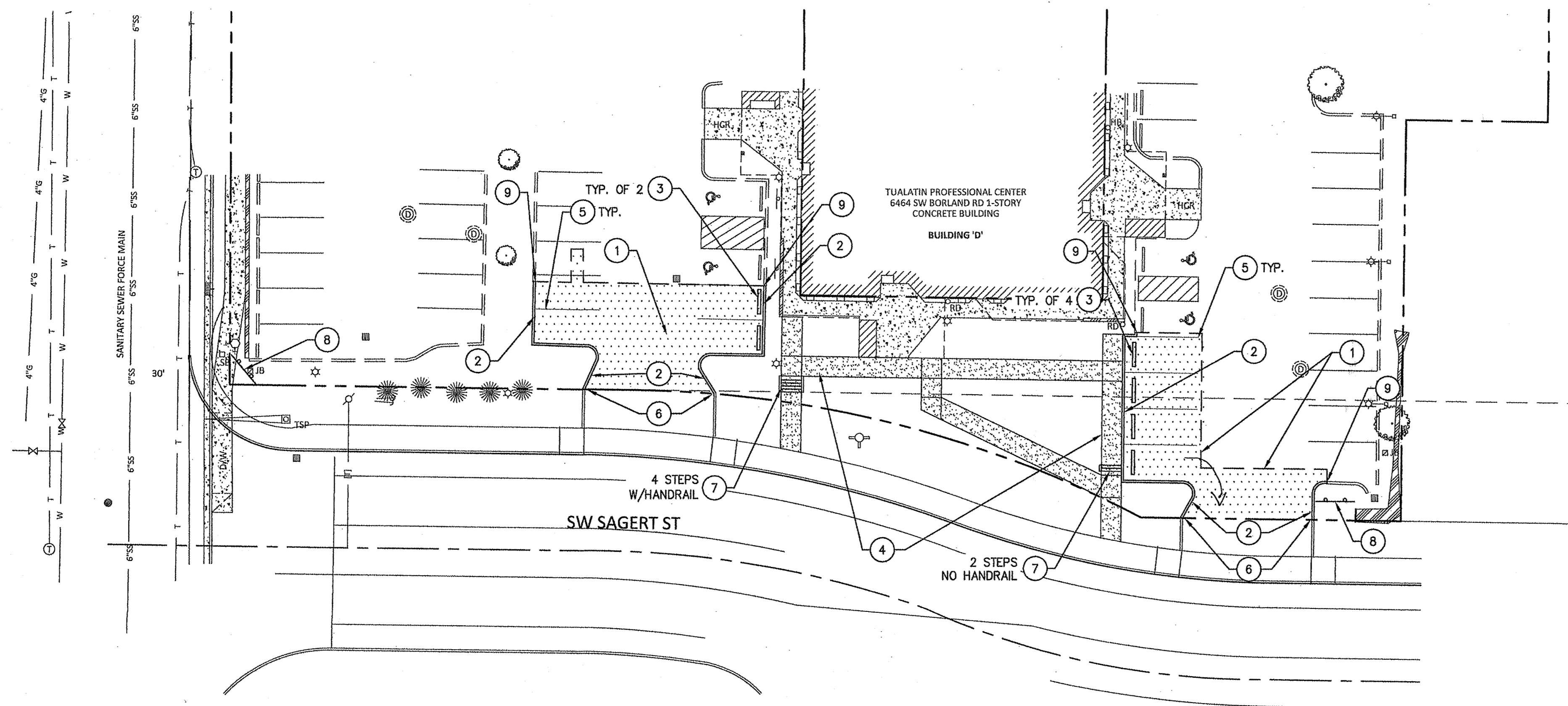
1. ALL DIMENSIONS ARE TO FACE OF CURB OR FACE OF WALL.
2. ALL SIDEWALK PAVEMENT JOINTS SHALL BE CONSTRUCTED PER SPECIFICATIONS.
3. PROPOSED SAGERT STREET AND CENTERLINE ALIGNMENT SHOWN FOR REFERENCE ONLY. SEE SAGERT FARM SUBDIVISION PROJECT (LAND USE DECISION SB15-002) FOR WORK IN THE R.O.W. CONTRACTOR TO COORDINATE R.O.W CONNECTIONS WITH SAGERT STREET CONTRACTOR AND CITY INSPECTOR.

(X) KEY NOTES

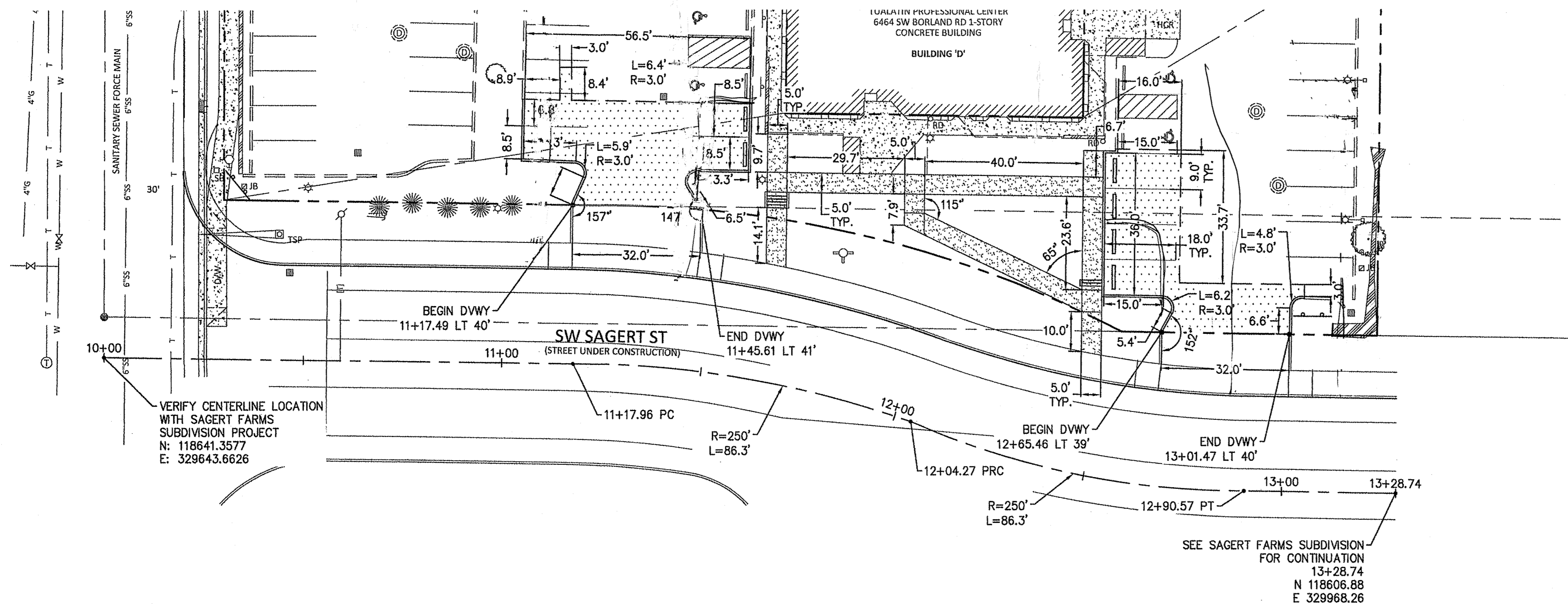
#	DESCRIPTION	DETAIL REF.
1	SAWCUT LINE	
2	STANDARD CURB	4/C500
3	WHEEL STOP	5/C500
4	CONCRETE 5-FT WIDE SIDEWALK	6/C500
5	4-IN WIDE WHITE STRIPE	
6	CONNECT TO SAGERT DRIVEWAY PER SAGERT FARM SUBDIVISION PROJECT.	
7	CONCRETE STAIRS WITH HANDRAIL	2/C501
8	INSTALL SIGN AND CONNECT TO EXISTING ELECTRICAL LINE. CONTRACTOR TO COORDINATE LOCATION WITH OWNER	
9	CONNECT TO EXISTING CURB	

SHEET LEGEND

	PROPERTY LINE	
	CONCRETE SIDEWALK	6/C500
	STANDARD ASPHALT PAVEMENT	1/C501



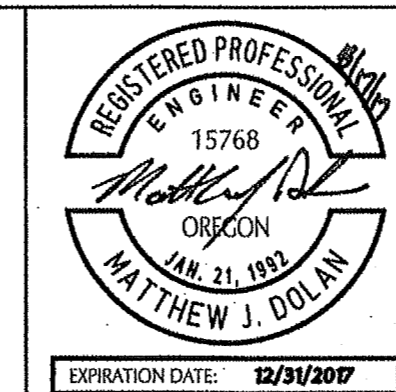
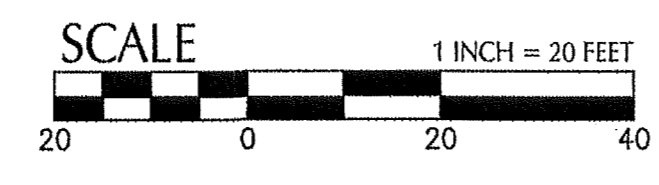
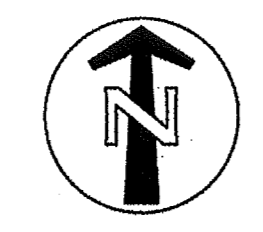
SITE PLAN
SCALE: 1" = 20'



HORIZONTAL CONTROL PLAN
SCALE: 1" = 20'

File: N:\c\2017\1700026-Tualatin-Prof-Ctr\CAD\LOT\C300-ST.dwg TAB: C300
22x34 Plotted: 8/16/17 at 3:39pm By: achung

REVISION	DATE	DESCRIPTION	BY



JOB No.:	1700026
DESIGNED BY:	AC
DRAWN BY:	MB
CHECKED BY:	MJ
PLOT DATE:	8/16/17 3:39pm
PLOTTED BY:	achung
DWG NAME:	C300-ST.dwg
TAB NAME:	C300

6464 SW Borland Road	
TUALATIN PROFESSIONAL CENTER PARKING LOT IMPROVEMENTS	
SITE AND HORIZONTAL CONTROL PLAN	

SHEET NO.	C300
SHEET 4 OF 11	
RECORD NO.	

SHEET NOTES

- SLOPES PROVIDED ON SLOPE ARROW ARE FOR REFERENCE ONLY.
- LANDINGS ON ACCESSIBLE ROUTES SHALL NOT EXCEED 2% IN ANY DIRECTION.
- ALL ACCESSIBLE ROUTES SHALL COMPLY WITH CURRENT ADA ACCESSIBILITY GUIDELINES FOR BUILDING AND FACILITIES (ADAAG).
- ALL TOP OF CURB ELEVATIONS ARE 6-IN ABOVE TOP OF PAVEMENT GRADES SHOWN UNLESS NOTED OTHERWISE ON PLANS.
- PIPE BEDDING AND BACKFILL FOR ALL UTILITIES SHALL BE DONE PER DETAIL 4/C501.
- ALL PROPOSED WALKWAYS ARE DESIGNED TO NOT REQUIRE HANDRAILS. THEREFORE, RAMPS WITH SLOPES STEEPER THAN 5.0% AND LESS THAN 8.33% SHALL NOT EXCEED 0.5' RISE OR 6.0' LENGTH.

(X) GRADING KEY NOTES

NOTE DESCRIPTION

- VERIFY AND MATCH DRIVEWAY CONNECTION GRADES WITH SAGERT STREET PROJECT.
- VERIFY AND MATCH BACK OF WALK GRADES AT SIDEWALK CONNECTION WITH SAGERT STREET PROJECT.

(X) UTILITY KEY NOTES

NOTE DESCRIPTION

- SD CONNECT TO EXISTING STORM SYSTEM. CONTRACTOR TO FIELD VERIFY IE.

GRADING LABEL LEGEND

CALLOUT	DESCRIPTION
X.X%	GRADING SLOPE AND DIRECTION (DOWNHILL)
XX.XX	SPOT ELEVATION
XX.XX	DESCRIPTION LISTED BELOW. NO DESCRIPTION MEANS TP OR TG
BW	BACK OF WALK
BS	BOTTOM OF STEP
FG	FINISHED GRADE
HP	HIGH POINT
RIM	RIM OF STRUCTURE
TC	TOP OF CURB
TP	TOP OF PAVEMENT
TS	TOP OF STEP
(XXX.X±)	EXISTING GRADE (MATCH WHERE APPLICABLE)

SHEET LEGEND

---	GRADE BREAK
---	EX. CONTOUR MINOR
---	EX. CONTOUR MAJOR
---	CONTOUR MINOR (FG)
---	CONTOUR MAJOR (FG)
---	LIMITS OF GRADING. MATCH EXISTING GRADE AT MAX 3:1 (H:V) SLOPE

UTILITY LABEL LEGEND

STRUCTURE LABEL

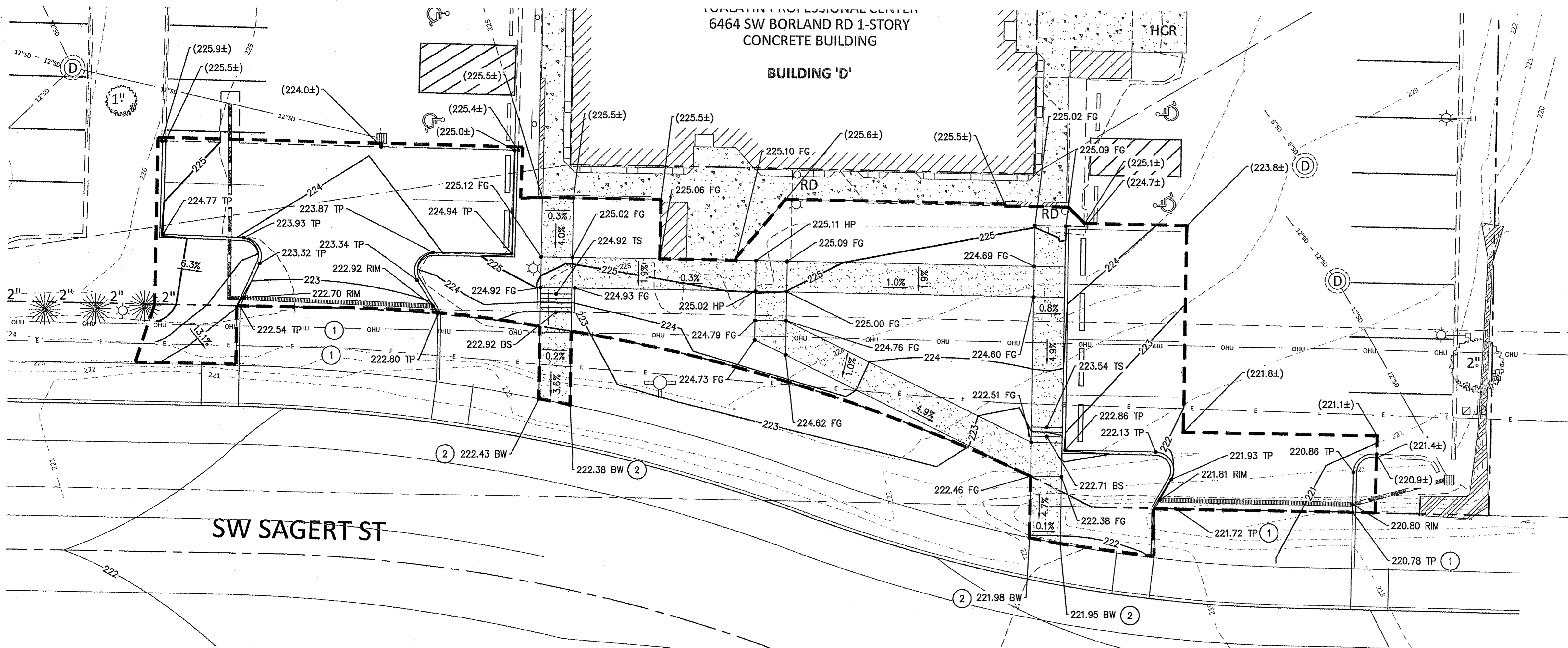
---	UTILITY TYPE (SD=STORM DRAINAGE)
---	STRUCTURE TYPE CALLOUT
---	ID NUMBER (WHERE APPLICABLE)
XX XX-XX	LOCATION (WHERE APPLICABLE)
IE IN = XX.X	STRUCTURE INFO (WHERE APPLICABLE)
IE OUT = XX.X	STRUCTURE INFO (WHERE APPLICABLE)

PIPE LABEL

---	UTILITY LENGTH
---	UTILITY SIZE
---	UTILITY TYPE
XXLF - XX" XX	SLOPE (WHERE APPLICABLE)

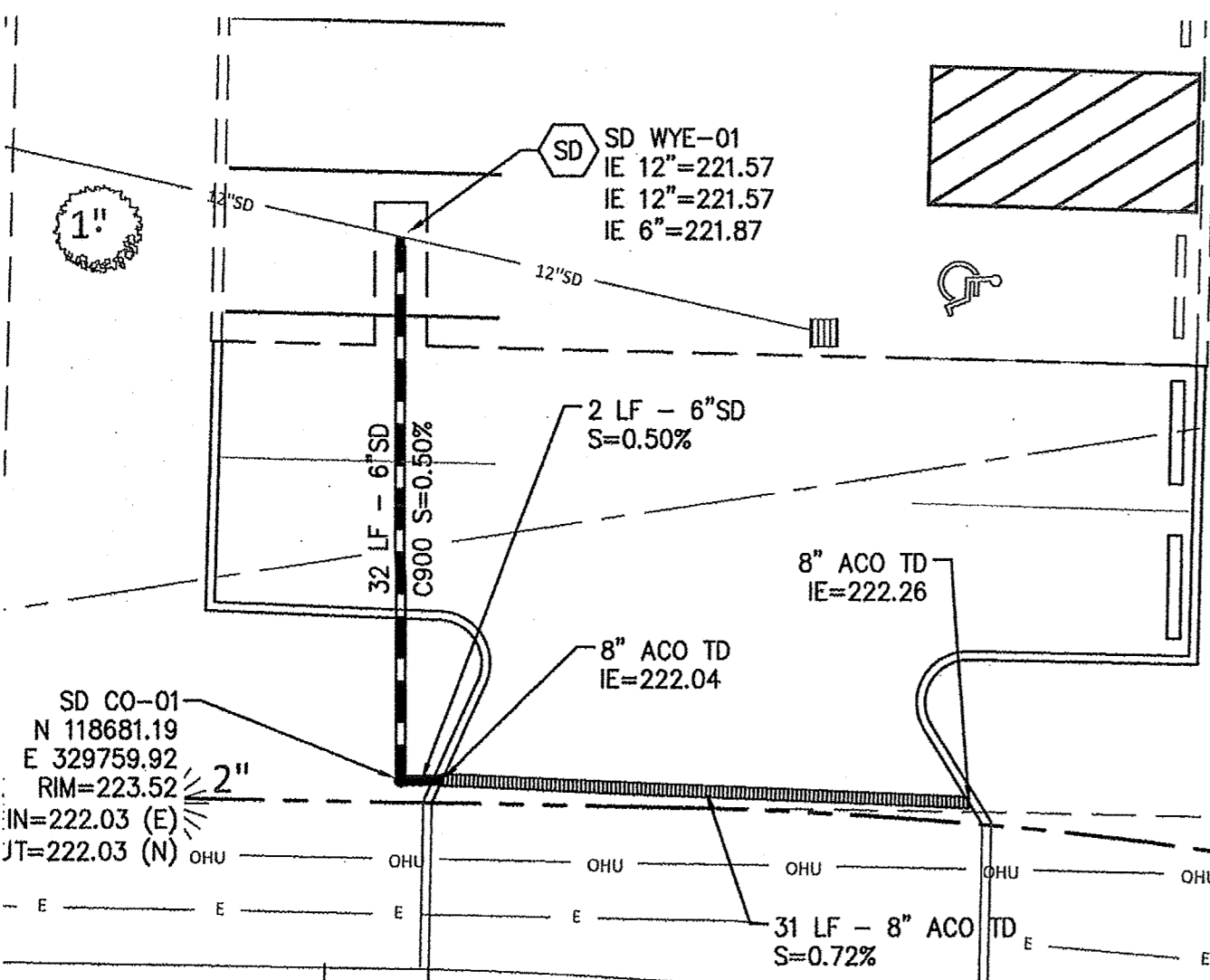
STRUCTURE TYPE

CALLOUT	DESCRIPTION	SYMBOL	DETAIL REF.
TD	TRENCH DRAIN	---	3/C501
CO	CLEANOUT	---	5/C501
SD	STORM DRAIN	---	



GRADING PLAN

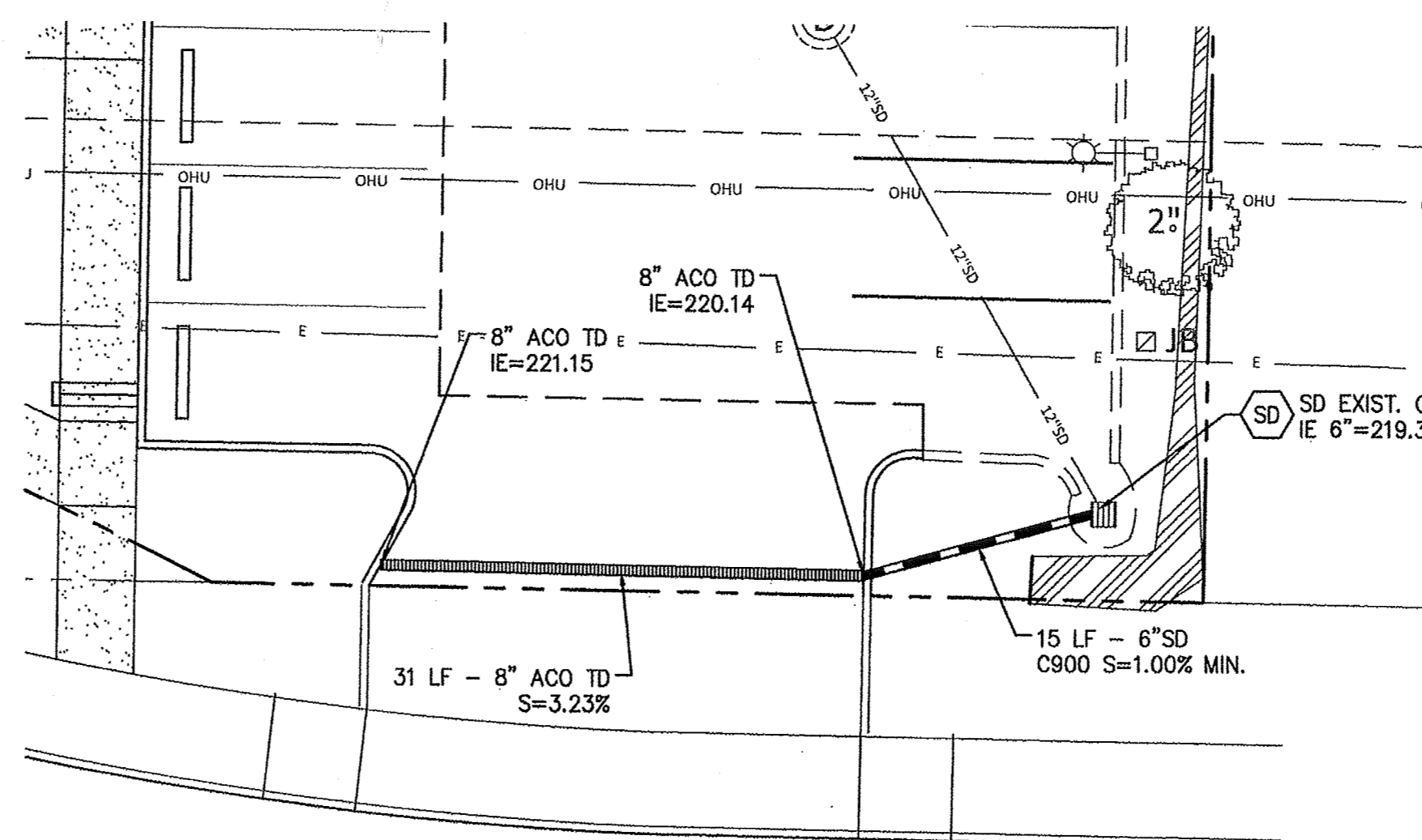
SCALE: 1" = 10'



UTILITY PLAN - WEST DRIVEWAY

SCALE: 1" = 10'

STORMWATER MANAGEMENT NARRATIVE
NOTE THAT STORMWATER IMPROVEMENTS INCLUDING WATER QUALITY AND DETENTION ARE ALREADY IN COMPLIANCE AND DO NOT REQUIRE ANY ADDITIONAL UPGRADES.

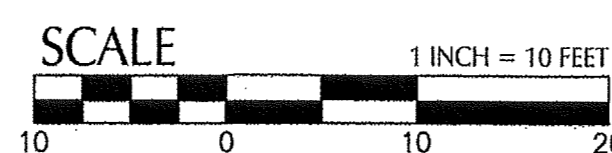
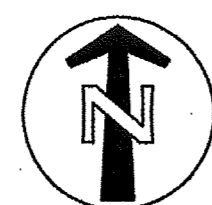


UTILITY PLAN - EAST DRIVEWAY

SCALE: 1" = 10'

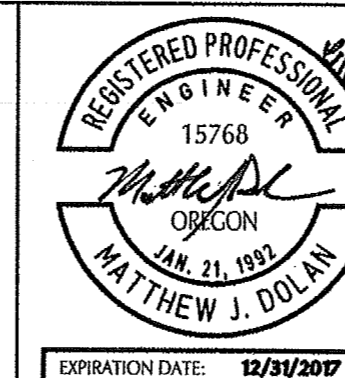
File: N:\A\2017\1700026-Tualatin-Prof-Ctr\CAD\PLT\C400-GD.dwg TAB: C400
22x34 Plotter: 8/14/17 01:24:48pm By: achung

REVISION	DATE	DESCRIPTION	BY



kpff

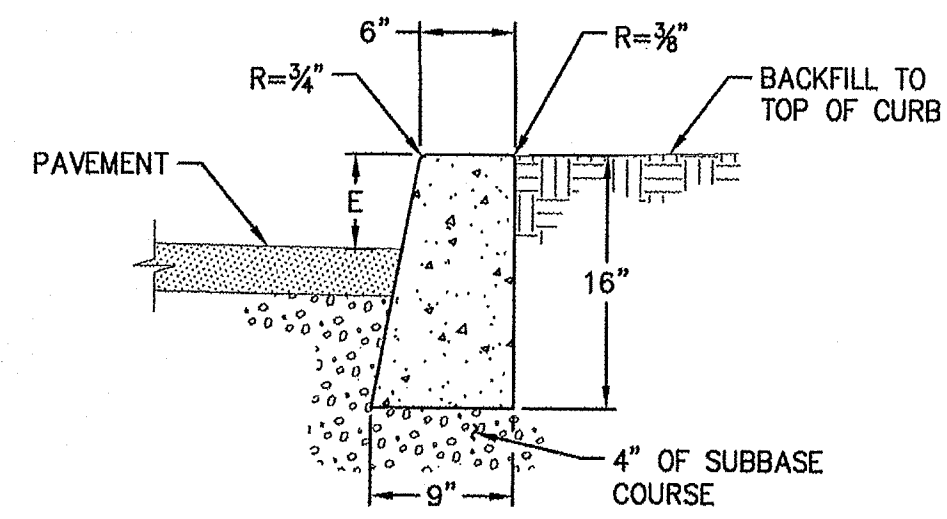
111 SW Fifth Ave., Suite 2500
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com



JOB No.: 1700026
DESIGNED BY: AC
DRAWN BY: MB
CHECKED BY: MJ
PLOT DATE: 8/14/17 2:48pm
PLOTTED BY: achung
DWG NAME: C400-GD.dwg
TAB NAME: C400

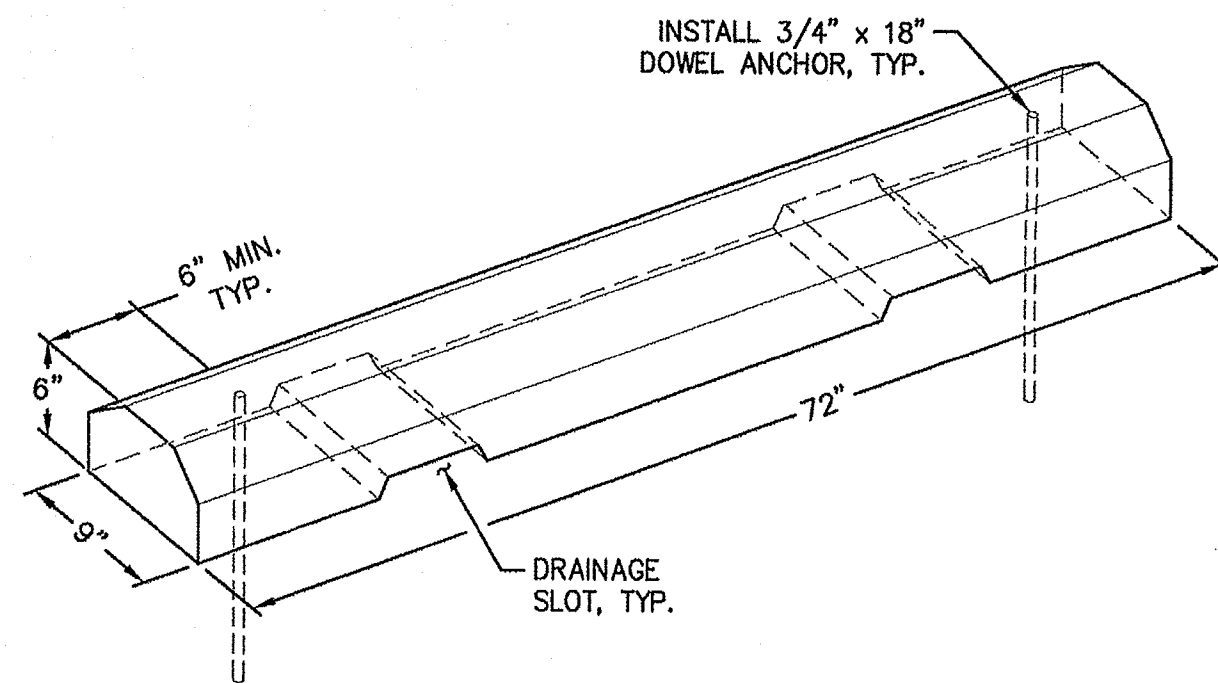
6464 SW Borland Road
TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS
GRADING AND UTILITY PLAN

SHEET NO.
C400
SHEET 5 OF 11
RECORD NO.



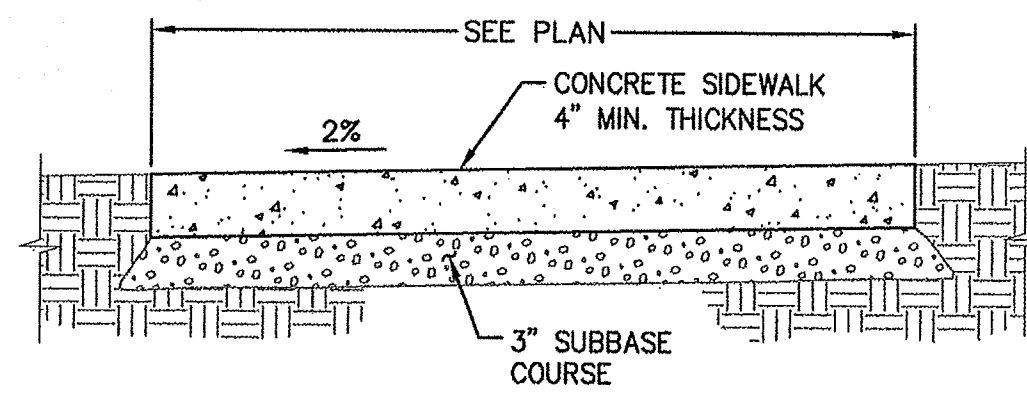
- NOTES:**
- CURB EXPOSURE 'E' = 6", TYP. VARY AS SHOWN ON PLANS OR AS DIRECTED.
 - CONSTRUCT CONTRACTION JOINTS AT 15' MAX. SPACING AND AT RAMPS. CONSTRUCT EXPANSION JOINTS AT 200' MAX SPACING AT POINTS OF TANGENCY AND AT ENDS OF EACH DRIVEWAY.
 - TOPS OF ALL CURBS SHALL SLOPE TOWARD THE ROADWAY AT 2% UNLESS OTHERWISE SHOWN OR AS DIRECTED.
 - DIMENSIONS ARE NOMINAL AND MAY VARY TO CONFORM WITH CURB MACHINE AS APPROVED BY THE ENGINEER.

4 CONCRETE CURB - STANDARD
SCALE: NTS



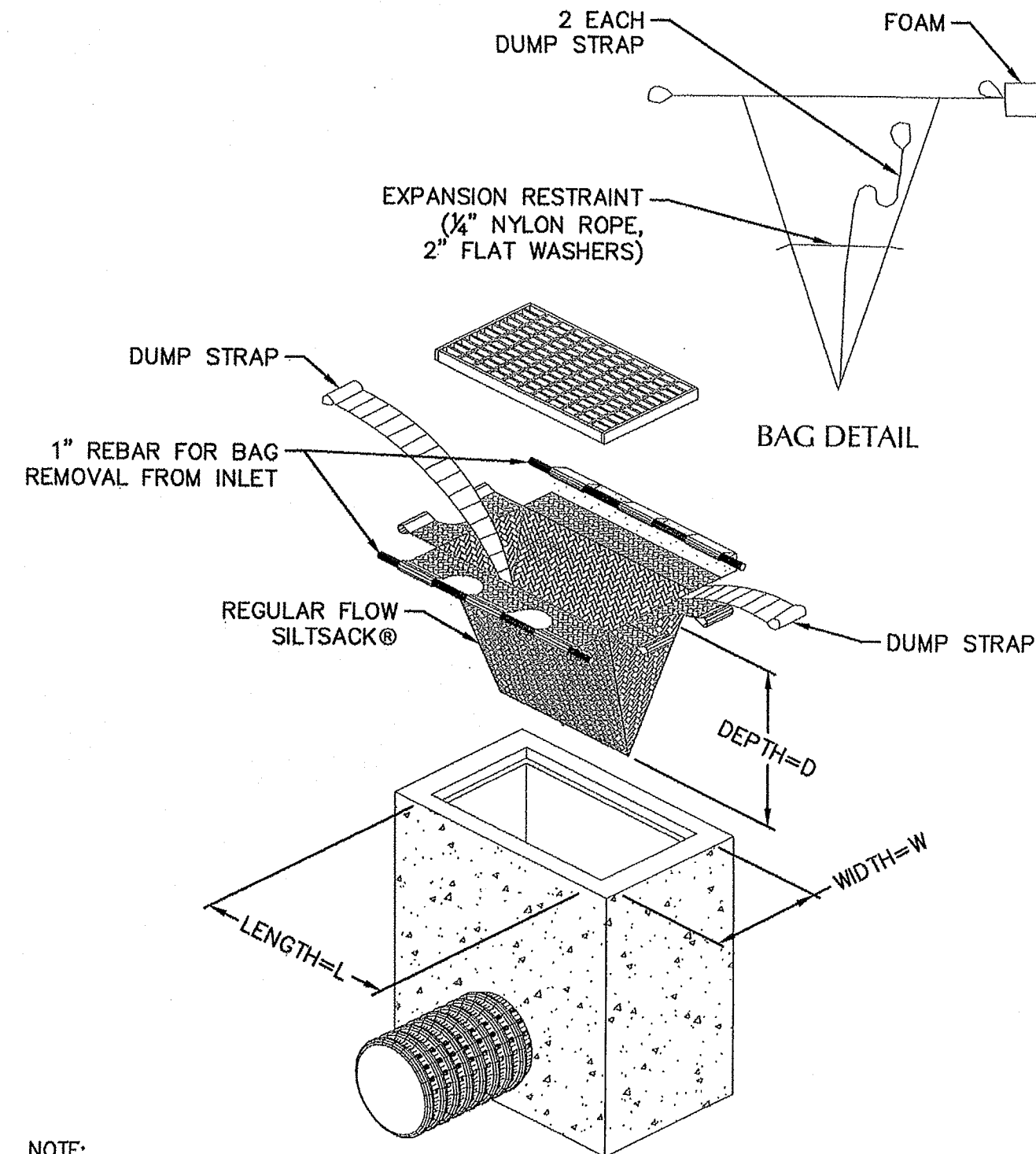
- NOTES:**
- DIMENSIONS ARE NOMINAL AND MAY VARY TO CONFORM TO MANUFACTURER'S PRODUCTS APPROVED BY ENGINEER.

5 PRECAST CONCRETE WHEEL STOP
SCALE: NTS



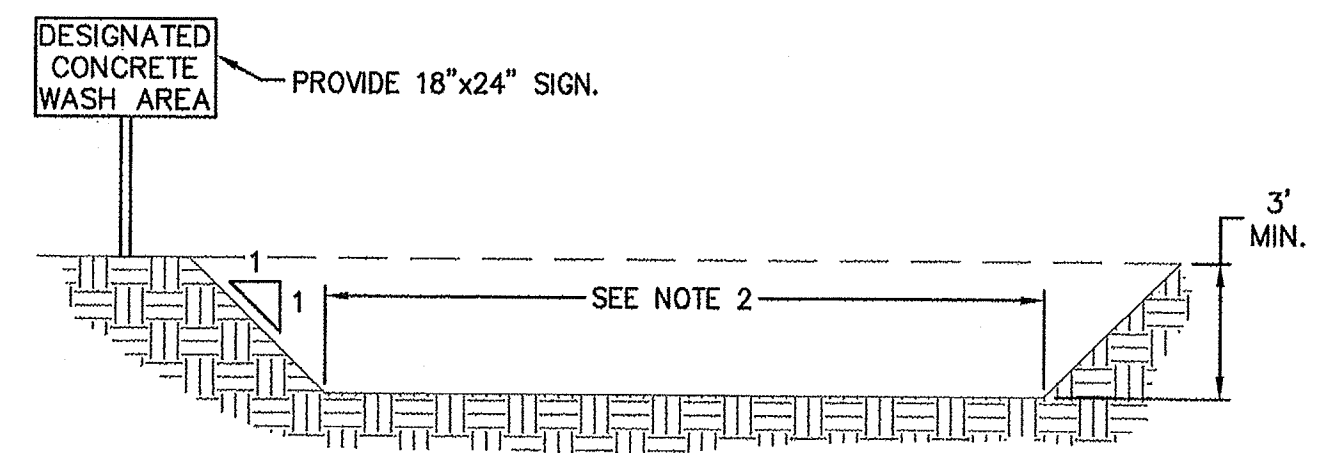
- NOTES:**
- CONSTRUCT CONTRACTION JOINTS AT 15' MAX. SPACING AND AT RAMPS. CONSTRUCT EXPANSION JOINTS AT 200' MAX SPACING, AT POINTS OF TANGENCY AND AT ENDS OF EACH DRIVEWAY, UNLESS NOTED OTHERWISE.

6 CONCRETE SIDEWALK
SCALE: NTS



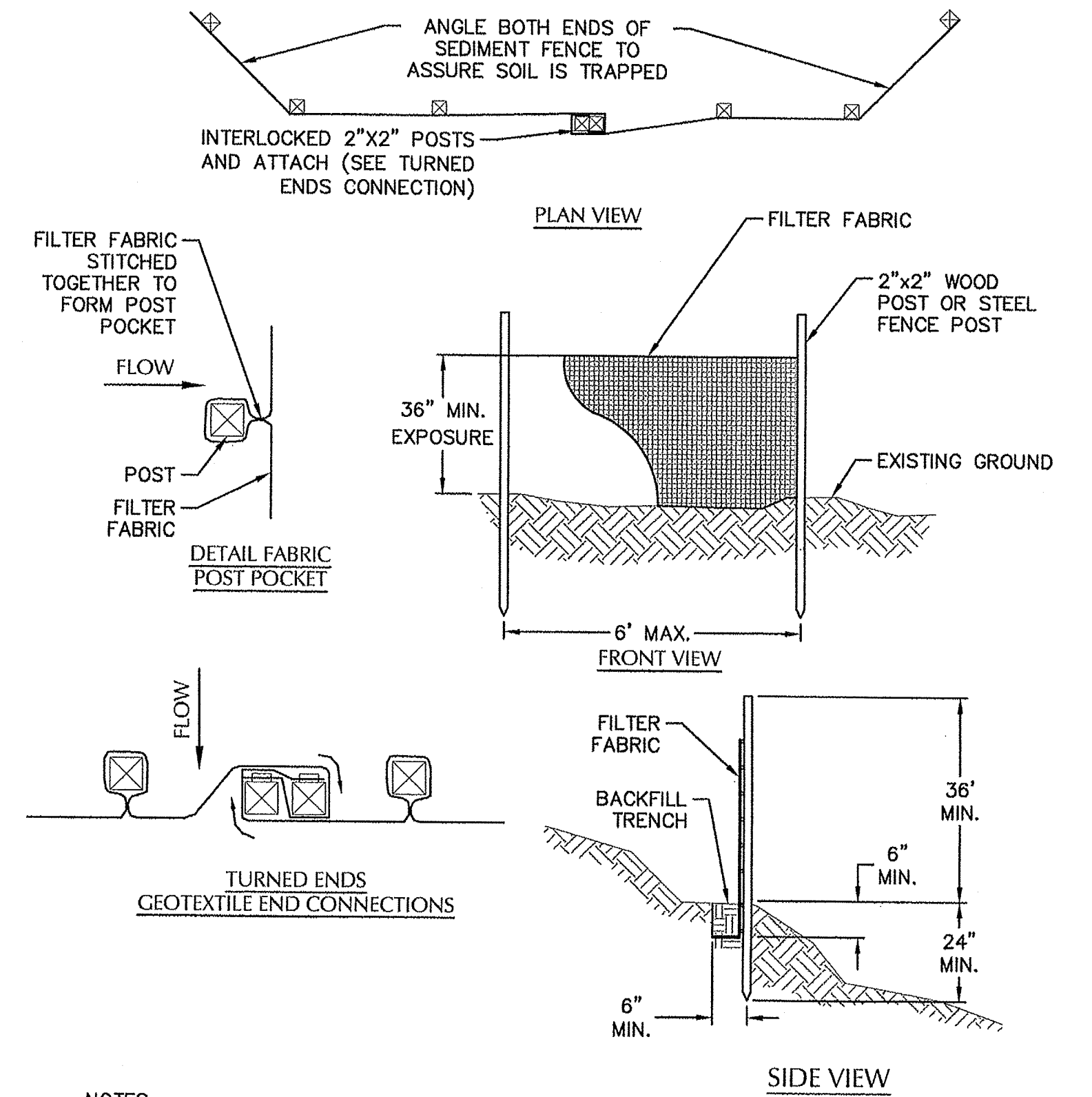
- NOTE:**
- DO NOT USE HIGH FLOW INSERT BAGS.

2 INLET SEDIMENT PROTECTION
SCALE: NTS



- NOTES:**
- INSTALL A CONCRETE WASH OUT PIT AND A VISIBLE SIGN STATING, "DESIGNATED CONCRETE WASH AREA." LOCATE THE WASH OUT IN A PLACE THAT WILL BE ACCESSIBLE TO CONCRETE TRUCKS SIZE TO THE PROJECT.
 - PROVIDE 3' X 3' MINIMUM WASHOUT AREA. INCREASES SIZE OR PROVIDE ADDITIONAL WASHOUTS AS REQUIRED TO ACCOMMODATE PROJECT CONDITIONS.
 - LOCATE WASHOUTS IN AREAS THAT WILL BE ACCESSIBLE TO CONCRETE TRUCKS.
 - FOR WASHOUTS LOCATED IN AREAS DESIGNATED TO RECEIVE HARDSCAPE, SOLIDS MAY BE BURIED IN PLACE. FOR OTHER APPLICATIONS, REMOVE AND DISPOSE OF SOLIDS.

3 CONCRETE WASHOUT
SCALE: NTS



- NOTES:**
- THE FILTER FABRIC SHALL BE (36" MIN. WIDTH) PURCHASED IN A CONTINUOUS ROLL CUT TO THE LENGTH OF THE BARRIER TO AVOID USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6-INCH OVERLAP, AND BOTH ENDS SECURELY FASTENED TO THE POST, OR OVERLAP 2"x2" POSTS AND ATTACH AS SHOWN ON DETAIL SHEET.
 - THE FILTER FABRIC FENCE SHALL BE INSTALLED TO FOLLOW THE CONTOURS WHERE FEASIBLE. THE FENCE POSTS SHALL BE SPACED A MAXIMUM OF 8- FEET APART AND DRIVEN SECURELY INTO THE GROUND A MINIMUM OF 24-INCHES.
 - THE FILTER FABRIC SHALL HAVE A MINIMUM VERTICAL BURIAL OF 6-INCHES. ALL EXCAVATED MATERIAL FROM FILTER FABRIC FENCE INSTALLATION, SHALL BE BACKFILLED AND COMPACTED, ALONG THE ENTIRE DISTURBED AREA.
 - STANDARD OR HEAVY DUTY FILTER FABRIC SHALL HAVE MANUFACTURED STITCHED LOOPS FOR 2"x2" POST INSTALLATION. STITCHED LOOPS WITH STAKES SHALL BE INSTALLED ON THE DOWN-HILL SIDE OF THE SLOPED AREA.
 - FILTER FABRIC FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UP-SLOPE AREA HAS BEEN PERMANENTLY PROTECTED AND STABILIZED.
 - FILTER FABRIC FENCES SHALL BE INSPECTED BY CONTRACTOR IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

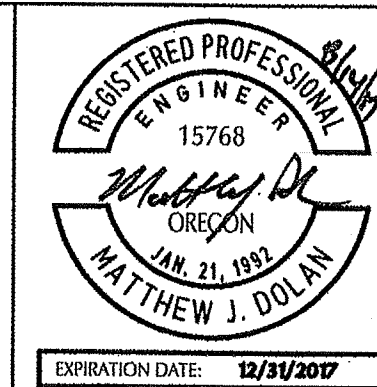
1 SEDIMENT FENCE
SCALE: NTS

File: N:\a\p\2017\1700026-Tualatin-Prof-Ctr\CAD\LOT\C500-DT.dwg TAB: C500
22x34 Plotted: 8/10/17 at 1:11pm By: achung

REVISION	DATE	DESCRIPTION	BY

kpff

111 SW Fifth Ave., Suite 2500
Portland, OR 97204
O: 503.224.3951
F: 503.224.4681
www.kpff.com

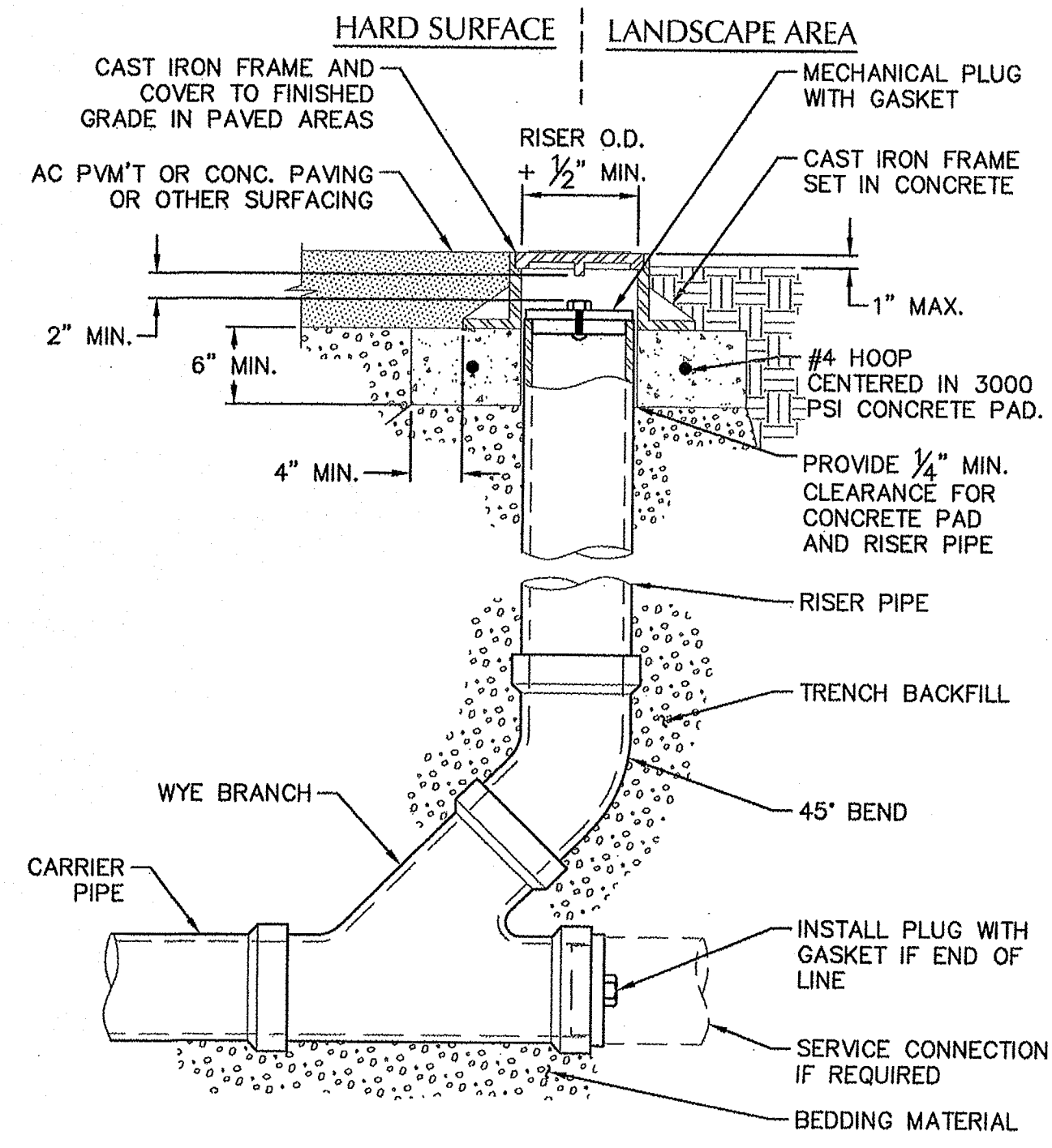


JOB No.:	1700026
DESIGNED BY:	AC
DRAWN BY:	MB
CHECKED BY:	MJ
PLOT DATE:	8/10/17 1:11pm
PLOTTED BY:	achung
DWG NAME:	C500-DT.dwg
TAB NAME:	C600

6464 SW Borland Road
TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS

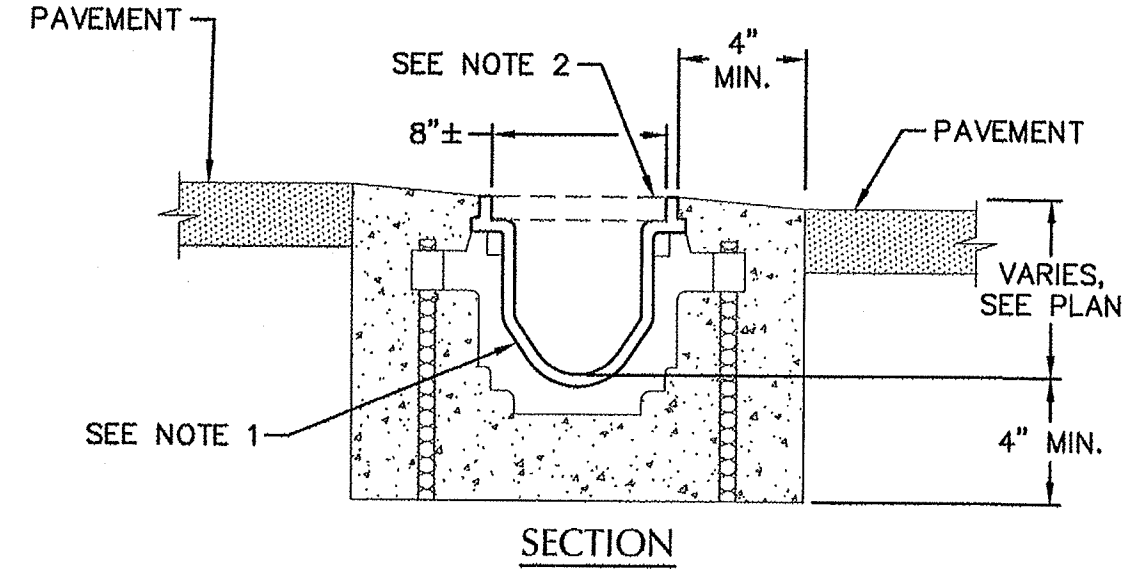
DETAILS

SHEET NO.	C500
SHEET	6 OF 11
RECORD NO.	



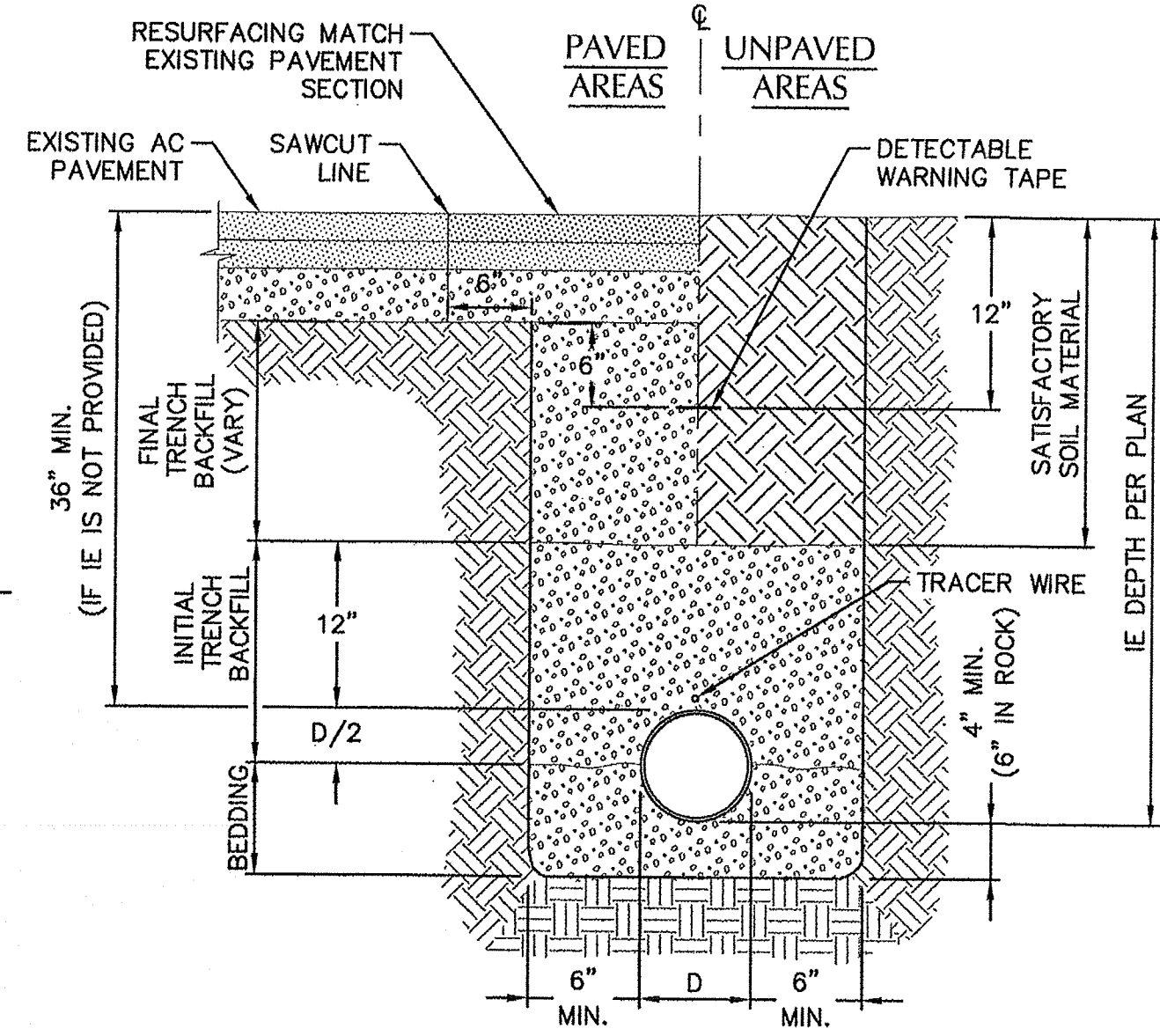
- NOTES:
- CAST IRON FRAME AND COVER SHALL MEET H-20 LOAD REQUIREMENT.
 - FOR CARRIER PIPE SIZE 6"Ø AND LESS, PROVIDE RISER PIPE SIZE TO MATCH CARRIER PIPE.
 - FOR CARRIER PIPE SIZE 8"Ø AND LARGER, RISER PIPE SHALL BE 6"Ø.
 - RISER PIPE MATERIAL TO MATCH CARRIER PIPE MATERIAL.

5 STANDARD CLEANOUT (COTG)
SCALE: NTS

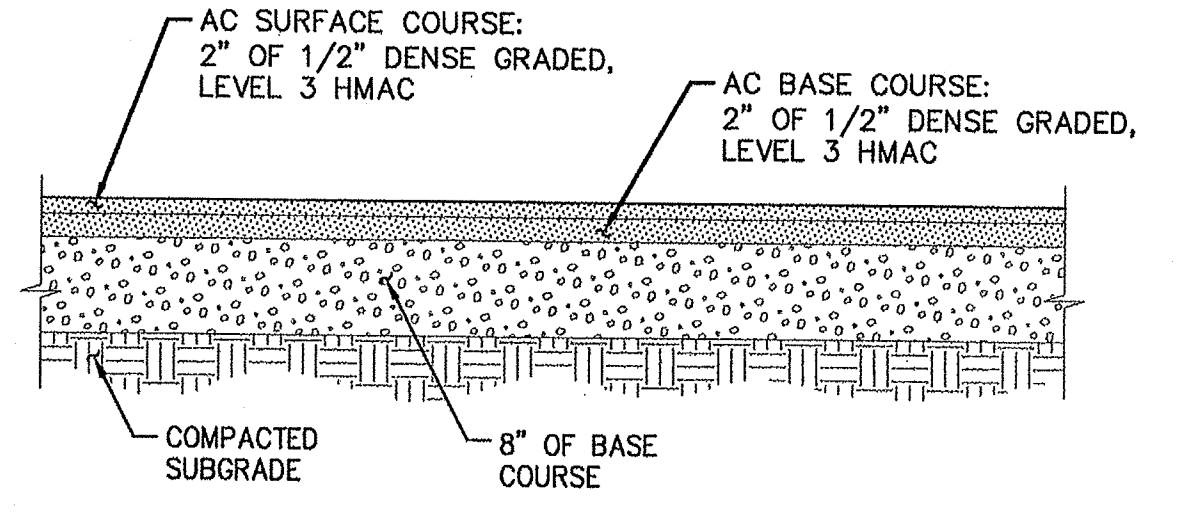


- NOTES:
- TRENCH DRAIN SHALL BE NEUTRAL 8" WIDE ZURN OR ACO TRENCH DRAIN OR APPROVED EQUAL.
 - TRENCH DRAINS GRATE SHALL BE LOCKABLE HEAVY DUTY TRENCH GRATE - CLASS C.
 - TRENCH SYSTEM SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

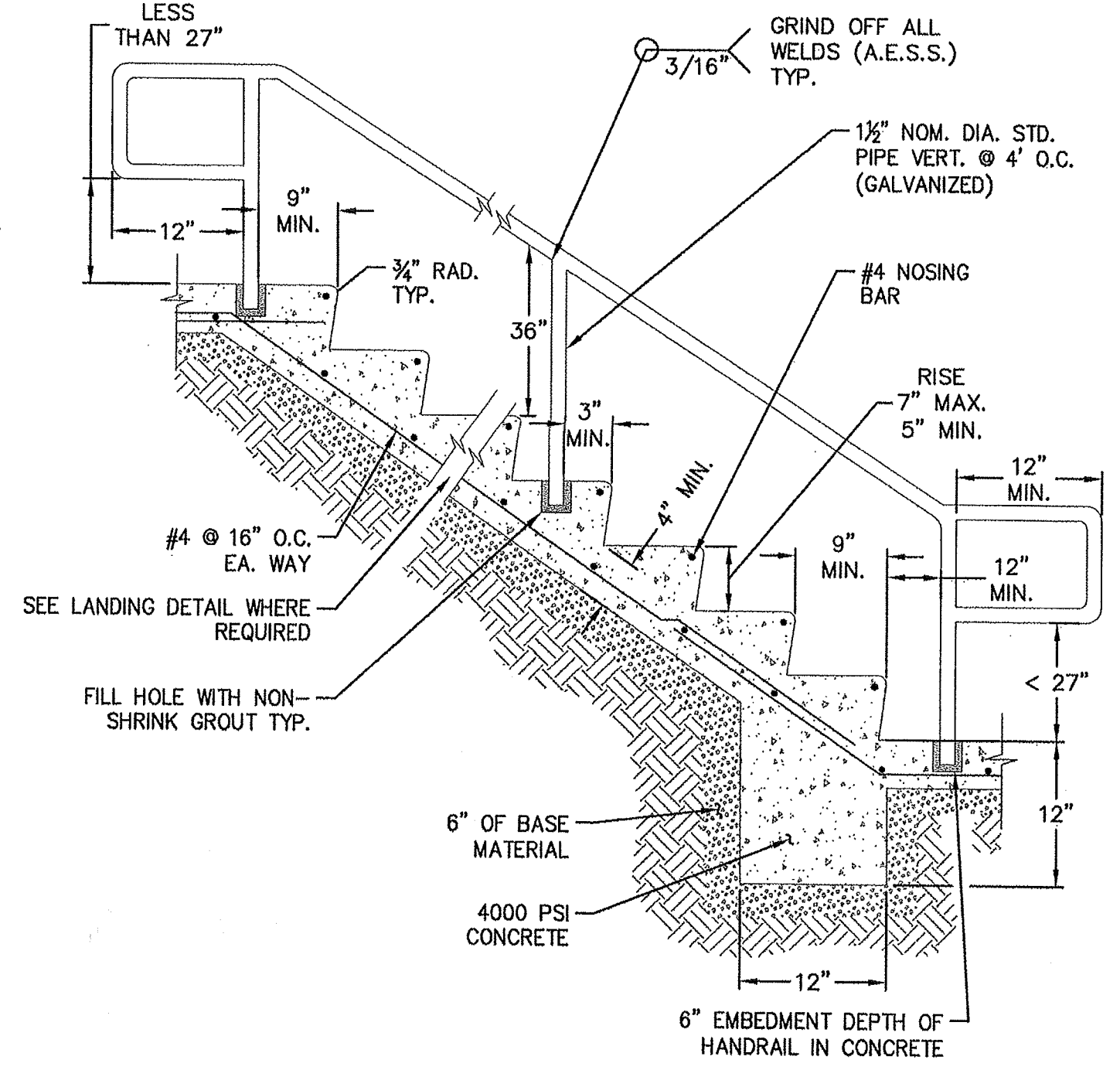
3 TRENCH DRAIN - 8 INCH WIDE
SCALE: NTS



4 TYPICAL PIPE BEDDING AND BACKFILL
SCALE: NTS



1 ASPHALT PAVEMENT SECTION
SCALE: NTS



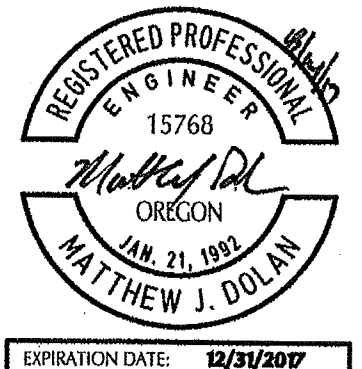
- NOTE:
- STEEL PIPE SHALL CONFORM TO ASTM A501.

2 STAIR AND HANDRAIL
SCALE: NTS

File: N:\2017\1700026_Tualatin-Prof-Ctr-CAD\LOT\C500-DT.dwg TAB: C501
 2/24/17 8:10/17 at 1:11pm By: achung

REVISION	DATE	DESCRIPTION	BY

kpff
 111 SW Fifth Ave., Suite 2500
 Portland, OR 97204
 O: 503.227.3251
 F: 503.224.4681
 www.kpff.com

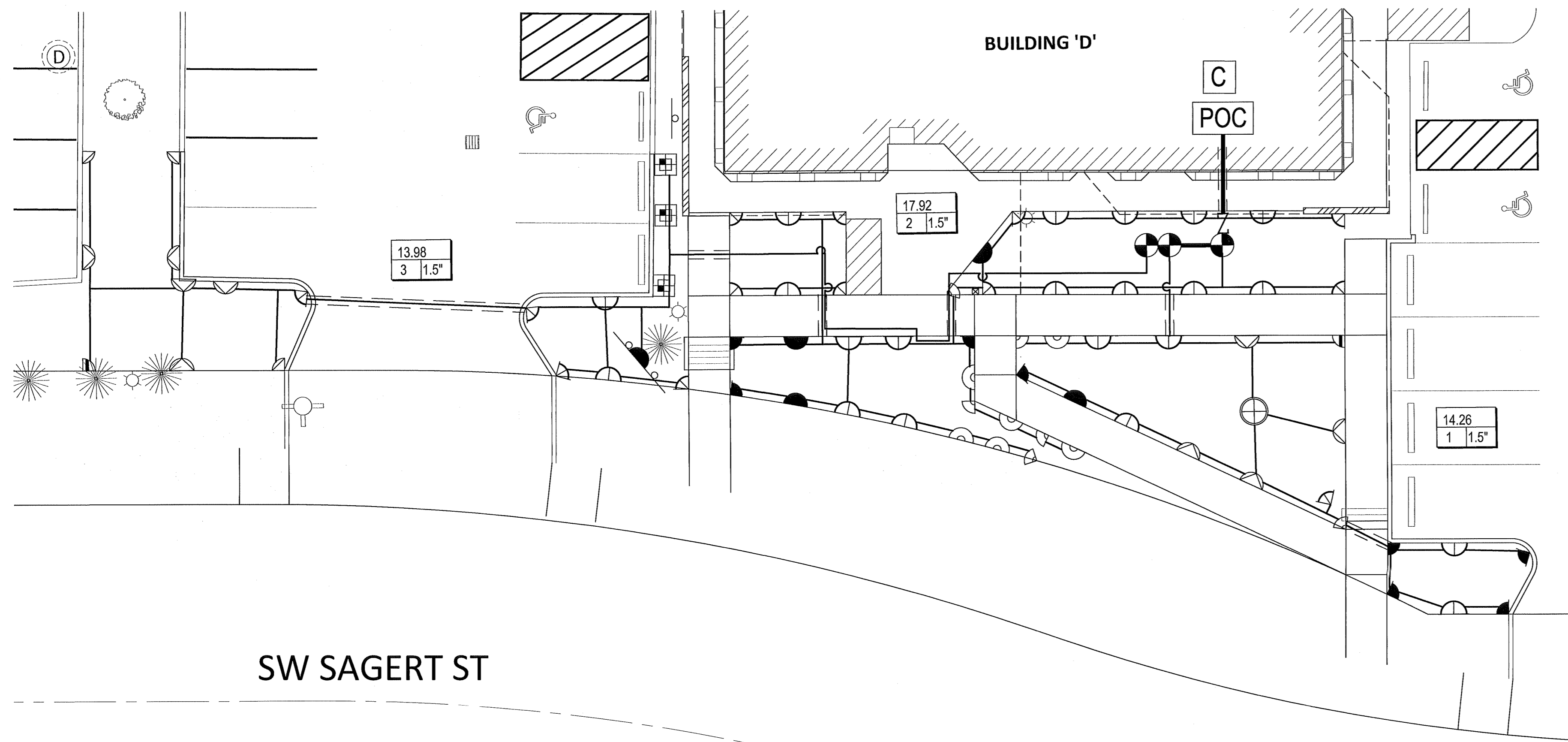


JOB No.:	1700026
DESIGNED BY:	AC
DRAWN BY:	MB
CHECKED BY:	MJ
PLOT DATE:	8/10/17 1:11pm
PLOTTED BY:	achung
DWG NAME:	C500-DT.dwg
TAB NAME:	C501

6464 SW Borland Road
 TUALATIN PROFESSIONAL CENTER
 PARKING LOT IMPROVEMENTS

DETAILS

SHEET NO.
C501
 SHEET 7 OF 11
 RECORD NO.



IRRIGATION NOTES

1. VERIFY AND COORDINATE WORK AROUND ALL UNDERGROUND UTILITIES BEFORE EXCAVATION. NOTIFY ALL UTILITY PROVIDERS AT LEAST THREE (3) WORKING DAYS PRIOR TO BEGINNING WORK.
2. VERIFY THAT CONDITIONS ARE SUITABLE TO PROVIDE A COMPLETE WORKING SYSTEM. DO NOT PROCEED IF CONDITIONS ARE PRESENT THAT ARE DETRIMENTAL TO THE EQUIPMENT OR WILL NOT SUPPORT A HEALTHY GROWING ENVIRONMENT FOR PLANTS.
3. COORDINATE WITH OTHER SUBCONTRACTORS AND TRADES TO ENSURE PROTECTION OF THE SYSTEM INCLUDING BUT NOT LIMITED TO, WATER SERVICE, WATER METER, BACKFLOW DEVICES, CONTROLLER LOCATION, CONTROLLER ELECTRICAL SERVICE, AND WIRE CONDUITS FOR CONTROLLER.
4. ANY NUMERICAL QUANTITIES SHOWN ARE FOR CONTRACTOR CONVENIENCE; QUANTITIES SHALL BE BASED ON THE GRAPHIC REPRESENTATION ON THE PLANS.
5. INSTALL IRRIGATION SYSTEM IN COMPLIANCE WITH ALL STATE AND LOCAL CODES.
6. IRRIGATION HEADS, EMITTERS, AND OTHER WATERING DEVICES ARE GRAPHICALLY SHOWN IN THE DESIRED LOCATIONS; PIPE AND OTHER SUPPORT EQUIPMENT MAY BE SHOWN IN PAVED AREAS FOR GRAPHIC CLARITY. INSTALL ALL IRRIGATION EQUIPMENT IN LANDSCAPE AREAS UNLESS OTHERWISE INDICATED. PLACE PIPE AND CONTROL WIRE IN COMMON TRENCHES WHERE POSSIBLE.
7. PLACE ALL VALVE BOXES IN PLANTING BEDS WHERE POSSIBLE, AND LOCATE TO ALLOW EASE OF ACCESS FOR MAINTENANCE, CONSIDERING PLANT MATERIAL AND OBSTRUCTIONS. SIZE BOXES TO ACCOMMODATE COMPLETE VALVE ASSEMBLY INCLUDING WIRE, ISOLATION VALVES, AND UNIONS. SET VALVE BOXES IN A UNIFORM MANNER, SQUARE TO ADJACENT PAVING. ALIGN AND EVENLY SPACE GROUPS OF BOXES IN A UNIFORM AND ORDERLY FASHION. ONLY ONE VALVE PER BOX. BOX LOCATIONS SHALL BE STAKED IN FIELD AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
8. ADJUST THE ENTIRE SYSTEM TO PROVIDE UNIFORM EVEN COVERAGE. ELIMINATE ALL FOGGING, AND OVERSPRAY ON TO PAVING, STRUCTURES, OR NON-PLANTED AREAS. PROVIDE A COMPLETE WORKING SYSTEM.
9. THE SYSTEM IS DESIGNED TO OPERATE AT A MINIMUM STATIC PRESSURE OF 50 P.S.I. AT A MINIMUM FLOW OF 40 GPM AT POINTS-OF-CONNECTION. NOTIFY THE OWNERS REPRESENTATIVE PRIOR TO COMMENCING WORK IF ACTUAL FIELD DATA DIFFERS FROM DESIGN PRESSURE AND FLOWS.
10. INSTALL ALL IRRIGATION PIPE AND WIRE IN CLASS-200 PVC SLEEVES BELOW ALL PAVED SURFACES OR STRUCTURES SUCH AS WALLS, STAIRS, AND OTHER IMPROVEMENTS. SIZE OF SLEEVES SHALL BE MINIMUM TWICE (2X) THE COMBINED DIAMETER OF PIPE TO BE PLACED IN SLEEVE. MINIMUM SIZE 4" WITH 24" COVER, MINIMUM. COORDINATE PLACEMENT OF SLEEVES WITH OTHER TRADES.
11. SIZE PIPE TO ENSURE THAT MAXIMUM WATER VELOCITY DOES NOT EXCEED 5 FT./SEC.
12. EXISTING IRRIGATION TO REMAIN AND IN USE DURING AND AFTER CONSTRUCTION.

SW SAGERT ST

IRRIGATION EQUIPMENT KEY			
SYMBOL	DESCRIPTION	MODEL	DETAIL/SHEET
	CONTROLLER	SEE KEY NOTE #1	
	BACKFLOW PREVENTER	SEE KEY NOTE #3	
	REMOTE CONTROL VALVE - SIZE AS SHOWN		
	PVC CLASS 200 LATERAL LINE PER CHART		
	2" SCHEDULE 40 PVC MAINLINE, UNLESS OTHERWISE NOTED		
	4" SCHEDULE 40 PVC SLEEVE, UNLESS OTHERWISE NOTED		
	VOLUME IN GAL/MIN ZONE NUMBER VALVE SIZE		

IRRIGATION KEY						
SYMBOL	NOZZLE	BODY	GPM	PSI	RADIUS	DETAIL/SHEET
SPRAY HEADS						
	RAINBIRD 5-H	RAINBIRD 1804	.20	30	5'	X/LXXX
	RAINBIRD 5-Q	RAINBIRD 1804	.10	30	5'	X/LXXX
	RAINBIRD 8-H	RAINBIRD 1804	.52	30	8'	X/LXXX
	RAINBIRD 8-Q	RAINBIRD 1804	.26	30	8'	X/LXXX
	RAINBIRD 10-F	RAINBIRD 1804	1.58	30	10'	X/LXXX
	RAINBIRD 10-H	RAINBIRD 1804	.79	30	10'	X/LXXX
	RAINBIRD 10-Q	RAINBIRD 1804	.39	30	10'	X/LXXX
	RAINBIRD 12-H	RAINBIRD 1804	1.30	30	12'	X/LXXX
	RAINBIRD 12-Q	RAINBIRD 1804	0.65	30	12'	
	RAINBIRD 15-Q	RAINBIRD 1804	0.92	30	15'	X/LXXX
	RAINBIRD 15LCS	RAINBIRD 1804	0.49	30	4' X 15'	X/LXXX
	RAINBIRD 15RCS	RAINBIRD 1804	0.49	30	4' X 15'	X/LXXX

PVC SCHEDULE 200 - PIPE SIZING CHART	
GPM	PIPE SIZE
0-10	3/4"
11-16	1"
17-35	1.5"
36-55	2"
56-80	2.5"
81-120	3"

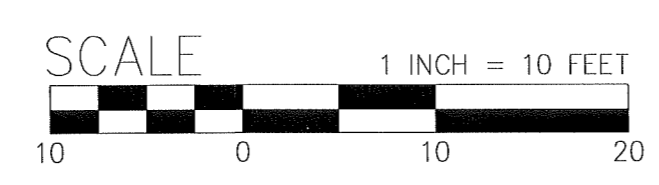
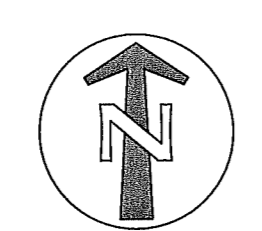
PVC SCHEDULE 40 - PIPE SIZING CHART	
GPM	PIPE SIZE
0-12	1"
13-30	1.5"
31-50	2"
51-70	2.5"
71-110	3"

IRRIGATION KEYNOTES

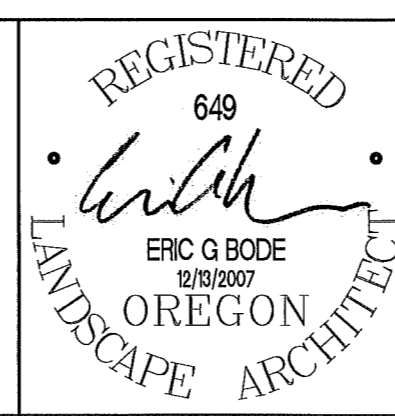
1. NEW IRRIGATION TO USE EXISTING CONTROLLER
2. LOCATE POINT OF CONNECTION ON SITE WITH CLIENT VERIFICATION
3. INSTALL BACKFLOW AS NECESSARY

File: W:\Work\17022.00_Tualatin Professional Center\Drawings\Plots\100_IRR.dwg TAB:L100
22x34 Plotted: 8/16/17 at 5:17pm By: cwoffe

REVISION	DATE	DESCRIPTION	BY



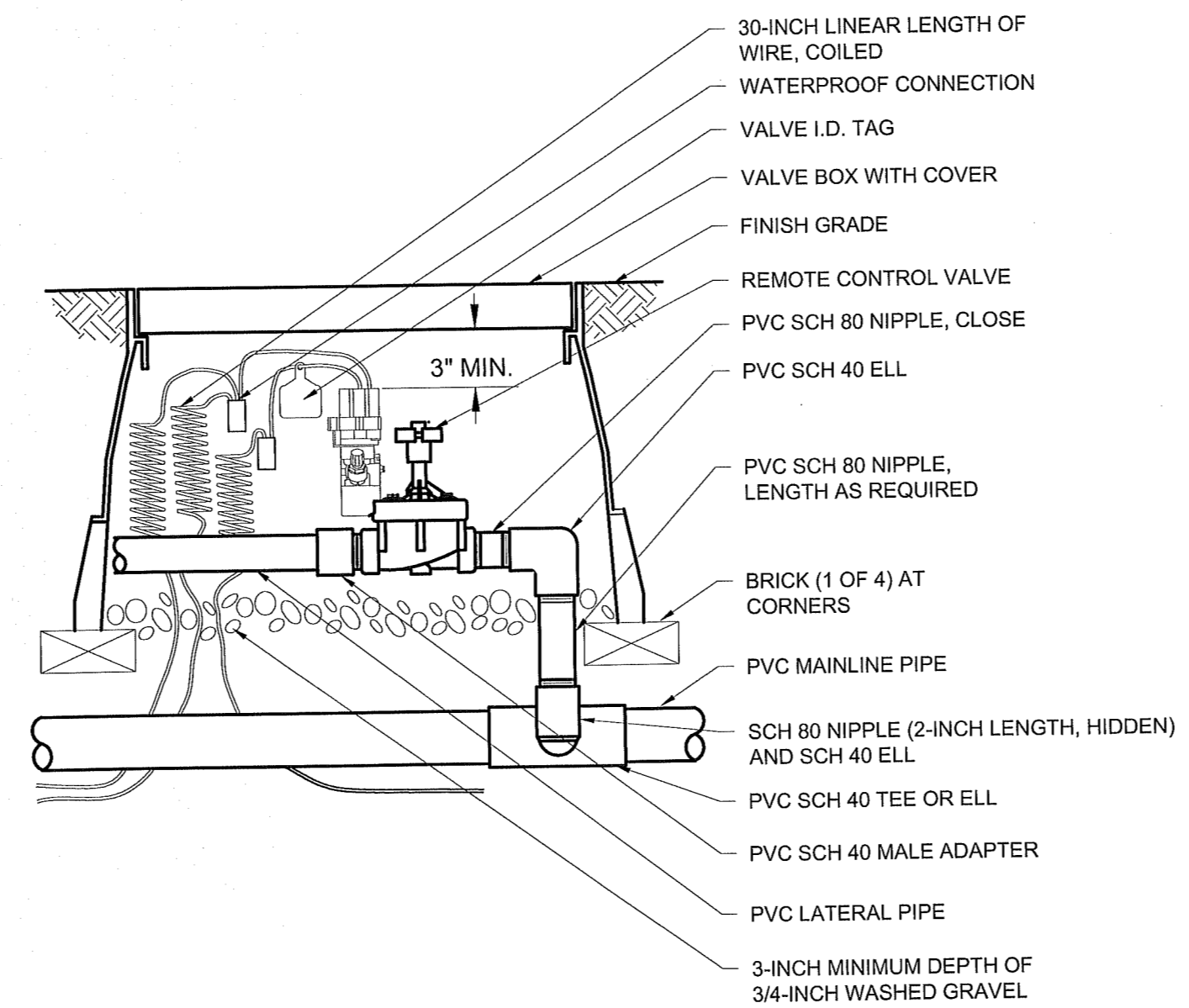
PLACE
735 NW 18th Avenue
Portland, OR 97209
503.334.2080



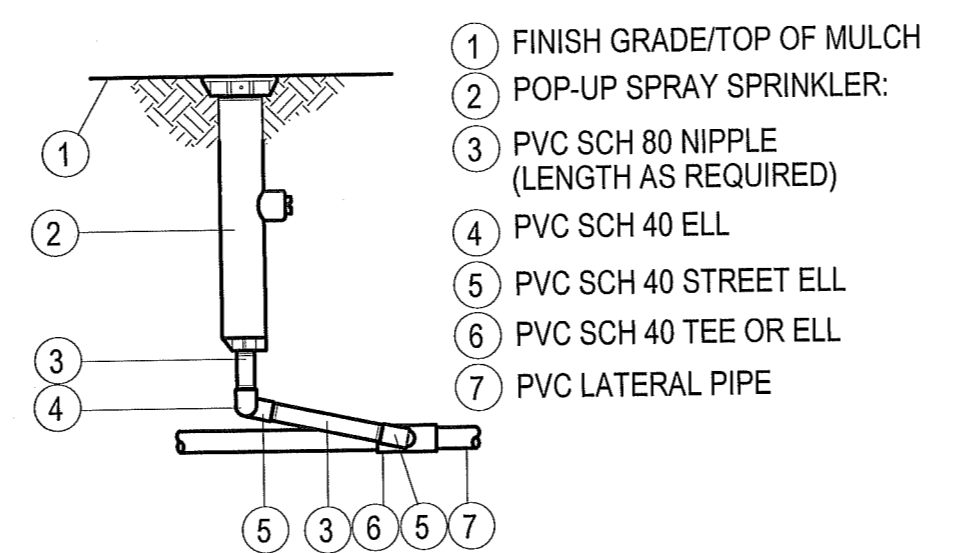
JOB No.:	1700026
DESIGNED BY:	CW
DRAWN BY:	KS
CHECKED BY:	EB
PLOT DATE:	8/16/17 5:17pm
PLOTTED BY:	cwoffe
DWG NAME:	L100_IRR.dwg
TAB NAME:	L100

6464 SW Borland Road
TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS
DESIGN-BUILD IRRIGATION PLAN

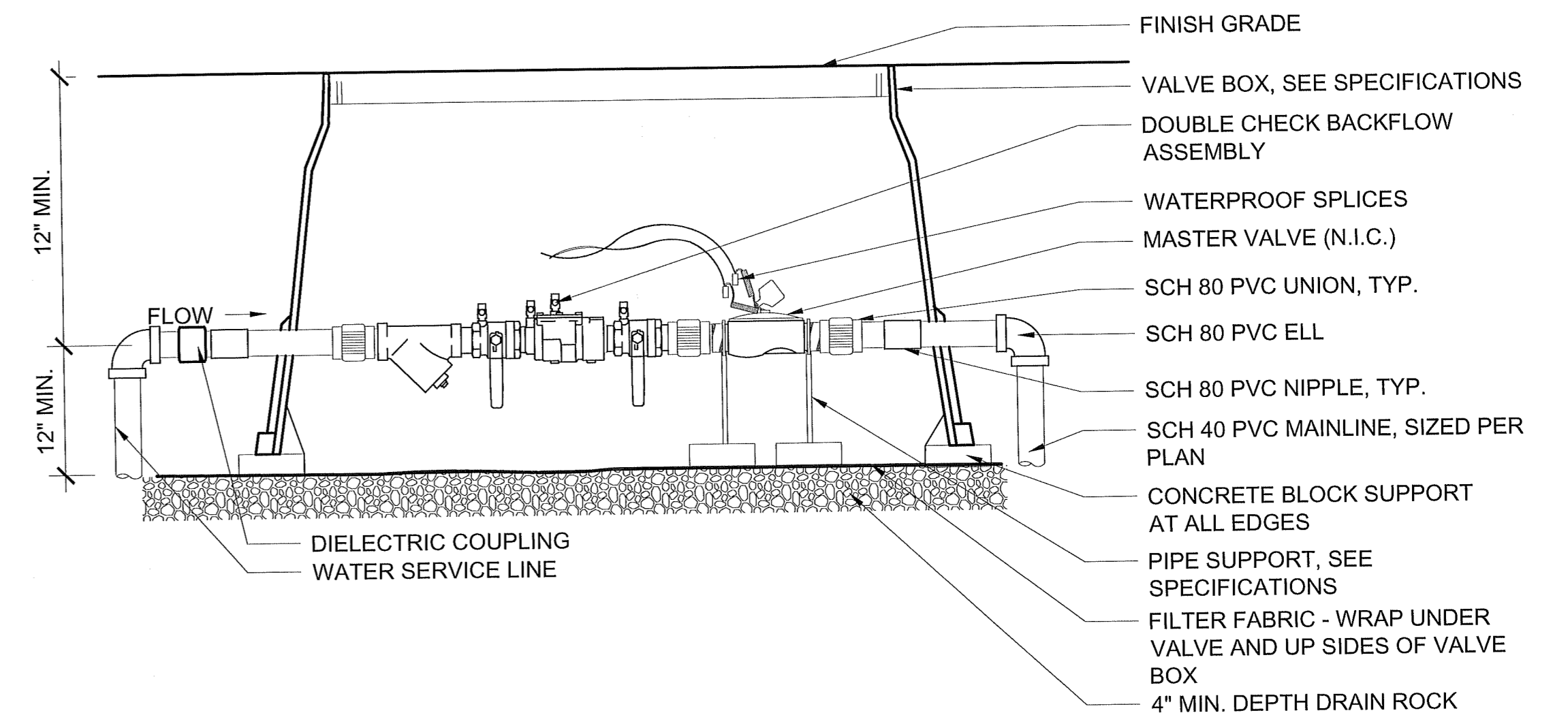
SHEET NO.
L100
SHEET 8 OF 11
RECORD NO.



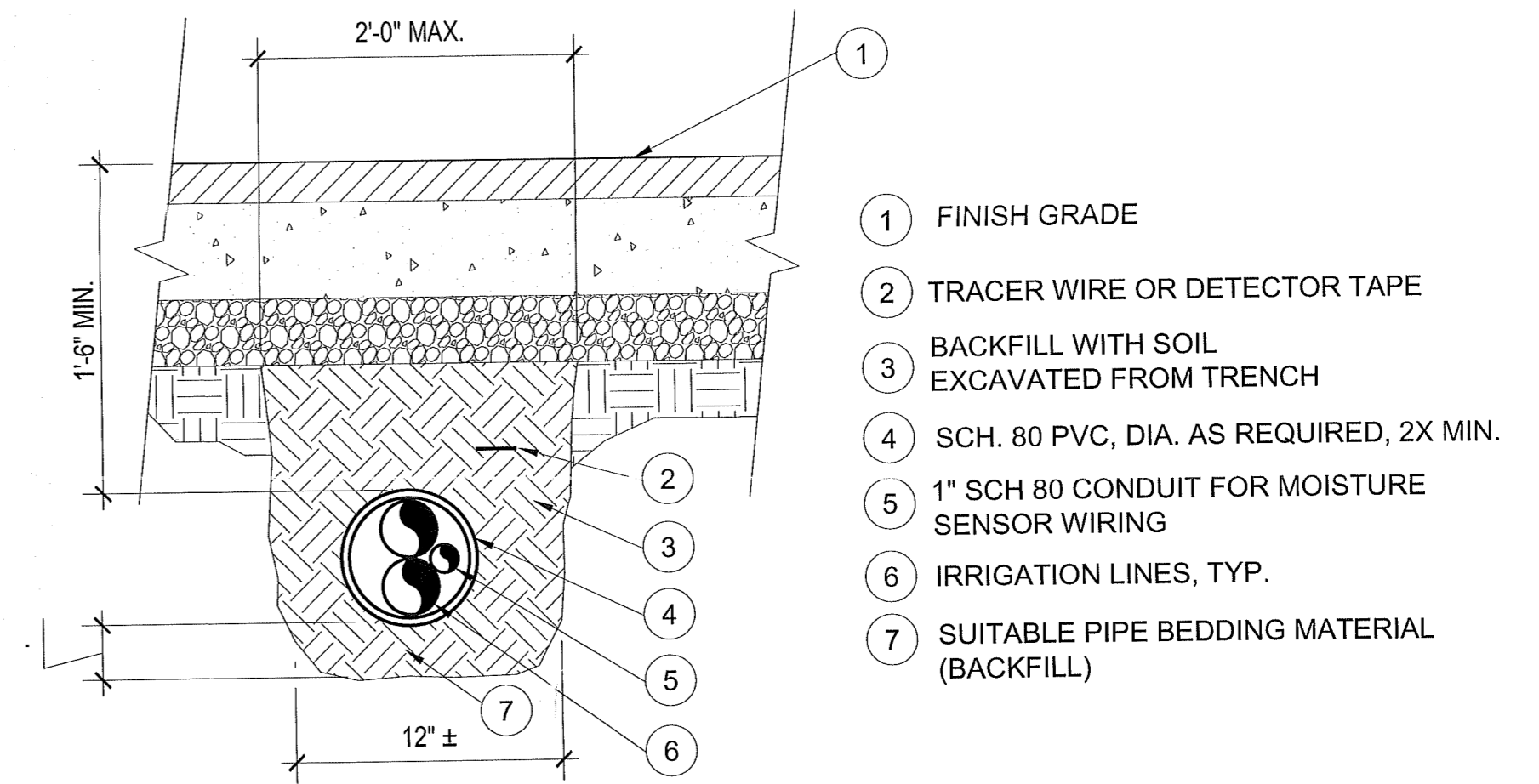
4 REMOTE CONTROL VALVE
Not to Scale



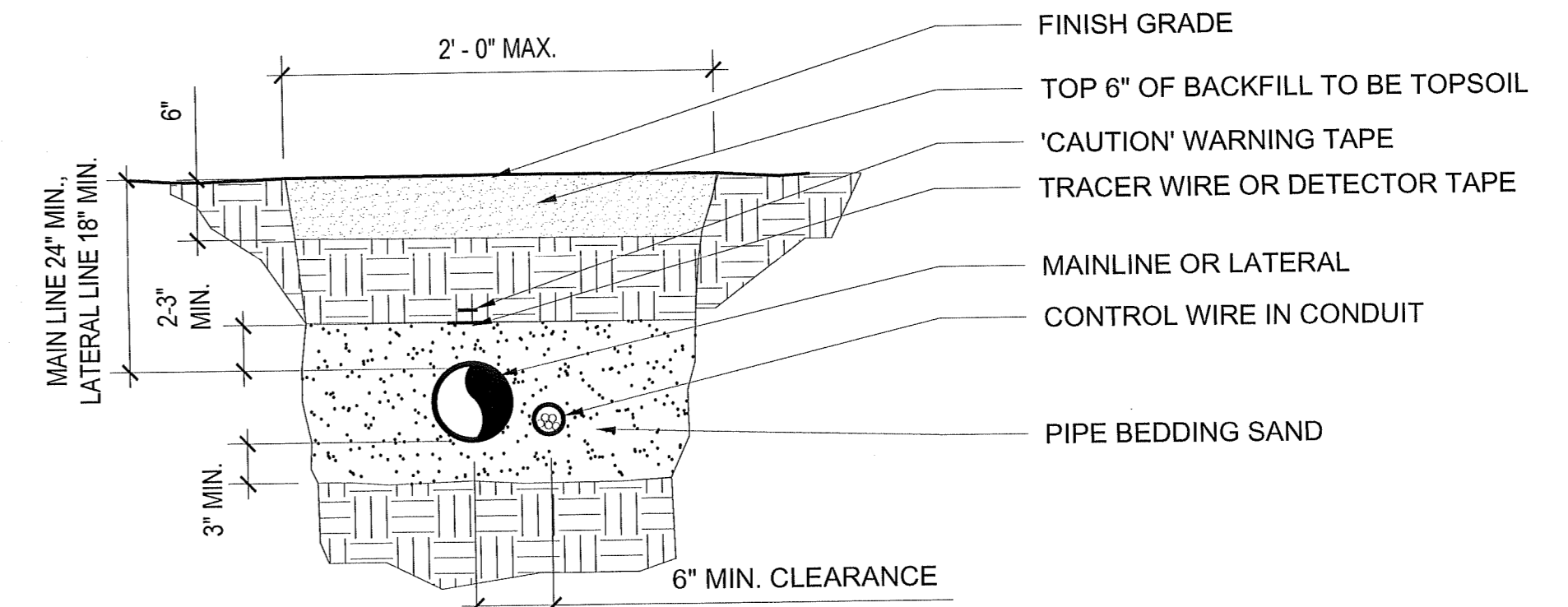
5 POP-UP SPRAY HEAD
Not to Scale



1 BACKFLOW PREVENTER ASSEMBLY
Not to Scale



2 IRRIGATION SLEEVING
Not to Scale



3 IRRIGATION TRENCH
Not to Scale

File: W:\Work\17022_00_Tualatin Professional Center\04-Drawings\Plots\1101_IRR_DET.dwg TAB: L101
22x34 Plotted: 8/16/17 at 5:18pm By: cwolfe

REVISION	DATE	DESCRIPTION	BY

SCALE: AS DRAWN

PLACE
735 NW 18th Avenue
Portland, OR 97209
503.334.2080

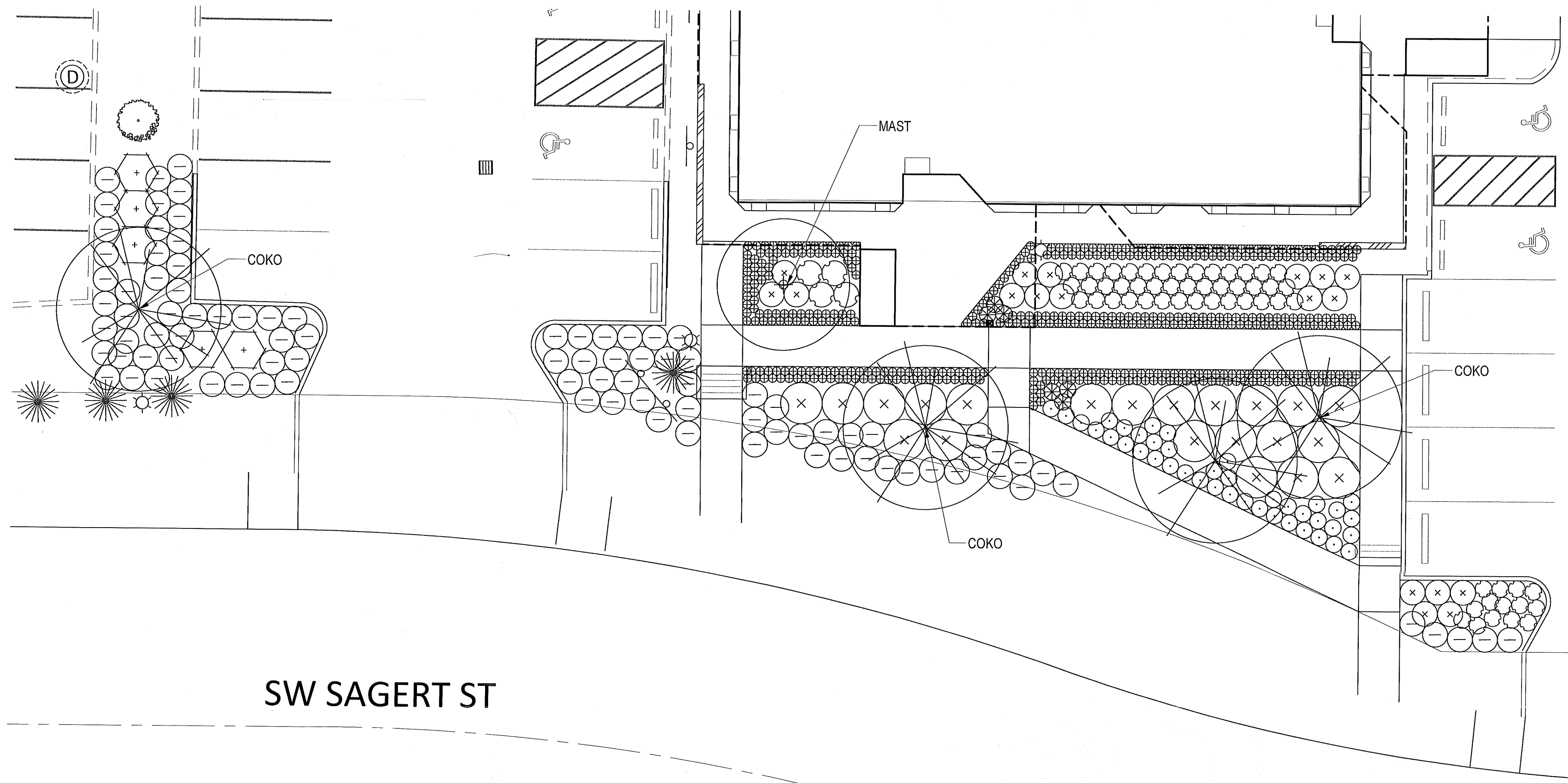
REGISTERED
649
Eric G. Bode
ERIC G. BODE
12/19/2007
OREGON
LANDSCAPE ARCHITECT

6464 SW Borland Road

TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS

IRRIGATION DETAILS

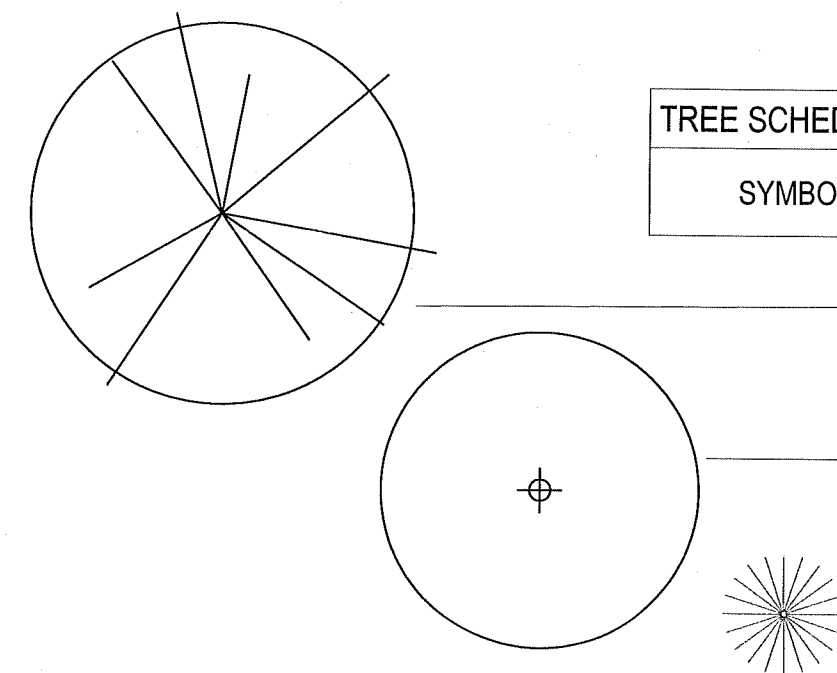
SHEET NO.
L101
SHEET 9 OF 11
RECORD NO.



PLANTING NOTES

1. VERIFY LOCATION OF EXISTING TREES TO REMAIN PRIOR TO SOIL PREPARATION. PROTECT ALL TREES AND SHRUBS INDICATED TO REMAIN.
2. VERIFY AND COORDINATE WORK AROUND ALL UNDERGROUND UTILITIES BEFORE EXCAVATION. NOTIFY ALL UTILITY PROVIDERS AT LEAST TWO (2) WORKING DAYS PRIOR TO BEGINNING WORK.
3. VERIFY THAT THE CONDITIONS ARE SUITABLE TO PROMOTE HEALTHY PLANT GROWTH. DO NOT PROCEED IF CONDITIONS DETRIMENTAL TO HEALTHY GROWING ENVIRONMENT ARE PRESENT, INCLUDING OVER-COMPACTED SOILS, ADVERSE DRAINAGE CONDITIONS, DEBRIS, OR OTHER HARMFUL CIRCUMSTANCES. PROCEEDING WITHOUT NOTIFICATION DENOTES ACCEPTANCE.
4. COORDINATE WITH OTHER SUBCONTRACTORS AND TRADES TO ENSURE PROTECTION OF GROWING CONDITIONS AND PLANT MATERIALS.
5. REFER TO SPECIFICATIONS FOR ADDITIONAL PLANTING REQUIREMENTS, METHODS, AND MATERIALS.
6. VERIFY PLANT QUANTITIES SHOWN ON THE PLANS BASED ON GRAPHIC REPRESENTATION. QUANTITIES SHOWN ARE FOR CONTRACTOR CONVENIENCE ONLY.
7. PROVIDE POSITIVE DRAINAGE FOR ALL PLANTING AREAS.
8. UNLESS OTHERWISE INDICATED, ALL PLANTINGS SHALL BE TRIANGULARLY SPACED.
9. LABELLING REFERS TO ALL ADJACENT IDENTICAL SYMBOLS WHERE PLANTS ARE MASSED. LABEL FOR MASS INDICATES TOTAL NUMBER OF PLANTS IN GROUP, EVEN IF THE GROUP IS SPREAD OVER MORE THAN ONE SHEET.

SW SAGERT ST

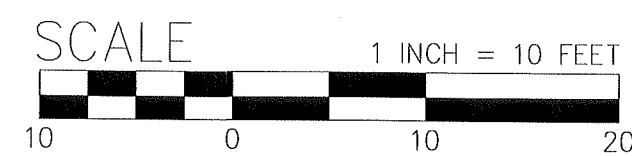
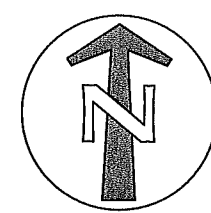


TREE SCHEDULE						
SYMBOL	BOTANICAL NAME	COMMON NAME	MINIMUM SIZE	SPACING	QUANTITY	NOTES
⊖	CORNUS KOUSA	KOUSA DOGWOOD	2.5" CAL., MIN.	AS SHOWN	4	
⊕	MAGNOLIA STELLATA	STAR MAGNOLIA	N/A	AS SHOWN	1	RELOCATE EXISTING TREE
⊙	EXISTING TREES					EXISTING CHAMAECYPARIS OBTUSA

PLANT SCHEDULE							
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	MINIMUM SIZE (HT. X SPRD.)	SPACING	QTY.	NOTES
⊖	CISA	CISTUS SALVIFOLIUS 'PROSTRATUS'	SAGELEAF ROCKROSE	12" HT., MIN. 4 CANES, #3 CONT.	3' O.C.	95	
⊗	COSE	CORNUS SERICEA 'SANTI'	RED TWIG DOGWOOD	18" HT., MIN. 4 CANES, #5 CONT.	5' O.C.	21	
⊙	COKE	CORNUS SERICEA 'KELSEYII'	KELSEY DOGWOOD	12" HT., MIN. 4 CANES, #3 CONT.	2' O.C.	56	
⊕	EUAL	DWARF BURNING BUSH	EUONYMUS ALATUS 'COMPACTUS'	18" HT., MIN. 4 CANES, #5 CONT.	5' O.C.	5	
⊗	MISI	MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT MAIDEN GRASS	12" SPREAD, #2 CONT.	2' O.C.	6	
⊕	PEAL	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'	LITTLE BUNNY DWARF FOUNTAIN GRASS	12" SPREAD, #1 CONT.	1' O.C.	399	
⊗	POFR	POTENILLA FRUTICOSA 'PINK BEAUTY'	PINK BEAUTY POTENILLA	12" HT., MIN. 4 CANES, #2 CONT.	3' O.C.	18	
⊙	SPJA	SPIRAEA JAPONICA 'WALBUMA'	MAGIC CARPET SPIRAEA	12" HT., MIN. 4 CANES, #3 CONT.	2' O.C.	41	

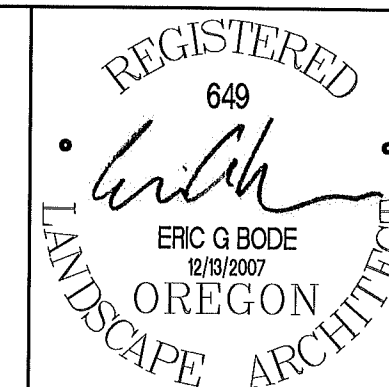
File: W:\Work\17022_00_Tualatin Professional Center\04-Drawings\Plots\L200_PLNT.dwg TAB:L200
22x34 Plotted: 8/16/17 at 5:25pm By: cwoffe

REVISION	DATE	DESCRIPTION	BY



PLACE

735 NW 18th Avenue
Portland, OR 97209
503.334.2080



JOB No.:	1700026
DESIGNED BY:	CW
DRAWN BY:	KS
CHECKED BY:	EB
PLOT DATE:	8/16/17 5:25pm
PLOTTED BY:	cwoffe
DWG NAME:	L200_PLNT.dwg
TAB NAME:	L200

6464 SW Borland Road

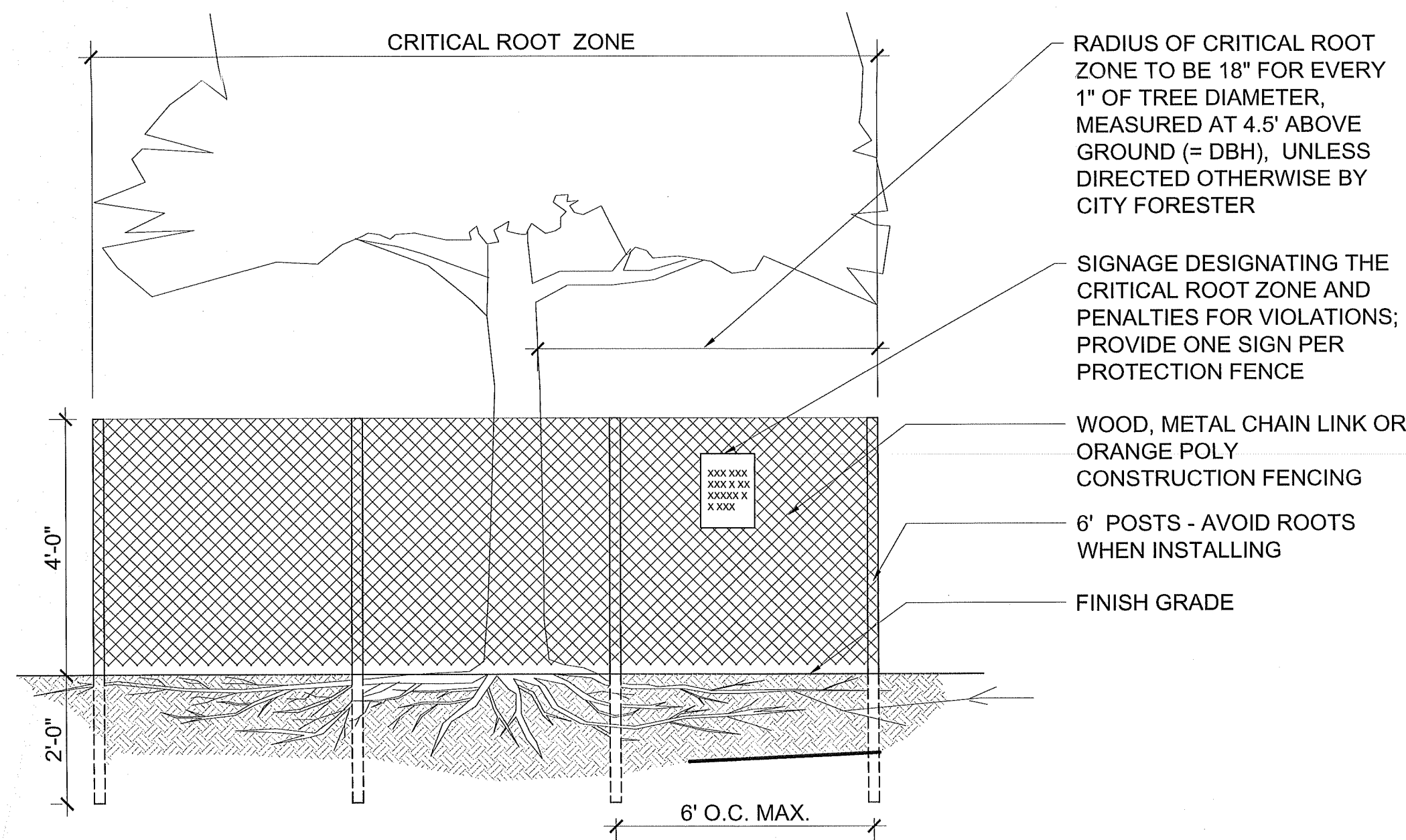
TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS

PLANTING PLAN & SCHEDULE

SHEET NO.

L200

SHEET 10 OF 11
RECORD NO.



NOTES:

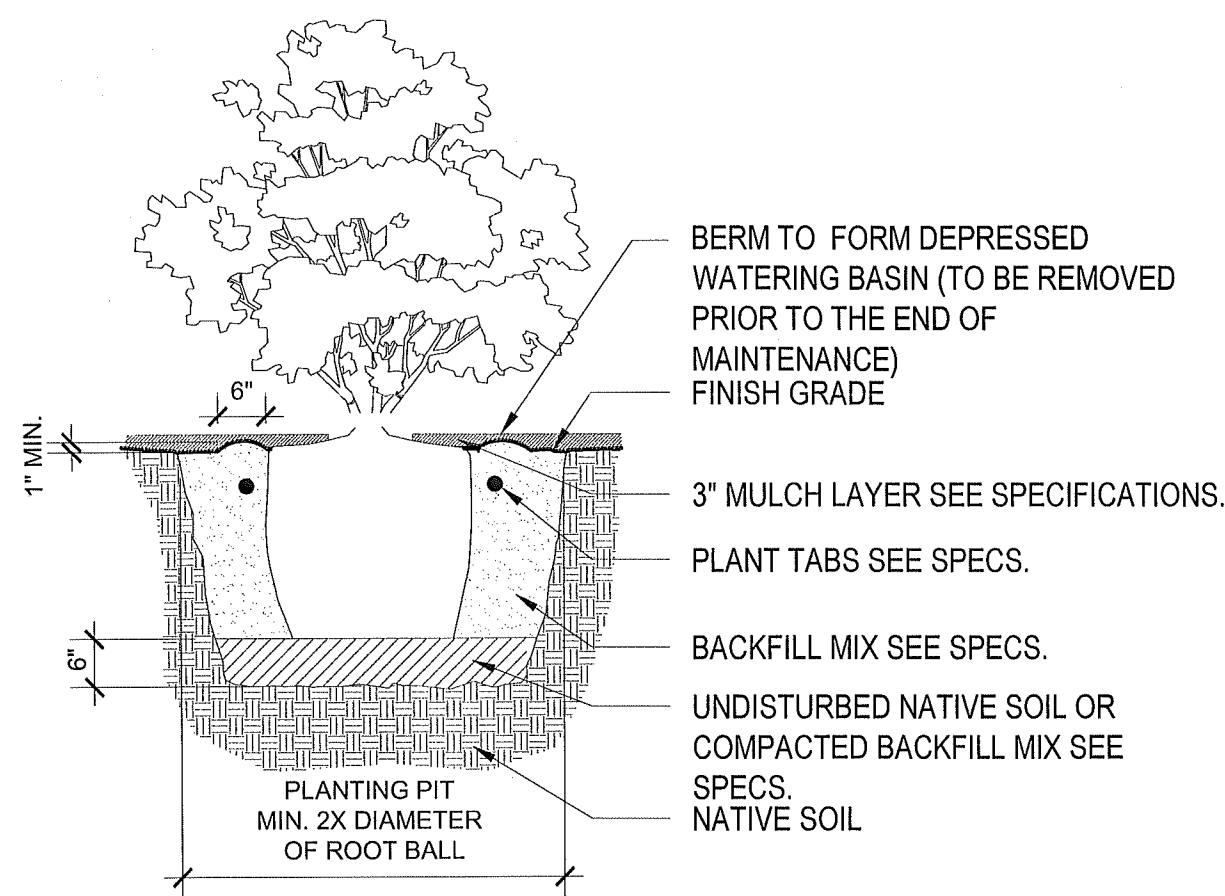
- 1) NO SOIL GRADE CHANGES, COMPACTION OR STORAGE OF MATERIALS SHALL BE ALLOWED WITHIN THE CRITICAL ROOT ZONE (CRZ). THE FOLLOWING CONSTRUCTION ACTIVITIES SHALL NOT BE ALLOWED WITHIN THE CRITICAL ROOT ZONE: STORAGE OR STAGING OF MATERIALS OR EQUIPMENT, DUMPING OF REFUSE, VEHICLE PARKING.
- 2) THE CRZ FOR TREES 4" DIAMETER OR SMALLER SHALL BE AN AREA WITH A RADIUS AT LEAST 5' FROM THE TRUNK. THE CRZ FOR TREES OVER 4" DIAMETER SHALL BE AN AREA WITH A RADIUS AT LEAST 1'-6" FROM THE TRUNK FOR EVERY 1" OF DIAMETER SIAE.
- 3) PROTECTIVE FENCING IS REQUIRED WHEN THE WORK AREA IS WITHIN THE CRZ OF TREES, EXCEPT WHERE PORTIONS OF THE CRZ ARE COVERED WITH PAVEMENT SUCH AS STREETS OR WALKS.
- 4) WORK DONE WITHIN THE CRZ MUST MINIMIZE ROOT DISTURBANCE. SPECIAL CARE SHALL BE TAKEN DURING EXCAVATION AND REMOVAL OF EXISTING CURB, GUTTER, AND SIDEWALKS TO AVOID DAMAGE TO TREE ROOTS. LOCATE EXISTING TREE ROOTS USING HAND TOOLS OR OTHER APPROVED METHODS SUCH AS AIRSPADE.
- 5) NO ROOT OVER 2" SHALL BE CUT WITHOUT APPROVAL OF THE URBAN FORESTER (OR AN APPROVED ARBORIST). ROOTS SHALL BE CUT WITH APPROVED SAWS. NO ROOTS OVER 2" SHALL BE CUT OR TORN DURING TRENCHING WITH POWER EQUIPMENT SUCH AS BACKHOES AND TRENCHERS. UTILITY LINES AND IRRIGATION OR OTHER PIPES SHALL BE INSTALLED BY HAND DIGGING OR TUNNELING UNDER ROOTS AS NECESSARY TO AVOID CUTTING ROOTS 2" AND LARGER.

3 TREE PROTECTION

Not to Scale

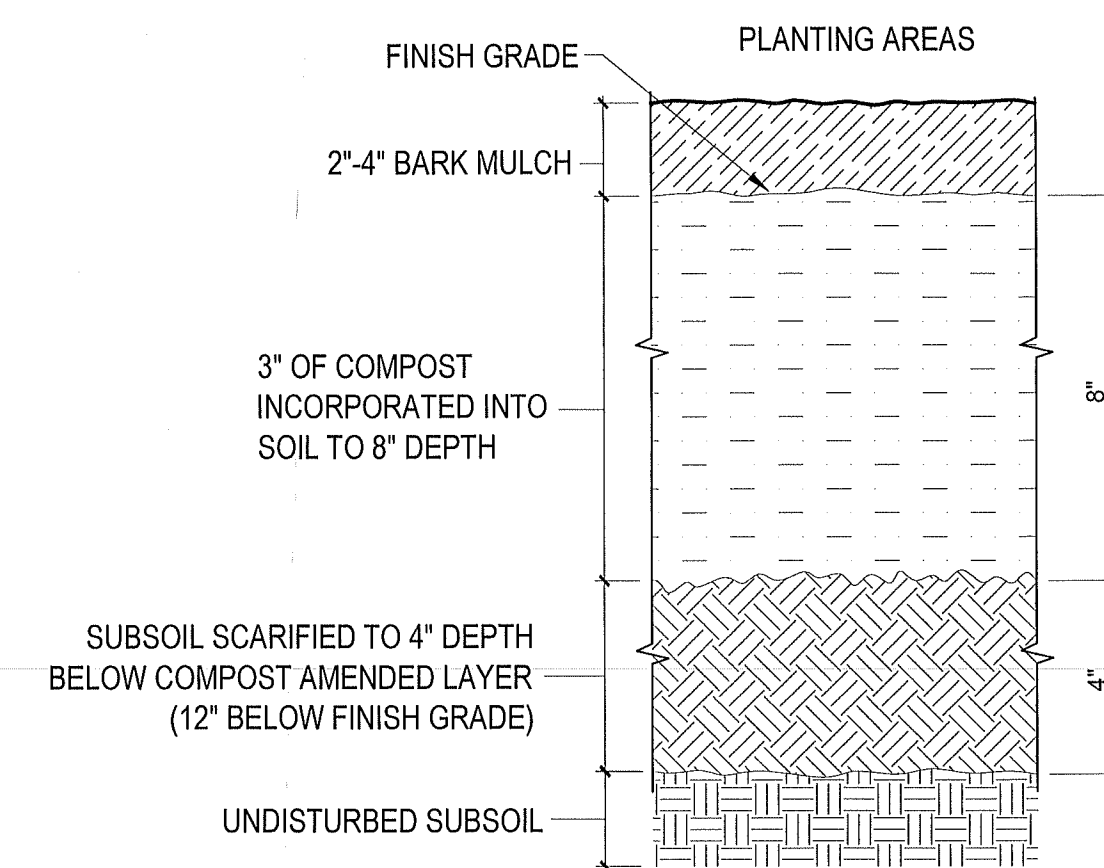
NOTE:

1. PLANTING PITS SHALL BE 2X DIAMETER AND 1 1/2X DEPTH OF ROOTBALL.
2. ROOTBALL CROWN TO BE SLIGHTLY ABOVE FINISH GRADE BEFORE MULCH IS APPLIED.
3. CUT AND REMOVE ALL BINDING FROM THE TOP AND SIDES OF THE ROOTBALL BEFORE BACKFILLING. ROUGH UP EXTERIOR SURFACE OF ROOT BALL AND EXTEND CIRCLING ROOTS OUTWARDS INTO PLANTING PIT.
4. KEEP MULCH AWAY FROM WOODY STEMS.



4 SHRUB PLANTING

Not to Scale

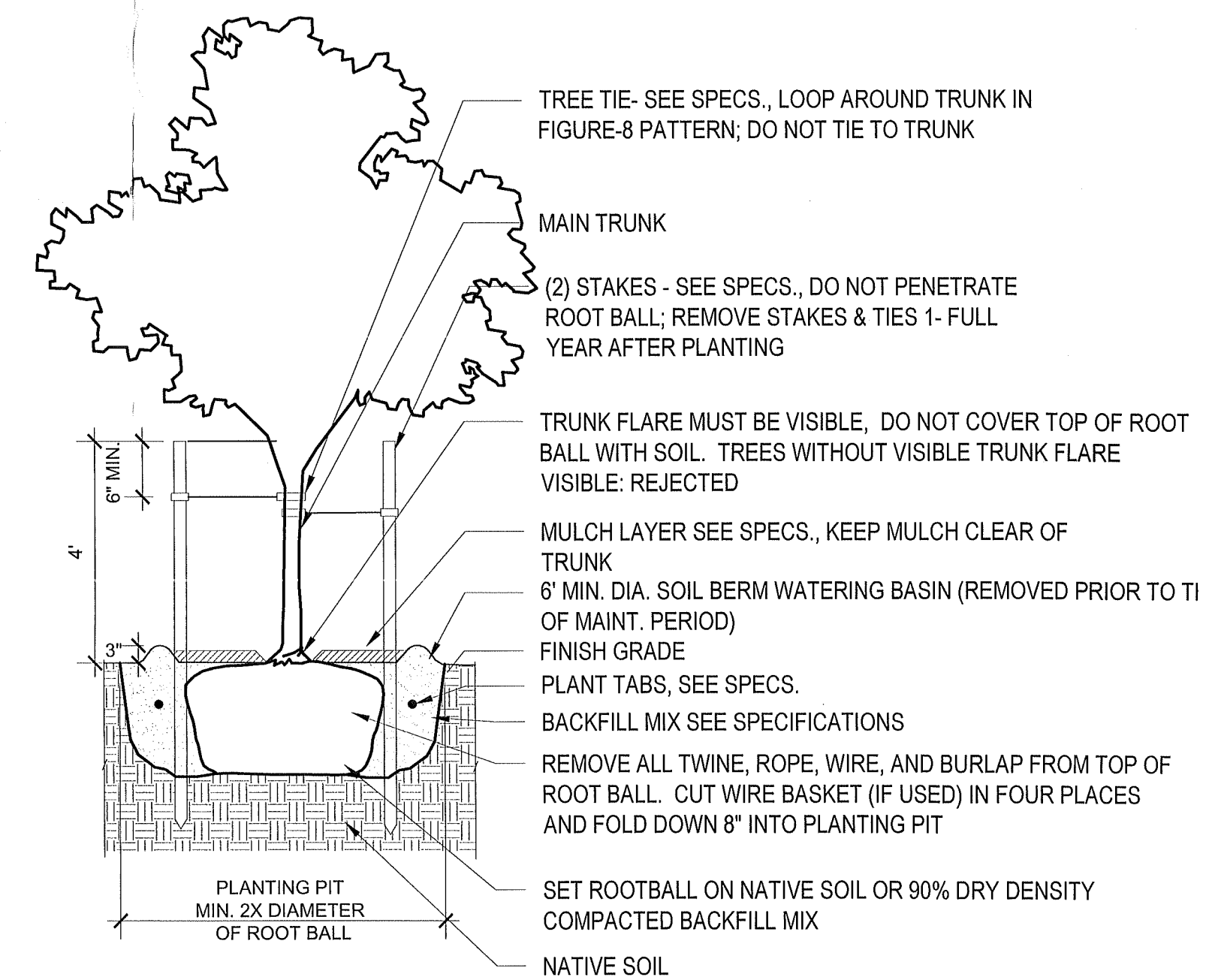


NOTES:

1. ALL SOIL AREAS DISTURBED OR COMPACTED DURING CONSTRUCTION, AND NOT COVERED BY BUILDINGS OR PAVEMENT, SHALL BE AMENDED WITH COMPOST AS DESCRIBED BELOW.
2. SUBSOIL SHOULD BE SCARIFIED (LOOSENED) 4 INCHES BELOW AMENDED LAYER, TO PRODUCE 12-INCH DEPTH OF UN-COMPACTED SOIL, EXCEPT WHERE SCARIFICATION WOULD DAMAGE TREE ROOTS OR AS DETERMINED BY THE LANDSCAPE ARCHITECT.
3. COMPOST SHALL BE TILLED IN TO 8 INCH DEPTH INTO EXISTING SOIL, OR PLACE 8 INCHES OF COMPOST-AMENDED SOIL, PER SOIL SPECIFICATION.
4. PLANTING AREAS SHALL RECEIVE 3 INCHES OF COMPOST TILLED IN TO 8-INCH DEPTH, OR MAY SUBSTITUTE 8" OF IMPORTED SOIL CONTAINING 35-40% COMPOST BY VOLUME. MULCH AFTER PLANTING WITH 2-4 INCHES OF BARK MULCH OR APPROVED EQUAL.
5. SETBACKS: TO PREVENT UNEVEN SETTLING, DO NOT COMPOST-AMEND SOILS WITHIN 3 FEET OF UTILITY INFRASTRUCTURES (POLES, VAULTS, METERS ETC.). WITHIN ONE FOOT OF PAVEMENT EDGE, CURBS AND SIDEWALKS SOIL SHOULD BE COMPACTED TO APPROXIMATELY 90% PROCTOR TO ENSURE A FIRM SURFACE.

1 PLANTING BED SOIL

Not to Scale



2 TREE PLANTING

Not to Scale

File: W:\Work\17022.00_Tualatin Professional Center\04-Drawings\Plots\L201_PLNT_DET.dwg TAB: L201 22x34 Plotted: 8/16/17 at 5:19pm By: cwoife

REVISION	DATE	DESCRIPTION	BY

SCALE: AS DRAWN

PLACE
735 NW 18th Avenue
Portland, OR 97209
503.334.2080

REGISTERED
649
LANDSCAPE ARCHITECT
ERIC G BODE
12/10/2007
OREGON

JOB No.: 1700026
DESIGNED BY: CW
DRAWN BY: KS
CHECKED BY: EB
PLOT DATE: 8/16/17 5:19pm
PLOTTED BY: cwoife
DWG NAME: L201_PLNT_DET.dwg
TAB NAME: L201

6464 SW Borland Road
TUALATIN PROFESSIONAL CENTER
PARKING LOT IMPROVEMENTS

PLANTING DETAILS

SHEET NO.
L201
SHEET 11 OF 11
RECORD NO.

I. RECOMMENDATION

Based on the findings presented, the City Engineer approves the preliminary plat of SB15-0002, Sagert Farm with the following conditions:

A. PRIOR TO ANY ON SITE WORK RELATED TO THIS DECISION:

PFR-1 Provide a tree protection plan to scale that shows all preserved trees will be protected with sturdy chain link fencing around the drip line throughout the entirety of the development. If the drip line of the preserved trees is shown within a current building envelope, the building envelope shall be moved so that no construction takes place within the drip line of the preserved trees. Any encroachment on the drip line of the preserved trees must first be approved by the City per TDC 73.250(2)(e). In addition to the tree protection plan, any and all grading plans shall show all preserved trees protected with sturdy fencing (chain link fence) during the construction process. Any and all grading plans shall include a note that states "No grading activities will allow preserved tree roots to remain exposed per TDC 73.250(2)(f)".

B. PRIOR TO ISSUANCE OF PUBLIC WORKS AND WATER QUALITY PERMITS:

- PFR -2 Submit final sanitary sewer plans that show location of the lines, grade, materials, and other details.
- PFR -3 Show each lot will have a separate minimum 1-inch water lateral with backflow prevention, double check valve assemblies, and control valves.
- PFR -4 Submit final water system plans that show location of the water lines, grade, materials, and other details.
- PFR-5 Obtain a NPDES Erosion Control Permit in accordance with code section TMC 3-5-060.
- PFR-6 Obtain a City of Tualatin erosion control permit in accordance with code section TMC 3-5-060.
- PFR-7 Submit final stormwater calculations that include conveyance through the development.
- PFR-8 Submit final stormwater plans.
- PFR -9 Submit plans that meet the requirements of TVF&R and show red powder coated public fire hydrants spaced to meet Public Works Construction Code.

- PFR-10 Submit a scaled tree preservation site plan and grading plan that shows preservation of trees to be retained in conformance with TDC 34.210(1&2), 73.250(2)(a) and as approved on the plans.
- PFR -11 Submit approvable plans and color elevations including all color and material specifications that show the entirety of the subject site's SW 65th Avenue frontage, the entirety of the subject site's SW Borland Road frontage, and the south side of SW Sagert Street with masonry fences with appropriate vision clearance per TDC 34.330 and 34.340 Fence Design or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76.
- PFR -12 Submit a final site plan that demonstrates the masonry fence is located entirely along access restricted property lines parallel to SW 65th Avenue, SW Borland Road, and SW Sagert Street and located entirely outside the public right-of-way. This masonry fence site plan shall conform to all applicable sections of TDC 34.330 Fence Standards or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76 as shown in this application.
- PFR -13 Show the proposed Tract F either as part of adjacent lots, maintained by a home owners association, or be dedicated to the City.
- PFR -14 Show the location of existing sanitary sewer septic tank for decommissioning.
- PFR -15 Submit plans that show access for lot 2 to proposed SW 61st Terrance via a flag pole at least 20 feet wide.
- PFR -16 Submit plans that show one driveway for Tualatin Professional Center and one driveway for MEI to be at least 32-feet wide extending to the back of the proposed sidewalk.
- PFR -17 Submit plans that comply with the requirements of Clackamas and Washington County memorandums.
- PFR -18 Submit plans and narrative that identify how adjacent park lands (Atfalati Park) will be restored subsequent to SW 65th Avenue and SW Sagert Street road widening (e.g., tapering grades, salvaging and replanting trees, irrigation).
- PFR -19 Submit plans that show a maintenance access from SW 65th Avenue for the proposed manhole west of the SW 65th Avenue pump station.
- PFR -20 Show that the sidewalk to SW 65th Avenue at the south end of the development is an entrance for northbound bicycles from SW 65th Avenue only, taper the approach to AASHTO code, and include a pedestrian barrier.

- PFR -21 Extend the public sidewalk on SW Borland Road west to connect to the existing sidewalk.
- PFR -22 Submit plans that show 5-foot wide public utility easements at the sides and rear of all lots.
- PFR -23 Submit plans that show public stormwater facility within the greenway tract in a separate tract for stormwater purposes.
- PFR -24 Submit plans that show concrete maintenance surfaces extending 5-feet past the sanitary sewer manholes and extend to the public water quality facilities per City Engineer direction.
- PFR -25 Submit plans that show root barriers for street trees that are within 10 feet of a public line or adjacent to a public sidewalk will need a 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk.
- PFR -26 Show the accessway from proposed SW 64th Terrace to SW 65th Avenue across Tract C as concrete and 8 feet wide.
- PFR -27 Submit plans that show SW Street "E" with a City approved name.
- PFR -28 Show street name signs at each intersection of SW Sagert Street with SW 65th Avenue, proposed SW 64th Terrace, proposed SW 63rd Terrace, proposed SW 62nd Terrace, and proposed SW 61st Terrace; at each intersection of proposed SW "E" Street with proposed SW 64th Terrace, proposed SW 63rd Terrace, proposed SW 62nd Terrace, and proposed SW 61st Terrace; and with proposed SW 61st Terrace and SW Borland Road or as amended per City Engineer direction.
- PFR -29 Show stop signs for northbound traffic intersecting with SW Sagert Street on proposed SW 64th Terrace, proposed SW 63rd Terrace, and proposed SW 62nd Terrace; southbound traffic intersecting proposed SW "E" Street on proposed SW 63rd Terrace and proposed SW 62nd Terrace; an all way stop at the intersection of SW Sagert Street and proposed SW 61st Terrace; and northbound proposed SW 61st Terrace at the intersection with SW Borland Road or as amended per City Engineer direction.
- PFR -30 Show 25-mph speed limit signs entering this subdivision from SW Borland Road on proposed SW 61st Terrace and from SW 65th Avenue on SW Sagert Street or as amended per City Engineer direction.
- PFR -31 Show traffic control signs and striping for the intersection of SW 65th Avenue and SW Sagert Street or as amended per City Engineer direction.

- PFR -32 Submit plans that show approved street trees selected for the 4-foot wide planter strips, in a planter strip between SW Sagert Street curb and sidewalk adjacent to PGE, and the planted median is shown within SW Sagert Street east of proposed SW 61st Terrace.
- PFR –33 Show extension of a public water line from within the proposed development south to adjacent undeveloped Tax Lot 21E30B 00700.
- PFR -34 Underground all utility lines with the exception of those that are 50,000 volts or above or record a Street Improvement Agreement for undergrounding.
- PFR -35 Submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions and obtain an Amended Service Provider Letter as determined by Clean Water Services for any revisions to the proposed plans.
- PFR-36 Submit plans that minimize the impact of stormwater from the development to adjacent properties.

C. PRIOR TO APPROVAL OF THE FINAL PLAT:

- PFR-37 Record the final plat within 24 months of the issued decision or obtain an extension per TDC 36.160(6).
- PFR-38 Obtain a Public Works Permit and Water Quality Permit.
- PFR-39 Complete all the public improvements, shown on submitted plans and corrected by conditions of approval, and have them accepted by the City or provide financial assurance.
- PFR –40 Demolish all existing structures meeting the requirements of HIST-14-01 which expires September 11, 2016 or obtain another HIST approval or extension to demolish the historic barn.
- PFR –41 Submit proof of DEQ approval of decommissioning of all wells and tanks.
- PFR -42 Record all public easements and dedications shown on submitted plans and corrected by conditions of approval.
- PFR -43 Convey Tract A and the portions of B and C excluding the public water quality facilities in separate tracts by statutory warranty deed and execute and record Greenway easements covering the connecting pathway over sanitary sewer easement between lots 69 and 70.
- PFR -44 The area shown as Tract E will be dedicated as SW Sagert Street right-of-way.

- PFR -45 Enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Trail Improvement Agreement with City to construct the Saum Creek Greenway Trail and related improvements and provide adequate assurances in a form approved by the City Attorney.
- PFR -46 Dedicate the area shown as Tract F as Natural Area and plant in northwest native trees, shrubs, and ground cover or show it as maintained by a Home Owners Association within a conservation easement.

D. PRIOR TO ISSUANCE OF THE FIRST HOUSE'S BUILDING PERMIT ON THE SUBJECT SITE:

- PFR -47 Decommission and salvage the pump station south of Sequoia Ridge Subdivision.
- PFR-48 Construct all public improvements shown on submitted plans and corrected by conditions of approval.
- PFR-49 Deliver a Mylar copy of the recorded plat to the City Engineer.
- PFR -50 Request and obtain SDC and TDT credits for public improvements, if desired.
- PFR-51 Construct the entirety of required masonry fences per TDC 34.330 and 34.340 and obtain a final inspection from the planning division.

E. PRIOR TO ISSUANCE OF A EACH NEW HOME BUILDING PERMIT:

- PFR-52 Provide the approved tree protection plan from PFR-10 with each structure's building permit, to ensure construction is consistent with the protections provided by the approved plan. The approved plan may be amended by the project's arborist during construction if approved by the City.
- PFR -53 Show no more than 45% of any lot covered with buildings.
- PFR -54 Show plans meeting the minimum width of all setbacks for permitted uses: front yard 15 feet, unenclosed porch 12 feet, garage door 20 feet, side yard 5 feet, rear yard 15 feet; for a corner lot: one front yard 15 feet and the second 10 feet.
- PFR -55 Show structure projections into yards with a maximum of front or rear yard setback area not more than three feet and into a required side yard not more than two feet.
- PFR -56 Show structure heights a maximum of 35 feet.
- PFR -57 Show 2 onsite parking spaces per lot.

PFR -58 Show driveways widths a minimum of 10 feet wide and with a maximum for 26 feet for one or two car garages and 37 for three or more.

PFR -59 Submit plans that state the landscaped areas on each lot will be irrigated.

PFR -60 Submit verification that shows adequate capacity of proposed sanitary sewer lines and the SW 65th Avenue pump station.

PFR -61 Submit plans that show private sanitary sewer and stormwater laterals serving lot 2 from proposed SW 61st Terrace.

PFR -62 Submit proof that shows all crawl spaces will be served by gravity drainage.

F. PRIOR TO ISSUANCE OF A SIGN PERMIT FOR MONUMENT SIGNS:

PFR-63 The applicant shall separately from this subdivision land use decision submit sign permit applications for any new signage.

2550
2550

AGREEMENT

H-21

THIS AGREEMENT, made and entered into this 14th day of May, 1984, by and between CITY OF TUALATIN, a municipal corporation in Washington County, Oregon, hereinafter referred to as "CITY," and CONSOLIDATED ASSET GROUP, INC., hereinafter referred to as "DEVELOPER,"

WITNESSETH:

WHEREAS, the DEVELOPER received approval for a development from the CITY; and

WHEREAS, Land Partition (LP-83-01), approved by the City Council of Tualatin on March 28, 1983, contains certain conditions relative to half-street improvements in S.W. 65th Avenue and S.W. Sagert Street, and

IN CONSIDERATION of the mutual promises, covenants and undertakings, IT IS AGREED:

Section 1: The DEVELOPER agrees to deposit with the CITY the sum of \$15,613.95. This amount is equal to the cost of construction that would have been incurred by the DEVELOPER had the improvements to S.W. 65th Avenue and S.W. Sagert Street been constructed at the time the project was developed. The improvements required to be constructed in S.W. 65th Avenue and S.W. Sagert Street are adjacent to the Tualatin Professional Center are as follows:

- Widening of the pavement to provide a 20-foot half-street improvement along S.W. Sagert Street and 22-foot half-street improvement along S.W. 65th Avenue from the centerline of the road, installation of curbs

84 16657

and gutters and sidewalks, street trees and street lights along S.W. 65th Avenue and S.W. Sagert Street, reconstruction of portions of S.W. 65th Avenue deemed to be of inadequate structural section to handle the projected traffic loads on S.W. 65th Avenue, and to make adjustments in the horizontal and vertical alignment as necessary to construct S.W. 65th Avenue in a safe manner.

Section 2: The funds deposited with the CITY shall be retained by the CITY and all interest earned on this money shall be used for the construction of the improvements described in this agreement.

Section 3: CITY agrees to use the funds deposited by DEVELOPER and all interest accrued on said funds in the following manner:

1. CITY may construct a half-street improvement required of DEVELOPER using the funds deposited and interest accrued thereon.
2. CITY may combine the funds deposited and interest accrued thereon from DEVELOPER with other funds available to the CITY for construction of a City sponsored project.
3. CITY may combine the funds deposited and interest accrued thereon with funds derived from a local improvement district for the improvement of S.W. 65th Avenue and S.W. Sagert Street.

Section 4: If the CITY constructs a half-street improvement as discussed above in Section #1 above, the CITY will keep a detailed cost accounting of the project, the excess funds upon completion of the project, and these funds

2

PAGE TWO

will be returned to the DEVELOPER. If the total construction costs exceed the amount deposited by the DEVELOPER, the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

Section 5: If the CITY combines funds with other funds for City projects as in 2(2) above, CITY will determine an appropriate assessment method for properties that would be included in a local improvement district had one been formed. If the amount that would be assessed to DEVELOPER is less than the amount deposited by DEVELOPER and interest accrued on said deposit and the CITY will refund the difference back to DEVELOPER. If the total cost exceeds the amount deposited by the DEVELOPER the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

The CITY and DEVELOPER agree that the maximum obligation of the DEVELOPER under Sections 4 and 5 is 10% more than the amount deposited plus interest earned under Section 2 of this agreement.

Section 6: If the City forms a Local Improvement District to construct the improvements covered by this agreement and if assessment against this property is less than the total of the funds deposited by DEVELOPER, and interest accrued thereon, the CITY will refund to DEVELOPER the difference. If the assessment determined by the CITY is greater than the funds deposited and interest accrued thereon by DEVELOPER, DEVELOPER will pay the additional amount over the amount deposited and interest accrued thereon. This additional amount will be eligible for Bancroft Bond financing. If the CITY forms a Local Improvement District to construct the improvements covered by this agreement, the DEVELOPER may elect to Bancroft the entire assessment and receive a refund of the amount deposited in Section 1 of this agreement with the interest accrued in Section 2.

3

PAGE THREE

H.2 C
Section 7: The DEVELOPER agrees that by execution of this agreement, he will not remonstrate against the formation of a local improvement district to construct improvements to S.W. 65th Avenue and S.W. Sagert Street.

Section 8: This agreement shall be in effect for a period of five (5) years from its enactment. If at the end of five (5) years the CITY has not used funds deposited and interest accrued by DEVELOPER for the improvement of S.W. 65th Avenue and S.W. Sagert Street, then the funds and interest shall be returned to DEVELOPER.

Section 9: It is intended by the parties that all promises to be performed by DEVELOPER shall be covenants, conditions and restrictions running with the title to the property and shall be binding upon DEVELOPERS, their successors in interest and assigns.

Section 10: Promptly after its execution by the parties, this agreement shall be recorded in the records of Washington County to provide public notice of the conditions, covenants and restrictions against the title to the property imposed by this agreement.

Section 11: The DEVELOPER agrees that the driveway improvements to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his expense.

Section 12: Land Partition (LP-83-01) contains certain conditions relative to half-street improvements along S.W. Borland Road.

4

PAGE FOUR

1. Said improvements have been completed to the satisfaction of the CITY.
2. DEVELOPER is required to submit to the CITY a maintenance bond in the amount of 15% of the cost of said half-street improvements as guarantee against any defects in materials and workmanship for a period of (1) year from the date of this agreement, DEVELOPER agrees to deposit the sum of \$3750.00 in substitution for said maintenance bond.
3. CITY agrees to use said deposit to correct any defects in materials and workmanship for a period of (1) year from the date of this agreement.
4. CITY agrees to refund the balance of the deposit plus any interest accrued on the initial deposit to the DEVELOPER at the end of the (1) year period.

IN WITNESS WHEREOF, the parties have executed this agreement to be effective on the date first above mentioned.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY Stephen A. Rhodes
City Recorder

DEVELOPERS:

[Signature]

5

PAGE FIVE

SUBSCRIBED AND SWORN to before me this 29th day of March, 1983. H-2C

Mary A. Wood
Notary Public for Washington

My commission expires: 6-1-86

STATE OF WASHINGTON
County of Clark
I, _____, Notary Public, do hereby certify that the foregoing instrument was duly executed and recorded in the records of said County at _____

1983 MAY 17 PM 1:56

Witness my hand and seal, affixed
Juanita M. Olin
JUANITA M. OLIN
County Clerk
Recorder Certificate
CCP 64 S-4 16657



6

PAGE SIX

550
5-56

H-20

RESOLUTION NO. 1408-84

A RESOLUTION AUTHORIZING THE MAYOR AND CITY RECORDER
TO EXECUTE AN AGREEMENT WITH CONSOLIDATED ASSET GROUP

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON,
that:

Section 1: That the agreement (attached hereto) between the Consolidated
Asset Group and the City of Tualatin is for the purpose of half-street
improvements in S.W. 65th Avenue and S.W. Sagert Street adjacent to the
Tualatin Professional Center Development.

Section 2: That the Mayor and City Recorder are authorized to execute
the attached agreement and record said agreement on the Clackamas County
Book of Records.

INTRODUCED AND ADOPTED this 9th day of April, 1984.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY [Signature]
City Recorder



STATE OF OREGON)
County of Clackamas)
I, Juanita N. Orr, County Clerk, Ex-Officio
Recorder of Conveyances of the State of Oregon,
for the County of Clackamas, do hereby certify
that the instrument of writing was received for
recording in the records of said County at

1984 MAY 17 PM 1:56



Resolution No. 1408-84

84 16656

From: Tony Doran
Sent: Thursday, August 10, 2017 3:48 PM
To: Matt Johnson
Cc: Andrew Chung; Mike Darby; Erin Engman; Dominique Huffman; Jeff Fuchs
Subject: RE: Tualatin Professional Center Driveway

Erin – Please add/edit as needed to respond to any onsite needs.

Matt,

A reduction of width to 24 feet is not feasible for the current construction. Applicable code requirements (that do not seem to allow variance) for sites with this zone have a minimum of 32 feet width measured at the right-of-way. As there is a lack of onsite circulation, each separate parking lot needs to have the 32-foot width which was a requirement for the Sagert Farm subdivision developers.

<https://www.tualatinoregon.gov/developmentcode/tdc-chapter-73-community-design-standards#73.400>

(11) Minimum Access Requirements for Commercial, Public and Semi-Public Uses.

~~In the Central Design District, when driveway access is on local streets, not collectors or arterials and the building(s) on the property is(are) less than 5,000 square feet in gross floor area, or parking is the only use on the property, ingress and egress shall not be less than 24 feet.~~ In all other cases, ingress and egress for commercial uses shall not be less than the following:

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
1-99	1	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only

Tony Doran, Engineering Associate
 Engineering Division, Operations
 City of Tualatin
 18880 SW Martinazzi Ave.
 Tualatin, OR 97062
 (503) 691-3035 | tdoran@tualatin.gov
www.tualatinoregon.gov

From: Matt Johnson [<mailto:Matt.Johnson@kpff.com>]
Sent: Thursday, August 10, 2017 2:40 PM
To: Mike Darby <MDARBY@tualatin.gov>; Tony Doran <TDORAN@tualatin.gov>
Cc: Andrew Chung <andrew.chung@kpff.com>
Subject: Tualatin Professional Center Driveway

Tony & Mike,

We're wrapping things up for the driveway modifications for TPC and I want to call your attention to the width of the driveways proposed on the Sagert Farms plans. The doctors do not need large commercial truck deliveries and in fact they complete with the depth of the drive aisles. What is the potential for having these widths reduced? I would think 24-ft centered on the drive aisles would be best.



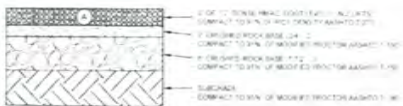
Matt Johnson

Project Manager | Portland Civil + Survey

Direct 503.542.3858 **Office** 503.542.3860

111 SW Fifth Avenue, Ste 2500

Portland, OR 97204



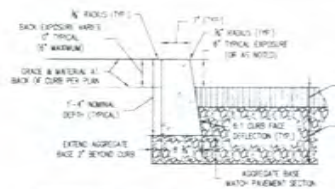
ASPHALT PAVING



NON-VEHICULAR CONCRETE PAVING

SPOT GRADE ABBREVIATIONS

- EXISTING SPOT GRADE PAVEMENT
- PROPOSED SPOT GRADE PAVEMENT
- PROPOSED SPOT GRADE CONCRETE
- PROPOSED SPOT GRADE BOTTOM FACE OF CURB



STANDARD CURB

- GENERAL NOTES:**
- CONCRETE TO BE 3500 PSI TYPE II PORTLAND CEMENT CONCRETE (28-DAY STRENGTH)
 - MINIMUM CONTRACTION JOINT SPACING TO BE 15 FT
 - CONTRACTION JOINTS SHALL BE PROVIDED BY INSERTING A THIN OILED STEEL SHEET INTO THE FRESH CONCRETE TO FORCE COARSE AGGREGATE AWAY FROM THE JOINT
 - INSERT STEEL SHEETS TO 1/2 CURB DEPTH
 - REMOVE STEEL SHEETS AFTER INITIAL SET, PRIOR TO REMOVAL OF FRONT CURB FORM
 - ALONG CURB JOINTS TO ADJACENT SIDEWALK OR DRIVEWAY CONCRETE SURFACE JOINTS
 - ALL JOINT EDGES AND SCORING TO BE TOOLED
 - AGGREGATE BASE MATERIAL TO CONFORM TO SPECIFICATIONS OF PAVEMENT DESIGN BY OTHERS

- DEMOLITION KEY NOTES**
- REMOVE STANDARD CURB AND DISPOSE OF OFF SITE
 - REMOVE EXISTING PAVEMENT WITHIN WIDTH SHOWN AND DISPOSE OF OFF SITE
 - REMOVE RETAINING WALL AND DISPOSE OF OFF SITE

- CONSTRUCTION KEY NOTES**
- CONSTRUCT STANDARD CURB PER DETAIL THIS SHEET
 - CONSTRUCT ASPHALT PAVING TO GRADES & DIMENSIONS SHOWN PER PAVEMENT SECTION SHOWN THIS SHEET
 - CONSTRUCT CONCRETE WALKWAY TO GRADES & DIMENSIONS SHOWN PER NON-VEHICULAR CONCRETE PAVING SECTION SHOWN THIS SHEET
 - INSTALL 4" WIDE WHITE LATEX PAINTING LOT PAINT STRIPE AS SHOWN
 - PROVIDE CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. DSG. 447
 - END STANDARD CURB

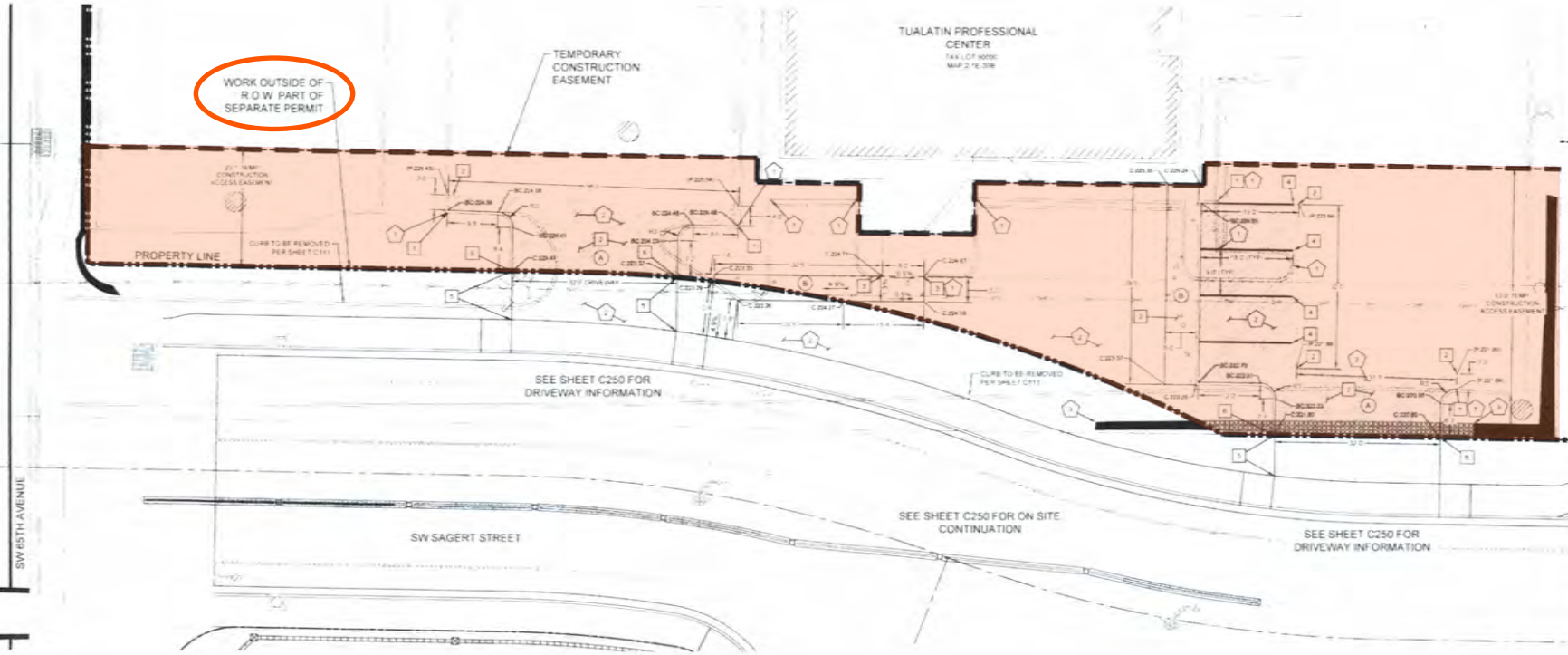


PERMIT NO.	8/19/18
REGIONAL NUMBER	001
DATE OF PERMIT	08/17/18
PERMIT COMMENTS	076 02/21/18
PERMIT COMMENTS	076 08/18/18

TIC ACCESS RECONFIGURATION
SAGER FARM SUBDIVISION
CONSTRUCTION DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OR



DATE OF PERMIT	08/17/18
LAND USE	CONCRETE
TAX LOT #	001 021 001 001
REGIONAL NO.	076 02/21/18
CHECKED BY	J. J. J.
PROJECT TITLE	TIC ACCESS
SHEET NUMBER	C220





TPC Parking Lot Improvement– MAR17-0041 Request for Review

Tualatin City Council
December 11, 2017

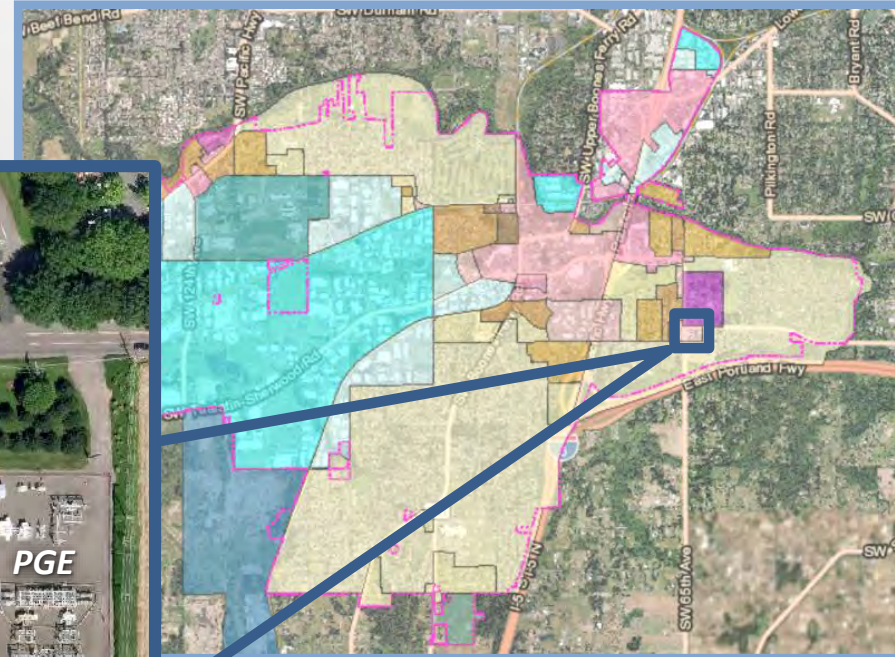


City of Tualatin



City of Tualatin

Vicinity Map





Summary of Discussion

APPEAL INCLUDES:

- Parking lot improvements and expansions are subject to an Architectural Review (AR) Plan Approval [TDC 73.040(1)]
- City practice is to require a Minor Architectural Review (MAR) when a site has an existing AR and the proposal is within a certain threshold [TDC 73.100(1) & (2)]
- AR and MAR proposals must conform to the Tualatin Development Code, applicable City ordinances, and regulations [TDC 31.071(4)]
- AR cannot be used to vary or change standards in the Tualatin Development Code – a Variance Application would be required
- In 1984 TPC was granted approval to construct temporary driveway improvements in the Sagert Street right-of-way. This agreement expired in 1989

APPEAL DOES NOT INCLUDE:

- Past approvals or conditions for off-site proposals, including SB15-0002 Sagert Farm Subdivision
- The Sagert Farm Subdivision decision did not include the TPC site



Current Conditions

City of Tualatin



TPC looking west toward SW 65th Avenue



TPC looking east along SW Sagert Street



City of Tualatin

Summary of Site

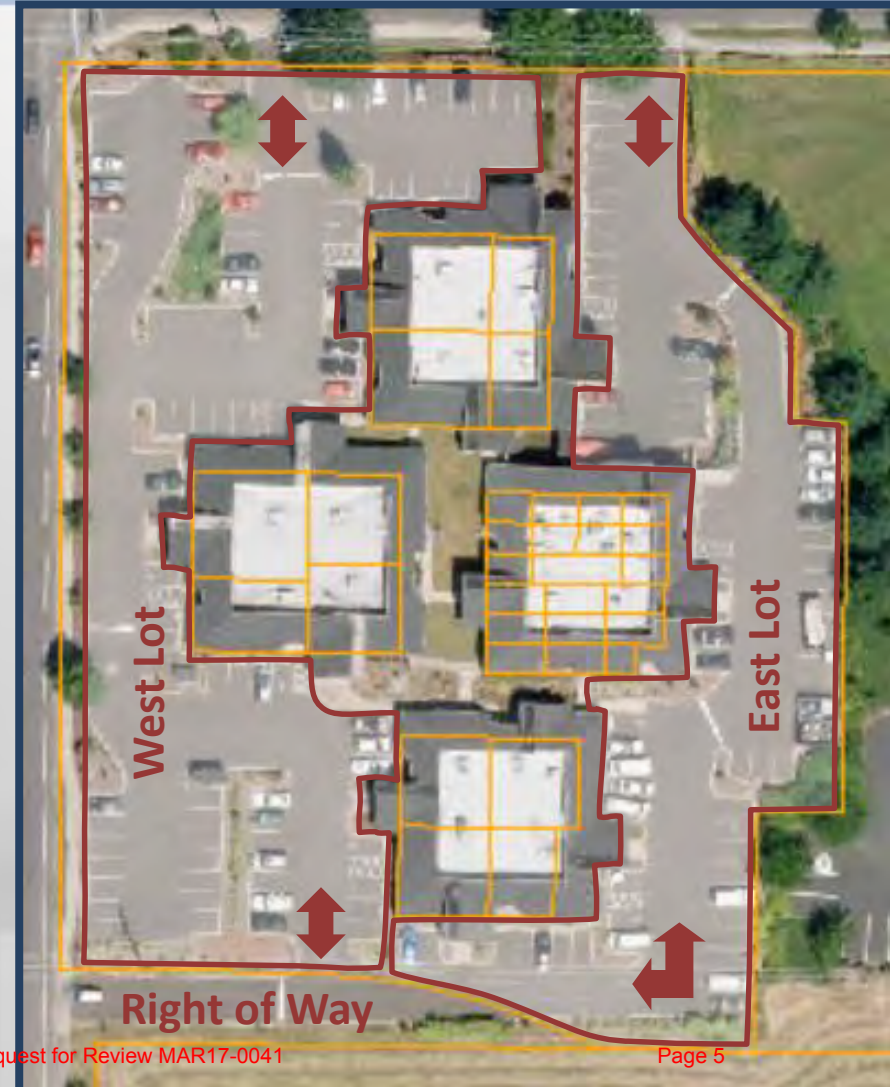
TPC BACKGROUND:

Commercial condominium developed in 1984

Private improvements in R/W

Agreement allowing improvements expired in 1989

Clear provisions to remove improvements when Sagert Street is extended



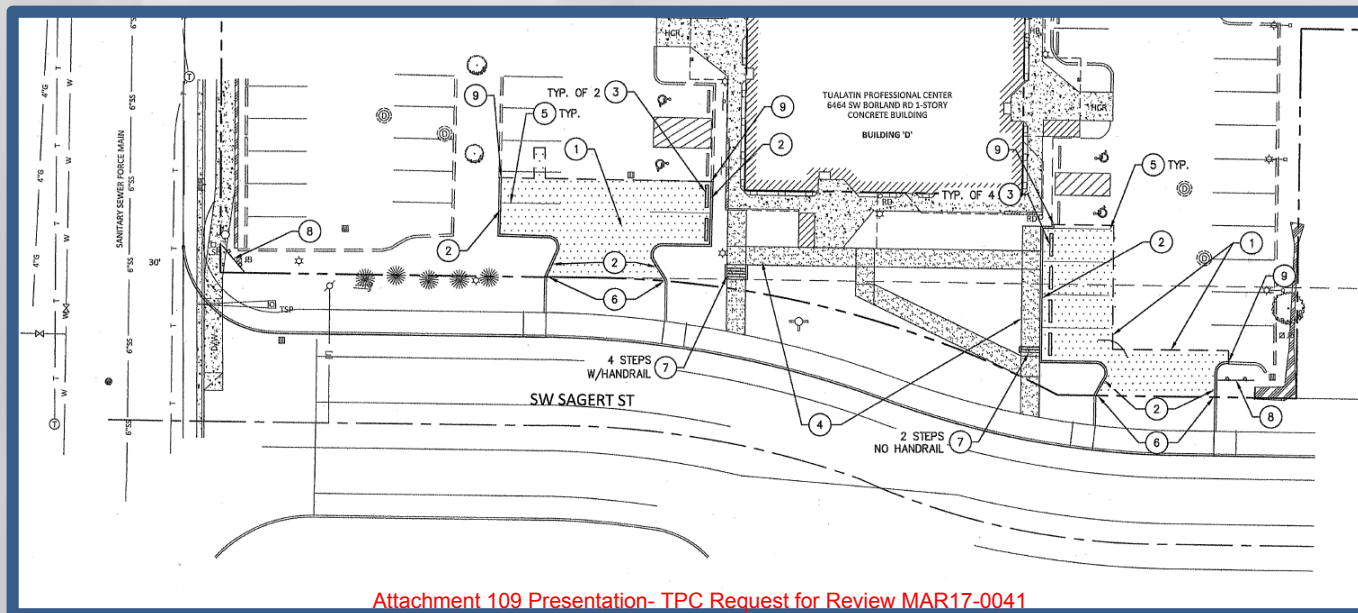


City of Tualatin

Summary of MAR Application

Zone: Office Commercial (CO)

Project Description: Site improvements and regrading the existing parking lot to match proposed Sagert Street improvements. Includes demolition of and modification of parking drive aisle and layout.

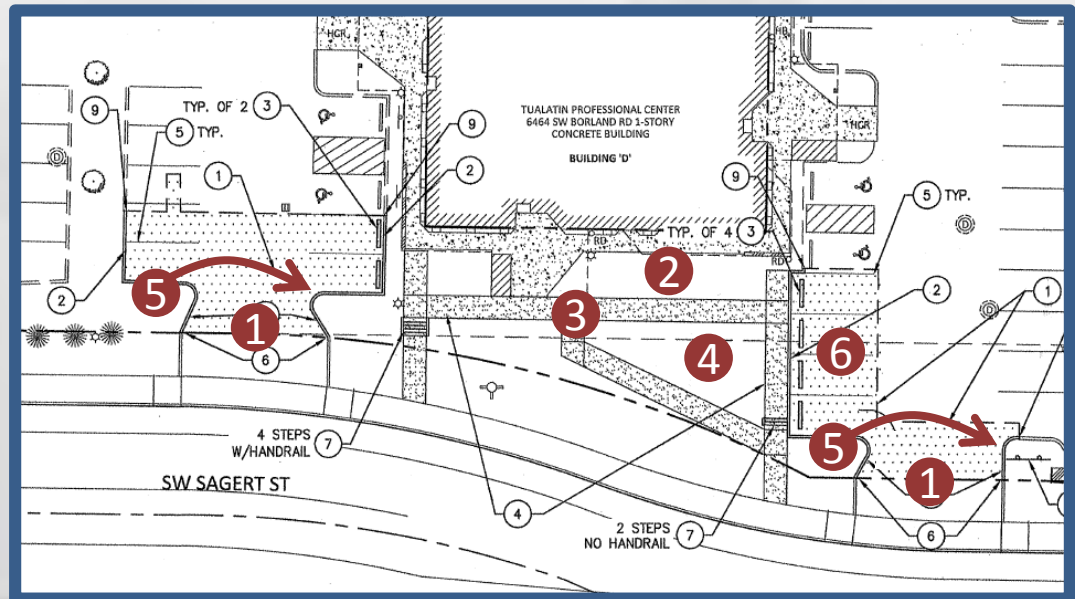




City of Tualatin

Summary of MAR Application

- 1 Transition drive aisle to Sagert ROW
- 2 Demo 7 parking stalls
- 3 Install pedestrian connection
- 4 Install landscaped area
- 5 Install curbs
- 6 Install 4 parking stalls



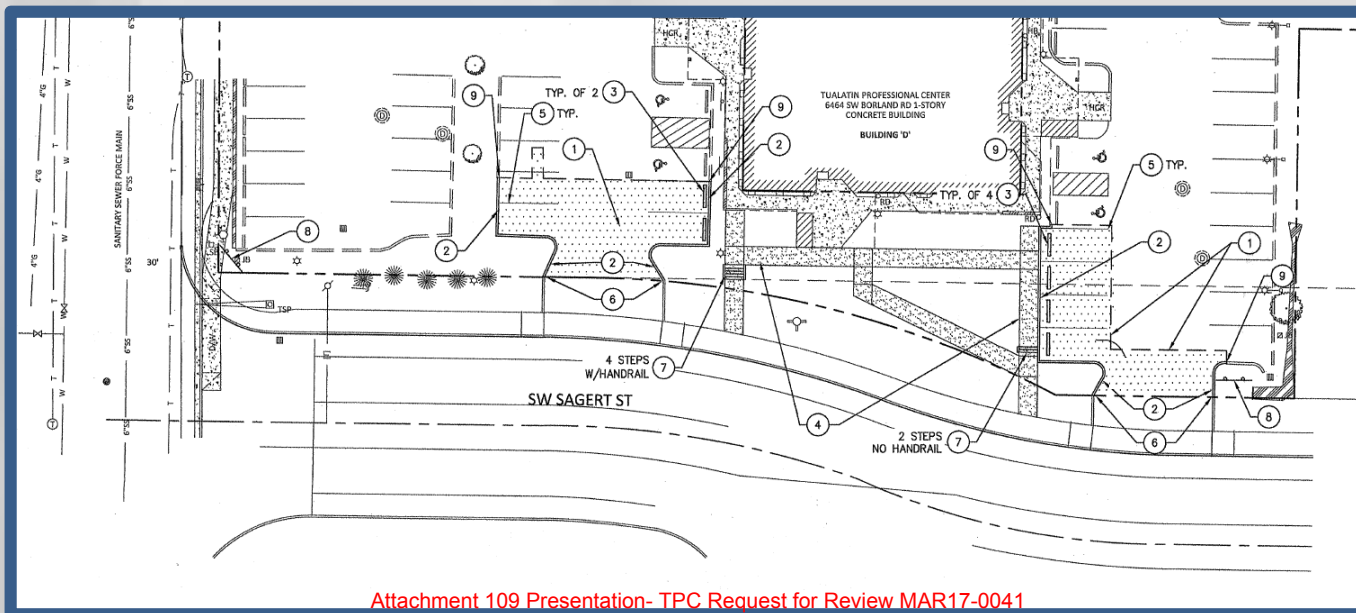


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 1 Revised plan set that meets conditions of approval



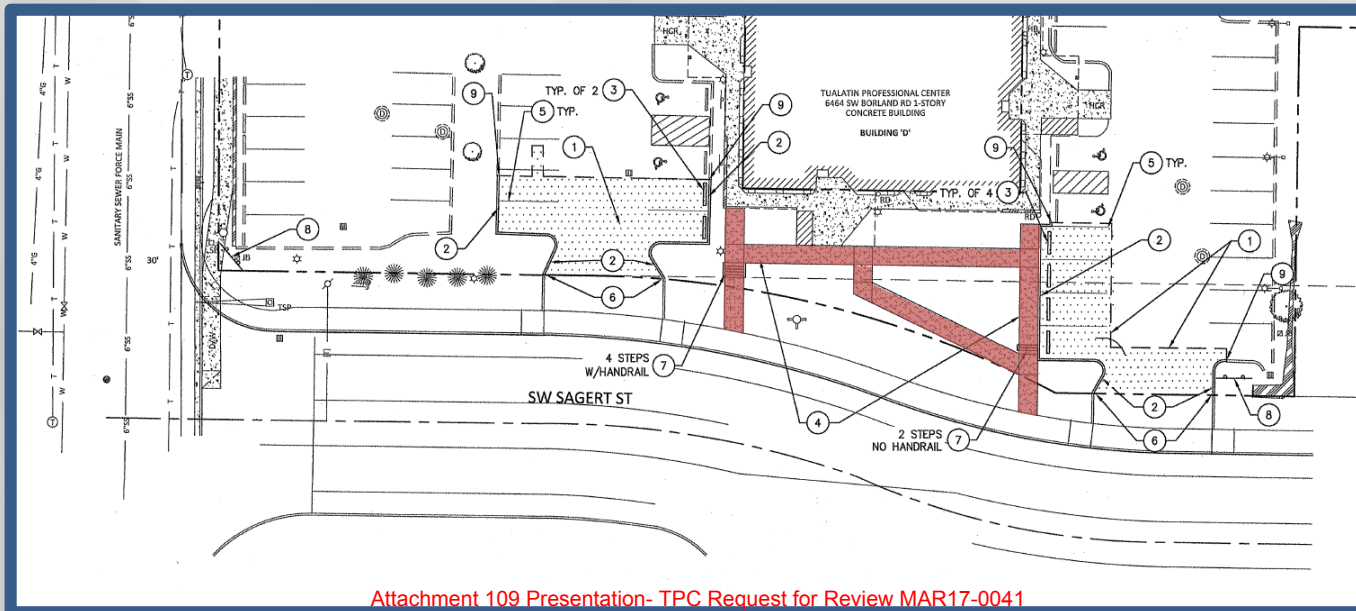


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 2 Six foot wide sidewalks per TDC 73.160(1)(a)(i)



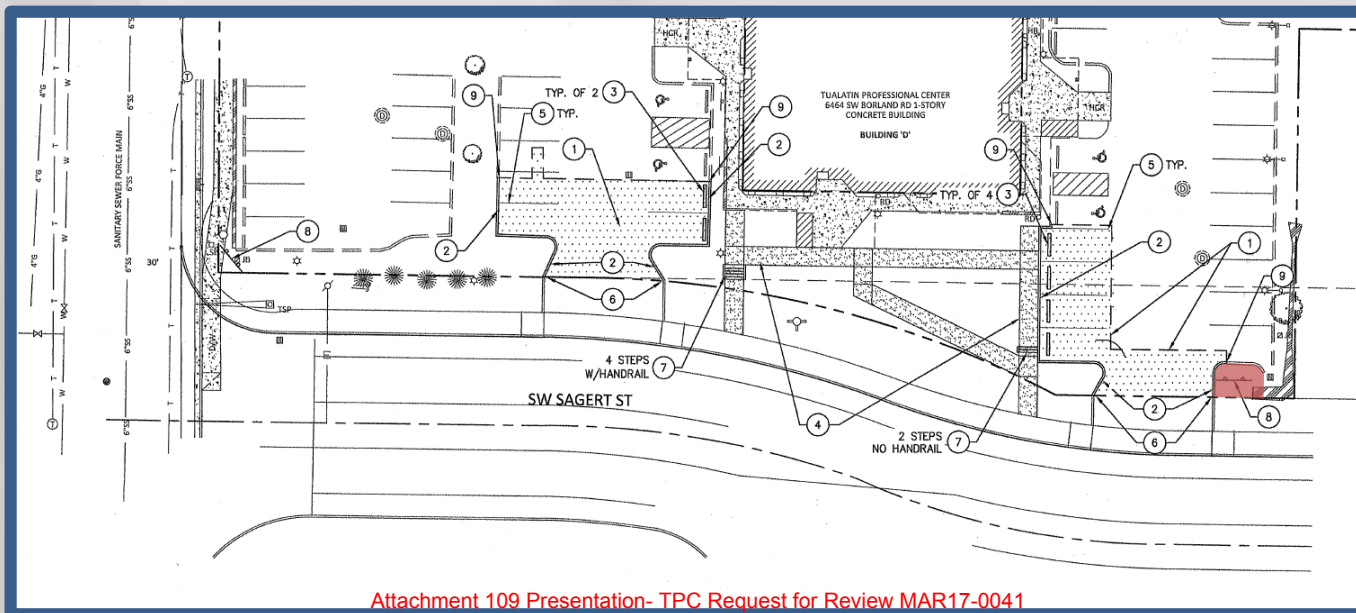


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 3 Landscape project area per TDC 73.310(3)



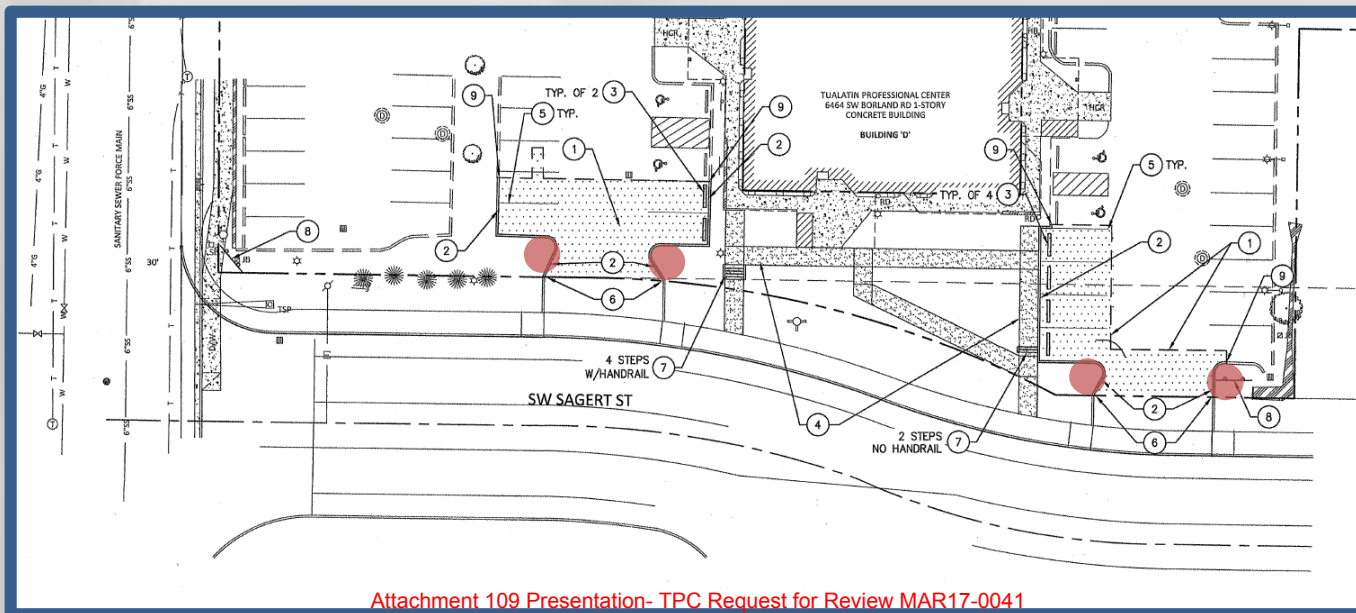


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 4 Note clear zone on landscape plan per TDC 73.340(1)



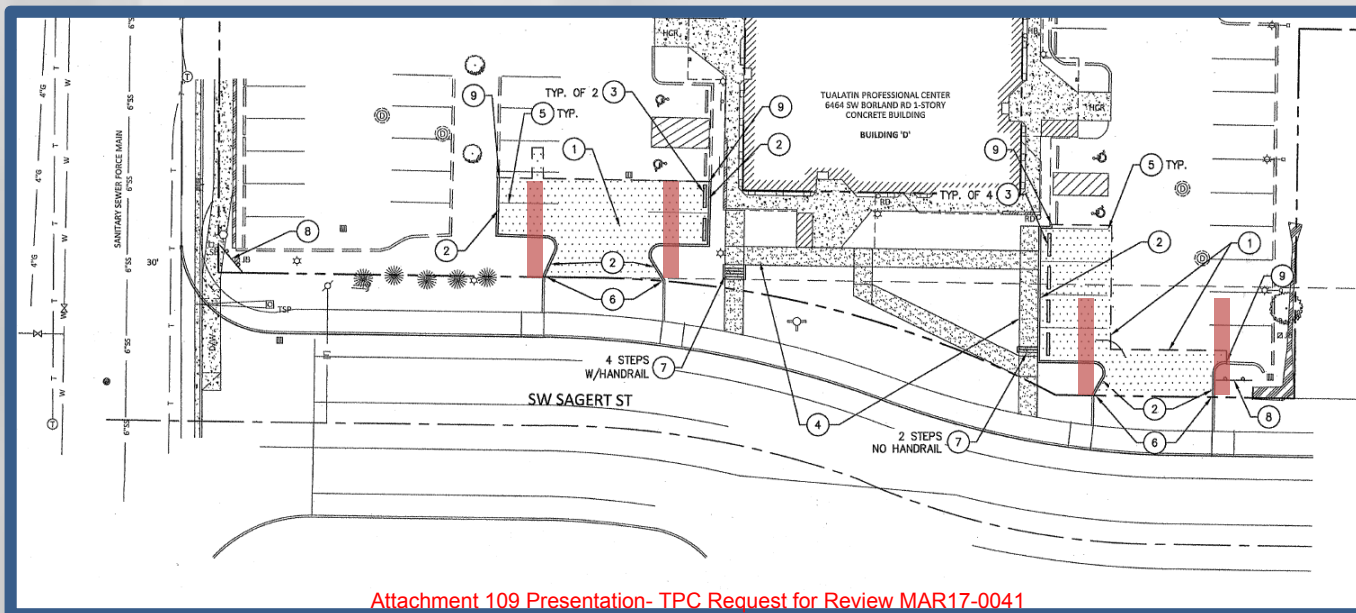


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 5 Five foot wide landscape area for 25 ft per TDC 73.360(6)(a)



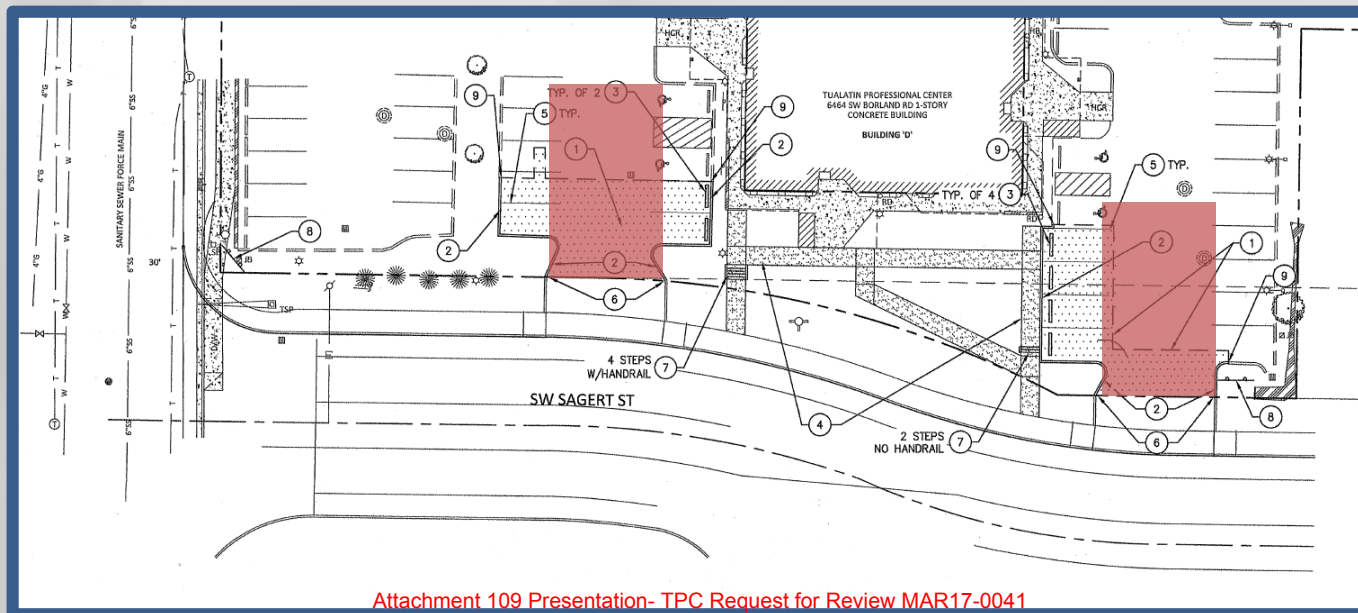


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 6 32 ft wide access drives for 50 ft per TDC 73.400(11)



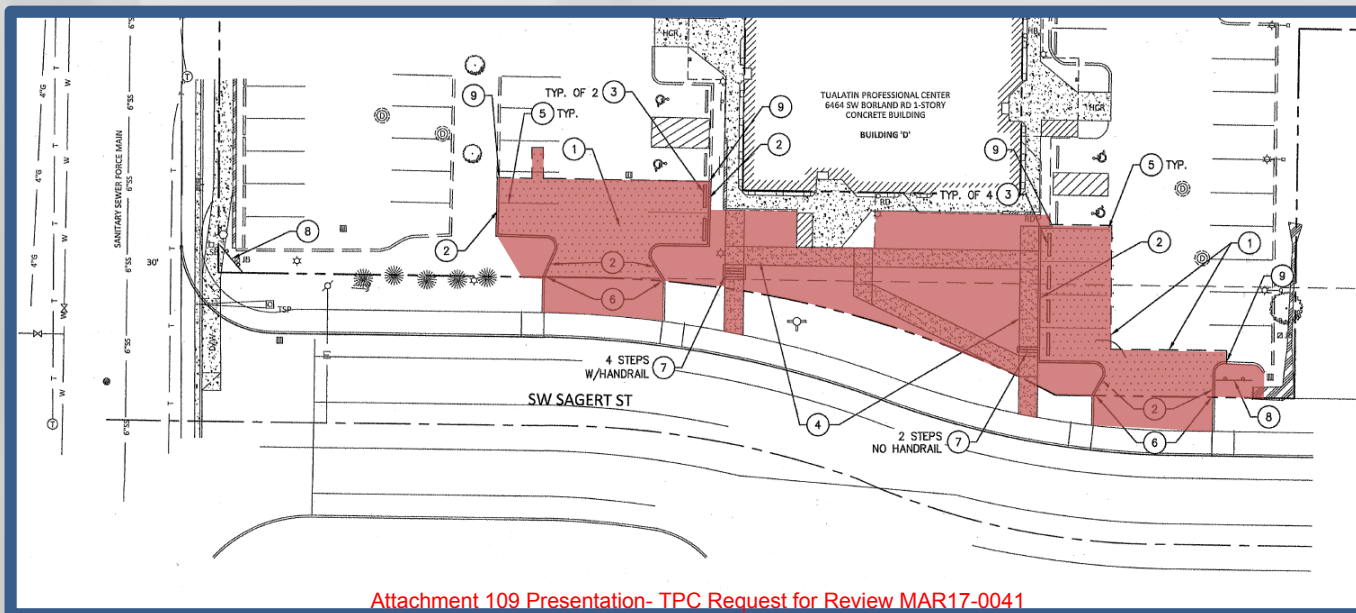


City of Tualatin

Summary of MAR Decision

Approved October 12, 2017 with seven conditions of approval:

- 7 Obtain Public Works Permit and Erosion Control Permit





Summary of Appeal

Request for Review (a de novo appeal) was filed by representatives of Tualatin Professional Center on October 26, 2017

- Outlines five reasons for appeal
- Asks for four modifications to MAR17-0041 approval

TPC has asked City Council to modify the MAR Decision as follows:

1. Approve the construction plans submitted for the MAR application
2. Delete the 50 ft access aisle requirement under TDC 73.400(11)
3. Delete the provision for future imposition of TDC 73.160(1)(g) and any future requirements to exterior building maintenance through the AR process
4. Remove any other condition inconsistent with the approval of Sheet C220 and SB15-0002



Summary of Appeal

Staff finds that the request for review is without merit for the following reasons:

- The Sagert Farm subdivision design does **not** apply to improvements on this property
- TPC's parking lot is **not** a legal, nonconforming use
- Parking lot improvements are required to meet current code



Summary of Staff Report (Continued)

APPELLANT CLAIMS

1. TDC 73.400(11) incorrectly applied to TPC's southern two accessways

Staff findings:

- *AR and MAR proposals must conform to the Tualatin Development Code, applicable City ordinances, and regulations TDC 31.071(4)*
- MAR application required because the applicant proposed modifications to parking lot
- SB15-0002 approval or conditions have no bearing on TPC's parking lot (only to Sagert Street ROW, in this case)
- Development standards discussed with applicant in scoping and pre-application meetings, as well as email correspondence



City of Tualatin

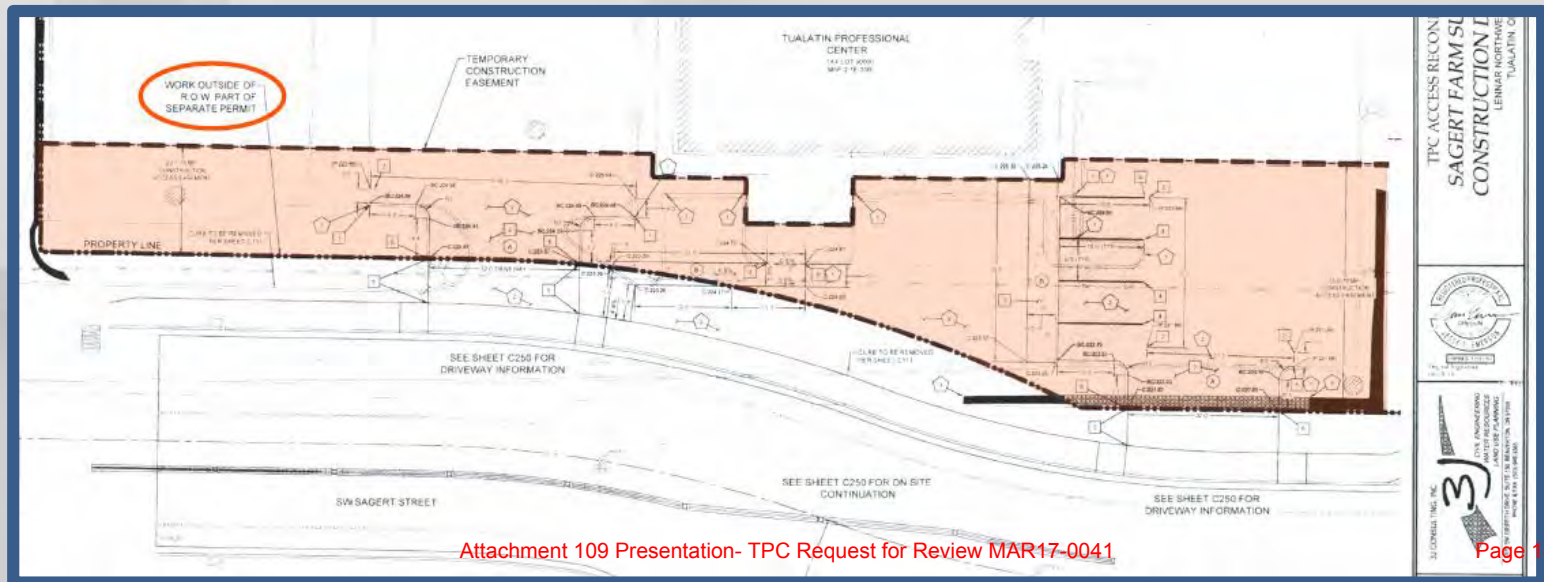
Summary of Staff Report (Continued)

APPELLANT CLAIMS

1. TDC 73.400(11) incorrectly applied to TPC's southern two accessways

Staff findings:

- Plans approved in the subdivision process state "Work outside of ROW part of separate permit"





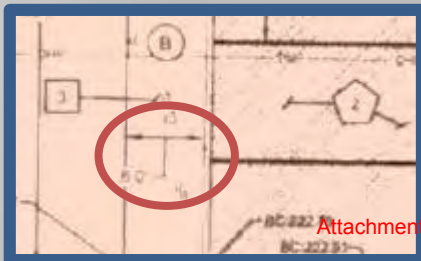
Summary of Staff Report (Continued)

APPELLANT CLAIMS

2. MAR17-0041 imposed code beyond Conditions No. 16 and 48 from approved Sagert Farm subdivision

Staff findings:

- SB15-0002 Conditions No. 16 and 48 only apply to Sagert Farm Subdivision
- TPC did not sign as property owner on the SB15-0002 application. Improvements on TPC property were not considered under SB15-0002
- SB15-0002 Condition No. 16 required a 32 ft wide access drive in Sagert Street ROW





Summary of Staff Report (Continued)

APPELLANT CLAIMS

3. MAR17-0041 Violates TDC 35.020 Continuation of Non-Conforming Use

- Southern two accessways are lawful, nonconforming uses
- Subject improvement does not trigger TDC 35.030[(1)] which states “A nonconforming structure or use of land may be altered or enlarged when such alteration or enlargement will bring the structure or use into conformity with the Planning District Standards”



Summary of Staff Report (Continued)

APPELLANT CLAIMS

3. MAR17-0041 Violates TDC 35.020 Continuation of Non-Conforming Use

Staff findings:

- The lawful use of TPC's southern accessways expired in 1989. The accessways have had no legal basis since that time
- Even if the accessways were legal nonconforming uses, the subject parking lot improvement is beyond the scope of a simple paving project and would therefore trigger TDC 35.030(1)

Section 11: The DEVELOPER agrees that the driveway improvements to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his expense.

Excerpt from Development Agreement 84-16657

Attachment 109 Presentation- TPC Request for Review MAR17-0041



Summary of Staff Report (Continued)

APPELLANT CLAIMS

4. MAR17-0041 Violates TDC 36.162 Modifications to Subdivision Plan Approval

Staff findings:

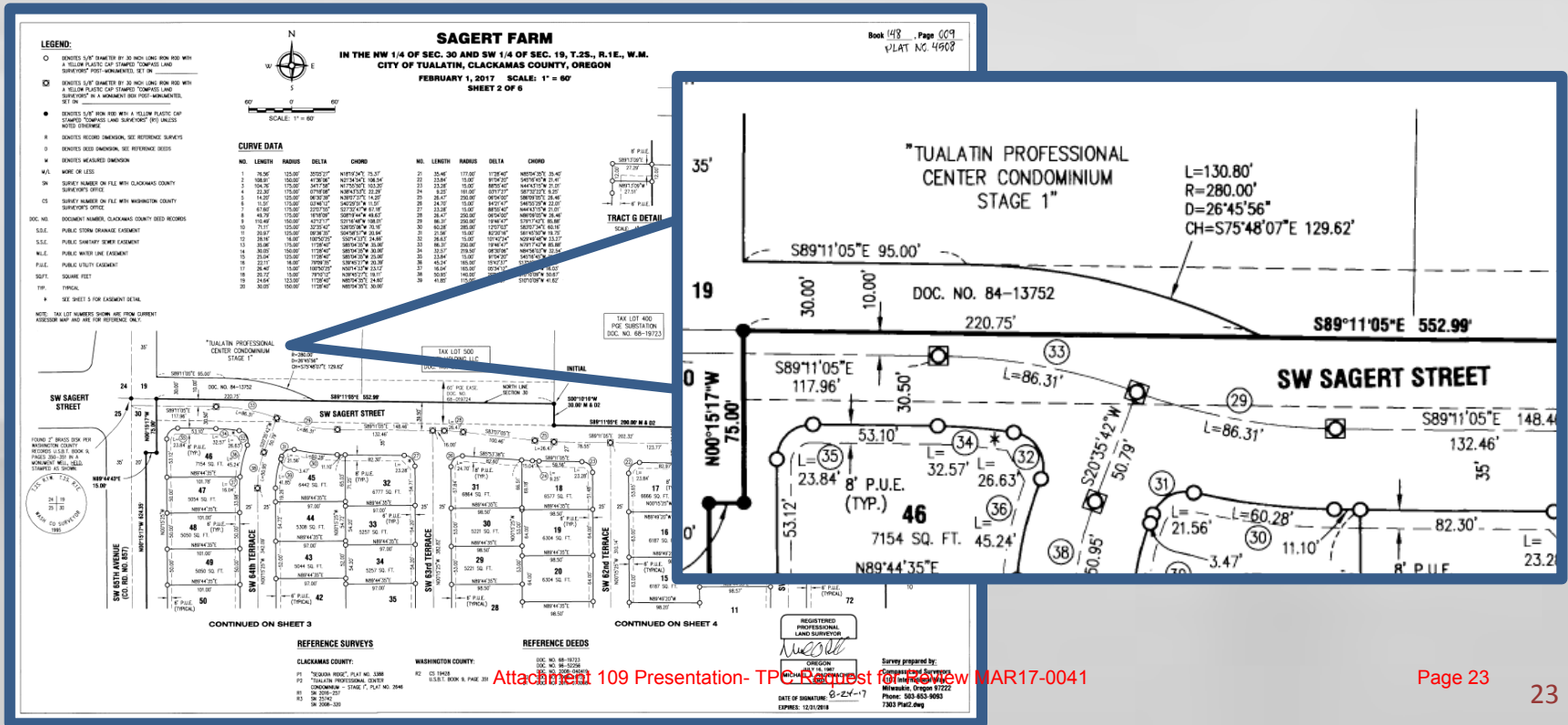
- SB15-0002 has no bearing to the TPC parking lot improvement
- The TPC property improvements are not part of the Sagert Farm Subdivision (*next slide*)
- TDC 73.160(1)(g) applies to private property only



Summary of Staff Report (Continued)

APPELLANT CLAIMS

4. MAR17-0041 Violates TDC 36.162 Modifications to Subdivision Plan Approval





Summary of Staff Report (Continued)

5. MAR17-0041 Imposes Future Standards under TDC 73 Community Design Standards

Staff findings:

- It is standard practice to inform applicants of code sections that apply in an ongoing manner



Summary of Staff Report (Continued)

TPC has asked City Council to Modify the MAR Decision as follows:

1. Approve the KPFF construction plans submitted for the MAR application
2. Delete the 50 ft access aisle requirement under TDC 73.400(11)
3. Delete the provision for future imposition of TDC 73.160(1)(g) and any future requirements to exterior building maintenance through the AR process
4. Remove any other condition inconsistent with the approval of Sheet C220 and SB15-0002

Staff has informed TPC that the variance process is where standards can be altered/changed. TPC chose not to pursue a variance.



Summary of Staff Report

(Continued)

STAFF CONCLUSION:

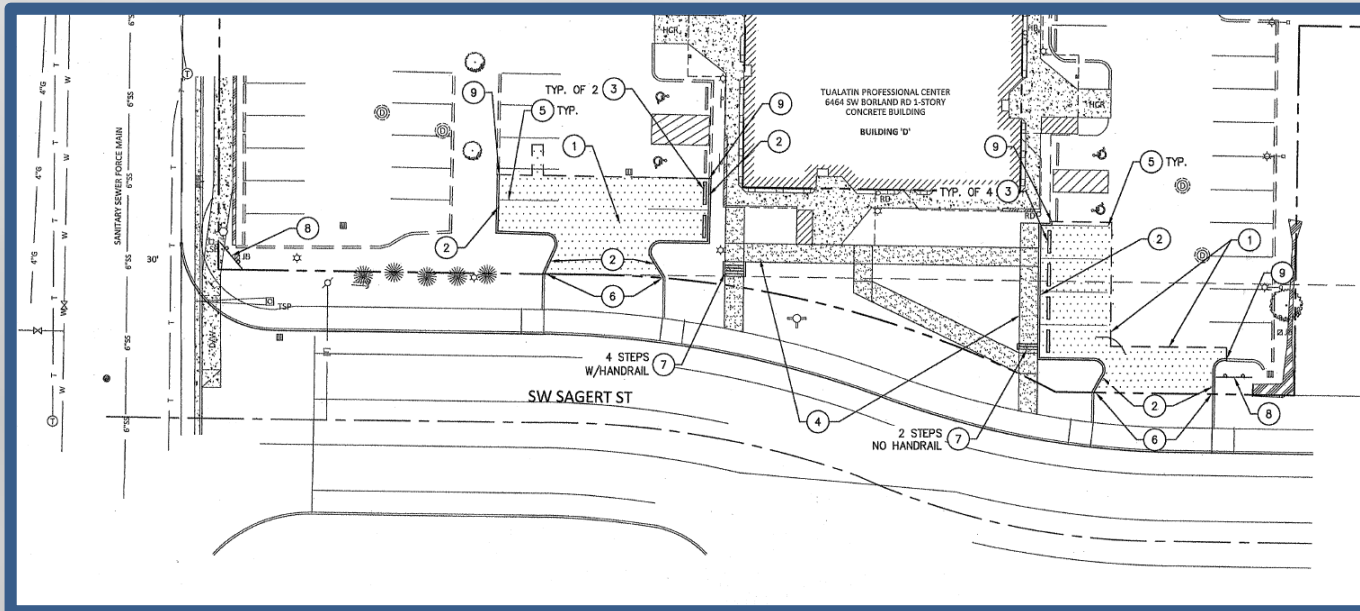
1. Construction plans do not meet code and therefore cannot be approved
2. The 50 ft access aisle standard is required by code – TDC 73.400(11)
3. Code requirements in the TDC, including 73.160(1)(g) apply to this property
4. The Sagert Farm subdivision decision does not apply to this private property



Options

City of Tualatin

- Approve with the original conditions of approval
- Approve with modified conditions of approval
- Deny the application





Dorothy S. Cofield,
Attorney at Law

December 18, 2017

Tualatin City Council
City of Tualatin
c/o Erin Engman
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092

VIA: ELECTRONIC DELIVERY: eengman@tualatin.gov

*Re: Request for Review of Minor Architectural Review (MAR17-0041)
Tualatin Professional Center, 6464 SW Borland Street, Tualatin, OR 97062*

Dear Mayor Ogden and Members of the Tualatin City Council,

As you know, my firm represents Tualatin Professional Center (TPC) in its appeal of the above referenced Minor Architectural Review (MAR17-0041) to restore its two southern accesses onto Sagert Street that have not been repaired and restored by Lennar Homes Northwest (the applicant in SB 15-0002) and as required in Conditions 16 and 48 of the SB 15-0002 final land use decision. During the appeal hearing on Monday, December 11, 2017 and in a Staff Report issued for the same meeting, several issues were raised regarding MAR17-0041. The applicant requested to leave the record open to have an opportunity to respond to the issues. Please accept this letter and attachments as our response and include them in the record.

As noted in my previous letter dated October 26, 2017, Lennar Homes Northwest, the applicant for Sagert Farms, submitted and was approved for a site plan that included rebuilding the two southern TPC accesses. See Request for Review Record, Attachment 102. TPC's access points were discussed by the City Engineer who conditionally approved the Sagert Farm Subdivision application in the December 3, 2015 Subdivision Review Findings and Decision for SB15-0002, Sagert Farm ("Sagert Decision I"). See Attached SB 15-0002, 102A. The City Engineer's decision found several of the applicable criteria to approve the subdivision were satisfied because of limitations or conditions placed on TPC's property and access.

For instance, on pg. 62, the City Engineer found:

“With construction of SW Sagert Street two 24-foot¹ wide driveways for Tualatin Professional Center and one 24-foot wide driveway for MEI, both commercial uses, with access easement over Tract E are shown on the plan sheet C121. The west access for Tualatin Professional Center is approximately 75 feet from the intersection of SW 65th Avenue and SW Sagert Street and therefore access restricted to right-in/right-out as supported by the submitted Transportation Impact Analysis by Kittelson and Associates.”

And on page 63:

“Onsite improvements related to relocating Tualatin Professional Center’s parking lot out of public right-of-way as well as the masonry fences required in TDC 34.32-340 are private improvements. This criterion is satisfied with conditions of approval PFR 16 and 51.”

In the Staff Report for this Request for Review dated December 11, 2017, staff has opined that because TPC is not an owner of the property, it cannot rely on decisions and outcome of the approved subdivision decision, even though it places burdens and conditions on the TPC property. See Attachment 101 “Analysis and Findings for MAR 17-0041.

In TPC’s Request for Review of SB 15-0002, Lennar’s attorney in a letter dated January 15, 2016, discussed the lengthy dialog between TPC and Lennar with regard to changes to SW Sagert Street as a result of the subdivision and how it would ultimately impact TPC’s access. During the application approval process for Sagert Farms, the City applied TDC Chapter 75 which required TPC to change its southwestern access to right-in-right-out due to the development of the Sagert Farm subdivision and Sagert Street. As part of the Sagert Farms subdivision review, TPC appealed the City’s requirement that its southwestern access be modified to a “right-in-right-out.” With the appeal, TPC became, in effect, a party to the approval of the application.

Ultimately, the City denied TPC’s appeal of the “right-in-right-out” requirement and in the extensive findings the City made clear that: **“Tualatin Professional Center will have substantially similar access as compared to its current condition.”** Staff Report, Request for Review SB 15-0002 “M.” Findings Related to TPC. To be clear, its current condition included approval of the two southern accesses in SB15-0002. The Planning Department wants to have it both ways – they want to burden TPC with the restrictions placed on it by Lennar’s subdivision approval without allowing TPC to “benefit” from assurances given as a result of the subdivision decision.

Without a doubt, TPC was a party to SB 15-0002 just as if it had signed the land use application. The city cannot now use the fiction that TPC was not an “owner” when the TDC clearly requires impacts to adjacent properties be mitigated. *See e.g.* TDC 74.425(4): “All streets shall be designed and constructed according to the preferred standard. The City Engineer may reduce the requirements of the preferred standard based on specific site conditions, but in no event will the requirements be less than the minimum standard. The City Engineer shall take into consideration the following factors when deciding the site conditions warrant a reduction of the preferred standard: (b) Collectors (ii) impacts to properties adjacent to the right-of-way.” The TDC contemplates adjacent properties get standing in a

¹ After the City Engineer’s Final Decision and with the TPC appeal to the City Council on January 25, 2016, the requirement was apparently changed to one 24-foot wide entrance and one 32-foot wide entrance. Resolution No. 5265-16, p. 4, PFR 16.

land use application notwithstanding the adjacent property is not the applicant's property. TPC relied on this provision; was a party in the subdivision review and became an appellant to the approved SB 15-0002.

State law as well as the TDC provides that the approval of a tentative plat shall be binding on the city. ORS 92.040; TDC Section 36.162(3)(iv): "The proposed modification [of an approved tentative plat] shall not result in a change or deletion of a condition of approval of the subdivision plan approval. Changes to the conditions of approval shall be processed as set forth in TDC 36.162(4) and (5)."

To TPC's knowledge, Lennar has not proposed a modification to PFR 16 and 48. C220 which is an approved plan to the subdivision approval, showing no changes to TPC's parking lot configuration, or loss of parking spaces, cannot be changed now to require the loss nineteen parking stalls. See Exhibit 2, Cofield Law Office Request for Review. As explained by Dr. Walker, an owner of one of the condominium units in Building "D", the supply of full use parking stalls serving the east side of the D building will be reduced in half, from 20 stalls to 10. The number of stalls on the west side of the D building will decrease by 35%, and overall TPC's full use parking supply will decrease by 18%. See Attached James P. Walker Letter, dated December 17, 2017. C220 which showed TPC's property and how its two southern accesses would be restored do not show any reconfiguration of its parking lot resulting in further loss of parking stalls. The notation on the C220 plan that "Work Outside of ROW Part of Separate Permit" does not mean a separate land use application. The TDC uses the term "land use application" when it requires additional land use reviews such as an architectural review. See e.g. TDC 31.064 "Land Use Applications." It uses the term "permit" for building permits, grading permits and erosion control permits. See e.g. SB 15-0002, Conditions of Approval; MAR 17-0041 Decision.

In *David Hill v. City of Forest Grove*, the jury made an award of \$6.5 million dollars due to the City changing the routing of the subdivision's sewer line to benefit a property owner outside of the city for future development. This law office was an expert witness in that federal court trial and was asked the question about the purpose for a tentative subdivision review. The answer is once a subdivision goes through the public review process, all parties can rely on the decision made in that preliminary plat review. If the City can change standards that it already approved, the subdivision process and the due process rights of citizens who participate in the review, have no certainty and are at the whim of the government to change. This is the case with TPC's two southern accesses that were approved in a final decision by the City as shown in C220 and PFR 16 and 48. That Lennar has not restored TPC's two southern accesses as required by SB 15-0002 is an issue for the City to enforce. See e.g. TDC 36.176(4).

At the hearing last Monday, TPC's traffic engineer, Chris Clemow explained why the KPF submitted construction plans with a 25-foot access drive aisle is safe and meets the Lennar approved access plan in C-220. The City Council relied on its city engineer and Lennar's private engineer when it approved C-220 in the Sagert Farms Subdivision review. The two realigned accesses were found to be safe then and they are safe now and in conformance with the Lennar access plan. The C220 plan does not just approve work in the right-of-way as argued in the Staff Report but has notations on TPC's private property that show C220 was intended to be the final, approved plan for TPC's restored southern accesses. For instance, C220 has Key Notations 1, 2, 3 and 4 on TPC's private property that require Lennar to "Construct standard curb per detail on this sheet"; "Construct asphalt paving to grades and dimensions shown, per pavement section shown this sheet"; "Construct concrete walkway to grades &

dimensions shown, per 'non-vehicular concrete paving' sections shown this sheet"; and "Install a 4" wide white latex parking lot paint strip as shown." With these notes on TPC's private property regarding demolition and reconstruction of its private parking lot because it was impacted by the changes to its two southern accesses, it is clear that the City never intended a further application of its TDC 73.400 access standards to the TPC property and especially one that changes its prior decision in SB 15-0002.

In case law considering a local government's application of its code provisions, LUBA has prohibited a local government from changing its position with respect to approval standards. *Holland v. City of Cannon Beach*, 154 Or App 450 (1998). Here, the City had previously determined TPC's access was safe and complied with the TDC 73.400(11). The Final Decision made specific findings for TPC's two southern accesses from Sagert and stated the standard for the two re-aligned accesses. Resolution 5265-16, Exhibit 1, p. 43. To the extent the City is imposing additional code provisions beyond what it already approved in the Sagert Farm's Decision and they are inconsistent with the Findings and Conditions of Approval, they cannot legally be imposed now. A local government is required to maintain a consistent application of standards and criteria. *Id.* at 459. The City must consistently apply or, alternatively, find code provisions inapplicable to applications. Here, the City previously determined two TPC restored driveways as shown on C220, would be safe and complied with the TDC. Those determinations in a final land use decision which applies to TPC's private property as the notations on C220 show. For the city to now argue TPC has no right in those determinations and they can be changed now in this MAR review is illegal.

Unconstitutional Conditions

In MAR 17-0041, the City of Tualatin Planning Division approved TPC's minor architectural review application to restore its two southern accesses due to Lennar failing to re-construct the two southern access.

In its decision, Condition 6 imposed a new condition not adopted in SB 15-0002 that requires TPC to provide two on-site access drives that are thirty-two feet wide for the first fifty feet from the public right-of-way. See Record, Attachment 101. That condition seeks to take away a property right of TPC (parking lot spaces) that were approved by the City in AR 83-06, in exchange for the dedication of Sagert Street and with payment of a fee in lieu for the City to construct Sagert Street back in the 1980's. The City never constructed Sagert Street, nor did the City refund TPC's fee in lieu as required under the Developer's Agreement. See Exhibit 106, Exhibit 105A (SB 15-0005).

The loss of up to nineteen parking spaces has been effectively taken for the public's use of newly constructed Sagert Street as it intersects with TPC's southern access, for vehicular and pedestrian access to access the public street. Although the City is not requiring an outright dedication or easement, the effect of the condition is the same as if the parking stalls were dedicated to the public. At the December 11, 2017 public hearing, the City Planner Manager discussed the need for the fifty-foot throat as providing safe access from Sagert Street to avoid "stacking." TPC's traffic engineer has explained, with substantial evidence in the record, that the public's access to the TPC parking lot is safe as designed in C220 and there are no "stacking" problems with a low-volume use such as a medical building. See

Record, December 8, 2017 Submission from Tualatin Professional Center, Clemow Letter, Dated November 28, 2017; Clemow Oral Testimony, December 11, 2017.

The purpose of TDC 73.400(11) is to make TPC's driveways connect to the newly constructed Sagert Street and therefore is for the public's use of the roadway. The Staff Report to the Council states that Condition 6 is to "encourage a safer access drive design than what is currently proposed." There is no evidence in MAR 17-0041 to support that purpose is served with the different, more onerous design of a 50-foot driveway access when the City previously found C220 was safe for access to the TPC parking lot. When a condition is required in exchange for a permit, there must be a nexus between the regulation and the condition imposed. *Barnes v. City of Hillsboro*, 61 OR LUBA 375 (2010), aff'd 239 Or App 73 (2010), citing *Nollan* and *Dolan*, citations omitted. In *Barnes*, LUBA reversed a city ordinance requiring as a condition of approval for all residential developments near the Hillsboro airport, the granting of an aviation easement for noise, vibration, fumes, dust and fuel particle emissions, in service of an objective to reduce land use conflicts. LUBA held that the requirement for the condition did not reduce land use conflicts but rather simply made it more difficult for a property owner to bring a takings claim.

Under ORS 197.796(4), an applicant must raise a challenge to a condition that "takes" private property for the public's use. The MAR decision, Condition 6, is such a condition, as well as the other conditions imposing landscaping visible from the public street as well as the pedestrian connection. Under the Takings Clause of the Fifth Amendment to the US Constitution, the imposition of the 50-foot access standard and the other MAR conditions to TPC approved accesses in C220 is a takings of up to 19 of its parking stalls. The City is imposing the standard to arguably improve the public's use of Sagert Street, except that the public's access is fine without a fifty-foot throat and the landscaping conditions – otherwise the city could not have approved SB 15-0002. The City has the burden of demonstrating why it needs the fifty-foot throat when it previously found that the C220 plan (with a 25-foot throat) was safe and met TDC 73.400(11). TPC has sustained considerable damages as summarized in the attached letter from Kinetic Properties, an expert in property management, leasing and selling. See *Attached Letter From Tobin Johnson*, dated December 18, 2017.²

Equally true is that the City's Condition 6 is an arbitrary and unreasonable restriction on the use of TPC's parking lot which amounts to violating TPC's substantive due process rights under the US Constitution. The Planning Department has used its quasi-judicial authority to interfere with a lawfully permitted access plan (C220), approved under two public land use reviews by the City of Tualatin. TPC's right to use its property for its four medical buildings and to make profitable use of its property, are protected under the Due Process Clauses of the Fifth and Fourteenth Amendments to the US Constitution. The purpose of the Due Process clause "is intended to secure the individual from the arbitrary exercise of the powers of government. *Lingle v. Chevron USA*, 544 US 528 (2005).

TPC only wants what was promised in the land use review process in SB 15-0002. It did not ask to be adjacent to a new, Lennar Subdivision and it long ago provided the half street improvement to allow Sagert to now develop. It also provided a \$15,000 fee for the improvements to Sagert. TPC is the

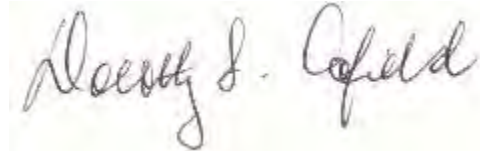
² These initial estimates of damages do not consider the impact to the TPC businesses while the two southern accesses have been closed since Lennar began construction of Sagert Street. TPC reserves the right to claim other damages if this matter should go to circuit court under ORS 197.796(2).

Letter to Tualatin City Council
December 18, 2017
Page 6

innocent bystander in a land use process that benefits the City of Tualatin, the public (with a new road) and Lennar (which profits from the 79 lot subdivision sales). The only participant in SB 15-0002 that has not profited and has in fact been severely harmed is TPC.

We ask that the City Council approve TPC's plans to restore its two southern accesses as applied for in its MAR application.

Very truly yours,

A handwritten signature in cursive script that reads "Dorothy S. Cofield". The signature is written in dark ink on a light-colored background.

Dorothy S. Cofield

Enclosures for the Record:

Letter from James P. Walker, DDS

Letter from Tobin Johnson, Kinetics Properties

Letter to Erin Engman for Hand Delivery of Two CDs and Flashdrive of Record Submittal

cc: Client
Matt Johnson
Margot Seitz
City Attorney
Chris Clemow



January 8, 2016

Project #: 17299

Jeff Fuchs
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

RE: Response to the TPC Request for Review of the Sagert Street Access

Dear Mr. Fuchs,

This letter provides information in response to the Tualatin Professional Center's Request for Review regarding the future extension of Sagert Street and the corresponding access limitation proposed at their western site driveway.

Background

The City of Tualatin's adopted *Transportation System Plan* (TSP) identifies the need for future signalization of the SW Sagert Street/SW 65th Avenue intersection as well as the extension of SW Sagert Street from SW 65th Avenue east. Tualatin Development Code (TDC) Sections 11.630 and 74.420 effectively dictate the easterly extension of SW Sagert Street in conjunction with development of the proposed Sagert Farms site.

The *Sagert Farms Development Transportation Impact Analysis* (TIA) was prepared in June 2015 (along with a subsequent update in August 2015) and was guided in part by the City's TSP. The TIAs determined that the TSP-identified SW Sagert Street/SW 65th Avenue intersection signalization is needed in conjunction with site development to accommodate additional traffic from the Sagert Farms development and anticipated changes in circulation brought about by the required roadway extension.

The design team representing the Sagert Farms Development worked to develop alignment options for the easterly extension of SW Sagert Street that would accommodate the proposed Sagert Farm development while preserving access to the adjacent Tualatin Professional Center (TPC). The approved alignment for the roadway extension maintains one driveway serving TPC's western parking lot and one driveway serving TPC's eastern parking lot.

Given that the proposed driveway serving TPC's western parking lot would be located less than 100 feet from the newly reconstructed/signalized SW Sagert Street/SW 65th Avenue intersection, vehicular movements are recommended to be limited to right-turns only at the western driveway access via a raised median. The raised median will restrict left-turns and through movements at both the TPC western parking lot and the new SW 64th Terrace (located approximately half-way between the TPC

western parking lot driveway and the TPC eastern parking lot driveway). The turn movement restrictions are recommended based on operational and safety considerations within the influence area of the signalized SW Sagert Street/SW 65th Avenue intersection. Specifically, westbound queues on SW Sagert Street extension are projected to routinely extend to SW 64th Terrace. As a result, westbound queues will physically block access to the TPC western site driveway. The proposed turn movement restrictions and raised median treatment will better these vehicle queues while ensuring the operational integrity and safety of the SW Sagert Street/SW 65th Avenue intersection¹.

This design and recommended restriction of turning movements at the TPC west driveway are supported by various Tualatin Development Code sections as identified below:

- TDC 73.400 (15)(a) states that except for single family dwellings, the minimum distance between a private driveway and the intersection of collector or arterial streets shall be 150 feet.
- TDC 75.010 states that the purpose of TDC Chapter 75: Access Management is to “promote the development of safe, convenient and economic transportation systems and to preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties”.
- TDC 75.060 (2) states that “The City Engineer may restrict existing driveways and street intersections to right-in and right-out by construction of raised median barriers or other means”.

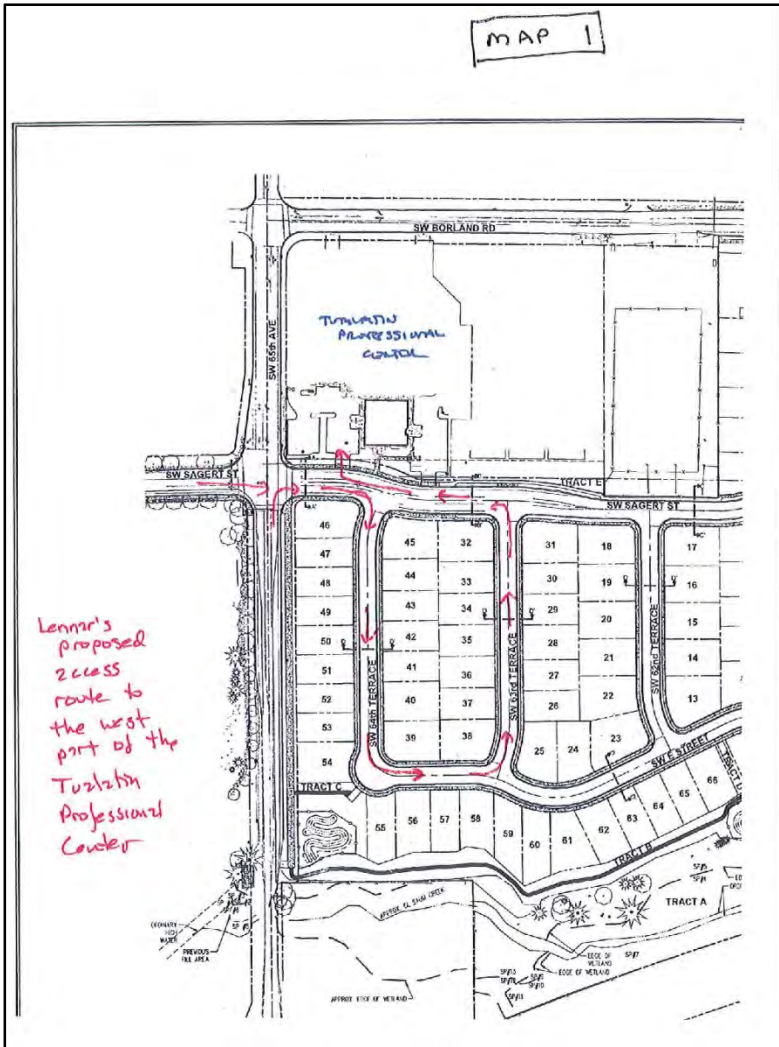
In recognition that the access recommendation would result in some re-routing of TPC site-generated traffic, the TIAs provided a detailed assessment of this and other circulation modifications and concluded that the adjacent intersections/driveways could adequately and safely accommodate the proposed modifications.

TPC Request of Review Comments

On December 16, 2015, TPC submitted a Request for Review to the City of Tualatin. As part of this request, TPC asserts that the proposed western parking lot access limitations will force all patients/visitors who park in the western parking lot to re-route and loop through the proposed Sagert Farms subdivision as graphically noted in Exhibit 1 below.

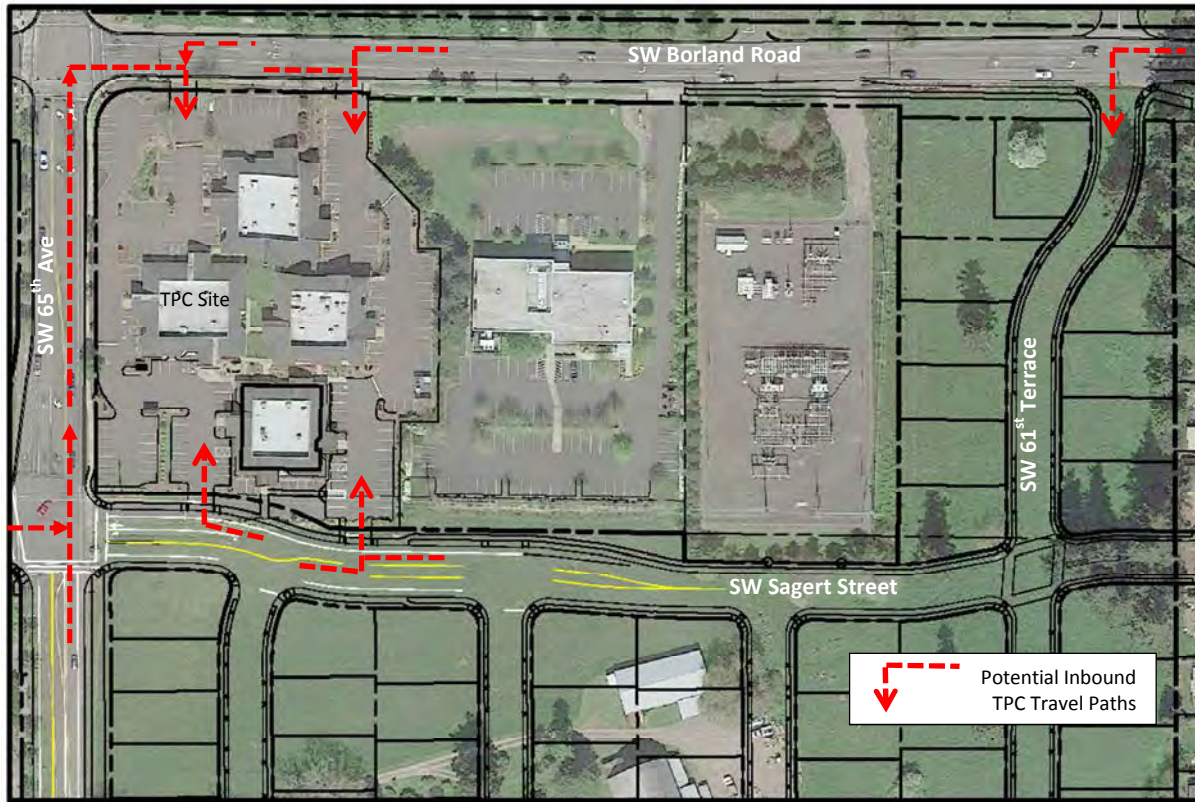
¹ Allowing eastbound left-turn movements into the TPC western site driveway could result in eastbound left-turn traffic stopping in the eastbound travel lane while waiting for a gap in westbound traffic in order to complete the left-turn. The eastbound left-turn traffic waiting for a gap could quickly result in vehicle spillback to SW 65th Avenue, further complicating intersection operations and safety.

Exhibit 1 - Traffic Rerouting Exhibit from the TPC Request for Review Letter



While the path illustrated in Exhibit 1 is a potential option, we believe TPC clients and especially TPC staff are more likely to follow alternative routing scenarios. The TPC western parking lot currently has, and will continue to have, a full movement driveway located off of SW Borland Road. For those familiar with the site (employees, returning clients/patients), it is anticipated that this fully accessible driveway will likely become the preferred site ingress driveway. Exhibit 2 illustrates this more likely alternative routing as well as all of the other inbound routing scenarios. Recognizing the SW Borland Road driveway is fully accessible for all visitors regardless of where they are coming from, we respectfully anticipate that businesses within TPC will direct their clients and staff to enter TPC via the SW Borland Road primary driveway when providing verbal or written directions.

Exhibit 2 – Inbound Travel Paths from South on SW 65th Avenue, East/West on SW Sagert Street, and East on SW Borland Road



In addition to this more likely routing scenario, the TPC site will have a second fully accessible driveway located off of the SW Sagert Street extension that will serve the eastern parking lot. Clients/patients can use this lot for parking, or during less busy times, use it to turn around in order to access the western parking lot.

Lastly, it should also be pointed out that the Sagert Farms Development will be enhancing street connectivity in the area that will benefit the TPC site. Specifically, the SW Sagert Street extension and the proposed SW 61st Terrace street connection to SW Borland Road will provide an alternate routing choice for employees/customers/patients traveling to the site via westbound SW Borland Road.

While we understand TPC's issues regarding the proposed access limitations at the west parking lot access, the network connectivity and signalization identified by the City's TSP and development code dictate that the access currently available to the TPC site will change to accommodate the planned public street network. If turn movement restrictions were not signed and enforced by the proposed raised median, westbound queues on SW Sagert Street can be expected to routinely block the western site driveway and result in a de-facto turn movement restriction. From a public safety and traffic signal operations perspective, we conclude that installation of the proposed median is appropriate and that existing and future TPC site staff and clients will have adequate access.

Please let us know if you have any questions.

Sincerely,
KITTELSON & ASSOCIATES, INC.



Matt Hughart, AICP
Associate Planner



Chris Brehmer, P.E.
Principal Engineer



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 692-2000



March 9, 1983

ARCHITECTURAL REVIEW BOARD
City of Tualatin

Members of the Board:

Item #: 5
Case #: ARB-83-06
Project: Tualatin Professional Center
Status: Deferred From 3-2-83 For Modifications

This application is for Board consideration of site, landscaping and grading plans, building elevations, colors, material and lighting for Tualatin Professional Center to be located at 6464 S.W. Borland Road.

FINDINGS

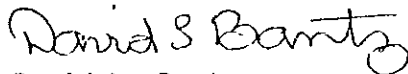
1. The proposal consists of four (4) buildings varying in size from 5625 sq. ft. to 9000 sq. ft.. Total square footage of the projected buildings is 29,587 sq. ft.. Two (2) of the buildings will be single story and two (2) will have partial lower levels.
2. The building will have shingled exteriors with composition roofs. Two color schemes have been submitted for review.
3. Exterior lighting will consist of low 3' high square bollard fixtures and 13' - 14' high pole lights.
4. Total required parking spaces are 163 which is the number provided. There will be a need to have four (4) of the required parking spaces to be designated for the handicapped.
5. Total landscaping equals 33,265 sq. ft. or approximately 27% of the site.
6. The developer is required to dedicate 13.5 feet along the north edge of the property for S.W. Borland Road, 10 feet along the west edge of the property for S.W. 65th Avenue and 30 feet along the south edge for the extension of S.W. Sagert Street. S.W. Sagert Street is to have a 250' centerline radius.
7. The developer will be required to do a half-street improvement including sidewalks along both S.W. Borland and S.W. Sagert. Improvements within S.W. 65th will be deferred until a later date, but the developer will be required to deposit the cost of those improvements with the City of Tualatin.

5. The concerns expressed by the ARB at its meeting of 3-2-83 have not been met as of the time of the writing of this report, but should be at the time of the 3-16-83 meeting.

RECOMMENDATION

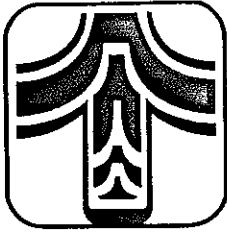
Staff recommends approval of the building colors, materials and lighting, and the general concept of the building elevations, site and landscape plans, but makes no recommendation until the modified plans have been submitted and reviewed.

Sincerely,



David L. Bantz
Economic Development Coordinator

DLB/lls



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 692-2000

February 25, 1983

ARCHITECTURAL REVIEW BOARD
City of Tualatin

Members of the Board:

Item #: 4
Case #: ARB-83-06
Project: Tualatin Professional Center
Status: Preliminary Review (New Submittal)

This application is for preliminary review of site and landscape plans, building elevations, colors, materials and lighting for Tualatin Professional Center to be located at 6464 S.W. Borland Road.

FINDINGS

1. The proposal consists of four (4) buildings varying in size from 5625 sq. ft. to 9000 sq. ft.. Total square footage of the projected buildings is 29,587 sq. ft.. Two (2) of the buildings will be single story and two (2) will have partial lower levels.
2. The building will have shingled exteriors with composition roofs. Two color schemes have been submitted for review.
3. Exterior lighting will consist of low 3' high square bollard fixtures and 13' - 14' high pole lights.
4. Total required parking spaces is 163 which is the number provided. There will be a need to have four (4) of the required parking spaces to be designated for the handicapped.
5. Total landscaping equals 33,265 sq. ft. or approximately 27% of the site.
6. The developer is required to dedicate 13.5 feet along the north edge of the property for S.W. Borland Road, 10 feet along the west edge of the property for S.W. 65th Avenue and 30 feet along the south edge for the extension of S.W. Sagert Street.
7. The developer will be required to do a half-street improvement including sidewalks along both S.W. Borland and S.W. Sagert. Improvements within S.W. 65th will be deferred until a later date, but the developer will be required to deposit the cost of those improvements with the City of Tualatin.

(\$50.00 - \$350.00 Fee
For Complete Review)

CITY OF TUALATIN
ARCHITECTURAL REVIEW APPLICATION

\$35.00 Fee for Sign
Review

PROJECT TITLE Tualatin Professional Center

PROJECT ADDRESS N.E. Corner of Dorland & 65th Street (6464 SW Portland Rd)

OWNER/DEVELOPER Consolidated Asset Group PHONE (509) 735-8402

(Street Address) 900 N. Moran Suite 2104 City Kennewick State Wash. Zip 99346

ARCHITECT William Rutledge Architects PHONE (206) 451-0498

(Street Address) 101-116th Ave. S.E. Suite 122 City Pellevee V State Wash. Zip 98004

LANDSCAPE ARCHITECT Name as above PHONE _____

(Street Address) _____ City _____ State _____ Zip _____

ENGINEER David Evens & Associates PHONE (509) 827-1663

(Street Address) 206 S.W. Corbett Ave City Portland State Oregon Zip 97201

DESIGNER _____ PHONE _____

(Street Address) _____ City _____ State _____ Zip _____

SIGN CONTRACTOR _____ PHONE _____

(Street Address) _____ City _____ State _____ Zip _____

OWNER'S SIGNATURE Samuel Wald PHONE (509) 735-7495

PROJECT DESCRIPTION

TAX LOT NO. 500 TAX MAP NO. 21E 10D SITE SIZE 2.8 acres

ZONING office commercial (CO) PROPOSED USE Medical Clinic

NO. OF BUILDINGS 4 NO. OF UNITS _____ EST. NO. OF EMPLOYEES _____

SQ. FT. OF BUILDINGS 19687 SQ. FT. OF PAVING 65,097 SQ. FT. OF LANDSCAPING 33,265

ESTIMATED DEV. DATE about April 1st EST. DEV. PHASES one VALUATION \$1,050,000

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION AND LAND USE.

NAME Frank Cheney (architect) PHONE (206) 451-0498

(Street Address) 101-116th Ave. S.E. #122 City Pellevee State Wash. Zip 98004

CASE NO: ARB 83-06

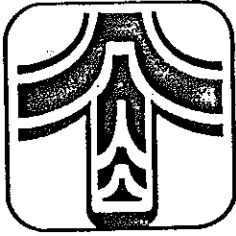
FEE: 350.00

RECEIPT NO: 9137

DATE RECEIVED: 2-2-83

BY: D. Rantz

CITY HALL ANNEX
P.O. Box 369
Tualatin, Oregon 97062 PHONE: 638-2633



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 692-2000



February 16, 1983

Frank Chaney
William Rutledge Architect
301 116th Avenue, S.E.
Suite 225
Bellevue, Washington 98004

RE: Facilities Review For Tualatin Professional Center to
be Located at 6464 S.W. Borland Road (ARB-83-06)

Dear Frank:

A Facilities Review meeting was held on Friday, February 11, 1983 to discuss the proposed Tualatin Professional Center plans. The following items will need to be shown on your site plan prior to proceeding with the Architectural Review Board process.

1. S.W. Borland Road needs to include 13.5 feet of dedicated property and a 20' half-street with 5' sidewalk shall be shown on the site plan.
2. S.W. 65th Avenue needs to include 10' of dedication and a 22' half street with a 5' sidewalk shall be shown on the site plan.
3. S.W. Sagert Street shall be extended eastward along the south property line of the subject property. This extension shall consist of a 30' dedication. Within the 30' row a 20' half-street and 5' sidewalk shall be shown on the site plan.
4. The Tualatin Fire District will require a hydrant to be located on S.W. Borland Road and S.W. Sagert to provide necessary fire protection.

Minor modifications may be necessary due to the need for a half-street along the southern property line or portion thereof. Those may include closing driveways or modifying parking stalls. Details are also needed for lighting and fencing for the trash enclosures.

In addition to the site plan changes mentioned above, the following comments were also made at the Facilities Review.

1. The necessary street improvements for S.W. Borland Road and S.W. Sagert Street will be required at the time the building is constructed. S.W. 65th

Letter
Frank Chaney
February 16, 1983
Page Two

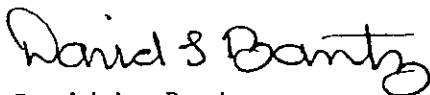
Avenue cannot be constructed until the existing telephone cable is re-located but the cost for said improvements shall be required to be deposit with the City of Tualatin for the future work.

2. Joe Greulich, Battalion Chief for Tualatin Rural Fire Protection District, is concerned that due to low fire flow pressure in the area, the buildings may need to have a sprinkler system installed.
3. The landscape plan has been viewed as one of the best plans that we have seen, however, the use of poplars along the east edge of the development appears to be in an area too small for such a tree.

You will need to submit 10 sets of plans for the Architectural Review Board. As soon as I receive the plans with the necessary changes, I will be able to assign a hearing date for your review.

I am looking forward to seeing your revised plan. Please let me know if you have any questions.

Sincerely,



David L. Bantz
Economic Development Coordinator

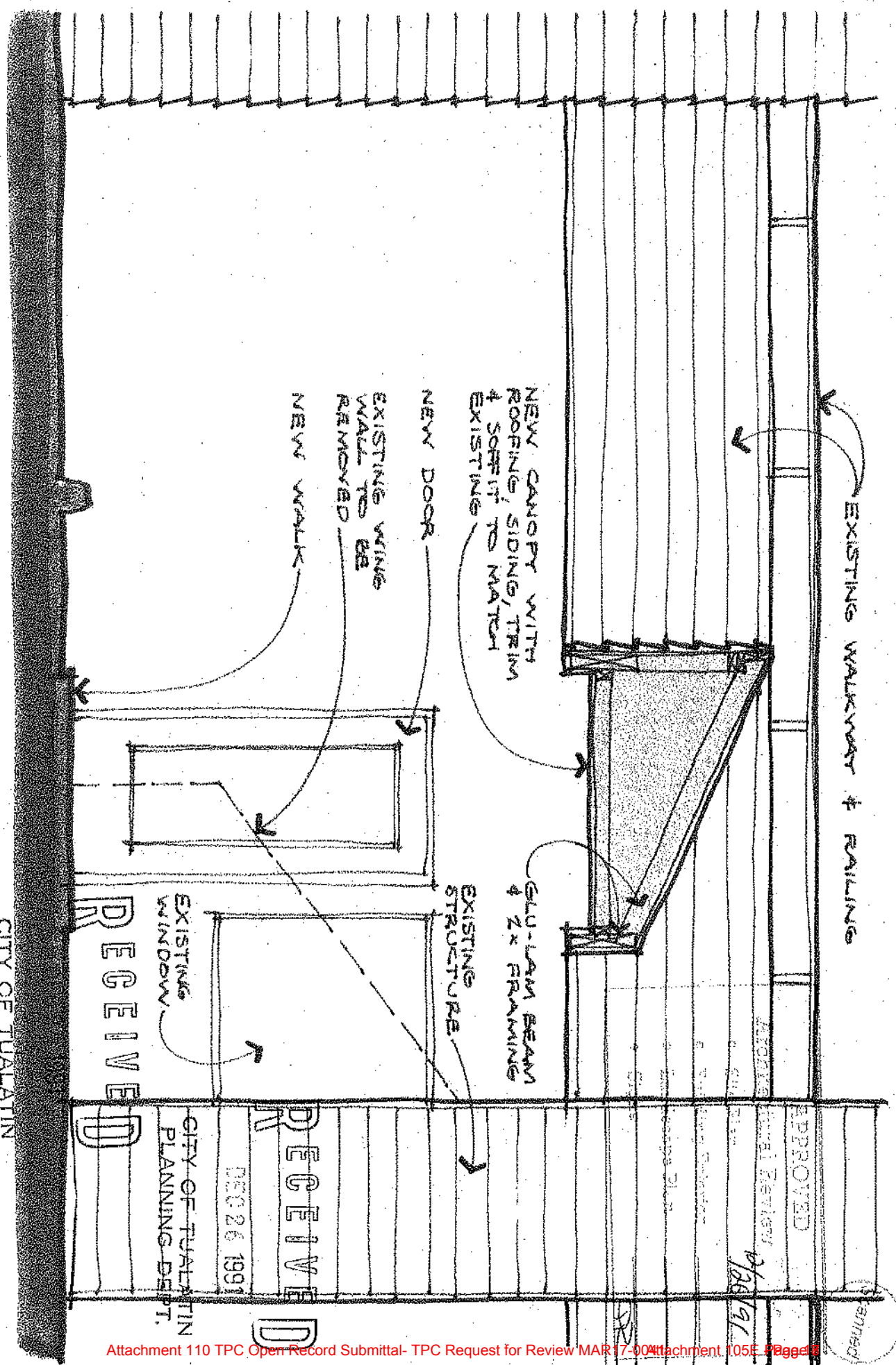
DLB/lls

cc: Ron Lambert
Michael Reidy

FILE: ARB-83-06 ✓
6464 S.W. Borland Road

TUALATIN PROFESSIONAL
 CENTER CANOPY - SECTION

12 - 24 - 91



KSWA

KOCH, SACHS, WHITTAKER, AANDERUD
 ARCHITECTS, A.T.A.
 6205 SOUTH WEST 17TH AVENUE, PORTLAND, OR 97204
 (503) 228-7571 FAX (503) 273-8891

CITY OF TUALATIN
 PLANNING DEPT.

CITY OF TUALATIN
 PLANNING DEPT.

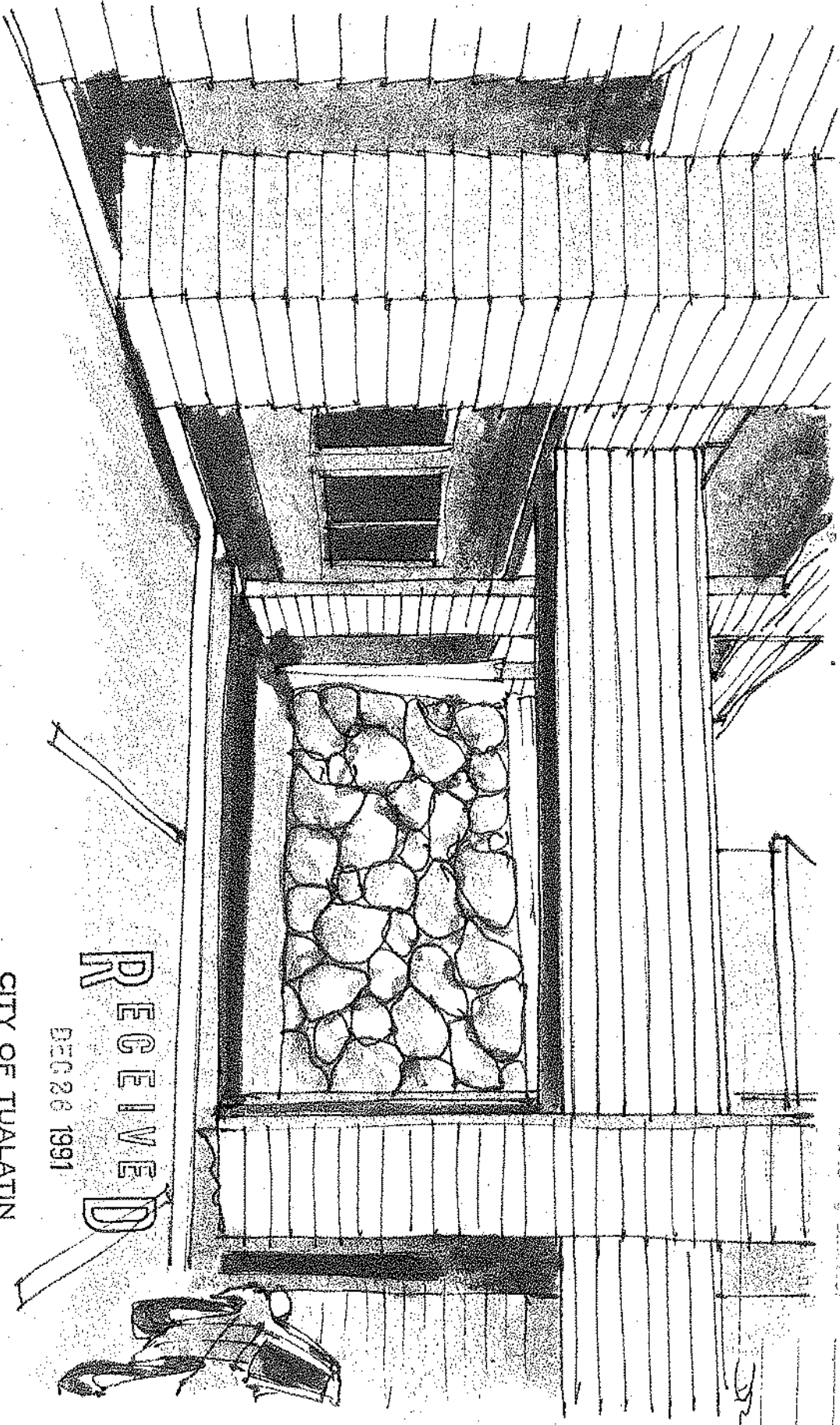
DEC 26 1991

APPROVED

2/26/91

**TUALATIN PROFESSIONAL
CENTER CANOPY - PERSPECTIVE**

12 - 24 - 91



RECEIVED

DEC 26 1991

CITY OF TUALATIN
PLANNING DEPT.

KSWA

KOCH, SACHS, WHITTAKER, ANDERUD,
ARCHITECTS, A.I.A.
630 SOUTHWEST FIFTH AVENUE, PORTLAND, OR 97204
(503) 228-7511 FAX: (503) 273-8897

APPROVED
Architectural Review
Sheets
Building Director
12/23/91

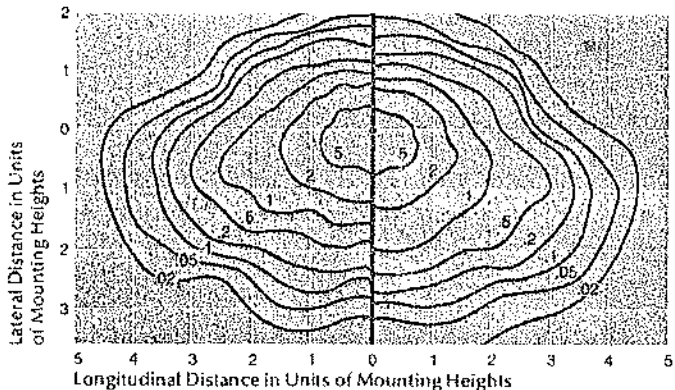
Photometric Data

LAMP: 400W HPS,
Rated 50,000 Lumens
Mounting Height: 30'
Based on ITL #20773
Type II Medium Cutoff

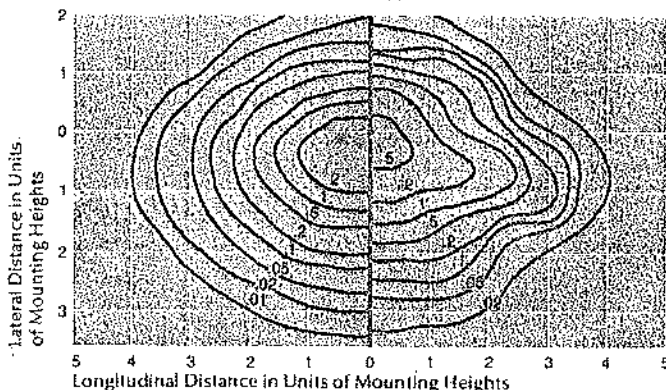
LAMP: 400W HPS
Rated 50,000 Lumens
Mounting Height: 30'
Based on ITL #20774
Type III Medium Cutoff

LAMP: 400W MV (DX)
Rated 21,500 Lumens
Mounting Height: 30'
Based on ITL #20775
Type II Cutoff

LAMP: 400W SUPER METAL ARC
Rated 40,000 Lumens
Mounting Height: 30'
Based on ITL #20777
Type II Medium Cutoff



For conversion from 400W HPS to 250W HPS, multiply reading by 0.5.

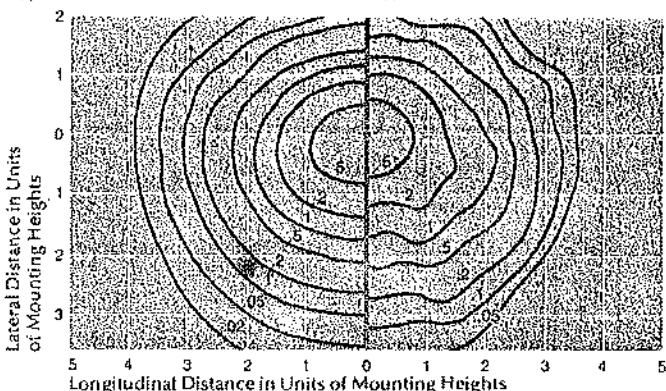
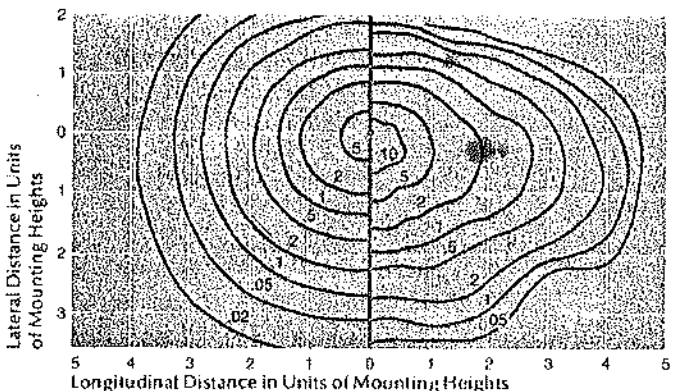


LAMP: 1000W MV (DX)
Rated 60,000 Lumens
Mounting Height: 30'
Based on ITL #20778
Type III Cutoff

LAMP: 1000W METAL HALIDE
Rated 98,000 Lumens
Mounting Height: 30'
Based on ITL #20779
Type II Medium Cutoff

LAMP: 250W MV (DX)
Rated 11,500 Lumens
Mounting Height: 16'
Based on ITL #20852
Type III Cutoff

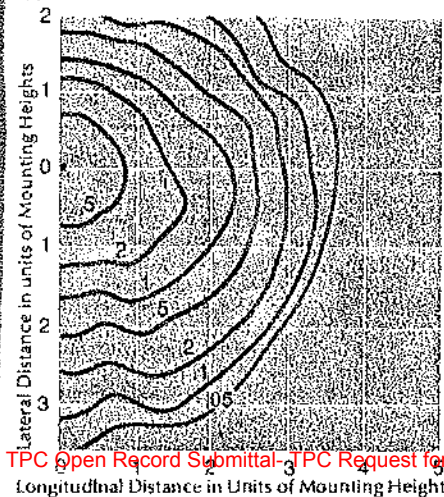
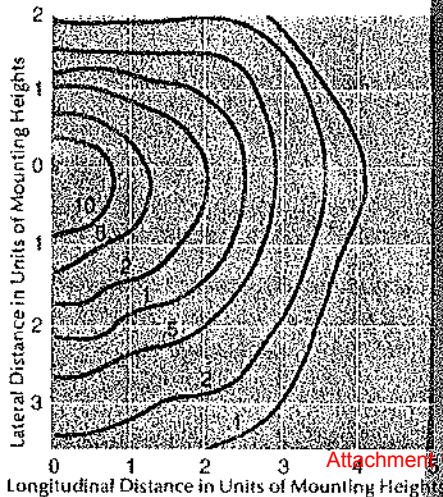
LAMP: 175W SUPER METAL ARC
Rated 15,000 Lumens
Mounting Height: 16'
Based on ITL #20850
Type III Short Cutoff



For conversion from 250W MV (DX) to 175W MV (DX), multiply reading by 0.71
For conversion from 250W MV (DX) to 100W MV (DX), multiply reading by 0.36

LAMP: 1000W HPS
Rated 140,000 Lumens
Mounting Height: 30'
Based on ITL #20780
Type II Short Cutoff

LAMP: 150W HPS (55 ARC VOLT)
Rated 16,000 Lumens
Mounting Height: 16'
Based on ITL #20848
Type III Short Cutoff



For conversion from 150W HPS to 100W HPS, multiply reading by 0.59

Mounting Height Conversion Factors

Use this chart for isolux curves #20850, 20848, and 20852.

Use this chart for isolux curves #20773, 20774, 20775, 20777, 20778, 20779, 20780.

From:	Multiply by	From:	Multiply by
16'	10' - 2.56	20'	2.25
to	12' - 1.77	22'	1.86
	14' - 1.3	24'	1.56
	18' - 0.79	26'	1.33
	20' - 0.64	28'	1.15
	22' - 0.53	35'	0.73
		40'	0.56

Tarlat
21E30B 90000

Transmittal

Date: 27 June 1995
To: Mr. Doug Rux
City of Tualatin
P.O. Box 369
Tualatin, OR 97062-0369
From: Tim Eddy
Re: Tualatin Professional Center

REC'D
CITY OF TUALATIN
JUN 28 1995

MAYOR ___ COUNCIL ___ POLICE ___ ADM ___
FINANCE ___ PLANNING ___ LEGAL ___ OPER ___
ASST ADM ___ PARK & REC ___ ENG & BLDG ___
LIBRARY ___ ECO DEV ___ COURT ___ FILE ___

Enclosed:	Date	Copies
1. Parking Plan 24"x36"	10 April 1995	2

Via: First Class Mail
Message: Doug,

Here is the revised parking plan for the Tualatin Professional Center. I discussed the plan with Joanne Stetzel and have sent her a record copy under separate cover. The Owners will be completing this work over the next few months. If you need any additional information or have any questions, please call.

Thanks for your assistance,

Tim Eddy

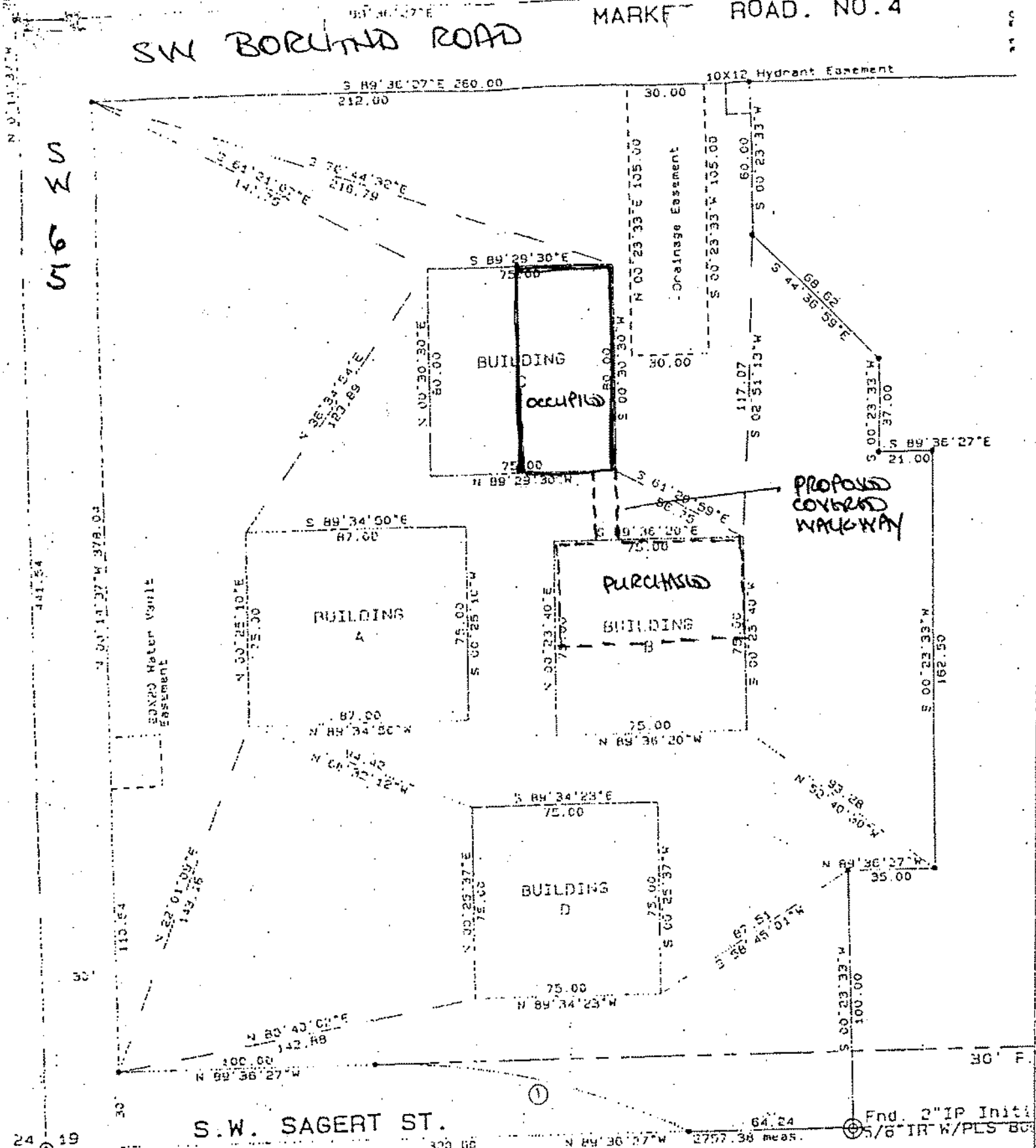


Copies: Jim Fluge, Bullier & Bullier

AR 83-06

SW BORUM ROAD MARKET ROAD. NO. 4

S
56
W



24 19
25 30
Sec. Cor. Fd. Br 333, D154

S.W. SAGERT ST.

Fnd. 2" IP Initial
5/8" IR W/PLS BC

To: Building Division

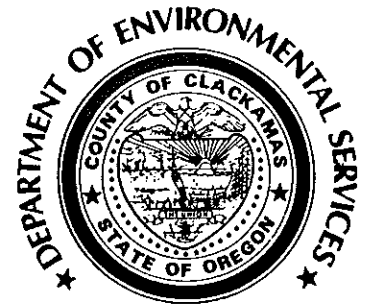
From: DAVID BANTZ

Subject: Final for Tualatin Pro. Center

Items needed at Tualatin Professional Center prior to approving final inspection.

- 1) completion of landscaping
- 2) completion of lighting
- 3) installation of trash enclosures
- 4) striping of parking lot

November 23, 1983



OPERATIONS DIVISION

JOHN C. McINTYRE JERRY A. MARSHALL
Director Operations Director

City of Tualatin
Attn: Mike Darby
P.O. Box 369
Tualatin, OR 97062

SUBJ: Tualatin Professional Center
 Encroachment Permit #21373-N-12

The Clackamas County Operations Division fully supports the City of Tualatin in their request for removal of the curb gutter recently installed by Plaza Builders adjacent to the Tualatin Professional Center. Subsequent to our inspection and staff meeting on November 23, we concur that the profile grade of the curb as presently installed is incompatible with the grade of the existing edge of pavement along the south side of Borland Road and in no way lends itself to proper road design geometrics.

The County's initial decision to allow the City of Tualatin to act as the inspecting and approval agency in this installation stands, as it is still the County's opinion that road improvements need to be to the satisfaction of the City of Tualatin to assure successful future road jurisdiction transfer.

I would like to take this opportunity to point out a dilemma with this development, that being that the Encroachment Permit issued by the County Operations Division has not been fully executed by the developer and the requested \$6,500 Performance Bond has not been submitted. It is not the County's intent to revoke the access permit, but simply to resolve the problem as created by the placement of the curb at the improper grade.

JERRY A. MARSHALL
Operations Director

/mb





Portland General Electric Company

June 17, 1983

REC'D.
CITY OF TUALATIN

JUN 20 '83

Mayor	_____	Council	_____
Admin.	_____	Admin. Asst.	_____
Police	_____	Finance	_____
Eng.	<u>PLC</u>	Planning	_____
Biog.	_____	Library	_____
Recreation	_____	Operations	_____
File No.	_____		

Mr. Russell Welch
Plaza Builders, Inc.
Designers, Planners, Builders
500 N. Morain, Suite 2104
Kennewick WA 99336

Dear Russ:

I reviewed your preliminary plans for development of the Tualatin Professional Center located at the intersection of SW Borland Road and SW 65th Avenue, Tualatin.

The construction of an ingress-egress driveway for the development off of SW 65th Avenue at Sagert Street will require that our underground electrical distribution conductors be relocated within our easement. PGE will require reimbursement for this relocation. A relocation cost of "not to exceed" \$10,000 covers only the relocation of the first 200 feet of conductor as previously discussed. The above cost is good for 60 days.

If the ingress-egress driveway is redesigned from its present configuration as shown on the site plan provided to PGE, the cost will need to be refigured.

The PGE easement will remain intact and we will supply evidence of our right upon request.

Sincerely,

Glenn Butler
Commercial-Industrial Representative
643-5454, Extension 362

GB/9sa2.4A27

c: Mr. Mike McKillip, City of Tualatin
Mr. Ronald Lambert, David Evans & Associates, Inc.

①

CITY OF TUALATIN - STANDARD

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSETS GROUP, INC, a foreign corporation of Washington

hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of _____, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the South line of Section 19 that is South 89°36'27" East a distance of 30.00 feet from the Southwest corner of said Section 19; thence North 0°14'37" West, parallel with and 30.00 feet Easterly, when measured at right angles, from the West line of Section 19, a distance of 30.00 feet; thence South 89°36'27" East, parallel with and 30.00 feet Northerly, when measured at right angles from the South line of Section 19, a distance of 100.00 feet to a point of curvature; thence along the arc of a 280.00 foot radius curve to the right, through a central angle of 26°45'53", an arc distance of 130.80 feet, (the chord bears South 76°13'30" East 129.61 feet) to a point on the South line of Section 19; thence North 89°36'27" West along the South line of Section 19 a distance of 225.76 feet to the point of beginning.

OF TUALATIN, its successors in interest and assigns forever, against the claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

(seal)

(seal)

(seal)

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is _____
_____.

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the CRANTOR.

WITNESS our hands and seals this _____ day of _____, 19__.

(seal)

(seal)

(seal)

STATE OF OREGON)
)ss
County of

On this _____ day of _____, 19___, before me, the undersigned, a Notary Public, personally appeared _____ and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: _____
Notary Public for Oregon
My Commission Expires: _____

(2)

CITY OF TUALATIN - STANDARD

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that MERIDIAN MEDICAL ASSOCIATES
a joint venture

hereinafter called the CRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of Section 19; thence North 0°14'37" West along the West line of Section 19 a distance of 421.54 feet to the South line of Borland Road; thence South 89°36'27" East along the South line of Borland Road, a distance of 290.15 feet to the point of beginning of the tract herein to be described; thence continuing South 89°36'27" East a distance of 297.85 feet; thence South 0°14'37" East a distance of 13.50 feet; thence North 89°36'27" West a distance of 298.00 feet; thence North 0°23'33" East a distance of 13.50 feet to the point of beginning.

And the CRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the CRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

(seal)

(seal)

(seal)

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is _____

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

_____ (seal)

_____ (seal)

_____ (seal)

STATE OF OREGON)
)ss
County of

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public, personally appeared _____ and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: _____
Notary Public for Oregon
My Commission Expires: _____

3

CITY OF TUALATIN - STANDARD

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSETS GROUP, INC., a foreign corporation of Washington

hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of Section 19; thence South 89°36'27" East along the South line of Section 19 a distance of 30.00 feet; thence North 0°14'37" West, parallel with the West line of Section 19, a distance of 421.54 feet to the South line of Borland Road and the point of beginning of the tract herein to be described; thence South 89°36'27" East along the South line of Borland Road a distance of 260.15 feet; thence South 0°23'33" West a distance of 13.50 feet; thence North 89°36'27" West, parallel with the centerline of Borland Road and 33.50 feet Southerly when measured at right angles, a distance of 260.00 feet; thence North 0°14'37" West a distance of 13.50 feet to the point of beginning.

representatives shall warrant and defend the above granted premises to the CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

(seal)

(seal)

(seal)

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is _____

_____.

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

(seal)

(seal)

(seal)

STATE OF OREGON)
)ss
County of

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public, personally appeared _____ and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: _____
Notary Public for Oregon
My Commission Expires: _____

CITY OF TUALATIN - STANDARD

④

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSETS GROUP, INC. A foreign corporation of Washington

hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the point of intersection of the East line of Meridian Road with the South line of Section 19, said point being South 89°36'27" East 20.00 feet from the Southwest corner of Section 19; thence North 0°14'37" West along the East line of Meridian Road a distance of 421.54 feet to the South ~~line~~ line of Borland Road, Market Road No. 4; thence South 89°37'27" East along the South line of Borland Road 10.00 feet; thence South 0°14'37" East, parallel with the centerline of Meridian Raod and 30.00 feet Easterly when measured at right angles, a distance of 421.54 feet; thence North 89°36'27" West a distance of 10.00 feet to the point of beginning.

AND THE GRANTOR ABOVE NAMED DO COVENANT TO and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

_____ (seal)

_____ (seal)

_____ (seal)

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is _____

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this _____ day of _____ 19__.

_____ (seal)

_____ (seal)

_____ (seal)

STATE OF OREGON)
)ss
County of

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public, personally appeared _____ and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: _____
Notary Public for Oregon
My Commission Expires: _____



DAVID EVANS AND ASSOCIATES, INC.
 200 SW MARKET ST. PORTLAND, OR. 97201 503/223-6663

TRANSMITTAL

DATE 6-16-83
 FILE PBI-005

TO CITY OF TUALATIN
PO BOX 369
TUALATIN, OR 97062
 Attn: DAVID BANTZ

PROJECT TUALATIN
Professional Center
 SUBJECT Grading Plan

ITEM	COPIES	DATE	DESCRIPTION
1	1 Set		Plans

REC'D.
 CITY OF TUALATIN

JUN 17 '83

Mayor _____ Council _____
 Admin. _____ Admin. Asst. _____
 Police _____ Finance _____
 Eng. _____ Planning _____
 Htg. _____ Library _____
 Recreation _____ Operations _____
 Tele. Rm. _____

Rusty

- AS YOU REQUESTED
- FOR YOUR INFORMATION
- FOR YOUR APPROVAL
- FOR YOUR REVIEW
- RETURN REQUESTED
-

REMARKS Dave: This revised grading plan incorporates changes suggested @ DR. Please check it over and call me if you have any questions.

FROM Ronald R. Lamb

TUALATIN PROFESSIONAL CENTER
May 19 - 1983

DEAR STEVE -

I APPRECIATE THE OPPORTUNITY TO BRING MY CONCERNS REGARDING CERTAIN ELEMENTS OF OFF-SITE COST TO YOUR ATTENTION IN THIS SOMEWHAT UNCONVENTIONAL MANNER.

TO BEST DESCRIBE THE CIRCUMSTANCES AS I SEE THEM, I NEED TO ESTABLISH A BIT OF A CHRONOLOGY LEADING TO THE PRESENT TIME. PLEASE ACCEPT SOME APPROXIMATIONS IN DATING, AS I'M NOT IN MY OFFICE TO REVIEW ALL MY RECORDS.

1. IN AUGUST OF 1982, MY PARTNER, DR. BASSINGER, VISITED YOUR CITY TO GATHER PERTINENT INFORMATION REGARDING EXTRAORDINARY COSTS INCURRED TO THE DEVELOPMENT OF THE SUBJECT PROPERTY. THE RESULT OF THE MEETING WAS AN INTRODUCTION TO THE ECONOMIC DEVELOPMENT COORDINATOR AND RESULTANT COMMUNICATION FROM SAME (SEE LETTER 8-25-82 & EXHIBIT E TO THAT LETTER). FROM THE INFORMATION CONTAINED IN THE LETTER AND ITS EXHIBITS AND FROM ADDITIONAL VERBAL COMMUNICATION WITH VARIOUS STAFF, WE WERE ABLE TO ACCURATELY ASSESS THE PROBABLE OFF-SITE COSTS REQUIRED BY THE DEVELOPMENT.
2. ARMED WITH THE OFF-SITE COST ESTIMATION AND OUR KNOWN ON-SITE, CONSTRUCTION AND FINANCE COSTS, WE NEGOTIATED A PURCHASE OF THE PROPERTY, IN SEPTEMBER, 1982.
3. IN EARLY 1983 WE APPLIED FOR ARB APPROVAL AND BEGAN THE BUSINESS OF MINOR LAND PARTITIONING. DURING THE ARB PROCESS, WE LEARNED THAT THE CITY WOULD NOW REQUIRE A CERTAIN EXTENSION TO SAGEPT ROAD. THIS REQUIREMENT WAS MADE A CONDITION OF ARB APPROVAL, EVEN THOUGH NO INTIMATION OF THIS IMPROVEMENT WAS MADE PRIOR TO THAT POINT. WE ACCEPTED THE NEW OFF-SITE COST AND PROCEEDED WITH A BUILDING PERMIT.

Application

4. DURING THIS TIME PERIOD, WE WERE INFORMED THAT ALTHOUGH IMPROVEMENTS TO S.W. 65TH WERE REQUIRED, BECAUSE OF AN EXISTING PHONE LINE IN THE R/W, SAIO IMPROVEMENTS WOULD BE INDEFINITELY POSTPONED. IT WAS INTIMATED THAT WE WOULD HAVE TO MAKE A SATISFACTORY PAYMENT ARRANGEMENT FOR THIS FUTURE WORK.
5. WE APPLIED FOR A BUILDING PERMIT IN EARLY APRIL; WE WERE TOLD THAT A TWO TO THREE WEEK PERIOD WOULD BE NECESSARY FOR PROCESSING.
6. IN LATE APRIL, WE WERE TOLD THAT THE PERMIT WOULD BE READY SHORTLY. THE STAFF HAD BEEN INFORMED OF OUR CONSTRUCTION INITIATION BEGINNING WITH EXEMPTION AT THAT TIME AND WERE AWARE THAT TIME WAS IMPORTANT.
7. REPEATED INQUIRIES AS TO THE STATUS OF THE PERMIT ELLICITED RESPONSES THAT IT WAS ABOUT READY, BUT, NOT QUITE. FINALLY, I CAME TO TULALIN TO MEET WITH MY GENERAL SUPERINTENDENT - RUSS WELCH TO GO OVER THE PERMIT PROCESS. THIS OCCURRED IN THE FIRST WEEK IN MAY. WE CAME TO THE ANNEX AND WERE INFORMED THAT A MEETING OF SEVERAL STAFF MEMBERS WOULD BE HELD TO GO OVER ALL ELEMENTS OF THE PERMIT. DURING THAT MEETING, I WAS INFORMED THAT ALL FEES NEEDED TO BE PAID PRIOR TO THE ISSUANCE OF THE PERMIT. THIS WAS THE FIRST INDICATION OF SAME, AND AFTER DISCUSSIONS WITH YOU AND CONVERSATIONS WITH MARILYN MATHEWS REGARDING ALTERNATIVES TO IMMEDIATE PAYMENTS, I DEPOSITED A CHECK FOR SOME \$42,000.00 TO THE CITY TO OBTAIN THE NEEDED PERMITS.

8. IT WAS ALSO DURING THAT MEETING THAT I FIRST LEARNED THAT THE STORM DRAINAGE FELL UNDER THE RESPONSIBILITY OF CLACKAMUS County. The August 25th Letter informed us to design a drainage system that channeled all water to a drainage ditch in the East P/W of S.W 65th; WE PAID OUR ENGINEERS TO DO SO. THE DAY AFTER THE MEETING WITH STAFF, WE MET WITH CLACKAMUS County; WE ULTIMATELY INFORMED THAT, IN ORDER TO USE THE DRAINAGE SYSTEM ALREADY DESIGNED, WE HAD TO FILL THE DITCH. Subsequent investigation indicated that the cost would approach \$87,000.00. Clearly, AN UNPLANNED EXPENSE OF THAT MAGNITUDE IS UNWELCOME, AT BEST, AND HAS THE EFFECT OF SIGNIFICANTLY CHANGING THE OVERALL PROJECT ECONOMICS. Critically, AT THIS TIME WE HAD ALREADY LOCKED IN OUR TOTAL ECONOMICS AND CAN NOT RECOVER EXTRAORDINARY COSTS. THE RESULT WAS TO PAY THE ENGINEER, A SECOND TIME, TO DESIGN A STORM SEWER SYSTEM WHICH ELIMINATED THE USE OF THE DITCH.

9. INHERENT IN THE ARB APPROVAL IN MID-MARCH WAS A REQUIREMENT TO ENTER INTO A STREET IMPROVEMENT AGREEMENT REGARDING BONDARD, 65th, AND THE ADDED STREET - STREET FOND. THAT AGREEMENT WAS DELIVERED TO MY OFFICE ON ~~APRIL~~ 16. THE AGREEMENT REQUIRES A \$6,000.00 CASH FUND TO BE HELD FOR UP TO 10 YEARS FOR SUBSEQUENT IMPROVEMENTS. Quite obviously, THIS AMOUNT WAS NOT ANTICIPATED. AT NO TIME WERE ANYONE AT THE CITY INDICATED THAT THE SCOPE OF THE S.W 65th IMPROVEMENT INCLUDED A TOTAL REBUILT OF THE STREET, THE INCLUSION OF A STORM

DRAINAGE SYSTEM AND WHATEVER ELSE IS INCLUDED IN AN UNSUCCESSFUL L.I.D. PROPOSAL INVOLVING A SIGNIFICANT PORTION OF S.W. 65E. UNTIL I RECEIVED THIS BELATED AGREEMENT, I WAS NOT AWARE THAT THIS L.I.D. HAD EVER BEEN PROPOSED. MY UNDERSTANDING OF THE SCOPE OF IMPROVEMENT ON S.W. 65E (BASED ON THE AUGUST 25 LETTER & EXHIBIT E) WAS AN EXTENSION OF THE EXISTING PAVED AND SURFACING TO A TRAVEL WAY OF 44' MEASURED FROM THE EXISTING PAVEMENT CENTERLINE, PLUS THE ADDITION OF AN 8' BIKEWAY. MY ESTIMATOR INDICATES THAT SUCH IMPROVEMENTS WILL COST APPROXIMATELY \$6400.00. THOSE IMPROVEMENTS WE ARE PREPARED TO DO DURING OUR COURSE OF CONSTRUCTION IF IT IS DEEMED IMPRACTICAL TO DO THOSE IMPROVEMENTS NOW, WE WOULD LIKE TO SUGGEST THAT WE TENDER TO THE CITY A LETTER OF CREDIT, IN THAT AMOUNT, TO BE ASSIGNED FOR CITY USE FOR THESE IMPROVEMENTS. IN THE MEANTIME, UNTIL WE CAN MUTUALLY RESOLVE THIS ISSUE, WE ARE VERY NEAR THE POINT OF HAVING TO CEASE CONSTRUCTION (PAINING OF STRUCTURAL CONCRETE) AS WE HAVE NO PERMIT.

I SUBMIT THAT PERHAPS SOME LARGER QUESTIONS ARE INVOLVED IN THIS ISSUE. I HAVE BEEN ASSOCIATED WITH THE DEVELOPMENT NOWHAY FOR 15 YEARS. THAT EXPERIENCE HAS TAUGHT ME THAT THE BURDEN OF PUBLIC UTILITY AND ROADWAY IMPROVEMENTS IS LARGELY BORNE BY NEW DEVELOPMENT. IT'S ACCEPTED PRACTICE AND ANTICIPATED BY THE DEVELOPER. WE ASKED WHAT THOSE BURDENS WOULD BE, FELT THEM ECONOMICALLY ACCEPTABLE WITHIN THE FRAMEWORK OF OUR PROPOSAL; ON THE STRENGTH OF THAT COMMITTED OURSELVES TO A MAJOR PROJECT. CITIES HAS A RESPONSIBILITY TO BE ACCURATE IN INFORMING THE DEVELOPMENT COMMUNITY OF THOSE COSTS. THE LACK OF INFORMATION REGARDING TARGET ROAD AND

THE DRAINAGE REQUIREMENTS WAS HANDLED WITH pragmatism. WE SIMPLY ACCEPTED SAFEST ROAD AS A GOOD IDEA, EVEN THOUGH WE HAD NO ALLOCATION IN OUR COMPLETED BUDGET FOR THE \$500.00 IT WILL COST US. WE RE-ENGINEERED THE DRAINAGE AT AN ADDITIONAL ENGINEERING COST OF SOME \$3500.00 TO AVOID THAT PROBLEM. THE POSSIBLE ISSUE OF THE SCOPE OF WORK RE. SW. 65TH CAN ONLY BE HANDLED BY A SIMILAR EXHIBITION OF PRAGMATISM ON THE PART OF THE CITY.

I WON'T DEBATE THE ENGINEERING LOGIC OR THE TRANSPORTATION LONG RANGE GOALS BEHIND THE SCOPE OF THIS FORMER LID PROPOSAL. I WILL DEBATE THE CITY'S POSITION THAT THIS DEVELOPMENT SHOULD BE FORCED TO SUPPORT A SIGNIFICANT PORTION OF THE COSTS OF A SCOPE OF WORK WHICH IS CLEARLY MAJOR IN NATURE AND SIGNIFICANTLY BEYOND THE CURRENT OR FUTURE NEEDS OF THIS PROJECT. THE VERY CONCEPT OF AN LID. IS THAT IT ALLOWS A VOLUNTARY PARTICIPATION ON THE PART OF EFFECTED PROPERTY OWNERS, BECOMING INVOLUNTARY ONLY AFTER A MAJORITY APPROXIMATES EACH PAYMENT.

BECAUSE OF THE CONDO. STATUS OF THIS DEVELOPMENT, WE HAVE NO OPPORTUNITY TO RECOVER EXTRAORDINARY COSTS NOW IMPOSED. WE CAN'T PICK IT UP IN FUTURE RENTAL INCREASES. WE CERTAINLY CAN'T GO TO OVER 18 PHYSICIAN CUSTOMERS AND SUGGEST THAT THEY VOLUNTARILY INCREASE THEIR ALREADY AGREED UPON PRICE. I SUBMIT THAT WE ARE BEYOND THE POINT IN TIME TO BE ABLE TO ABSORB THIS SWOON INCREASE. ONE WOULD CERTAINLY BELIEVE THAT AT SOMETIME IN THE 10 MONTHS SINCE WE FIRST APPROACHED THE CITY, WE WOULD HAVE BEEN TOLD OF THIS CIRCUMSTANCE, WE WERE NOT.

Perhaps the suggestion that BEST RESOLVES THIS problem is to let us make the pavenway extension and bike way improvements now. Evidence is that the phone company may be 10 YEARS in its line movement. If we pay for the improvements now, we've increased the streets ability to handle traffic, provided for now - non-existent pedestrian and bike travel, and those benefits will be enjoyed by the population until the major improvement is done, if ever. Certainly, that is a better solution than leaving the narrow, non-pedestrian travel way, as is. If the major improvement is ever undertaken, it is my understanding that the entire ROMO bed will be changed, certainly including the temporary improvements which we propose to pay for.

As you are aware, a resolution of this matter is critical to our progress. Realizing that such resolution will require your consultation with staff, I await your call on this matter, next Wednesday, May 25. If you wish to talk with me before then, please call the number listed below.

Sincerely
Mike Reidy
509-783-7495



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 638-2633

*Each Review Appl Fee
500,000 - 1M = \$300.
> 1M = \$350*

August 25, 1982

Dear Dr. Larry Bassinger:

The following information pertains to your development proposal discussed on August 24, 1982, for 6464 S.W. Borland Road, also known as 21E 30B, Tax Lot 500.

Zoning - The parcel is located in the Office Commercial (CO) Planning District (see attached Exhibit A).

Water - Water can be provided by the City of Tualatin by a 12" line in both S.W. 65th Avenue and S.W. Borland Road (see attached Exhibit B).

Sewer - Sewer service is provided by the Unified Sewerage Agency by an existing 8" line in S.W. 65th Avenue (see attached Exhibit C).

Storm Sewer - No storm sewers currently exist to serve the property. Storm runoff will need to be channeled to the drainage ditch on the east side of S.W. 65th Avenue which in turn will drain into a creek south of the property.

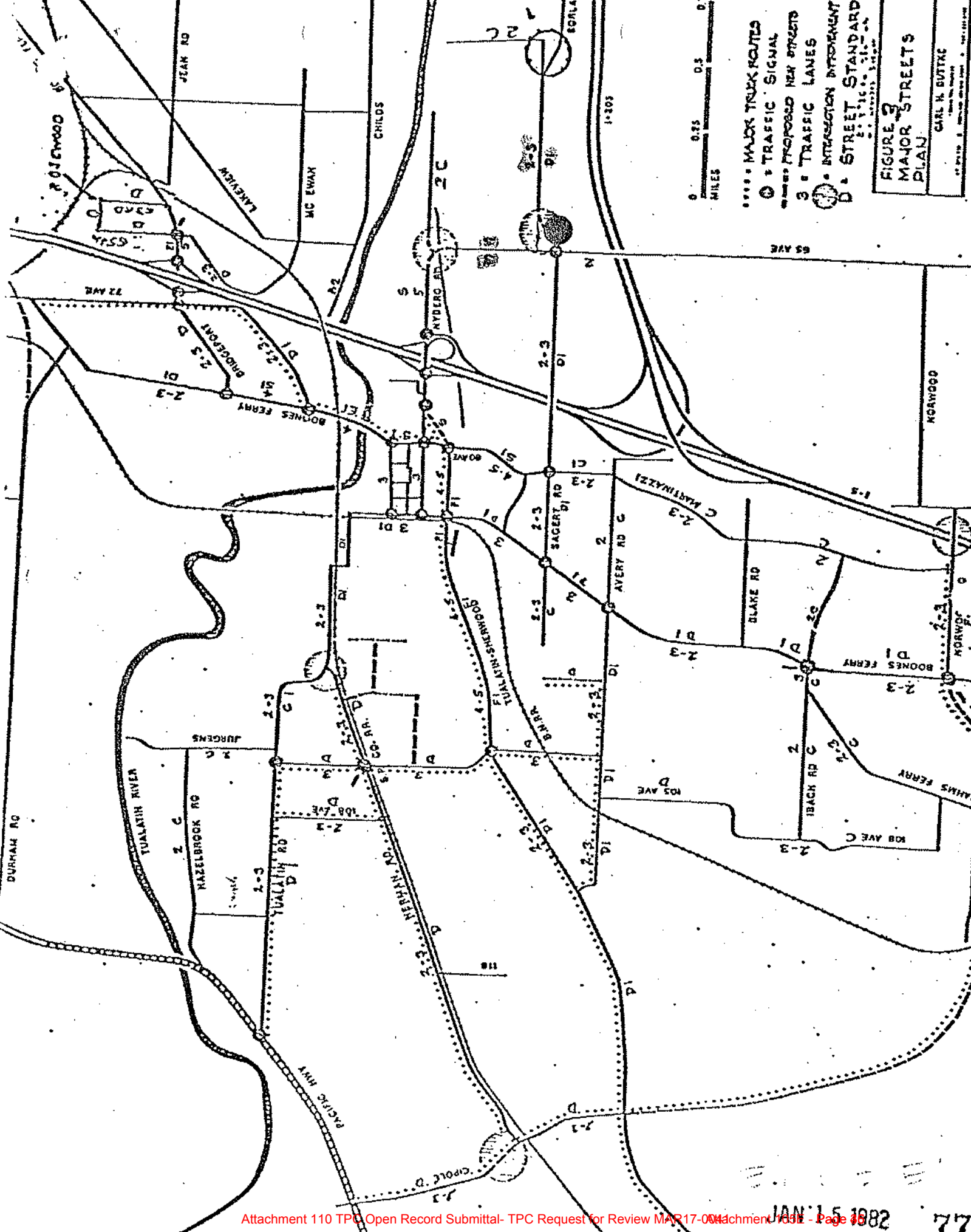
Fees - The fees have been itemized on Exhibit D.

Right-of-Way & Street Improvements - The existing right-of-way of S.W. 65th, adjacent to the subject property, is 40 feet with 20 feet coming off of each side of the center line. Plans call for S.W. 65th Avenue to be a 60' right-of-way which would require an additional 10' of right-of-way from each side. S.W. Borland Road is currently a 53.5' right-of-way adjacent to the subject property with 20 feet coming off of the south side and 33.5' from the north side. A 13.5' dedication will be needed from the subject property. Half-street improvements will be needed for both streets (see Exhibit E).

Curb Cut Limitations - I have enclosed a copy of the parking standards from the Community Development Code. It contains information regarding driveway locations. I would also like to mention that we would like to see any access along S.W. 65th Avenue be located as close to the southerly property line as possible so that it would align with S.W. Sagert Street (see attached Exhibit F).

Utilities -

Power - Portland General Electric
Gas - Northwest Natural Gas
Phone - General Telephone



- MAJOR TRUCK ROUTES
- ⊙ TRAFFIC SIGNAL
- PROPOSED NEW STREETS
- 3- TRAFFIC LANES
- ⊕ INTERSECTION IMPROVEMENT
- D- STREET STANDARD

FIGURE 2
 MAJOR STREETS
 PLAN
 CARL H. BUTTKE
 ENGINEER

JAN 15 1982

Plan to encourage drivers traveling to... to use Lower Boones Ferry Road. Bridgeport Road should be developed as a two-lane roadway with left turns at the intersections in accordance with Street Standard 0.

Lower Boones Ferry Road will function as an arterial.

The year 2000 traffic volume is forecast to be approximately 13,000 vehicles per day. If additional traffic can be diverted from Bridgeport Road, then this volume may increase substantially and lower the estimated year 2000 traffic volumes on Bridgeport Road and Upper Boones Ferry Road. Consequently, the right-of-way width for this section of roadway should be in accordance with Street Standard E1 and the roadway should be designed as a two-lane roadway with left-turn lanes in accordance with Street Standard 01. Street Standard 01 will permit the development of an eight-foot wide bike-way in lieu of a five-foot sidewalk on one side of the street."

Pacific Highway functions as an arterial road through Washington County. It is a four lane divided roadway with left turn lanes southwest of Tigard. It is constructed to rural standards with shoulders and drainage ditches. It should remain as a divided four lane roadway with left turn lanes but eventually be developed to urban standards with curb and gutter and sidewalks in accordance with Street Standard F. Partial control of access along Pacific Highway should be achieved to limit driveways and maintain a high capacity.

COLLECTOR STREETS - The following streets are planned to function as collector streets within the City:

- . 65th Avenue
- . 65th Avenue, 63rd Avenue and Rosewood St. North of L. Boones Ferry Rd
- . Martinazzi Avenue south of Sagert Street
- . Grahms Ferry Road
- . 102nd - 104th Avenues
- . 105th - 108th Avenues
- . Cipole Road
- . Hazelbrook Road
- . Tualatin Road
- . Herman Road
- . Boones Ferry Road between Tualatin Road and 80th Avenue
- . Nyberg Street west of Tualatin-Sherwood Road
- . Borland Road
- . McEwan Street
- . Sagert Street
- . Avery Street west of Boones Ferry Road
- . Norwood Road
- . New Streets

Sixty-Fifth Avenue south of Nyberg Street functions as a collector street. However, because it serves the high density residential and hospital, the forecast traffic volume is higher than a typical collector street. It is planned as a 44 foot wide roadway within a 60 foot right-of-way to accommodate two travel lanes and left turn lanes. An eight foot bikeway is proposed along 65th Avenue between the bridge over the creek and Sagert Street in lieu of a sidewalk. South of Sagert Street, its cross-section can be reduced to a two lane rural road standard as it is serving agricultural land outside of the urban growth boundaries.

Herman Road is an industrial collector street throughout its length between Tualatin and Cipole Roads. It should therefore be developed as Street Standard D, with the following modification: for that portion of the road that runs parallel to and adjacent to the Southern Pacific Railroad tracks, the 7-foot planter strip and 5-foot sidewalk should be eliminated from the southerly side of the road, resulting in a reduction of total right-of-way from 64 feet to 54 feet. The intersection with Tualatin Road should be realigned as shown on Figure 3 to reduce the existing accident potential. The foregoing modification applies only to the following described portion of S.W. Herman Road; the southerly right-of-way line of S.W. Herman Road, also known as County Road No. 489, Washington County, Oregon, beginning at the easternmost corner of Tax Lot 400, Map 2S1-210; and thence northeasterly for a distance of 9,375 feet, more or less, to the northeasterly corner of Tax Lot 1203, Map 2S1-23B.

Boones Ferry Road between Tualatin Road and Martinazzi Avenue is planned to function as a downtown collector street. It is expected to carry approximately 9000 vehicles per day by the Year 2000. It is planned in the Urban Renewal Plan to utilize a special street section 44 feet wide within a 64 foot right-of-way. This section will provide for two travel lanes, left turn lanes and curb parking on the south side of the street.

Nyberg Street between the Tualatin-Sherwood Bypass and Boones Ferry Road is planned to function as a downtown collector street. It is planned in the Urban Renewal Plan to be developed into a special section varying in width and direction of operation. Immediately west of the intersection with the Tualatin-Sherwood extension, it is to be a 24 foot wide one-way westbound street entering downtown. Between 80th and approximately 150 feet to the east, it should contain an eastbound lane to serve the shopping center access point located there. The eastbound and westbound lanes could be separated by a landscaped median.

Between 80th Avenue and Boones Ferry Road, Nyberg Street should remain as it is -- a two lane roadway with left turn lanes and parking on the north side of the street.

Borland Road is an east-west collector street functioning between 65th Avenue in Tualatin to Stafford Road immediately south of Lake Oswego. Its forecast traffic volume for the Year 2000 is estimated to be approximately 9000 vehicles per weekday. Borland Road should be developed as a two lane roadway with left turn lanes at intersections within the urbanized area and in accordance with Street Standard C1. Provisions should be made to develop an eight foot bikeway on the north side of the road in lieu of a five foot sidewalk. It should also be realigned at 65th Avenue to form one intersection with 65th Avenue and Sagert Street as shown on Figure 3. This realignment is necessary to direct traffic to and from the downtown and the west via Sagert Street rather than Nyberg Street which is expected to operate at capacity in the vicinity of I-5 by the Year 2000.

McEwan Street is planned to function as a collector street from Lower Boones Ferry Road to 65th Avenue. It should be constructed in accordance with Street Standard D.

Sagert Street is planned to function as a collector street from approximately 93rd Avenue to 64th Avenue. Its traffic volume is forecast to vary between 6500 vehicles per weekday at Boones Ferry Road to 10,000 vehicles per day at 65th Avenue. It should be developed as a two lane

CONSOLIDATED ASSET GROUP, INC.
500 N. MORAIN SUITE 2104
KENNEWICK, WA 99336
(509) 783-7495

REC'D.
CITY OF TUALATIN

MAY 18 '83

May 16, 1983

David Bantz
Economic Development Coordinator
City of Tualatin
Box 369
Tualatin, Oregon 97062

Mayor	_____	Council	_____
Admin.	_____	Admin. Asst.	_____
Police	_____	Finance	_____
Eng.	_____	Planning	_____
Bldg.	_____	Personnel	_____
Recreation	_____	Operations	_____
File No.	_____		

Bantz

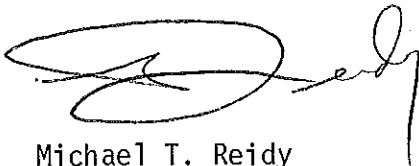
Dear David,

As requested, I am enclosing a copy of a recent title report indicating ownership of the property involved in our minor land partition. As you can see, the Sagert interest is at an end.

I'm also enclosing the four, original Deeds of Dedication. As the legal description error is corrected, we will cause recordation and delivery of the original.

Sincerely,

CONSOLIDATED ASSET GROUP, INC.



Michael T. Reidy

MTR/pd

Enclosures: as noted

BUILDING APPROVAL CHECKLIST

(All Buildings Except Single-Family Residences)

ARB CASE NO. 83-05 BUILDING PERMIT NO. _____

PROJECT NAME Tualatin Professional Center

PROJECT ADDRESS 4464 SW Bonland Rd

	<u>DATE</u>	<u>INITIALS</u>
1. ARB application and required plans received:	<u>2-2-83</u>	<u>D.B.</u>
2. Plans reviewed for completeness. Applicant notified if additional information needed:	<u>—</u>	<u>—</u>
3. Plans and Facilities Review Notice sent to Planning, Engineering, TRFD, Administration:	<u>2-3-83</u>	<u>D.B.</u>
4. Facilities Review meeting held:	<u>2-11-83</u>	<u>D.B.</u>
5. Applicant notified of Facilities Review decision and ARB meeting date:	<u>2-16-83</u>	<u>D.B.</u>
6. ARB staff report prepared and furnished to ARB and applicant:	<u>2-9-83</u> <u>2-25-83</u>	<u>D.B.</u> <u>D.B.</u>
7. Plans approved by ARB and applicant notified of necessary permits:	<u>3-16-83</u> <u>3-2-83</u>	<u>D.B.</u> <u>D.B.</u>
8. Building Permit application received. Planning and Engineering notified:	<u>3-30-83</u>	<u>D.B.</u>
9. Building Permit issued:	_____	_____
10. Final ARB Inspection held:	_____	_____
11. Completion Notice signed by affected departments:	_____	_____
12. Certificate of Occupancy issued:	_____	_____

NOTE: This checklist shall become a permanent part of the ARB Case File.



Title report

PIONEER NATIONAL TITLE INSURANCE

ATICOR COMPANY

P.O. BOX 69
820 MAIN STREET
OREGON CITY, OREGON 97045
PHONE 656-PNT1

107 NORTH IVY STREET
CANBY, OREGON 97013
PHONE 266-2707
PHONE 656-PNT1

April 14, 1983

City of Tualatin
Attn: David Bantz
P. O. Box 369
Tualatin, Oregon 97062

ESCROW NO. 171-145
RE: Meridian Medical -
Consolidated Asset

REC'D.
CITY OF TUALATIN

APR 15 '83

Gentlemen:

In connection with the above numbered Escrow, we enclose the following:

- () Statement of Receipts and Disbursements
- () Our check # _____ in the sum of \$ _____

- () Deed recorded _____ Book _____ Page _____
records of _____ County,
- () Mortgage recorded _____ Book _____ Page _____
records of _____ County,
- () Note dated _____ in the sum of \$ _____
- () Title Insurance Policy No. _____ in the sum of \$ _____
- () Fire Insurance Policy in the amount \$ _____

(xx) Copies of Deed of Dedication for Borland Road, Sagert Road and Meridian Road, which have been recorded April 13, 1983.

Mayor	_____	Council	_____
Admin.	_____	Admin. Asst.	_____
Police	_____	Finance	_____
Eng.	_____	Planning	_____
Bldg.	_____	Library	_____
Recreation	_____	Operations	_____
File No.	_____		

Any other documents to which you are entitled will be forwarded as soon as they are available.

Yours very truly,
Pioneer National Title Insurance Company

By: Margo Haney

Margo Haney, Escrow Branch Manager/mh

APR 13 1983

90 0

171-145

CITY OF TUALATIN - STANDARD

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that MERIDIAN MEDICAL ASSOCIATES a joint venture

hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

Arb 135 out of (38)

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Recorded by
Tear This
Insurance Company

Commencing at the Southwest corner of Section 19; thence North 0°14'37" West along the West line of Section 19 a distance of 421.54 feet to the South line of Borland Road; thence South 89°36'27" East along the South line of Borland Road, a distance of 290.15 feet to the point of beginning of the tract herein to be described; thence continuing South 89°36'27" East a distance of 297.85 feet; thence South 0°14'37" East a distance of 13.50 feet; thence North 89°36'27" West a distance of 298.00 feet; thence North 0°23'33" East a distance of 13.50 feet to the point of beginning.

83 10436

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 1982.

Meridian Medical Associates,
a partnership

By C. Lewis (Signature) (seal)

Managing Partner (seal)

2

X

2

APR 13 1983

83 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is None

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 1982.

Medway Medical Associates,
a partnership
By C. Lawrence [Signature] (seal)
Managing Partner (seal)

2

APR 13 1983

STATE OF OREGON)
County of) ss

On this 13th day of April, 1983, before me, the undersigned, a Notary Public, personally appeared E. Edward Steaders and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Margaret A. Patton
Notary Public for Oregon
My Commission Expires: 1/18/85



STATE OF OREGON
County of Clatsop
I, Justice N. Orr, County Clerk, do hereby certify that the foregoing instrument was recorded in the records of said County at

1983 APR 13 PM 4:10



JUSTICE N. ORR
Recording Clerk
CCP-84 83 10436

PAGE -2-

3

APR 13 1983

APR 13 1983

50

171-145

FORM No. 1111 - MEMORANDUM OF LAND-SALE CONTRACT

ASTORIA: HAZEL LAW FIRM (PHONE 324-1211) - PORTLAND, OR, U.S.A.

MEMORANDUM OF LAND-SALE CONTRACT

KNOW ALL MEN BY THESE PRESENTS, that on April 13, 1983, MERIDIAN MEDICAL ASSOCIATES, an Oregon partnership, CONSOLIDATED ASSET GROUP, INC., a Washington corporation, as vendor(s) and made and entered into a certain land-sale contract wherein said vendor(s) agreed to sell to said vendee(s) and the latter agreed to purchase from said vendor(s) the fee-simple title in and to the following described real property in CLACKAMAS County, State of Oregon, to-wit:

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

Beginning at the southwest corner of Section 19, Township 2 South, Range 1 East, of the W. M.; running thence North 441 feet; thence East on the road, 788 feet to an iron pipe; thence South 441 feet to an iron pipe; thence West 788 feet to the place of beginning.

EXCEPTING THEREFROM the parcel of land conveyed to Portland General Electric Company by Deed recorded September 24, 1968, Recorder's Fee No. 68 19723, Clackamas County Records.

Recorded By: Theor Tubb Insurance Company

38
135

CONSOLIDATED ASSET GROUP, INC. 83 10437

NOTE: The foregoing memorandum "shall be recorded by the conveyer not later than 15 days after the "land sale contract" is executed and the parties are bound thereby." O.S. 90.623.

STATE OF OREGON, County of Clackamas }
April 13, 1983.
Personally appeared the above named C. Edward Skeeters

STATE OF OREGON, County of Clackamas }
April 13, 1983.
Personally appeared Michael T. Reidy and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Consolidated Asset Group, Inc., a corporation and that the seal attixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be their voluntary act and deed.

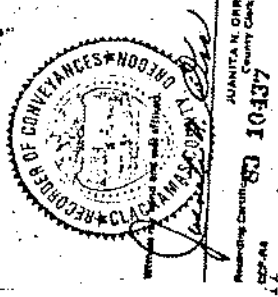
and acknowledged the foregoing instrument to be his voluntary act and deed.
Notary Public for Oregon
My commission expires: 1/18/85

Before me:
Notary Public for Oregon
My commission expires: 1/18/85

VENDEE'S NAME AND ADDRESS
VENDEE'S NAME AND ADDRESS
After recording return to:
Larry Trust, acty at law
1120 S.W. 6th
Bentons, OR
NAME, ADDRESS, ZIP
Mail a check to reimburse all tax statements shall be sent to the following address:
NAME, ADDRESS, ZIP

STATE OF OREGON
County of Clackamas
I, Juanita N. Orr, County Clerk, ex-officio Recorder of Conveyances of the County of Clackamas, do hereby certify that the instrument of writing was recorded for recording in the records of said County at

8:03 APR 13 PM '83



JUANITA N. ORR
County Clerk
83 10437
832-44

By _____ Deputy

2

APR 13 1983

83 10437

APR 13 1983

The true and actual consideration for the transfer, set forth in said contract, is \$750,000.00 payable \$ down on the signing of said contract and the balance payable in monthly, quarterly, semi-annual, annual installments (indicate which) of not less than \$ each; all deferred payments bear interest at the rate of % per annum from the date of said contract until paid.

In Witness Whereof the said vendor(s) has executed this memorandum April 13, 19 83

MERIDIAN MEDICAL ASSOCIATES
C. Edward Skeeters

CONSOLIDATED ASSET GROUP, INC
President

NOTE: The foregoing memorandum shall be recorded by the recorder not later than 13 days after the "date hereon" is executed and the parties are bound thereby. OES 93.625.

STATE OF OREGON,
County of Clackamas
April 13, 19 83.
Personally appeared the above named
C. Edward Skeeters

and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public for Oregon
My commission expires: 1/18/85

SEAL

STATE OF OREGON, County of Clackamas, Jm.
April 13, 19 83
Personally appeared Michael T. Heidy and

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Consolidated Asset Group, Inc. a corporation, and that the seal utilized in the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me,
Notary Public for Oregon
My commission expires: 1/18/85

SEAL

VENDOR'S NAME AND ADDRESS

VENDOR'S NAME AND ADDRESS

After recording refers to:
Tony Hunt, city address
1103 S.W. 6th
Portland, Ore.

Send a change to registered office for statement should be sent to the following address

NAME, ADDRESS, ZIP

STATE OF OREGON
County of Clackamas
I, Joseph H. Orr, County Clerk, Et Official Recorder of County of Clackamas, do hereby certify that the instrument of writing was recorded by recording in the records of said County at

1983 APR 13 PM 4 10



AVANITA N. ORR
County Clerk
83 10437
OES-544

By Deputy

APR 13 1983

APR 13 1983

FORM No. 897-802 The Law Publishing Co., Portland, Or. 97204

171-145

SPECIAL WARRANTY DEED—STATUTORY FORM
MERIDIAN MEDICAL ASSOCIATES, INC. individual grantor
 a joint venture
 conveys and specially warrants to **CONSOLIDATED ASSET GROUP, INC.** Grantor, Grantee
 the following described real property free of encumbrances created or suffered by the Grantor except as specifically set forth herein, situated in **Clackamas County, Oregon** to-wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

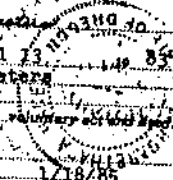
Recorded By
Tutor Title
Insurance Company

Beginning at the point of intersection of the East line of Meridian Road with the South line of Section 19, said point being South 89°36'27" East 20.00 feet from the Southwest corner of Section 19; thence North 0°14'37" West along the East line of Meridian Road 421.54 feet to the South line of Borland Road, Market Road No. 4; thence South 89°36'27" East along the South line of Borland Road 270.15 feet; thence South 0°23'33" West 73.50 feet; thence South 44°36'59" East 68.62 feet; thence South 0°23'33" West 37.00 feet; thence South 89°36'27" East 21.00 feet; thence South 0°23'33" West 162.50 feet; thence North 89°36'27" West 35.00 feet; thence South 0°23'33" West a distance of 100.00 feet to a point on the South line of Section 19; thence North 89°36'27" West along said South line a distance of 300.00 feet to the point of beginning.

Arb 136
out of
38

83 10438

MERIDIAN MEDICAL ASSOCIATES
 BY: *C. Edward Skeeters*
 STATE OF OREGON, County of **Clackamas**, on **April 13, 1983**
 Personally appeared the above named **C. Edward Skeeters**
 and acknowledged the foregoing instrument to be his voluntary act and deed.
 Before me: *Margaret Arling*
 Notary Public for Oregon—My commission expires: **1/18/85**



SPECIAL WARRANTY DEED

GRANTOR

GRANTEE

GRANTEE'S ADDRESS, ZIP

Also recording return to:

Consolidated Asset Group
5219 West Clair Union
Suite 7, Kennewick, WA 99324
Attn: Mike Kowal
 NAME, ADDRESS, ZIP

If a change is requested, all new statements should be sent to the following address:

NAME, ADDRESS, ZIP

STATE OF OREGON,
 COUNTY OF CLACKAMAS

83 APR 13 PM 4 10

RECORDERS OFFICE OF CONVEYANCES *NO. 9300

83 10438

Notary Commission

COPIES

10 09

83 10438

APR 13 1983

BY SPACE INSUFFICIENT, CONTAIN DESCRIPTION ON REVERSE SIDE
The said property is free of all encumbrances created or suffered by the Grantor except

The true consideration for this conveyance is \$ 0.00 (Here comply with the requirements of ORS 93.030)
Total consideration consists of a partial fulfillment of a
Land Sales Contract

Dated this 13th day of April, 19 83

MERIDIAN MEDICAL ASSOCIATES

BY: C. Edward Skeeters

STATE OF OREGON, County of Clackamas, ss. April 13, 1983
Personally appeared the above named C. Edward Skeeters

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: *Margaret Anthony*
Notary Public for Oregon—My commission expires: 3/18/85

(OFFICIAL SEAL)

SPECIAL WARRANTY DEED

GRANTOR
GRANTEE

After recording return to:

*Consolidated Asset Group
5219 West Clatsop
Suite 7, Knapwick, Id 99321
Attn: Mike Rudy*

Until a change is requested, all tax statements shall be sent to the following address:

NAME, ADDRESS, ZIP

STATE OF OREGON.

STATE OF OREGON
County of Clackamas
I, Juanita N. Orr, County Clerk, Es-Officio
do hereby certify that the foregoing instrument is
for the County of Clackamas, Oregon, and
that the instrument of writing was recorded in
recording in the records of said County at

833 APR 13 PM 4 10



JUANITA N. ORR
County Clerk
Recording Certificate
83 10438
CCP-14

2

171-145

CITY OF TUALATIN - STANDARD
DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSET GROUP, INC. A foreign corporation of Washington hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

arb 137 out of 38

Beginning at the point of intersection of the East line of Meridian Road with the South line of Section 19, said point being South 89°36'27" East 20.00 feet from the Southwest corner of Section 19; thence North 0°14'37" West along the East line of Meridian Road a distance of 421.54 feet to the South line of Borland Road, Market Road No. 4; thence South 89°37'27" East along the South line of Borland Road 10.00 feet; thence South 0°14'37" East, parallel with the centerline of Meridian Road and 30.00 feet Easterly when measured at right angles, a distance of 421.54 feet; thence North 89°36'27" West a distance of 10.00 feet to the point of beginning.

83 10439

sors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

FORM NO. 31 - AFFIDAVIT OF EXECUTION OF INSTRUMENT

STATE OF OREGON,
County of Clackamas On this 13th day of April, 19 83
before me appeared Michael T. Reidy and both to me personally known, who being

duly sworn, did say that he, the said Michael T. Reidy is the President, and he, the said Secretary of CONSOLIDATED ASSET GROUP, INC. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledges said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]
Notary Public for Oregon
My Commission expires 1/18/83



J. HANITA A. ORR
Notary Public for Oregon
83 10439

APR 13 PM 4 10

APR 13 1983

Recorded By
Treasurer's Office
Insurance Category

APR 13 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is NONE

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

FORM No. 54—ACKNOWLEDGMENT—CORPORATION

STYVING-HARRIS LAW PUB. CO., SEASIDE, CALIF.

STATE OF OREGON,

County of Clackamas On this 13th day of April, 19 83
before me appeared Michael T. Reidy and

both to me personally known, who being
duly sworn, did say that he, the said Michael T. Reidy

is the President, and he, the said Secretary of CONSOLIDATED ASSET GROUP, INC.

the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

and acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
Notary Public for Oregon.
My Commission expires 1/18/83

STATE OF OREGON
County of Clackamas
I, Juanita N. Orr, County Clerk, State Office
Recorder of Conveyances of the State of Oregon,
do hereby certify that the foregoing was received for
recording in our records of said County at

1983 APR 13 PM 4 10



JUANITA N. ORR
County Clerk
Recording County 53 10439
COP-84

171-145

CITY OF TUALATIN - STANDARD

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSET GROUP, INC., a foreign corporation of Washington hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

Arb 138 out of 38

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the South line of Section 19 that is South 89°36'27" East a distance of 30.00 feet from the Southwest corner of said Section 19; thence North 0°14'37" West, parallel with and 30.00 feet Easterly, when measured at right angles, from the West line of Section 19, a distance of 30.00 feet; thence South 89°36'27" East, parallel with and 30.00 feet Northerly, when measured at right angles from the South line of Section 19, a distance of 100.00 feet to a point of curvature; thence along the arc of a 280.00 foot radius curve to the right, through a central angle of 26°45'53", an arc distance of 130.80 feet, (the chord bears South 76°13'30" East 129.61 feet) to a point on the South line of Section 19; thence North 89°36'27" West along the South line of Section 19 a distance of 225.76 feet to the point of beginning.

83 10440

OF TUALATIN, its successors in interest and assigns, hereby waives all claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

STATE OF OREGON, County of Clackamas On this 13th day of April, 19 83 before me appeared Michael T. Reidy and duly sworn, did say that he, the said Michael T. Reidy both to me personally known, who being is the President, and he, the said Secretary of CONSOLIDATED ASSET GROUP, INC. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and and acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature] Notary Public for Oregon. My Commission expires 12/18/85

APR 13 1983

Recorded By Tior This Laranson Company

2

APR 13 PM 4 10



83 10440

APR 13 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is NONE

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

_____ (seal)

FORM No. 34-ACKNOWLEDGMENT-CORPORATION. STATE OF OREGON LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,

County of Clackamas On this 13th day of April, 19 83
before me appeared Michael T. Reidy and

Michael T. Reidy both to me personally known, who being duly sworn, did say that he, the said Michael T. Reidy is the President, and he, the said Michael T. Reidy is the Secretary of CONSOLIDATED ASSET GROUP, INC.

the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]
Notary Public for Oregon.
My Commission expires 1/18/85

STATE OF OREGON
County of Clackamas
I, Joanita N. Orr, County Clerk, do hereby certify that this instrument, of which the foregoing is a true and correct copy, was recorded for recording in the records of said County at

1983 APR 13 PM 4:10



JOANITA N. ORR
County Clerk
My Commission Expires 83 10140
COB-44

4 13 05

171-145

CITY OF TUALATIN - STANDARD
DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSET GROUP, INC., a foreign corporation of Washington hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

APR 13 1983

Orb 139 outos (38)

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Forwarded By
Vice Title
Insurance Company

Commencing at the Southwest corner of Section 19; thence South 89°36'27" East along the South line of Section 19 a distance of 30.00 feet; thence North 0°14'37" West, parallel with the West line of Section 19, a distance of 421.54 feet to the South line of Borland Road and the point of beginning of the tract herein to be described; thence South 89°36'27" East along the South line of Borland Road a distance of 260.15 feet; thence South 0°23'33" West a distance of 13.50 feet; thence North 89°36'27" West, parallel with the centerline of Borland Road and 33.50 feet Southerly when measured at right angles, a distance of 260.00 feet; thence North 0°14'37" West a distance of 13.50 feet to the point of beginning.

83 10411

OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)
[Signature] (seal)
_____ (seal)

FORM NO. 34 - ACKNOWLEDGMENT - CORPORATION STATE OF OREGON

STAT. OF OREGON,
County of Clackamas }
before me appeared Michael T. Reidy On this 13th day of April, 19 83
and both to me personally known, who being
duly sworn, did say that he, the said Michael T. Reidy
is the President and he, the said Michael T. Reidy
is the Secretary of CONSOLIDATED ASSET GROUP, INC.
the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and
acknowledge said instrument to be the true act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.
[Signature]
Notary Public for Oregon.
My Commission expires 1/18/85

13 PM 4 10
CLACKAMAS COUNTY CLERK
10411

City Clerk, Ex-Office
of the State of Oregon,
at the County Clerk's
Office, Clackamas
County, Oregon.

15 03

APR 13 1983

APR 13 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is NONE

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 1983

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

FORM No. 54 - CONVEYANCE - CORPORATION

STANDARD FORM NO. 54 - PORTLAND, ORE.

STATE OF OREGON,

County of Clackamas On this 13th day of April, 1983
before me appeared Michael T. Reidy and

both to me personally known, who being duly sworn, did say that he, the said Michael T. Reidy is the President, and he, the said Secretary of CONSOLIDATED ASSET GROUP, INC.

the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year last above written.

2

[Signature]
Notary Public for Oregon.
My Commission expires 1/18/85

OREGON
of Clackamas
in N. Div. County Clerk, & Office
of Conveyances of the State of Oregon,
County of Clackamas, do hereby certify
that the instrument of writing was received for
in the National of said County at

883 APR 19 PM 4:10



RECORDED
CONVEYANCES
NOV 30 11 AM '83
CLACKAMAS COUNTY CLERK
83 10441

4 15 051 dw

APR 13 1983

120

171-145

EASEMENT

THIS EASEMENT is made and entered into this 15th day of April, 1983, by and between Consolidated Asset Group, Inc., a corporation (herein "Grantor") and Meridien Medical Associates, an Oregon partnership (herein "Grantee").

RECITALS:

A. By Agreement bearing even date herewith, Grantee is selling to Grantor, on Land Sale Contract, the real property described on Exhibit "A" attached hereto (herein the "Property"). Contemporaneously with the sale and purchase of the Property, Grantee will be deeding to Grantor the real property described on Exhibit "B" attached hereto (herein "Parcel 1"). The real property described on Exhibit "C" attached hereto (herein "Parcel 2") is the balance of the Property.

B. Grantee desires an easement across Parcel 1 for the benefit of Parcel 2. Grantor is willing to grant to Grantee said easement.

NOW, THEREFORE, it is agreed as follows:

1. Grant of Easement. Grantor hereby grants to Grantee an easement over and across Parcel 1 for the benefit of Parcel 2. The exact location of the easement cannot be located at the present time. It is the intent of the parties that the easement granted herein be thirty (30) feet in width and shall be across the southeasterly portion of Parcel 1. The easement shall provide access to Grantee across Parcel 1 to Sagert Road, which is to be constructed.

83 10442

2

The easement granted herein shall be perpetual and run with the land. At such times as Grantee desires to use the easement, the parties shall mutually agree to its location, taking into consideration the requirements of the City of Tualatin, State of Oregon for access to Sagert Road.

2. Purpose of Easement. The purpose of the easement shall be to provide Grantee, its successors and assigns, access to Sagert Road across Parcel 1.

3. Costs of Improvement. All costs of improving the easement area shall be at the cost and expense of Grantee.


4. Prior Encumbrance. The parties hereto acknowledge that the easement granted herein is encumbered, in part, by an easement in favor of Portland General Electric Company, which easement was recorded on September 24, 1968, as Fee No. 68-19724, Deed Records, Clackamas County, State of Oregon.

WHEREFORE, the parties have executed this Easement Agreement on the date and year first above written.

CONSOLIDATED ASSET GROUP, INC.
a corporation

By 
Mike Reidy, President

MERIDIAN MEDICAL ASSOCIATES,
an Oregon partnership

By 
C. Edward Sketers

2 - EASEMENT

Z

Beginning at the Southwest corner of Section 19, Township 2 South, Range 1 East of the Willamette Meridian; running thence North 441 feet; thence East on the road, 788 feet to an iron pipe; thence South 441 feet to an iron pipe; thence West 788 feet to the place of beginning.

Excepting therefrom the parcel of land conveyed to Portland General Electric Company by deed recorded September 24, 1968, Recorder's Fee No. 6819723 Clackamas County Records.

STATE OF OREGON,

County of Clackamas

FORM NO. 88 - ACKNOWLEDGMENT
STATIONERS LAW FIRM CO. PORTLAND, ORE.

BE IT REMEMBERED, That on this 13th day of April, 1983
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named C. Edward Skeeters

known to me to be the identical individual described in and who executed the within instrument, and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year above written.

Margaret A. Hines
Notary Public for Oregon
My Commission expires 1/18/85

3 EXHIBIT "A"

1 APR 13 1983

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

136
137
138
139

Beginning at the point of intersection of the East line of Meridian Road with the South line of Section 19, said point being South 89°36'27" East 20.00 feet from the Southwest corner of Section 19; thence North 0°14'37" West along the East line of Meridian Road 421.54 feet to the South line of Borland Road, Market Road No. 4; thence South 89°36'27" East along the South line of Borland Road 270.15 feet; thence South 0°23'33" West 73.50 feet; thence South 44°36'59" East 68.62 feet; thence South 0°23'33" West 37.00 feet; thence South 89°36'27" East 21.00 feet; thence South 0°23'33" West 162.50 feet; thence North 89°36'27" West 35.00 feet; thence South 0°23'33" West a distance of 100.00 feet to a point on the South line of Section 19; thence North 89°36'27" West along said South line a distance of 300.00 feet to the point of beginning.

FORM No. 21--ACKNOWLEDGMENT--CORPORATION

SYSTEM-REEL LAW P.O. NO. PORTLAND, ORE.

STATE OF OREGON,

County of Clackamas On this 13th day of April, 19 83, before me appeared Michael T. Reidy

and duly sworn, did say that he, the said Michael T. Reidy both to me personally known, who being is the President, and he, the said Secretary

of CONSOLIDATED ASSET GROUP, INC. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

and acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Margaret J. [Signature]
Notary Public for Oregon
My Commission expires 1/18/85

EXHIBIT "B"

4

MAR 13 1983

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of Section 19; thence North 0°14'37" West along the West line of Section 19 a distance of 421.54 feet to the South line of Borland Road, Market Road No. 4; thence South 89°36'27" East along the South line of Borland Road a distance of 290.15 feet to the point of beginning of the tract herein to be described; thence continuing South 89°36'27" East a distance of 297.85 feet; thence South 0°14'37" East, parallel with the West line of Section 19, a distance of 421.54 feet to a point on the South line of Section 19; thence North 89°36'27" West along the South line of Section 19, a distance of 268.00 feet; thence North 0°23'33" East, 100.00 feet; thence South 89°36'27" East 35.00 feet; thence North 0°23'33" East, 162.50 feet; thence North 89°36'27" West, 21.00 feet; thence North 0°23'33" East 37.00 feet; thence North 44°36'59" West 68.62 feet; thence North 0°23'33" East 73.50 feet to the point of beginning. Containing an area of 2.50 acres, more or less.

38
135

STATE OF OREGON
County of Clackamas
I, Janette N. Orr, County Clerk, do hereby certify that the foregoing is a true and correct copy of the instrument of writing as recorded in the records of said County at

1983 APR 13 PM 4 10

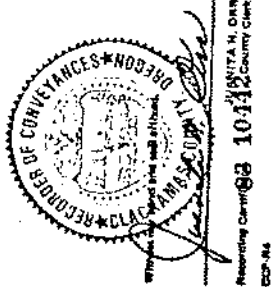


EXHIBIT "C"
5

APR 12 1983

APR 13 1983

171-145

CITY OF TUALATIN - STANDARD

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSET GROUP, INC., a foreign corporation of Washington hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

Arb 139 outos 38

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of Section 19; thence South 89°36'27" East along the South line of Section 19 a distance of 30.00 feet; thence North 0°14'37" West, parallel with the West line of Section 19, a distance of 421.54 feet to the South line of Borland Road and the point of beginning of the tract herein to be described; thence South 89°36'27" East along the South line of Borland Road a distance of 160.15 feet; thence South 0°23'33" West a distance of 13.50 feet; thence North 89°36'27" West, parallel with the centerline of Borland Road and 33.50 feet southerly when measured at right angles, a distance of 260.00 feet; thence North 0°14'37" West a distance of 13.50 feet to the point of beginning.

83 10441

OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

FORM NO. 34 - ACKNOWLEDGMENT - CORPORATION

REVISED 1975 LAW 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

STATE OF OREGON,

County of Clackamee On this 13th day of April 19 83 before me appeared Michael T. Reidy both to me personally known, who being duly sworn, did say that he, the said Michael T. Reidy is the President, and he, the said is the Secretary of CONSOLIDATED ASSET GROUP, INC. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year first above written.

[Signature] My Commission expires 1/18/85

2

My Clerk, E. O. Hines, County Clerk, Clackamas County, Oregon, has this day acknowledged the foregoing instrument to me in my office at Clackamas County, Oregon.

13 PM 4 10



10441

23 APR 83

APR 13 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is NONE

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

FORM No. 24—ACKNOWLEDGMENT—CORPORATION.

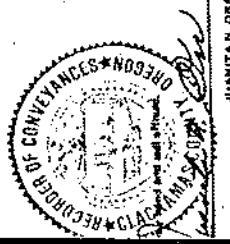
STATE OF OREGON,

County of Clackamas On this 13th day of April, 19 83
before me appeared Michael T. Reidy and Michael T. Reidy both to me personally known, who being

duly sworn, did say that he, the said Michael T. Reidy is the President, and he, the said Michael T. Reidy is the Secretary of CONSOLIDATED ASSET GROUP, INC. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

acknowledges said instrument to be the free act and deed of said Corporation.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year last above written.
[Signature]
Notary Public for Oregon.
My Commission expires 1/18/85

803 APR 13 PM 10



OREGON
at Clackamas
J. N. O'K., County Clerk, Ex-Officio
of Clackamas County, State of Oregon,
do hereby certify that the foregoing is a true and correct
copy of the original as the same appears on file
in the records of said County at

des

171-145

CITY OF TUALATIN - STANDARD
DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSET GROUP, INC. A foreign corporation of Washington hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the point of intersection of the East line of Meridian Road with the South line of Section 19, said point being South 89°36'27" East 20.00 feet from the Southwest corner of Section 19; thence North 0°14'37" West along the East line of Meridian Road a distance of 421.54 feet to the South line of Borland Road, Market Road No. 4; thence South 89°37'27" East along the South line of Borland Road 10.00 feet; thence South 0°14'37" East, parallel with the centerline of Meridian Road and 30.00 feet Easterly when measured at right angles, a distance of 421.54 feet; thence North 89°36'27" West a distance of 10.00 feet to the point of beginning.

83 10439

and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)
(seal)

FORM NO. 94—ACKNOWLEDGMENT—CORPORATION

STATE OF OREGON,
County of Clackamas On this 13th day of April, 19 83
before me appeared Michael T. Reidy and
Michael T. Reidy both to me personally known, who being
duly sworn, did say that he, the said Michael T. Reidy
is the President, and he, the said Michael T. Reidy
is the Secretary of CONSOLIDATED ASSET GROUP, INC.
the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and
acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.
[Signature]
Notary Public for Oregon
My Commission expires 1/18/83

2

APR 13 1983

Recorded by
Title
Business Company

2

Notary Public for Oregon
My Commission expires 1/18/83

01 APR 1983



JUANITA N. DER
Notary Public for Oregon
Commission Expires 1/18/83

APR 13 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is NONE

And the GRANITOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANITOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

FORM NO. 34—ACKNOWLEDGMENT—CORPORATION

STEVENS-1982 LAW PUBL. CO., PORTLAND, ORE.

STATE OF OREGON,

County of Clackamas On this 13th day of April, 19 83
before me appeared Michael T. Reidy and

both to me personally known, who being
duly sworn, did say that he, the said Michael T. Reidy
is the President, and he, the said Michael T. Reidy
is the Secretary

of CONSOLIDATED ASSET GROUP, INC.
the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

and
acknowledge said instrument to be the free act and deed of said Corporation.

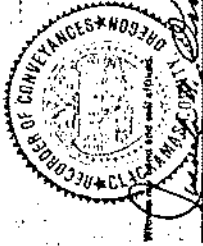
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

2

[Signature]
Notary Public in Oregon.
My Commission expires 1/18/83

STATE OF OREGON
County of Clackamas
I, Justita N. Orr, County Clerk, do hereby certify
that the instrument of writing was received for
recording in the records of said County at

1983 APR 13 PM 4:10



JUSTITA N. ORR
County Clerk
SCP No. 83 10439

APR 13 1983

90 0

171-145

CITY OF TUALATIN - STANDARD
DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that MERIDIAN MEDICAL ASSOCIATES
a Joint Venture

hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin,
hereinafter called the CITY, its successors in interest and assigns, all the
following real property with the tenements, hereditaments and appurtenances,
situated in the County of Clackamas, State of Oregon, to be
used and held by the CITY for street, road and public utility purposes, bounded
and described as follows, to wit:

Arb 135 out of 38

A tract of land situated in the Southwest one-quarter of
Section 19, Township 2 South, Range 1 East of the Willamette
Meridian in the County of Clackamas and State of Oregon,
more particularly described as follows:

Commencing at the Southwest corner of Section 19; thence North
0°14'37" West along the West line of Section 19 a distance of
421.54 feet to the South line of Borland Road; thence South
89°36'27" East along the South line of Borland Road, a distance
of 290.15 feet to the point of beginning of the tract herein to
be described; thence continuing South 89°36'27" East a distance
of 297.85 feet; thence South 0°14'37" East a distance of 13.50
feet; thence North 89°36'27" West a distance of 298.00 feet;
thence North 0°23'33" East a distance of 13.50 feet to the point
of beginning.

83 10436

And the GRANTOR above named do covenant to and with the CITY, its succes-
sors in interest and assigns that they will, and their heirs and personal repre-
sentatives shall warrant and defend the above granted premises to the said CITY
OF TUALATIN, its successors in interest and assigns forever, against the lawful
claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 1983.

Meridian Medical Associates,
a partnership
C. Leonard Hunter (seal)
Managing Partner (seal)

Recorded By
Tracy Ellis
Insurance Company

2

2

X

APR 13 1983

33 10830

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is None

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 1982.

Madras Medical Association,
 a partnership
 By C. Thomas Hunter (seal)
Harvey Hunter (seal)

2

1 B. 7 13 1983

APR 13 1983

STATE OF OREGON)
) as
County of

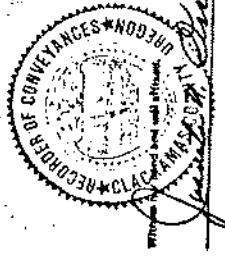
On this 13th day of April, 1983, before me, the undersigned, a Notary Public, personally appeared E. Edward Steeters and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Margaret A. O'Leary
Notary Public for Oregon
My Commission Expires: 4/18/85



STATE OF OREGON)
County of Clatsop) ss
I, Juanita N. Orr, County Clerk, do hereby certify that the County of Clatsop, on hereby certify that the foregoing instrument was received for recording in the records of said County at

803 APR 13 PM 4:10



JUANITA N. ORR
Recording Clerk
63 10:36
CDS:RA

PAGE -2-

3

APR 13 1983

du

171-145

CITY OF TUALATIN - STANDARD
DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that CONSOLIDATED ASSET GROUP, INC., a foreign corporation of Washington hereinafter called the GRANTOR, does hereby grant unto the City of Tualatin, hereinafter called the CITY, its successors in interest and assigns, all the following real property with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, to be used and held by the CITY for street, road and public utility purposes, bounded and described as follows, to wit:

Arb 138 out of 38

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the South line of Section 19 that is South 89°36'27" East a distance of 30.00 feet from the South-west corner of said Section 19; thence North 0°14'37" West, parallel with and 30.00 feet Easterly, when measured at right angles, from the West line of Section 19, a distance of 30.00 feet; thence South 89°36'27" East, parallel with and 30.00 feet Northerly, when measured at right angles from the South line of Section 19, a distance of 100.00 feet to a point of curvature; thence along the arc of a 280.00 foot radius curve to the right, through a central angle of 26°45'53", an arc distance of 130.80 feet, (the chord bears South 76°13'30" East 129.61 feet) to a point on the South line of Section 19; thence North 89°36'27" West along the South line of Section 19 a distance of 225.76 feet to the point of beginning.

83 10410

OF TUALATIN, its successors in interest and assigns, hereby waives all claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

FORM No. 54-Acknowledgment-Corporation. (STANDARD FORM NO. 54-A, PREPARED BY THE U.S. GOVERNMENT PRINTING OFFICE)

STATE OF OREGON,
County of Clackamas ss. On this 13th day of April, 19 83
before me appeared Michael T. Reidy both to me personally known, who being
duly sworn, did say that he, the said Michael T. Reidy is the President, and he, the said
is the Secretary of CONSOLIDATED ASSET GROUP, INC.
the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and
acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.
[Signature]
Notary Public for Oregon.
My Commission expires 7/18/85

2

APR 13 1983

Recorded By
This Title
Insurance Company

2

Notary Public for Oregon
My Commission expires 7/18/85

1983 APR 13 PM 4:10



JUANITA M. ORR
Notary Public
83 10410

APR 13 1983

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in interest and assigns forever.

The true consideration of this conveyance is NONE

And the GRANTOR above named do covenant to and with the CITY, its successors in interest and assigns that they will, and their heirs and personal representatives shall warrant and defend the above granted premises to the said CITY OF TUALATIN, its successors in interest and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

WITNESS our hands and seals this 13th day of April 19 83

CONSOLIDATED ASSET GROUP, INC. (seal)

[Signature] (seal)

(seal)

FORM No. 36—AFFIDAVIT—CORPORATION. SYSTEM—HOW LAW FIRM, 601, PORTLAND, ORE.

STATE OF OREGON,

County of Clatsop On this 13th day of April, 19 83
before me appeared Michael T. Reidy and

both to me personally known, who being
duly sworn, did say that he, the said Michael T. Reidy
is the President, and he, the said Secretary

of CONSOLIDATED ASSET GROUP, INC.
the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and

and acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.
[Signature]
Notary Public for Oregon.
My Commission expires 7/18/85

1983 APR 13 PM 4 10



JUANITA N. ORR
Notary Public for Oregon
Commission Expires 7/18/85

STATE OF OREGON)
County of Clatsop)
I, Juanta N. Orr, County Clerk, do hereby certify that the amount of writing was received for recording in the records of said County at

APR 13 1983

CITY OF TUALATIN
DEVELOPMENT PROCESS EVALUATION

1. What review(s) or approval(s) were you seeking (e.g., conditional use, architectural review, variance, etc.)? ARB APPROVAL / LAND PARTITION

2. Have you experienced similar processes in other jurisdictions in Oregon?
 If yes, which ones? SITE PLAN APPROVAL / MINOR LAND PARTITIONS

3. What was your overall impression of the process just completed in Tualatin?
THE EXISTENCE OF THE BOARD IS FINE. THE VOLUME OF REQUIRED PROCEDURES IS TEDIOUS, EVEN TO THE BOARD. A MORE EFFICIENT ALLOCATION OF STAFF AUTHORITY WOULD ENHANCE THE PROCESS

4. If you answered yes to #2 above, in terms of length of time to complete the process, how was your experience in Tualatin compared to elsewhere:
Longer ✓
Shorter
Same

5. If you answered yes to #2 above, in terms of quality of review, how was your experience in Tualatin compared to elsewhere:
Better
Poorer
Same ✓

6. What thing(s) most impressed you about Tualatin's process? THE EXISTENCE OF AN ECONOMIC DEVELOPMENT COORDINATOR

7. What thing(s) least impressed you about Tualatin's process? THE NEED FOR CITY COUNCIL ACTION FOR LAND PARTITION

8. What change(s) would you suggest to improve the process? MORE

Authority FOR STAFF.

9. In summary, how would you describe your experience in Tualatin?

- Excellent _____
- Good ✓ _____
- Fair _____
- Poor _____

Name (optional): MIKE REIDY

Property Under Review: TUALATIN PROFESSIONAL CENTER

Date: 3/28/83

NAME OF PROJECT Bassinger B P # _____

VALUATION _____ TAX ACCT # 2 1E 30B TL #500

ADDRESS 6464 S.W. Borland Rd SIZE OF LOT 5.5 Acres

NAME OF OWNER _____ # OF D.U.'s 22

BLDG. PERMIT FEE _____

PLAN CK FEE (65% of Bldg Permit)

4% STATE SURCHARGE _____

TOTAL BP FEES _____ \$ _____

SEWER CONNECTION ^{\$}825/unit (4 units/Acre) 5.5 Ac = 18,150

SEWER INSP. FEE ^{\$}45.00

WATER ONE-TIME DEMAND based on meter size (see attached)

WATER INSTALLATION (" METER) cost + 15%

WATER CONNECTION 760/unit (4 units/Acre) 5.5 Ac = 16,500

STORM DRAIN FEE ^{\$}.02/sqft of impermeable surface
Basic Sq. Ft. _____

STREET DEVELOPMENT FEE ^{\$}100/each required

OTHER FEES parking space

OTHER FEES sewer refund agreement
^{\$}126,464 \$ _____

TOTAL FEES \$ _____



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 692-2000

March 23, 1983

Michael Reidy
Consolidated Asset Group
Plaza Building, Inc.
500 N. Morain, Suite 2104
Kennewick, Washington 99336

RE: Architectural Review Board Decision Regarding Tualatin Professional
Center (ARB-83-06) Located at 6464 S.W. Borland Road

Dear Michael:

As you are aware, the Architectural Review Board approved your medical office project at its meeting of March 16, 1983. The approval was subject to the following conditions:

1. The staff shall review parking cross slopes along the east and southeast property lines.
2. The planting along the south property line be changed to provide a future 6-foot hedge.
3. The trash enclosures be designed to more properly blend in with the proposed building architecture.
4. The staff shall review the handicapped parking spaces to make sure they conform to the code.
5. The ARB suggests changing the poplar trees along the northeast entrance to a tree which would be less hazardous to the driveway and curbs.

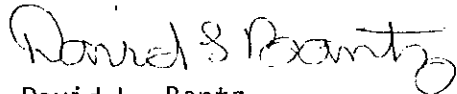
I would like to thank you for your cooperation and patience during the Architectural Review Board process.

I am looking forward to the completion of your development as I am sure it will be a great asset to the City of Tualatin and the entire community.

Letter
Michael Reidy
ARB-83-06
Page Two

Enclosed you will find a "Development Process Evaluation" that I would appreciate you completing and returning to this office.

Sincerely,



David L. Bantz
Economic Development Coordinator

DLB/LLS

FILE: ARB-83-06
6464 S.W. Borland Road

ARCHITECTURAL REVIEW BOARD
City of Tualatin
Minutes of March 16, 1983

Members Present: Al Siewert Ray Moody
Dave Zimmerman Mel Kroker (7:04 p.m.)
Jim Searfus Roger Gardner Alternate

Members Absent: Rick Stebner
Chris Freshley

Staff Present: David Bantz, Carol Daley

The meeting of March 16, 1983 of the Tualatin Architectural Review Board was called to order at 7:02 p.m. in the Council Chambers of the City Hall by Chairman Al Siewert.

MINUTES

The minutes of March 2, 1983 were reviewed by the Board. A motion was made by Ray Moody, seconded by Dave Zimmerman, to accept the minutes as presented. The vote was unanimous. Motion carried.

ANNOUNCEMENTS

Chairman Al Siewert introduced Roger Gardner as a new member of the Board. David Bantz introduced Carol Daley as the new recording secretary. He also announced that there will not be a meeting March 30, 1983 providing none of tonight's items are held over.

CONSIDERATIONS

1. ARB-S-83-06 Pump Supply, 10005 S.W. Tualatin-Sherwood Road
Request: Sign
Status: New Submittal
Action: Approved

The staff report and slides of the proposed site were presented by David Bantz of staff. The staff report recommended approval as submitted.

A representative of the applicant was present but did not wish to make a presentation. There were no opponents or proponents who wished to speak on this project.

Jim Searfus made a Motion to approve ARB-S-83-06 as per staff recommendation. Ray Moody seconded the Motion. All voted in favor.

MOTION CARRIED.

2. ARB-S-83-07 Tualatin Building, 18660 S.W. Boones Ferry Road
Request: Sign
Status: New submittal
Action: APPROVED

The staff report and slides were presented by David Bantz of staff. The staff report recommended approval as submitted.

Mr. Searfus indicated he would support the request if the row of trees were staggered so as to screen the clarifying tank. Mr. Zimmerman agreed that doubling up of trees was the solution for screening the tank. Mr. May responded that they could possibly be closer together or staggered. He also suggested larger plants for the back row and filling in the front with smaller plants.

Mr. Kroker expressed a concern that the wheelchair access may be interfered with. Mr. May felt it would not be because the trees could be pruned.

Dave Zimmerman made a Motion to accept ARB-83-08 as per staff recommendations with the following changes:

- 1) that the row of Thuja Plicata Hogan on the East end of the clarifier tank be doubled in spacing as per the Board's comments;
- 2) that a row of suitable plant material, as worked out between the landscaping architect and staff, on the South side of the clarifier tank to provide screening in that direction as worked out with Darrel May and the staff.

Mel Kroker suggested adding; that the row of trees be 8 foot staggered. Mr. Zimmerman revised his Motion to accept ARB-83-08 as per staff recommendation with the following changes: add plant material as shown on a drawing he marked and gave to David Bantz; add Thuja Plicata Hogan along the East end of the clarifier tank; and that proper screening along the South side of the tank be provided as he has shown in the drawing he has given Dave Bantz; and that the plant material be worked out between staff and Darrel May. Jim Searfus seconded the motion. Motion carried.

5. ARB-83-06

TUALATIN PROFESSIONAL CENTER
6464 S.W. Borland Road

Request: Site and Landscape plans,
materials, colors, building
modifications

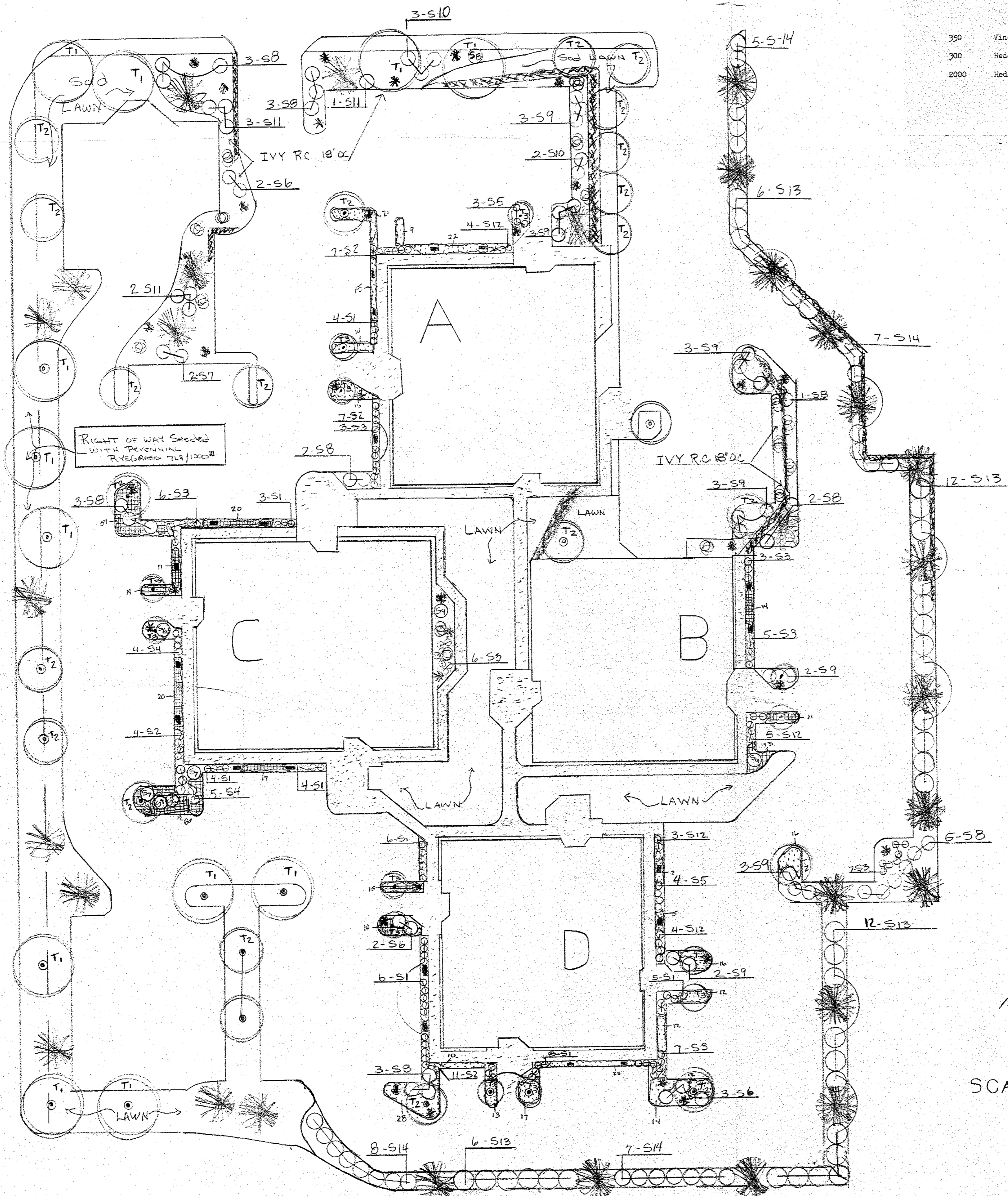
Status: Deferred from March 2, 1983 for
Modification Action
APPROVED w/changes

The staff report and slides of proposed site were presented by David Bantz of staff. Staff recommended approval of the building colors, materials, and lighting and the general concept of the building elevations, site and landscape plans, but makes no recommendation on the modified plans. Mr. Bantz recommended sign approval at a later date. Recommendation was amended to approve the submitted site and landscape plans and hold the signs for later approval of the Board.

The applicant, Michael Reidy, was present. He did not wish to make a presentation but would answer questions from the Board. There were no opponents or proponents present.

Board Discussion

Dave Zimmerman felt the proposed trees were too large and wanted a hedge or screening material along the South side of the property. He stated he would vote to approve the landscape plan as shown in general concept with the understanding the trees would



Quantity	Botanical Name	Common Name	Size	Symbol
11	Platanus acerifolia	London Plane Tree	1 1/2 Cal. SR	T1
23	Acer rubrum 'Armstrong'	Armstrong Red Maple	1 3/4" Cal. BR	T2
13	Carpinus betulus fastigiata	Columnar Hornbeam	1 1/2" Cal.	T3
30	Pinus contorta	Shore Pine	5-6'	⊙
15	Acer circinatum	Vine Maple	8-10'	⊙
SHRUBS				
32	Mahonia aquifolium compacta	Compact Oregon Grape	10-12"	S1
22	Ilex crenata Helleri	Helleri Japanese Holly	1 Gal.	S2
37	Rhododendron Hino Crimson	Hino Crimson Azalea	1 Gal.	S3
8	Rhododendron Glacier	Glacier Azalea	1 Gal.	S4
4	Rhododendron Tenino	Tenino Azalea	1 Gal.	S5
8	Rhododendron 'Cheer'	Cheer Rhododendron	18-21"	S6
4	Rhododendron 'Vulcan'	Vulcan Rhododendron	"	S7
21	Rhododendron 'Anah Kruschke'	Anah Kruschke Rhododendron	"	S8
21	Rhododendron 'Unique'	Unique Rhododendron	"	S9
5	Azalea Exbury-Orange	Exbury Azalea	15-18"	S10
5	Azalea Exbury-Yellow	Exbury Azalea	"	S11
12	Viburnum Davidii	David's Viburnum	1 Gal.	S12
36	Photinia Fraseri	Fraser's Photinia	15-18"	S13
29	Escallonia Pradesi	Same	3 Gal.	S14
33	Pinus mugh mughus	Mugho Pine	12-15"	⊙
GROUNDCOVER				
350	Vinca Minor	Periwinkle	2 1/2" Pot	▨
300	Hedera Helix 'Mandas Crested'	Mandas Crested Ivy	2 1/2" Pot	▨
2000	Hedera Helix	English Ivy	Rooted cuttings	as indicated

APPROVED
Architectural Review Board
• Site Plan
• Building Exterior
• Landscape Plan
• Signs

RECEIVED
NOV 15 1983
CITY OF TUALATIN
PLANNING DEPT.

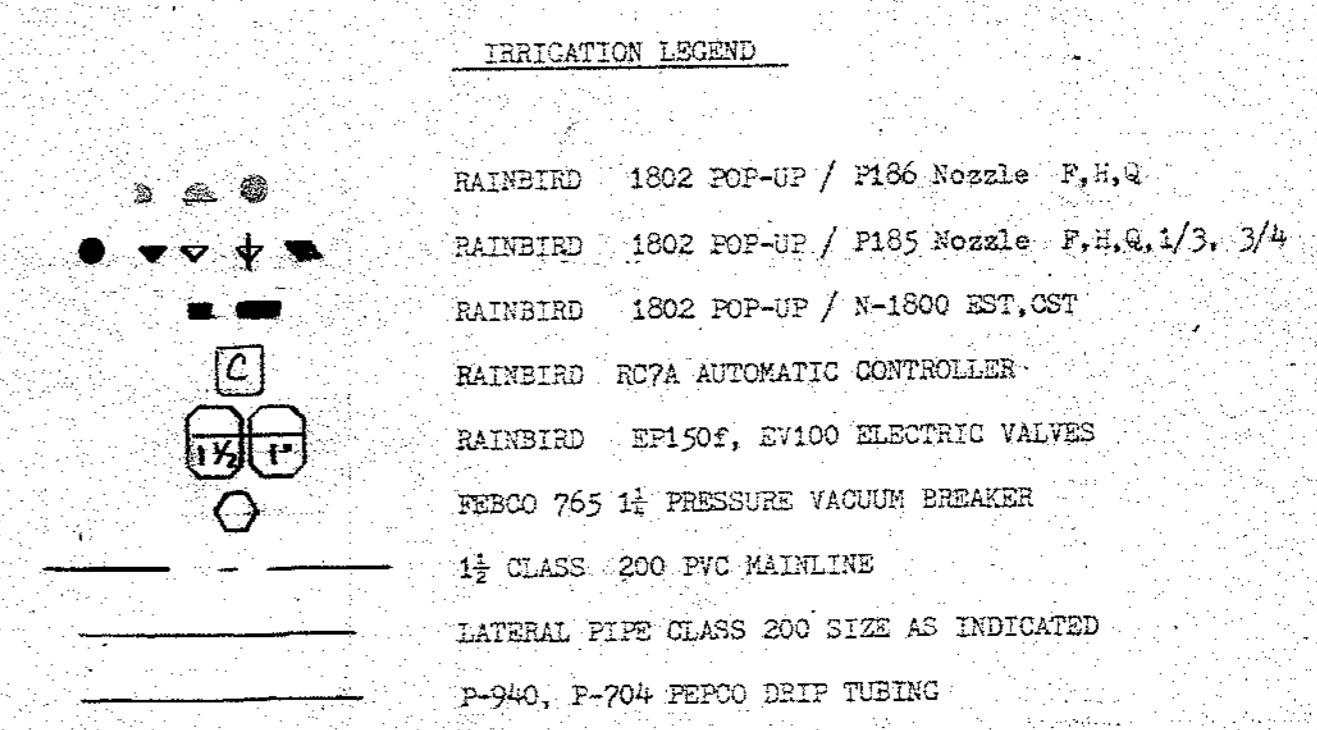
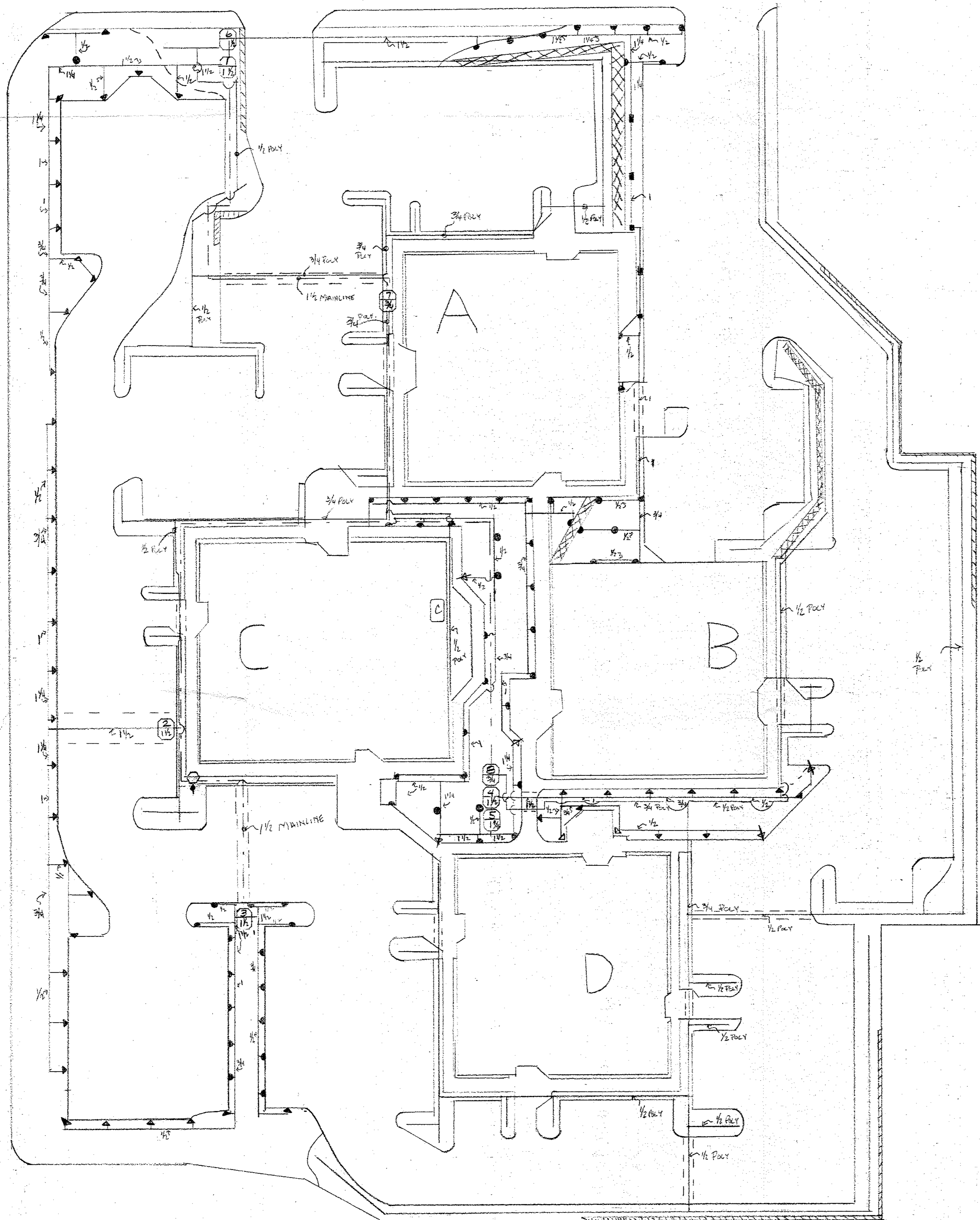
NORTH
SCALE 1" = 20'

KOSTER'S LANDSCAPE SPECIALTIES

2120 BERRY ST SE SALEM, OR 503-378-1281

TUALATIN PROFESSIONAL CENTER

LANDSCAPE



NOTE: ALL POP-UP CONNECTIONS WILL BE MADE WITH A SWING JOINT CONSISTING OF, 2 TORO 850-31 INSERT ELBOWS, 1- 1/2 MARLEX STREET ELBOW AND A 8\"/>

IRRIGATION ZONE G.P.M.

ZONE 1	29.3 GPM
ZONE 2	27.0 GPM
ZONE 3	25.2 GPM
ZONE 4	27.5 GPM
ZONE 5	35.45 GPM
Zone 6	20.25 GPM

↑
NORTH
SCALE 1" = 20'

RECEIVED
NOV 15 1983
CITY OF TUALATIN
PLANNING DEPT.

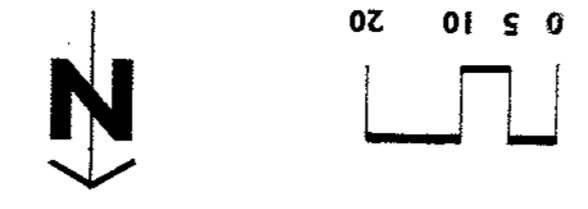
Koster's Landscape Specialties

TUALATIN PROFESSIONAL CENTER
Irrigation Plan

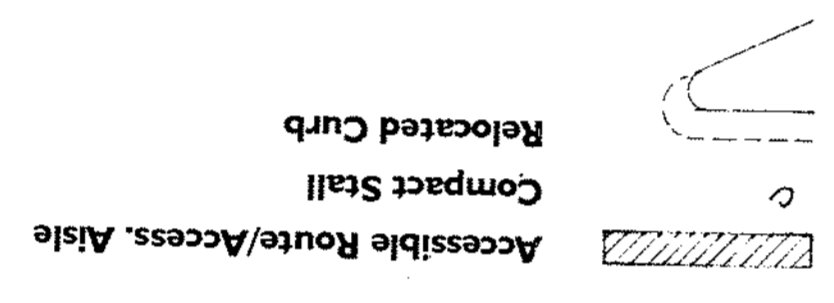
RECEIVED
 JUN 28 1995
 CITY OF TUALATIN
 PLANNING DEPT.

APPROVED
 ARCHITECTURAL REVIEW
 SITE PLAN
 DRAINAGE PLAN
 TRAFFIC IMPROVEMENT PLAN

Tualatin Professional Center
 Proposed Parking Plan Revisions
 10 April 1995



NOTES:
 All accessible parking spaces and signage to meet the Oregon Transportation Commission Standards for Disabled Person Parking and the requirements of the current Uniform Building Code.



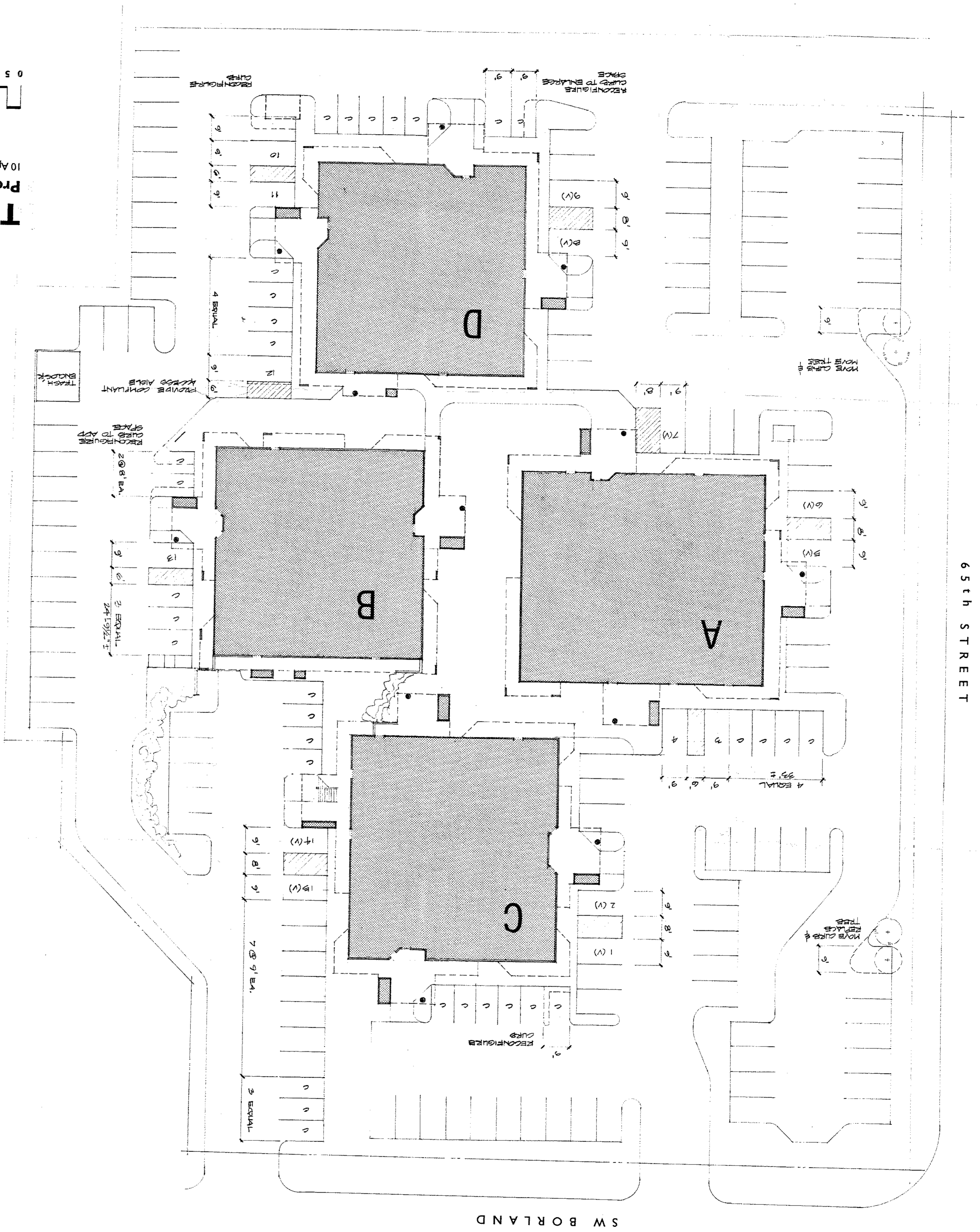
Total Stalls	
Standard Stalls (30% Allowed)	111
Compact Stalls (30% Allowed)	33 (21%)
Van Accessible (2 Required)	6
Relocated Curb	9
Total	159

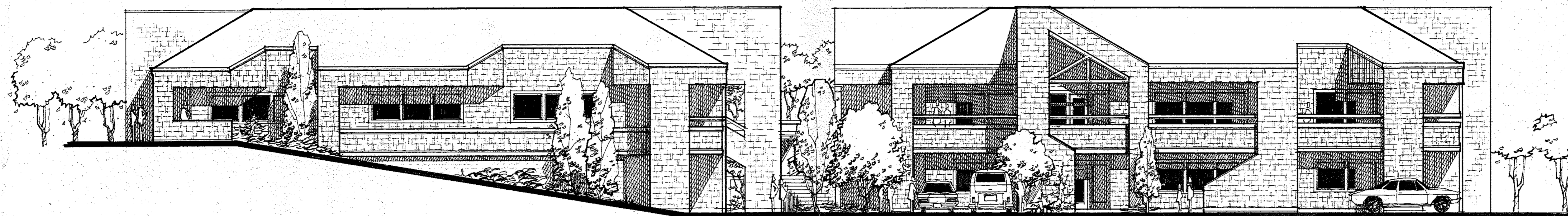
Stall Breakdown	
Total	159
B-2 (From Chart) @ 1:10 Ratio	14
Required Accessible	17
Total	159

Required Stalls	
Area	Stalls/1,000 SF
B-2	4,960 SF @ 3.5
Total	31,154 SF

Parking Summary	
Existing	65,473 SF
Revised	65,473 SF
Landscaping	33,014 SF (27%)
Total	32,638 SF (26.7%)

Site Summary	
Office Commercial	122,105.5 SF
Building Coverage	23,997 SF

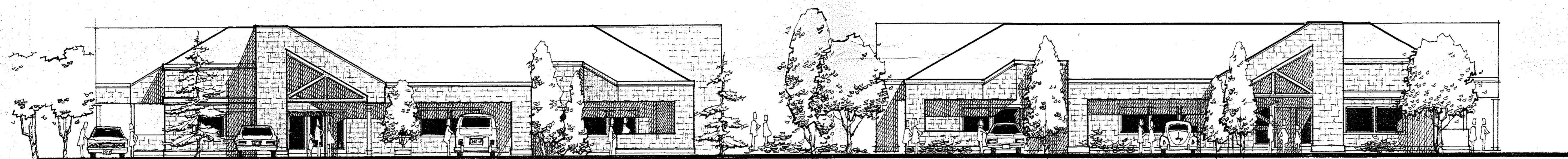




EAST ELEVATION

partial view of two level buildings
looking from east property line

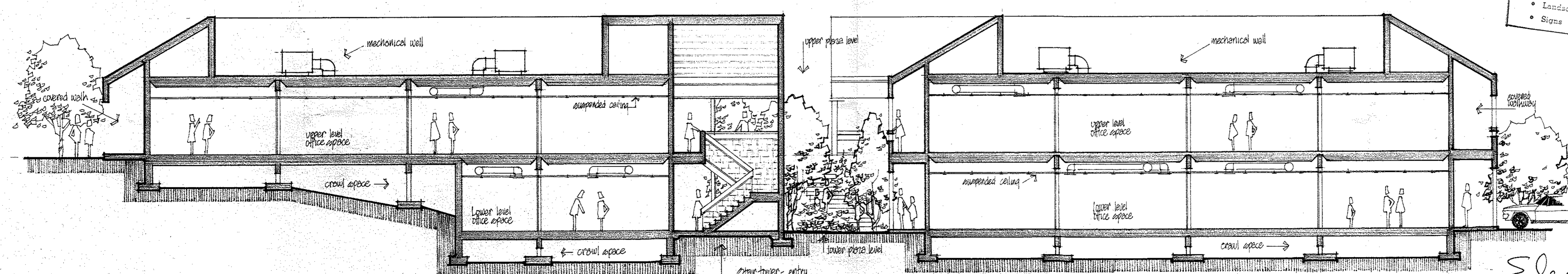
1/8" = 1'-0"



WEST ELEVATION

partial view of buildings A & C looking
from both street to the east

1/8" = 1'-0"



SECTION A-A

partial section through
two level buildings

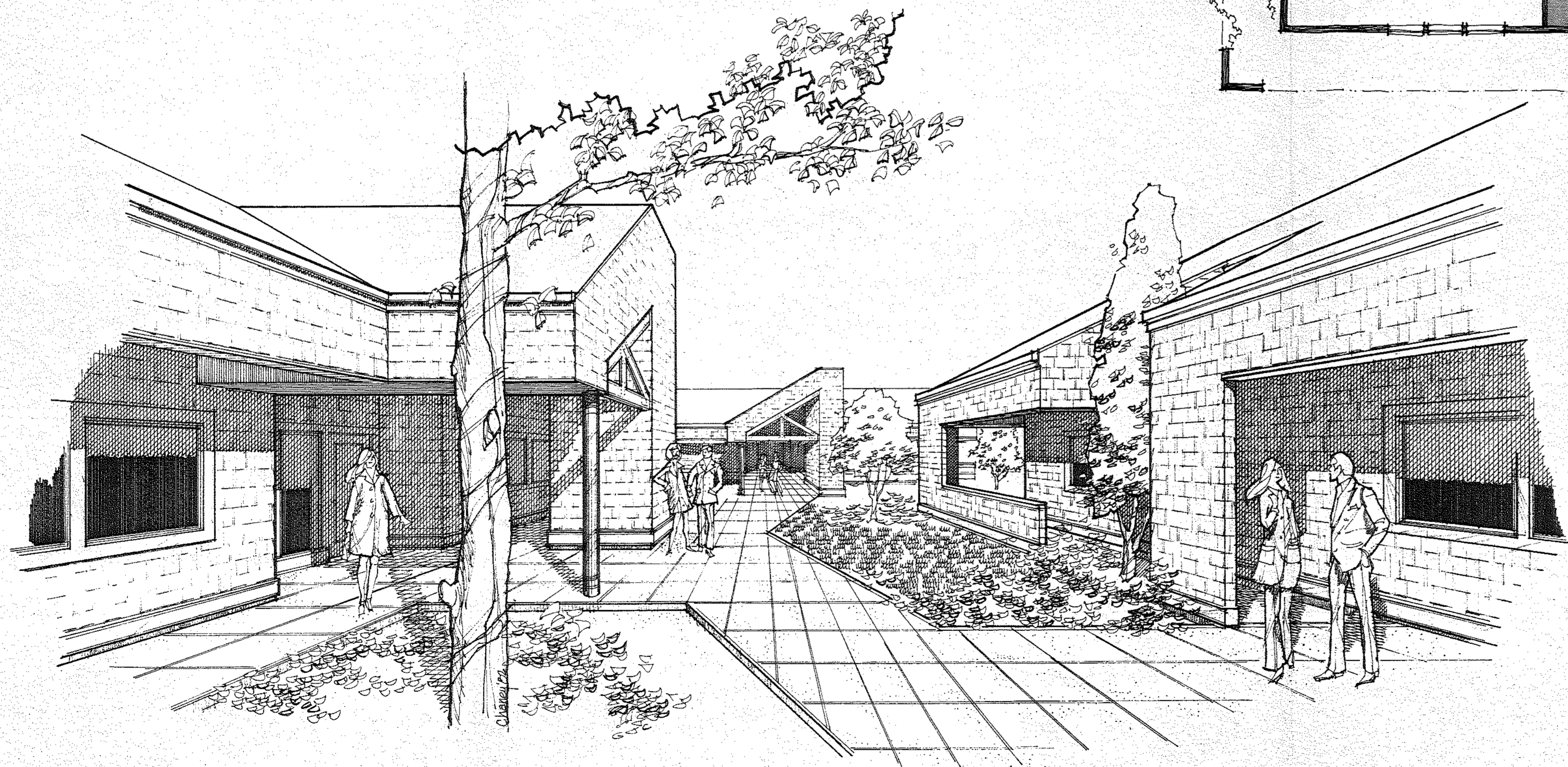
1/8" = 1'-0"

APPROVED
Architectural Review Board
• Site Plan
• Building Exterior
• Landscape Plan
• Signs

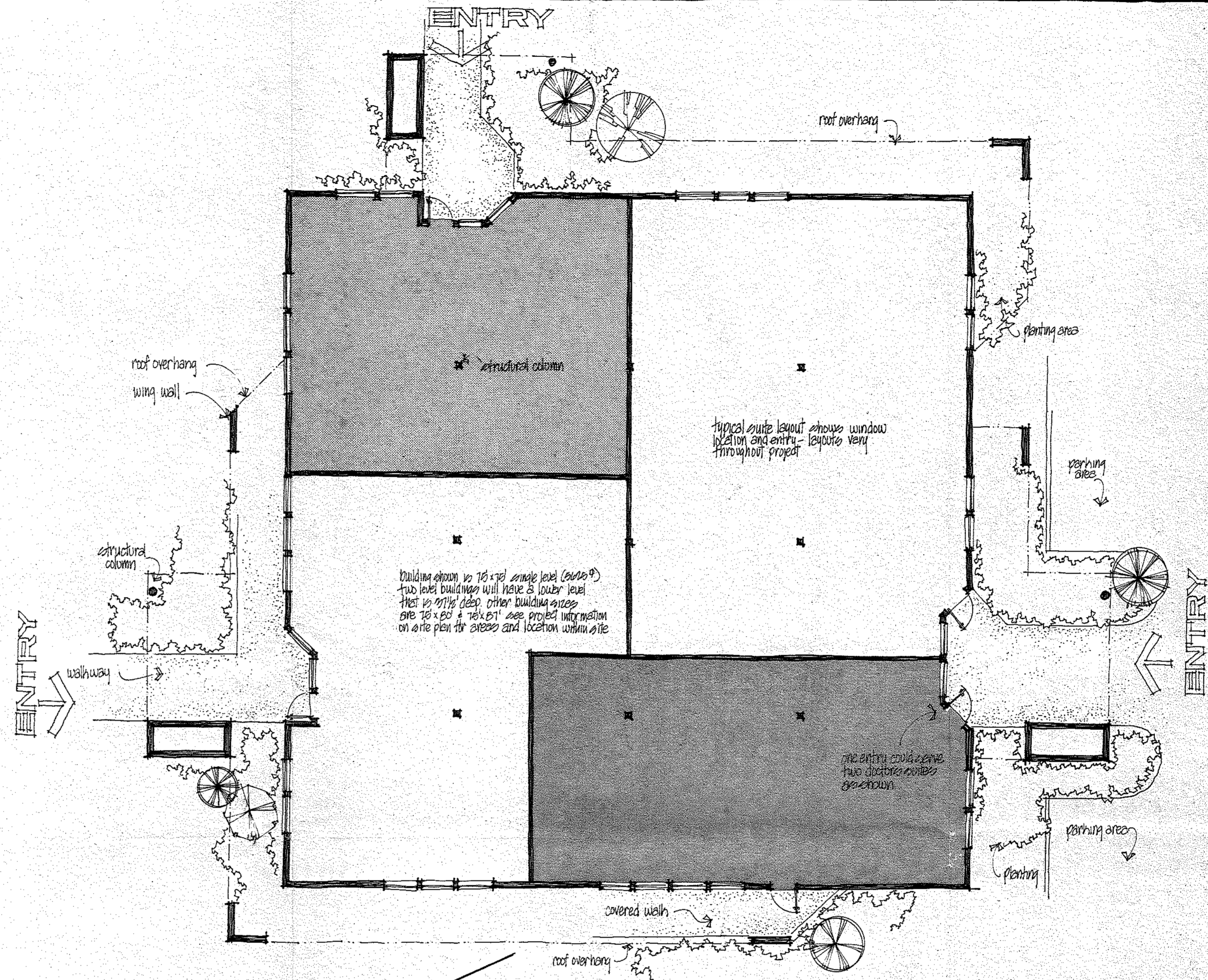
3-17-83

Elevations

VIEW TO COURTYARD



WRA



BUILDING PLAN

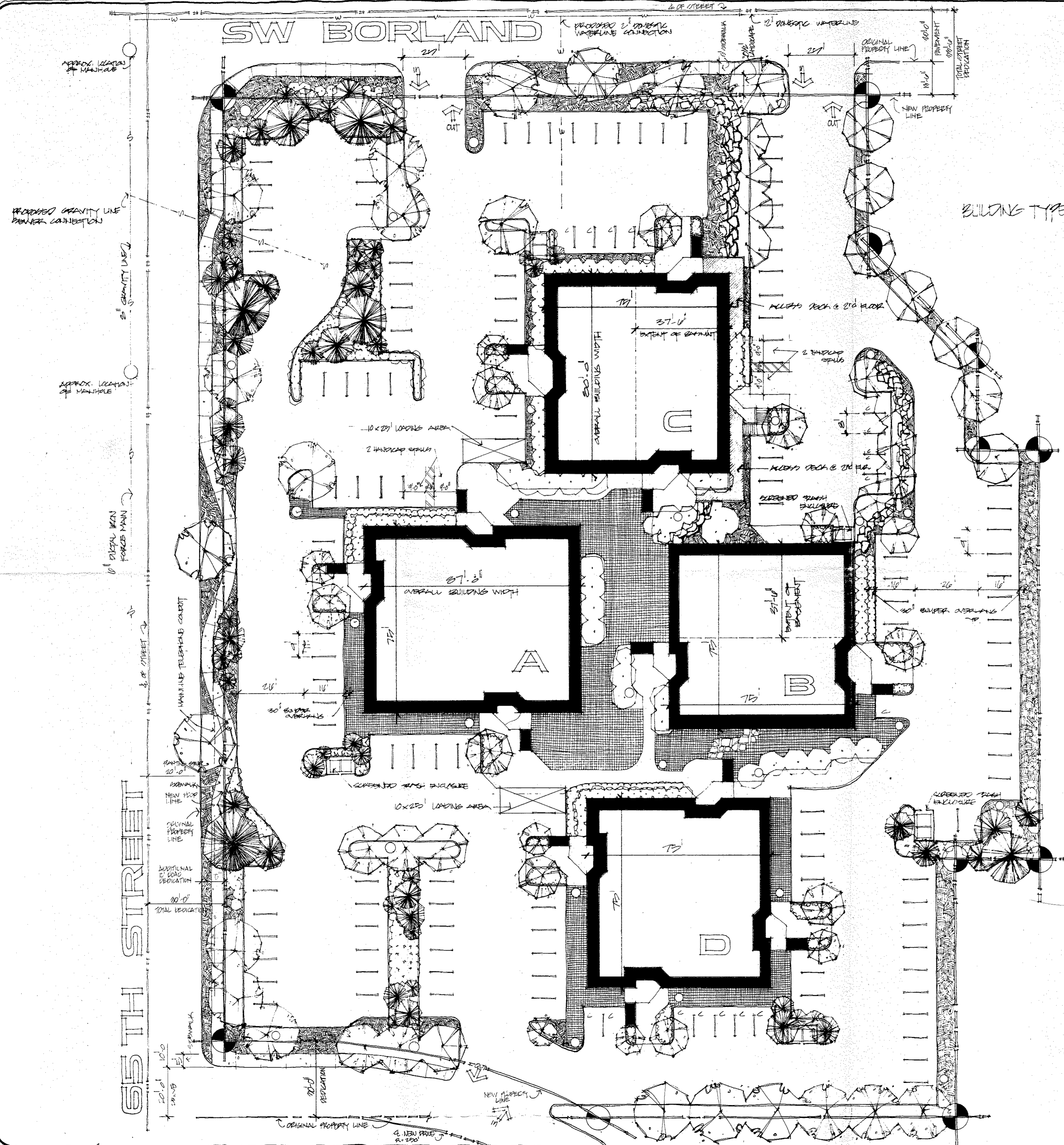
1/8" = 1'-0"

CONSOLIDATED
ASSET GROUP

TUALATIN
PROFESSIONAL
CENTER

WRA
WILLIAM
RUTLEDGE
ARCHITECT

SW BORLAND

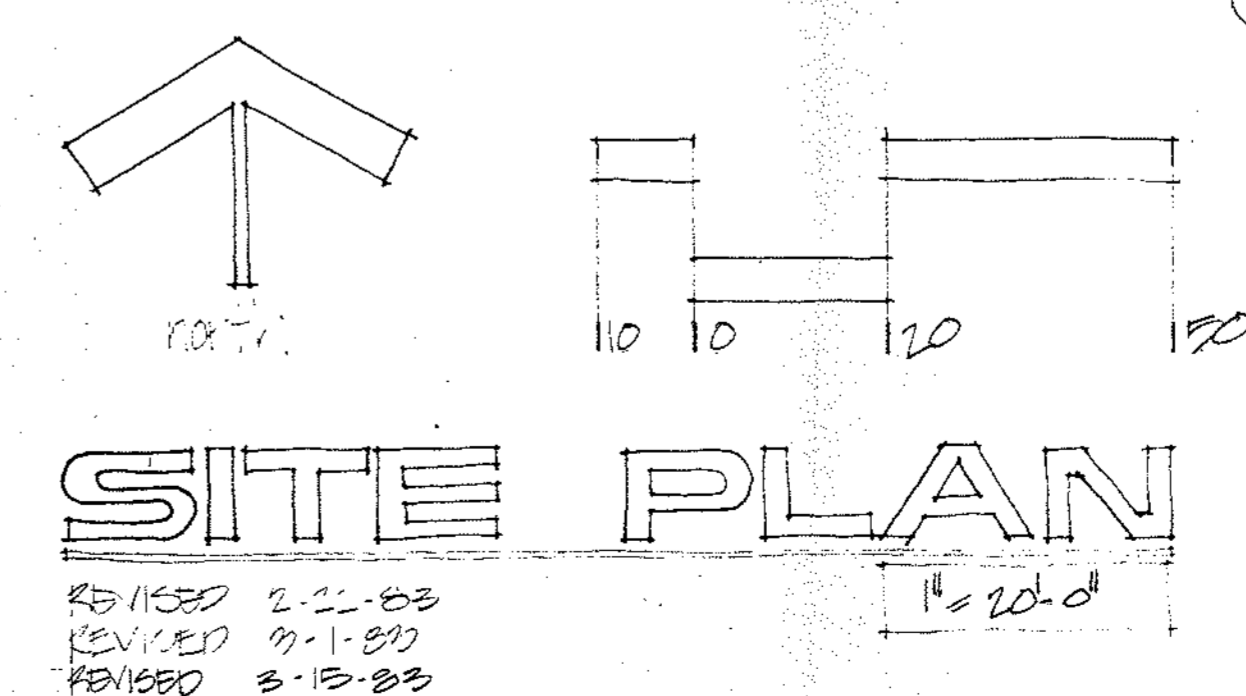


PROJECT INFORMATION

- BUILDING TYPES**
- A. SINGLE LEVEL (77' x 87') - 15701.0 sq ft
 - B. TWO LEVEL (77' x 77') - 12451.7 sq ft
LOWER LEVEL = 2812.5 sq ft
UPPER LEVEL = 9639.2 sq ft
 - C. TWO LEVEL (77' x 80') - 14000.0 sq ft
LOWER LEVEL = 2800.0 sq ft
UPPER LEVEL = 11200.0 sq ft
 - D. SINGLE LEVEL (77' x 77') - 12451.7 sq ft
- TOTAL BUILDING AREA 42,604.4 sq ft

ZONING: OFFICE COMMERCIAL
LOT SIZE: 122,100 sq ft
USE: MEDICAL CLINIC
MARKING: 3.75' SIDE SETBACK = 112.5' CLEARANCE
 6.5' CORNER SETBACK

65TH STREET



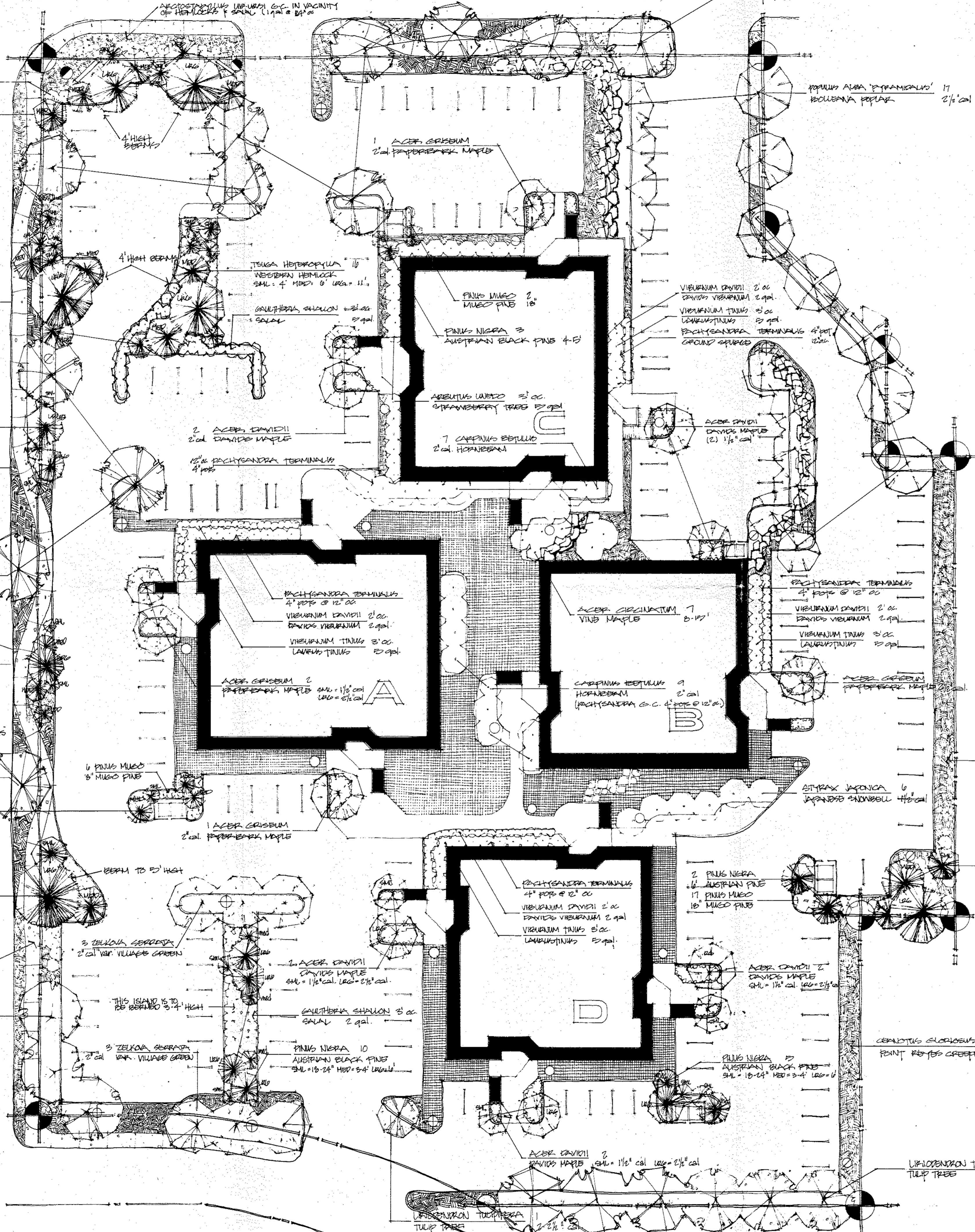
83-06
 APPROVED
 Architectural Review Board
 • Site Plan O. Pantoja 3/17/83 (superseded plan dated 11-11-82)
 • Building Exterior
 • Landscape Plan
 • Signs
 APPROVED

RECEIVED
 MAR 15 1983
 CITY OF TUALATIN
 PLANNING DEPT.

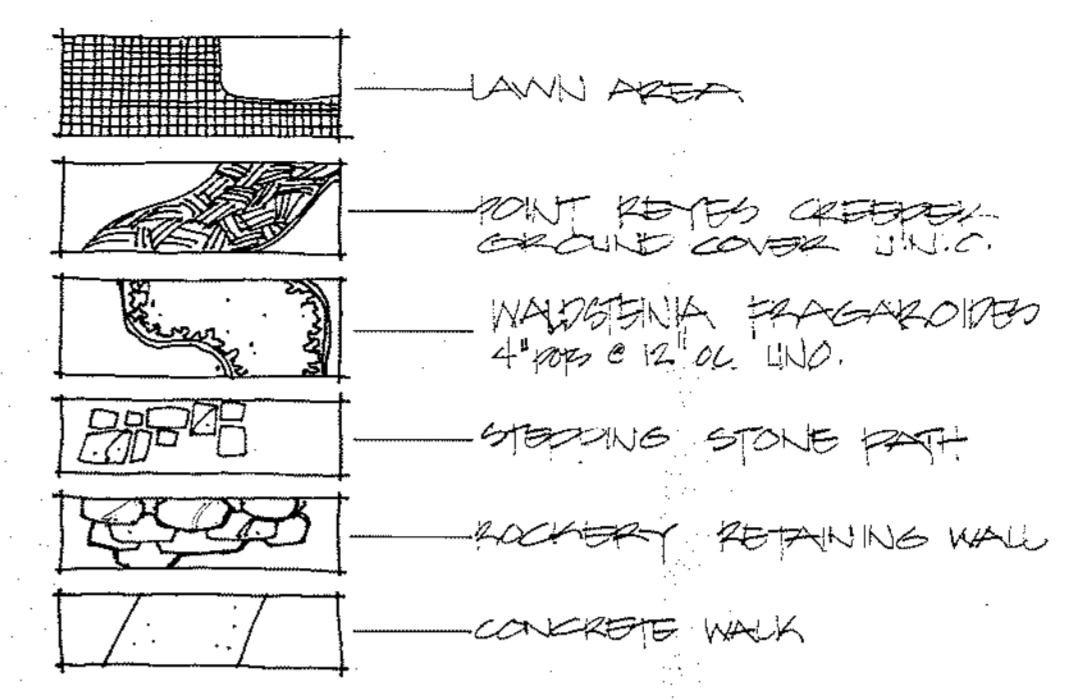
CONSOLIDATED ASSET GROUP
 TUALATIN PROFESSIONAL CENTER

WRA
 WOODRIDGE
 ARCHITECTS

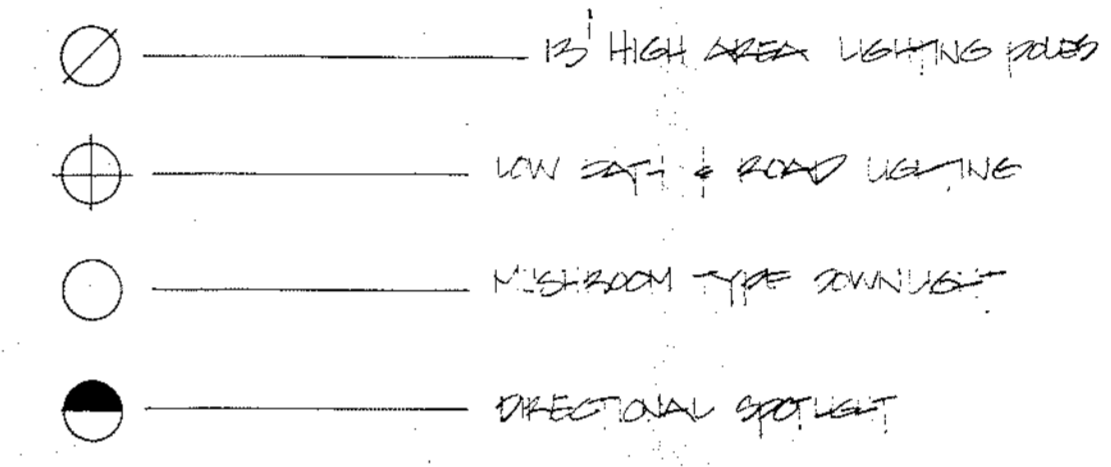
SW BORLAND



SYMBOLS



EXTERIOR LIGHTING

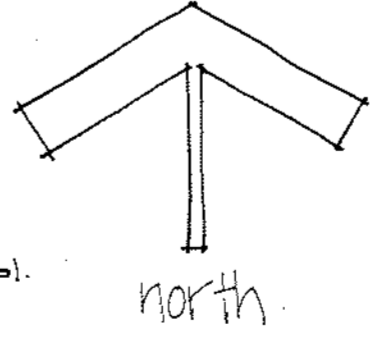


APPROVED
 Architectural Review Board

- Site Plan
- Building Exterior
- Landscape Plan
- Signs

APR 23 2008

RECEIVED
 MAR 14 2008
 CITY OF TUALATIN
 PLANNING DEPT.



LANDSCAPE PLAN

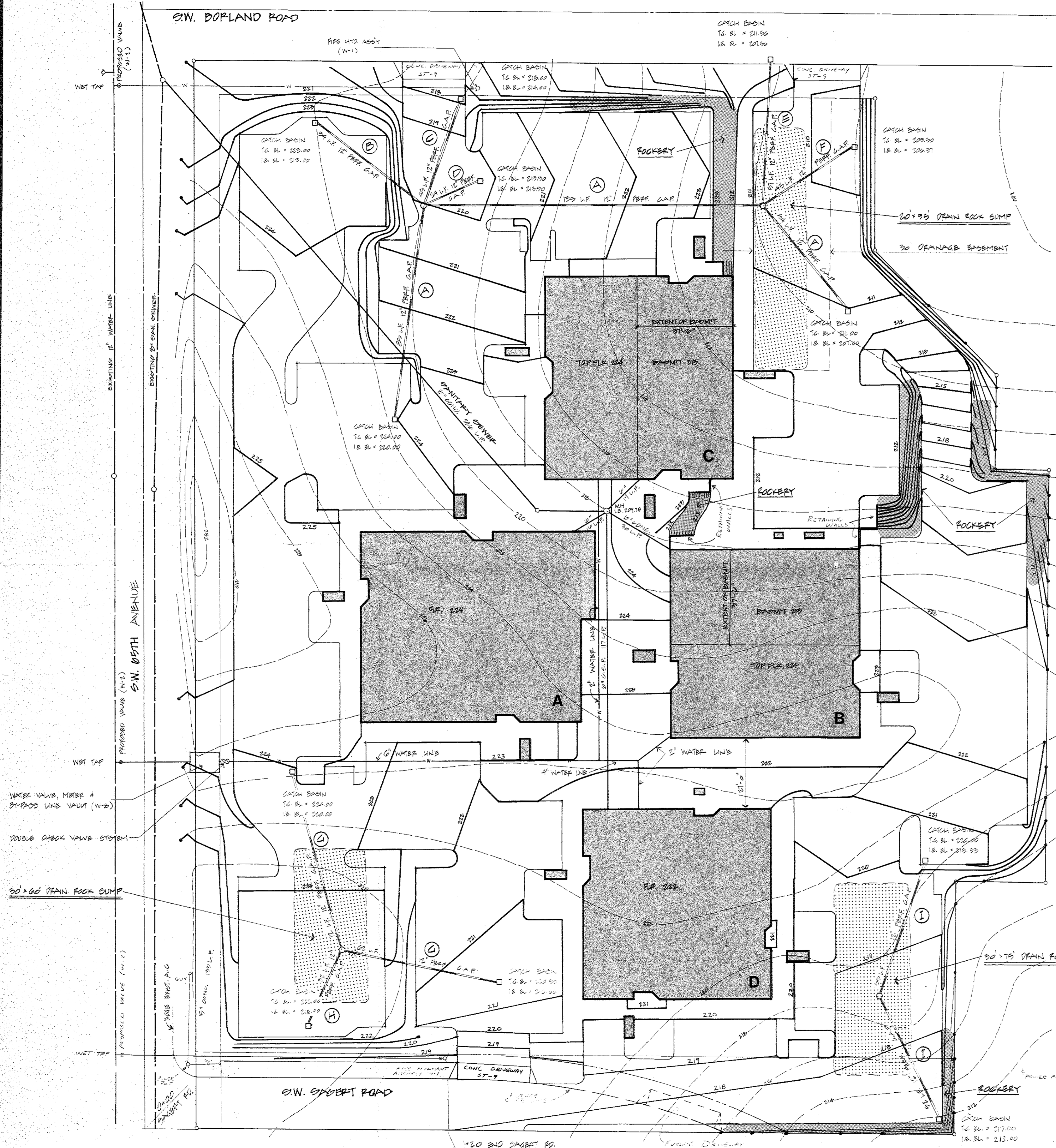
2-1-08 REVISED 2-22-08
 2-28-08
 3-14-08

1" = 10'-0"

CONSOLIDATED
 ASSET GROUP

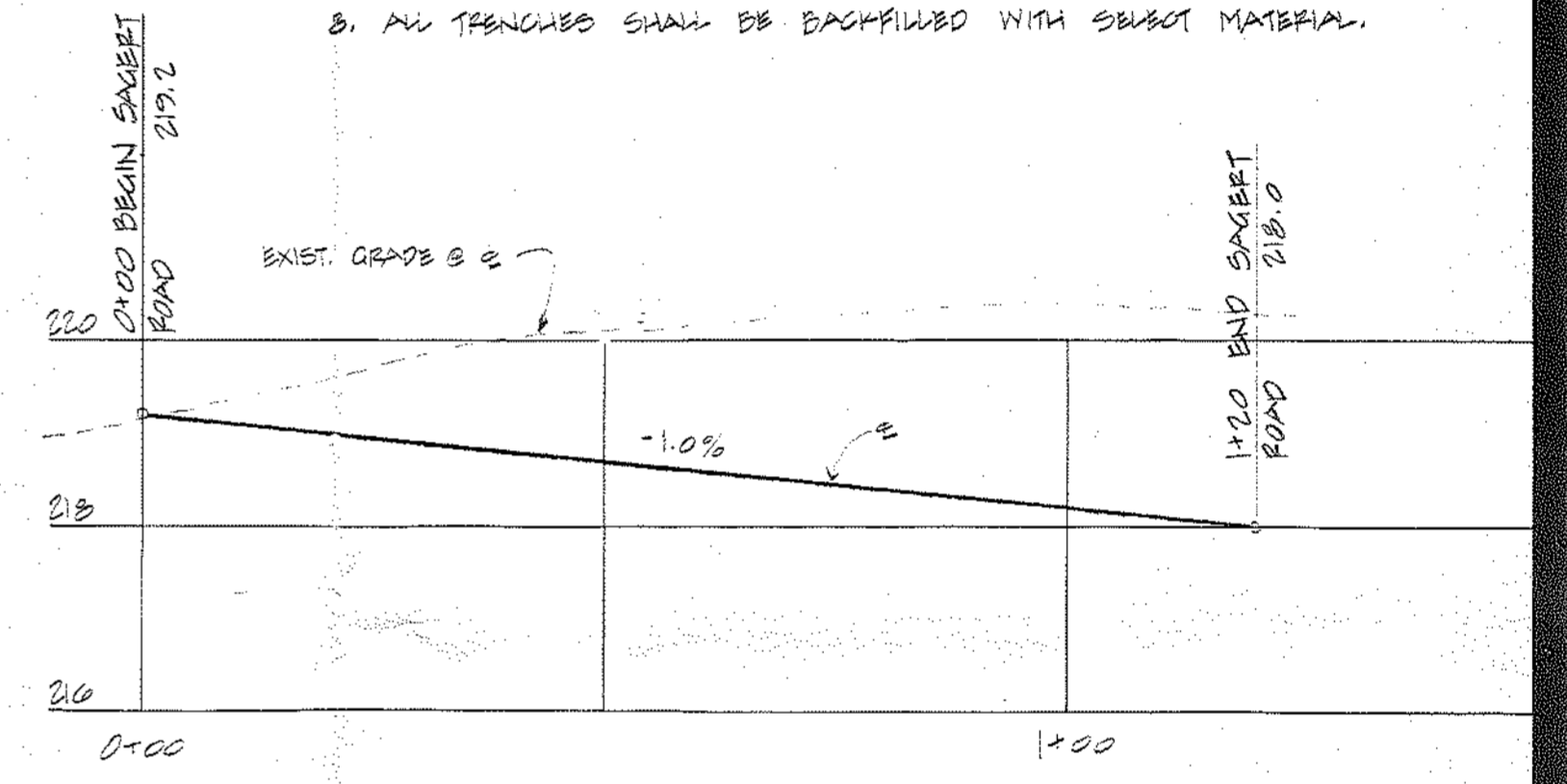
TUALATIN
 PROFESSIONAL
 CENTER

WRA
 WILLIAM
 RUTLEDGE
 ARCHITECT



NOTES

1. ALL NOTES SHALL CONFORM TO THE STANDARD DRAWINGS AND SPECIFICATIONS OF THE CITY OF TUALATIN.
2. ALL VEGETATIVE MATTER SHALL BE REMOVED FROM SITE. TOP LAYER OF SOIL NEED NOT BE REMOVED UNLESS DETERMINED BY ENGINEER TO BE TOPSOIL OR OTHERWISE UNACCEPTABLE.
3. CATCH BASINS NOT IN PUBLIC RIGHT-OF-WAY SHALL BE TRAP-TYPE AS APPROVED BY CITY OF TUALATIN BUILDING OFFICIAL. ALL STEEL PIPE SHALL BE 10 GA. PREFORMED CORRUGATED ALUMINUM PIPE (POLYETHYLENE TUBING, ADS PIPE, MAY BE SUBSTITUTED FOR C.A.P.).
4. PRIVATE DRIVING AND PARKING SURFACES SHALL HAVE A STRUCTURAL SECTION OF 2" TYPE 'C' A.G., 2" OF 3/4" O CRUSHED ROCK AND 4" OF 2" O CRUSHED ROCK. CURBS SHALL BE EXTRUDED A.G. OF CONCRETE WITH PROPER PROVISION TO PAVED SURFACES.
5. TELEPHONE CONDUIT ALONG EAST SIDE OF SW 10TH AVE. NOT SHOWN ON PLANS BUT CLEARLY MARKED IN FIELD. RELOCATION BY OTHERS MAY OCCUR PRIOR TO CONSTRUCTION. SPECIAL CARE SHALL BE TAKEN IN THIS AREA.
6. POWER CABLES (DIPLO BURY) 20 FEET NORTH & PARALLEL TO SOUTH PROPERTY LINE NOT SHOWN ON PLANS BUT MARKED IN FIELD. RELOCATION BY OTHERS MAY BE NECESSARY PRIOR TO CONSTRUCTION OF SAGERT ROAD.
7. RETAINING WALLS & ROCKERY AREAS ARE SHOWN ON PLANS. DESIGN DETAILS ARE NOT PROVIDED WITH THESE PLANS. DESIGN DETAILS OF RETAINING WALLS & ROCKERY ARE A CONTRACTOR RESPONSIBILITY. UPON PERMIT, THE ENGINEER SHALL SUPPLY TYPICAL DETAILS FOR INFORMATIONAL PURPOSES ONLY.
8. ALL TRENCHES SHALL BE BACKFILLED WITH SUBOT MATERIAL.



S.W. SAGERT ROAD

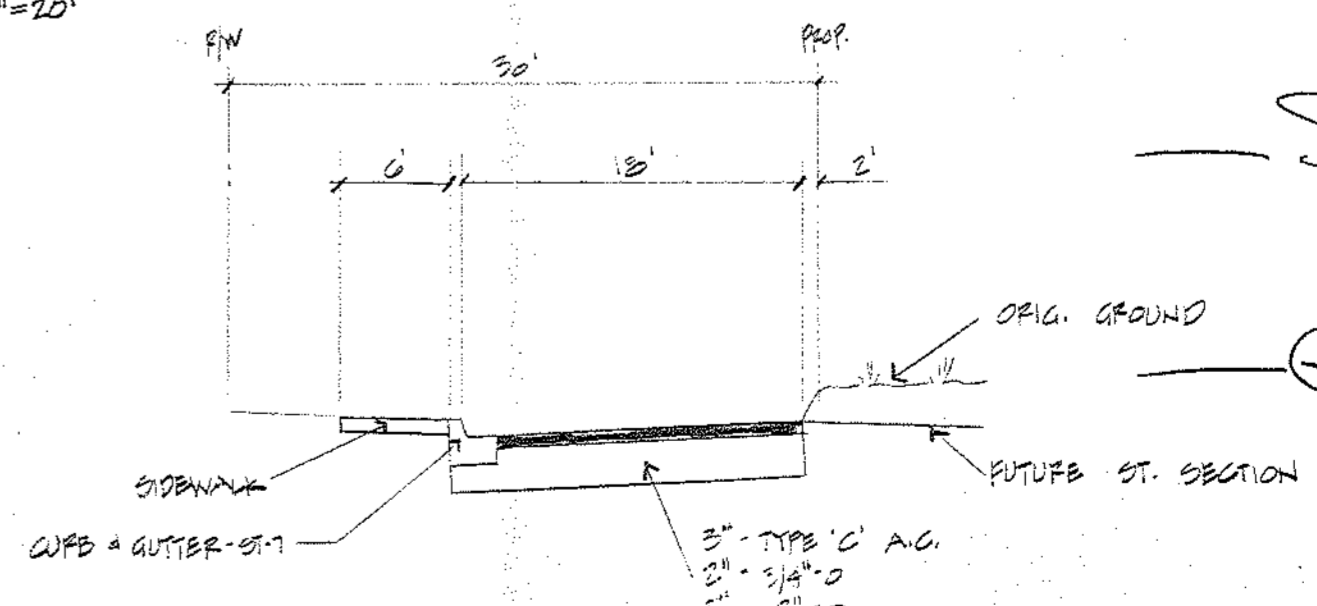
1" = 20' HOR - 1" = 2' VERT.

NOTES (CONT)

9. WATER METER SHALL BE HERBY BRAND METER WITH REMOTE READING DEVICE IN SEPARATE WATER METER BOX OR EQUAL. DOUBLE CHECK VALVE SYSTEM SHALL BE IN A SEPARATE VAULT (BOX) FROM METER/BY-PASS LINE AND SHALL BE FIBCO BRAND OR OTHER STATE OF OREGON APPROVED VALVE.

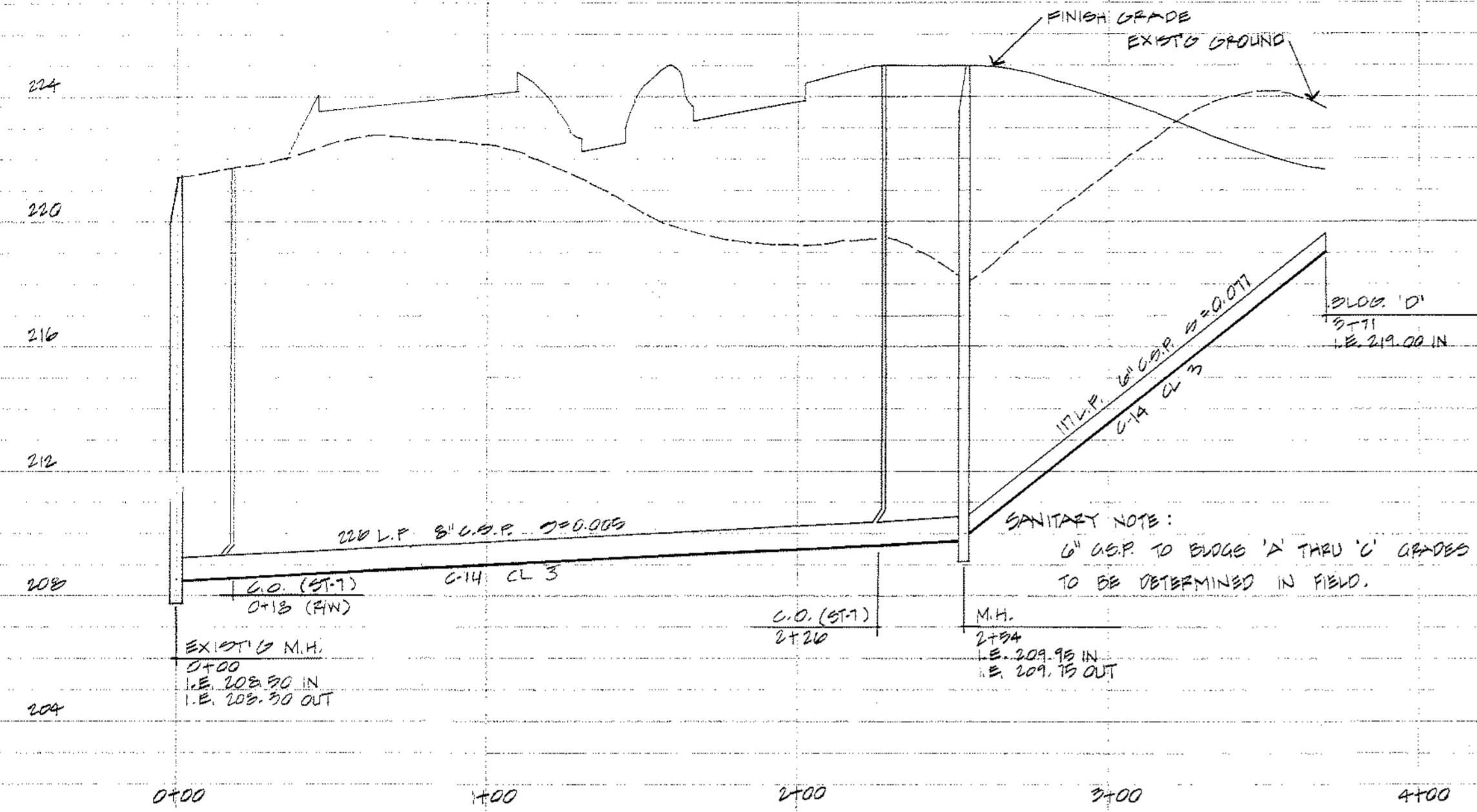


SCALE: 1" = 20'

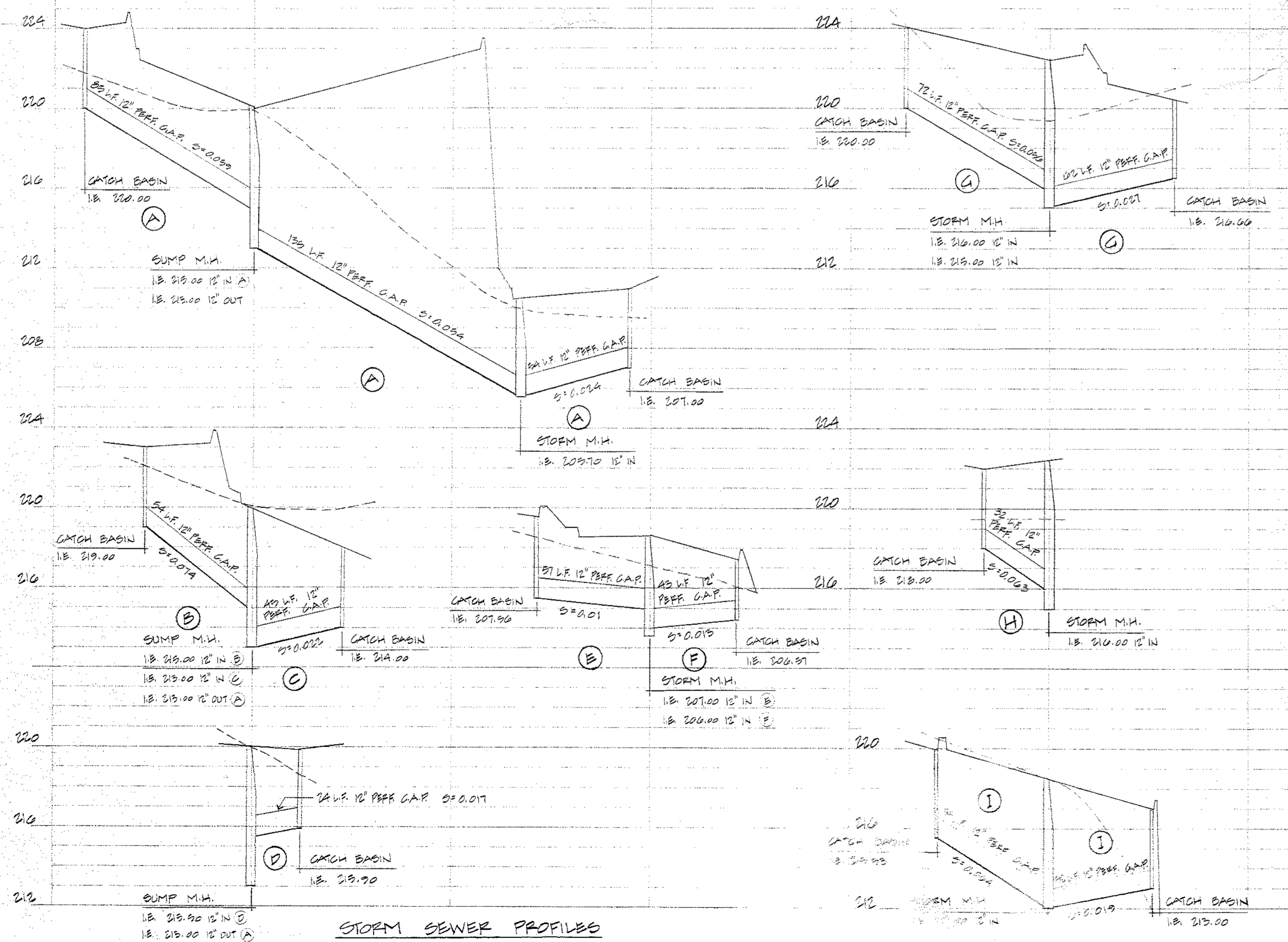


TYP SECTION
S.W. SAGERT ROAD

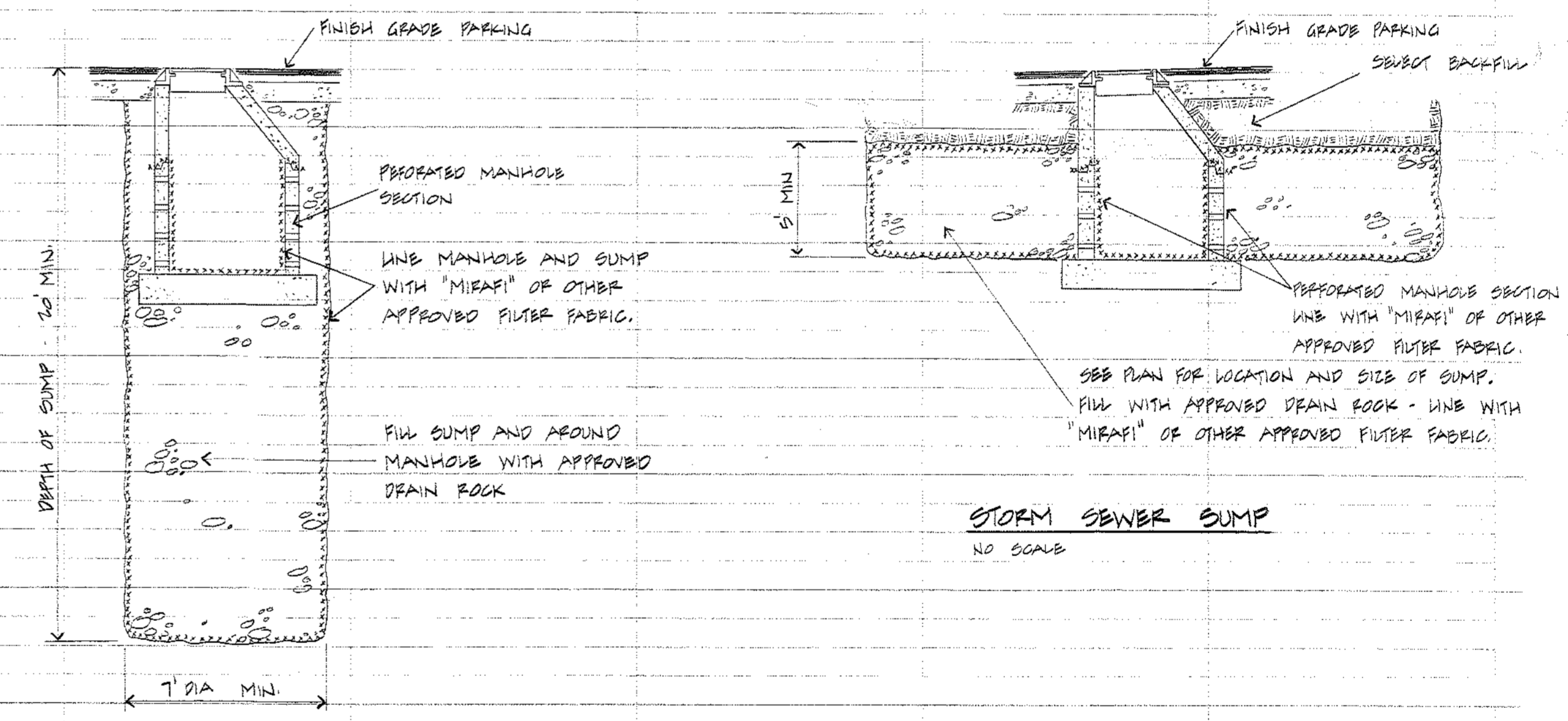
*Sagert Rd
Improvements
Grading Util Plan*



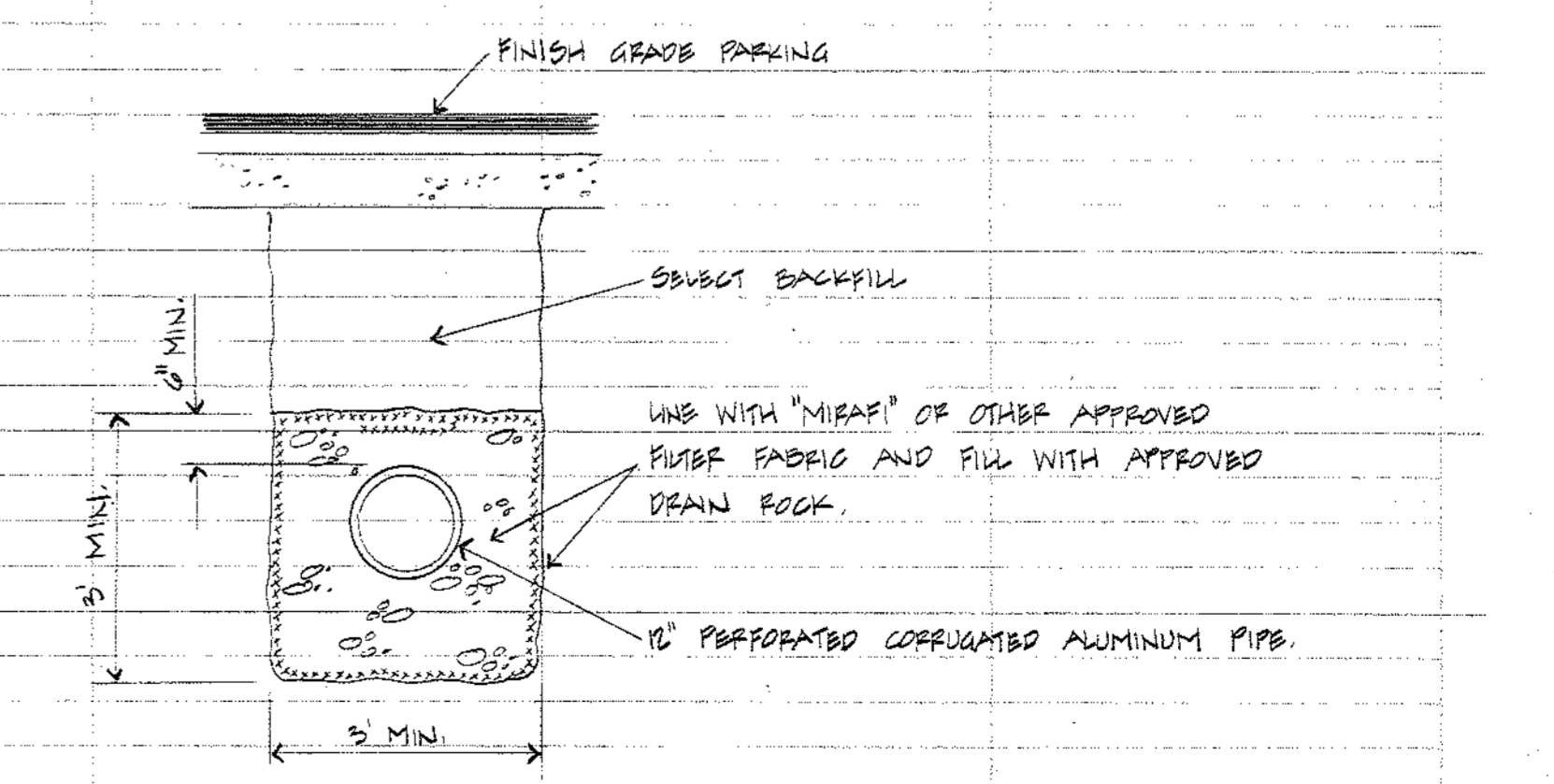
SANITARY SEWER



STORM SEWER PROFILES

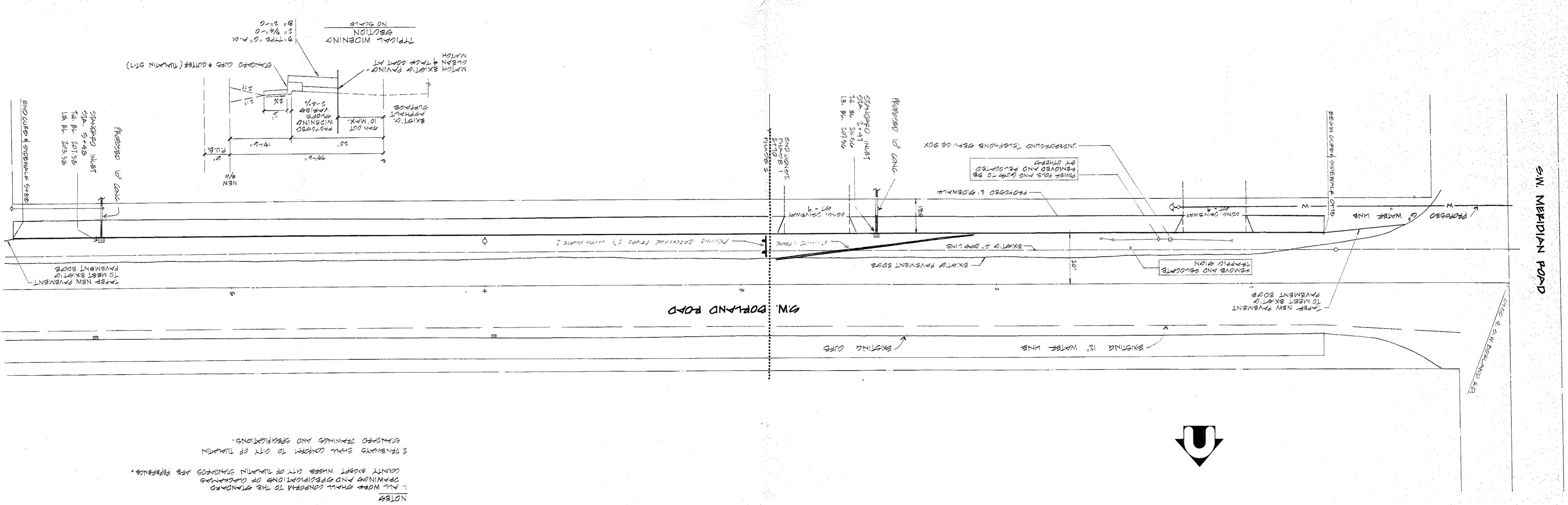
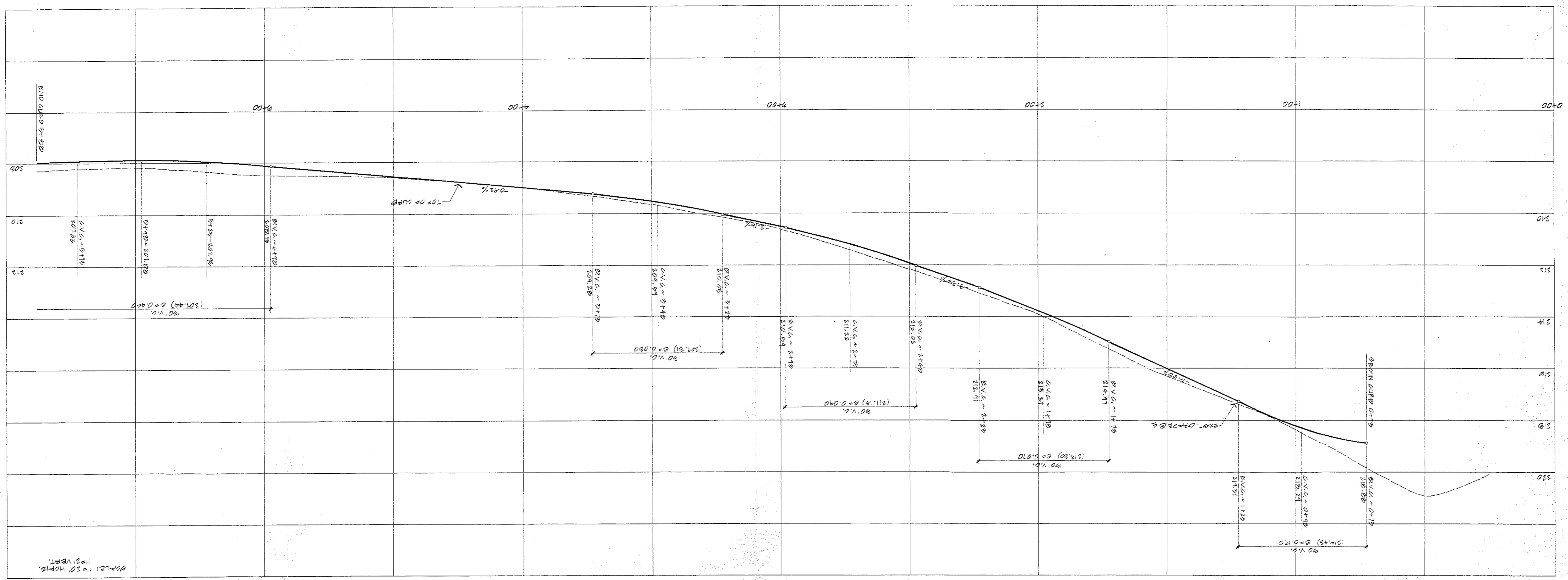


SUMP STORM MANHOLE
 NO SCALE



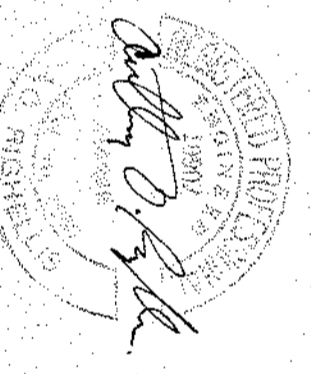
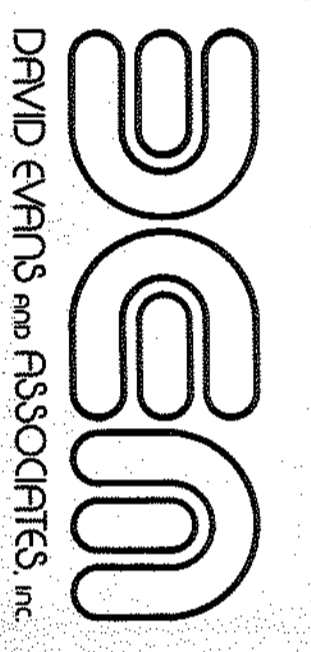
STORM SEWER PIPE TRENCH
 NO SCALE

1	REV. 1-15-03	ADDED	5-15-03
2	REV. 4-15-03	ADDED	4-15-03
3	REV. 1-15-03	ADDED	1-15-03
4	REV. 1-15-03	ADDED	1-15-03



NOTES
 1. ALL WORK SHALL CONFORM TO THE STANDARD DRAWINGS AND SPECIFICATIONS OF COURTESY AND SPECIFICATIONS.
 2. STANDARD SHALL CONFORM TO CITY OF TUALATIN COUNTY SPECIFICATIONS AND SPECIFICATIONS.
 3. STANDARD SHALL CONFORM TO CITY OF TUALATIN COUNTY SPECIFICATIONS AND SPECIFICATIONS.

3 OF 3 SHEETS
 DATE: 11/15/23
 DRAWN: JRM
 CHECKED: JRM



SW. BORDLAND ROAD IMPROVEMENTS
TUALATIN PROFESSIONAL CENTER
 Consolidated Asset Group
 Tualatin, Oregon

Dorothy Cofield

From: Aquilla Hurd-Ravich <AHURD-RAVICH@tualatin.gov>
Sent: Friday, December 15, 2017 5:11 PM
To: cofield@hevanet.com
Cc: Sean Brady; Erin Engman
Subject: RE: TPC Appeal MAR 17-0041

Hi Dorothy,
The deadline for new material is Monday December 18, 2017 at 11:59pm.

Yes, please submit to Erin Engman and electronic copies are fine.

Thanks,

Aquilla Hurd-Ravich

503.691.3028

From: Dorothy Cofield [<mailto:cofield@hevanet.com>]
Sent: Friday, December 15, 2017 11:46 AM
To: Sean Brady
Cc: 'Emily Busse'
Subject: TPC Appeal MAR 17-0041

Hi Sean,
Thank you for calling this morning and discussing the TPC issues.
As soon as I hear back from the TPC Board on Monday I will let you know its decision about suspending the appeal.

For my own internal planning, the Council left the record open for seven days (to Monday, December 18th)
What is the cut-off time to accept additional documents into the Request for Review record?
Should I submit our additional documents to Erin Engman? Are hard copies or electronic ones best?

Thanks for getting back to me.

Dorothy S. Cofield

Attorney at Law

1001 SW 5th Avenue

Suite 1100

Portland, Oregon 97204

COFIELD LAW OFFICE

T: 503.675.4320

C: 503.709.9859

www.cofieldlanduse.com

September 24, 2015

To:
City Engineer
Attn: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Tony,
I am writing regarding the proposed subdivision **SB15-0002, Sagert Farms**. My property, **6035 SW Sequoia Drive, Tualatin, OR 97062**, abuts the proposed development. I have concerns regarding 2 large trees that are included in the arborist report.

I have sent communication to the site proposal Arborist. I have attached that letter to this e-mail (I will also send to you via USPS). I ask that you review the letter and my concerns as well. I will contact Mike Loomis of Lennar Northwest, Inc as well. I appreciate all that Lennar has done to address the neighborhood concerns to this point and hope these additional concerns can be addressed.

Thank you,
Bob Nelson
6035 SW Sequoia Dr.
Tualatin, OR 97062
503-307-3127
nelson@pacificu.edu

CITY OF TUALATIN
RECEIVED
SEP 28 2015
ENGINEERING &
BUILDING DEPARTMENT

September 24, 2015

Morgan Holen
Morgan Holen & Associates

Morgan,
I am a homeowner with a property that abuts a proposed subdivision in which you were consulted to do a Tree Assessment Report. Trees on my property were included in your report. I have a few questions.

Sagert Farm Subdivision – Tualatin, Oregon
Tree Assessment Report
May 10, 2015.

My biggest concern is regarding tree # 10982 (Redwood; 66" DBH; 28' C-Rad; Excellent condition). The tree is mostly on my property, but may have some trunk in the subject property. You recommended the tree for "retain". This tree has the largest DBH of all surveyed trees.

1. Why did you not give the recommendation to "Protect off-site tree" for tree # 10982? You gave tree #10979 (redwood with 10" DBH) 100' to the north the recommendation of "Protect off-site tree", but not tree #10982.
2. What is the recommended setback distance for construction activity (grading, earthmoving, foundations, nonporous surfaces) from a large redwood tree? I assume if is no closer than the dripline – but I would like your professional opinion.

The second tree I am concerned about is tree #10981 (Douglas Fir; 30" DBH; 24' C-Rad; Good condition).

1. What is the recommended construction setback for this Douglas Fir (tree # 10981)? Is it at the dripline?
2. Will tree #10981 be exposed to additional windthrow when tree #10978, 10977, and #10980 are removed?

The submitted plans appear to indicate that the tree protection fencing is only 15' from the Redwood and 20' from the Douglas Fir. I do not want the trees in, or near, my property to be at risk of harm due to construction or the new development. I would like to find out what the best practice is to maintain the integrity of existing large trees. They are very large and in close proximity to my family's home (and soon 2 more homes). These trees could present a major threat of danger if their health is compromised. Also, the cost of removal would exponentially rise after construction is complete.

Thank you in advance for your assistance in addressing my questions/concerns.

Sincerely,
Bob Nelson
6035 SW Sequoia Dr.
Tualatin, OR 97062
503-307-3127
nelson@pacificu.edu



Tree #10982 (redwood, 66"DBH, 28' C-Rad, Excellent Condition, "retain")



Tree #10981 (douglas fir, 30" DBH, 24'C-Rad, Good Condition, "retain")

CITY OF TUALATIN
RECEIVED

SEP 25 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION

September 24, 2015

City Engineer
ATTN: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR, 97062-7092

RE: Sagert Farms

Dear Tony;

My name is Nancy Falconer and I own the second house, (6075 SW Sequoia Dr.) south of the newly proposed Sagert St. extension onto Sequoia Dr.
My backyard property line abuts the proposed Sagert Farms Development.

These are my concerns:

- 1) The grading of the lots on SW 61st Terrace that abut my property on the west, specifically:
 - a) How will the current elevation along my property line where it meets the field be modified. My property is built UP to your property line and my concern is potential water run off causing erosion of my existing landscaping should this adjacent elevation be modified.
 - b) If modified from existing condition, what plan is in place to create proper drainage AWAY from my property and/or what type of wall is proposed to protect and keep the current condition of my landscaping intact?
- 2) Fence: What plan is there for a privacy fence to be installed and what material is suggested for use?
- 3) Traffic: How will this newly proposed project effect the traffic in Sequoia Ridge? And, what are the plans to encourage use of planned ingress/egress to and from Sagert Farms.

I would appreciate having answers to these concerns from Tualatin City engineer, Tony Duran, or Andrew Tull, 3J Consulting, Inc.

Thank you,



Nancy Falconer

njfalconer@frontier.com

503 692 5906 or cell, 503 201 8059

October 1, 2015

BY E-MAIL (tdoran@ci.tualatin.or.us) AND FIRST CLASS MAIL

City Engineer
Attn: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Re: Sagert Farms proposed subdivision, 20130 SW 65th Avenue
Your file no. SB15-0002
Our client: Tualatin Professional Center Condominium Owners Association
Our file no. 4212.002

Dear Mr. Doran:

I am submitting these comments on the Sagert Farms application on behalf of Tualatin Professional Center Condominium Owners Association, the owners' association for the Tualatin Professional Center, an office property immediately north of the proposed subdivision.

The Association does not oppose the application itself, but does ask the city to require the applicant to make one change in the alignment of Sagert Street for the better safety of Tualatin Professional Center and the patients of the health care providers at the Center.

Sagert Street east of 65th Avenue is a half-street that also provides access to the two south driveways of the Center and the seven parking spaces in between. The Center is a cluster of four office buildings in the center of the property, with a parking lot on the east, another parking lot on the west, and seven parking spaces on the Center property, accessed directly from Sagert Street. The east parking lot and the west parking lot do not connect internally, and because of the steep grades at the north end of the Center, they cannot be connected on the north side.

The applicant proposes to eliminate the seven private parking spaces that currently access Sagert Street directly and to expand Sagert Street so as to eliminate eastbound access to the west parking lot. Patients and visitors to the west side of the Center would have to drive east on Sagert Street, turn right on the proposed 64th Terrace, and loop back on 63rd Terrace to access their destination, routing business traffic through the residential neighborhood. The enclosed Map 1 shows Lennar's proposed access route to the offices in the Center that use the west parking lot.

Such a convoluted access to the west side of the Center would run counter to several of the objectives of Tualatin's adopted Transportation System Plan, including the objectives of reducing trip length, facilitating efficient access for employees and customers to and from commercial lands, ensuring that emergency vehicles are able to provide services throughout the

Mr. Tony Doran
City of Tualatin
October 1, 2015
Page 2

city to support a safe community, and considering negative effects of alternatives on adjacent residential and business areas.

One awkwardness in the application is that Lennar proposes to remove some improvements that are on the Center property, such as the rock retaining wall that supports the Center's east parking lot (item 13 on Sheet C111 of the plans), the seven parking spaces (item 1 on Sheet C111), the storm drain (item 8 on Sheet C111). Another awkwardness is that Lennar proposes to place some temporary inlet protection around drains on the Center property (item 2 on Sheet C121) and, I think, to close the Center's access to Sagert Street during construction (item 3 on Sheet C121, "construct/maintain stabilized construction entrance per city std. drawings"). The existing Sagert Street is not simply a private driveway within a public street, but represents a half-street which the developer of the Center paid for.

The owners at the Center can, however, accommodate the proposed subdivision's reduction of their access, if the design of Sagert Street is modified slightly to provide a private accessway just north of Sagert Street between the west and east parking lots. If Sagert Street is built a few feet farther south – a few feet farther from the south building at the Center – then there will be enough room to put a two-lane driveway between the east and west parking lots, using a combination of public and private property. The new accessway would provide communication between the two lots and allow the Center to close the west driveway on Sagert (or to make it right-in, right-out only), because the east driveway would be accessible from either direction and cars entering there could get to and from both parking lots and all parts of the Center. The enclosed Map 2 shows the adjusted Sagert Street and the new connector in blue.

This connector may require a variance from city standards, but Lennar's proposal also requires a variance from city standards for minor collector streets, so the additional variance should not be an obstacle. TDC §75.140 allows commercial uses with 70 feet or more of frontage to have driveways onto minor collectors. Chapter 75 and the TSP imply that the city prefers to have landowners use combined accesses so that collector and higher streets have fewer driveways, not more, so the Center's proposal is consistent with the city's goals.

Thank you for considering the problems of providing safe and efficient access to the health care providers and unit owners at the Tualatin Professional Center.

Very truly yours,

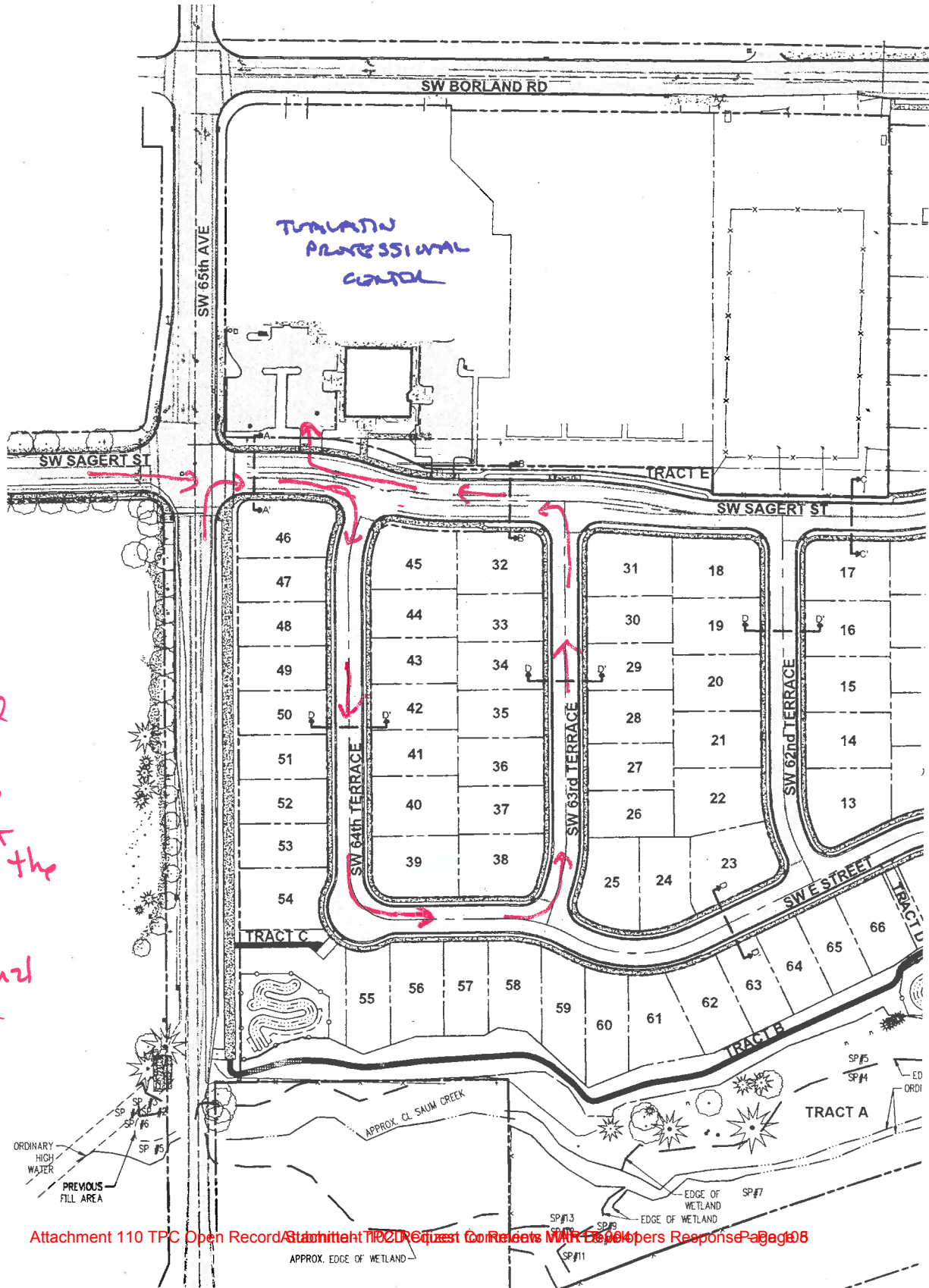
FOLAWN ALTERMAN & RICHARDSON LLP



Dean N. Alterman
dean@farlawfirm.com

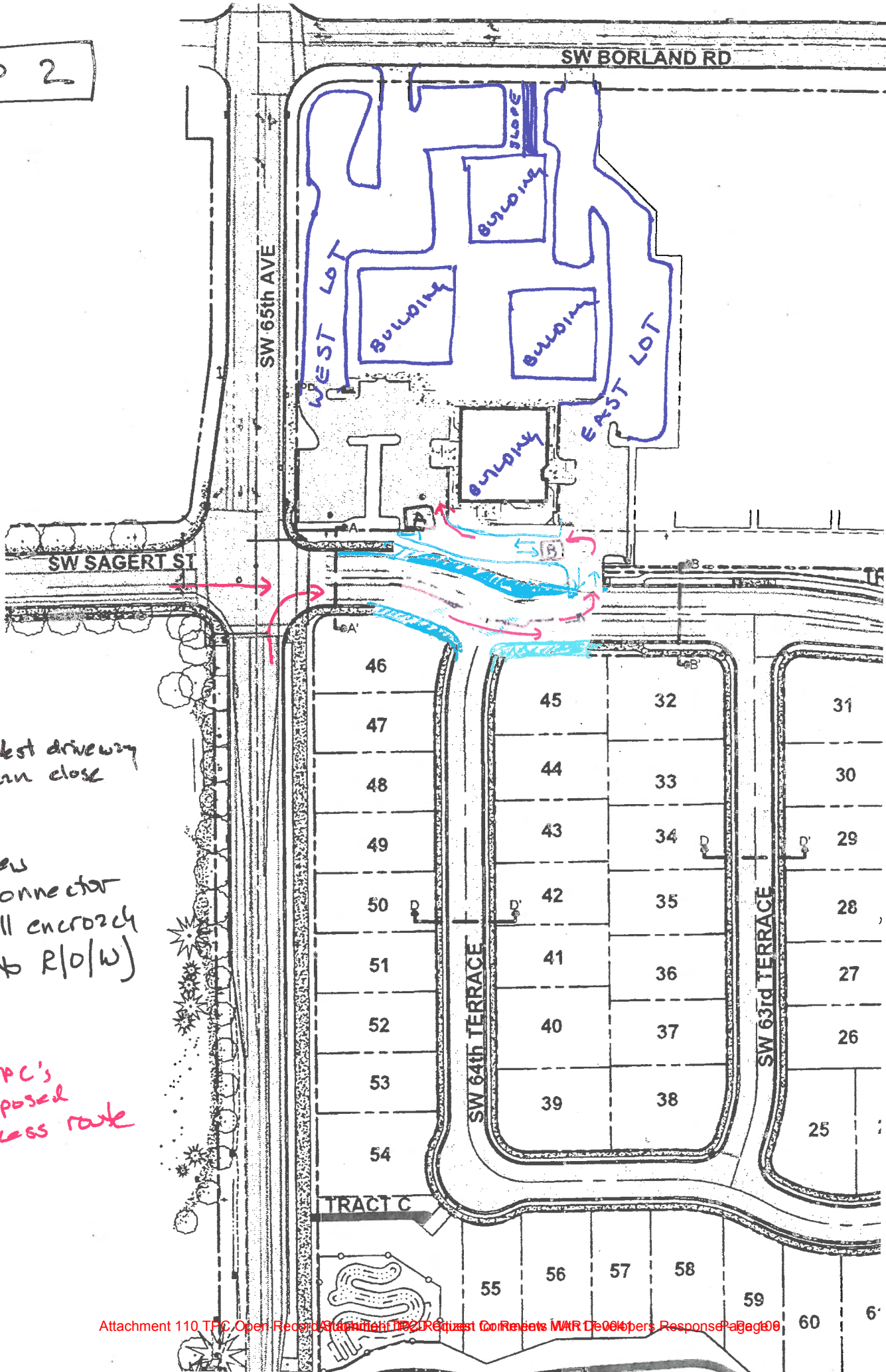
Enclosures: Map 1, Map 2
Copy: Tualatin Professional Center directors (with enclosures)

MAP 1



Lennar's proposed access route to the west part of the Tuzlabin Professional Center

MAP 2



A West driveway can close

B New connector (will encroach into R/O/W)

→ TPC's proposed access route



DAVID R. TENHULZEN, MD, DMD, PC
Physician, Surgeon, and Dentist
Oral & Maxillofacial Surgery

*Board Certified by the American Board of Oral and Maxillofacial Surgery
Fellow of the American Association of Oral and Maxillofacial Surgeons*

10/01/2015

City of Tualatin

Attn: Tony Doran, Engineering Associate

To Whom it May Concern:

I have been providing health care to the citizens of Tualatin and the surrounding communities for over 31 years at this same location. The proposal submitted for development of the Sagert farm will severely restrict access to our place of business. Not only will this impact my patients and my business in a negative manner, it will also restrict access to fire services, ambulance services and all other emergency services. I do not feel it is in the best interest of the people of this community or the business owners of the Tualatin Professional Center to restrict access in this manner.

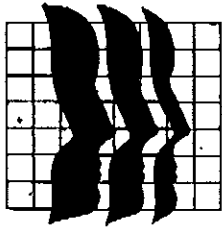
I would therefore encourage all those involved with the Sagert farm development to alter the proposed plan in whatever way possible so as to alleviate its destructive impact on the Tualatin Professional Center.

Sincerely,

David R. TenHulzen, MD, DMD, PC

6464 S.W. Borkind Road, Suite 10-3
Tualatin, Oregon 97062
(503) 692-5654
FAX (503) 692-9220
www.drtenhulzen.com

FAX COVER SHEET



Maxillofacial Surgery Associates
 David R. TenHulzen MD, DMD
 6464 SW Borland Rd., Suite D-3
 Tualatin, OR 97062
 Phone: (503)692-5654
 Fax: (503)692-9220

Send to: <i>City of Tualatin</i>	From: <i>Dr. Tenhulzen</i>
Attention: <i>Tony Doran</i>	Date: <i>10-01-2015</i>
Fax Number: <i>503-692-0147</i>	

- Urgent
- Reply ASAP
- Please comment
- Please review
- For your information

Total pages, including cover: 2

Comments:

Please call the office to confirm receipt of letter.

September 28, 2015

City Engineer
Att: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

RE: SB15-0002, Sagert Farms

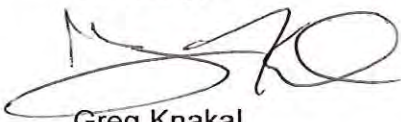
Dear Tony:

It is great to see that Tualatin is continuing to grow! I live at 6065 SW Sequoia Drive or the backside of the proposed development. My only concerns have to do with traffic. I am assuming the two traffic lights that I have highlighted on the attached form will be synched together so that these two intersections will flow properly?

Also will they be adding speed bumps through the new development to discourage cars from cutting through or do you feel the number of stop signs that are being installed will be adequate to keep this from happening? Lastly, it appears there is a proposed landscape median that will be installed near lot 75 that leads into the Sequoia Ridge development. I am hoping this is true as I think it is a nice feature.

Thank you for your time and for making Tualatin a great place to live.

Sincerely,



Greg Knakal
6065 SW Sequoia Drive
Tualatin, OR 97062
(503) 348-9483

CITY OF TUALATIN
RECEIVED

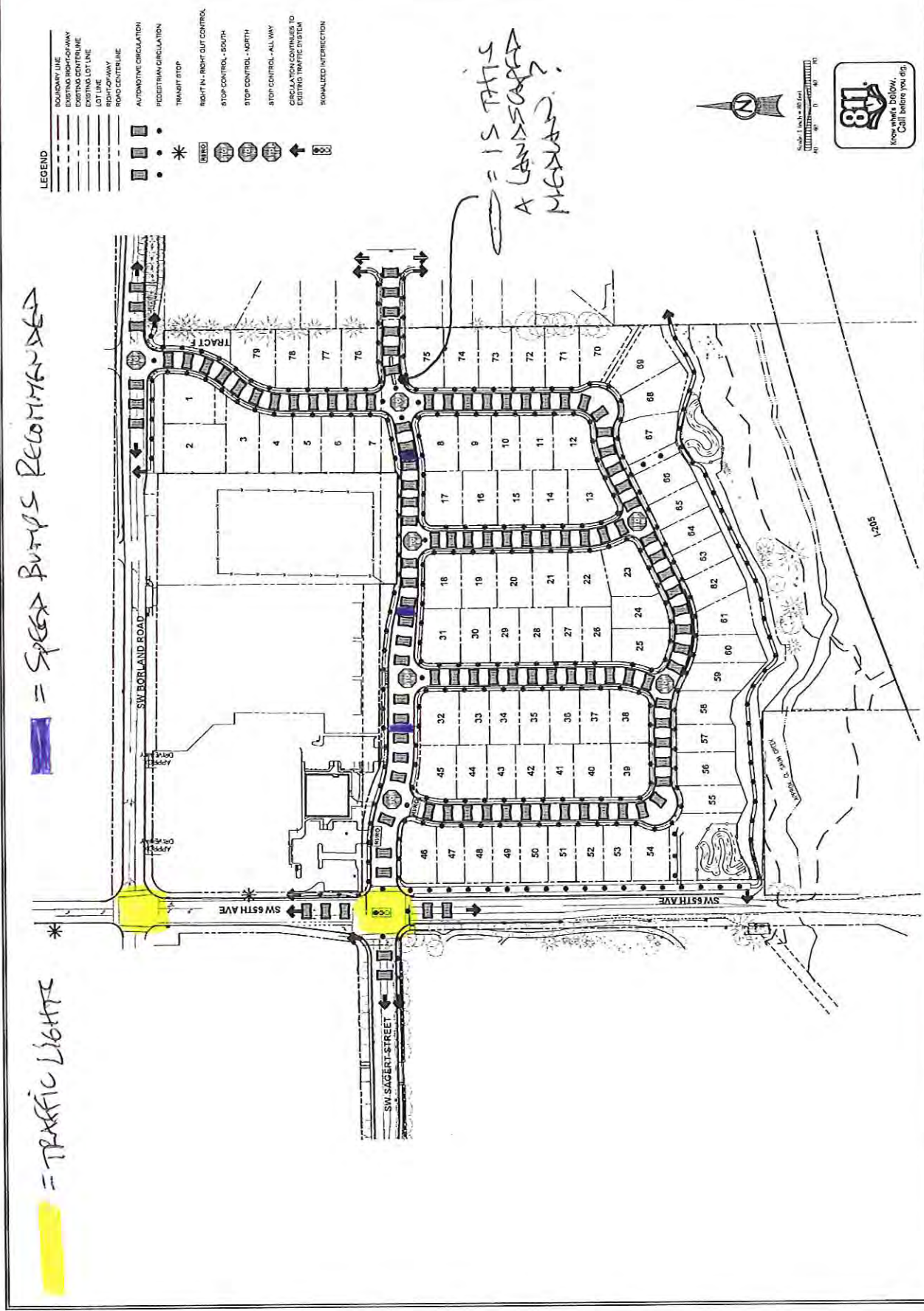
OCT 01 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF TUALATIN
RECEIVED

OCT 02 2015

ENGINEERING &
BUILDING DEPARTMENT



City of Tualatin
Tony Doran,
Engineering Associate
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

10/01/2015

RE:
SB15-0002
Proposed Subdivision, Sagert Farms
20130 SW 65th Avenue TLID 2SE30B #300 & 600

Dear Mr. Doran

As you may recall, I am the Managing Agent of the Tualatin Professional Center property at 6464 SW Borland Rd, Tualatin, Oregon 97062.

The Sagert Farm Development, as presented, adversely affects all of the owners of Tualatin Professional Center in several ways. As proposed, the west side of the Center will have a right-in and right-out access off of the proposed eastbound extension of Sagert Road. The west side of the Center has only one other entrance, which is on Borland Road, which is also a right-in, right-out street to parking lot access.

The proposal removal of 14 parking spaces from the Center, alone, is detrimental to all of the property owners, as well as the patients of Tualatin Professional Center.

Additionally, as proposed, 88 of the 148 spaces that would remain at the Center would be on the west side of the complex. This is nearly two thirds of all the Center parking that would be limited by two right-in, right-out accesses only.

It will be nearly impossible for the owners at the Center to give access instructions to their patients for two thirds of the Center Parking. There is no practical way to explain to patients how they would have to enter the Sagert Farms subdivision driving eastward, then turn around and come into the west side of the Center on Sagert westbound. Many of the patients are elderly, and many of the patients are not regularly on the property.

Lennar homes, a for profit company, would be enriching itself at the detriment of Tualatin Professional Center. As it stands, I must object to the Sagert Farms Proposed Subdivision SB15-0002

James Marlow
Managing Agent,
Tualatin Professional Center
P.O. Box 10573
Portland, Oregon 97296



James Page Walker, D.D.S., P.C.
Specialist in Endodontics

9/30/2015

City of Tualatin
Attn: Tony Doran, Engineering Associate
18880 SW Martinazzi Ave
Tualatin, OR 97062

CITY OF TUALATIN
RECEIVED

OCT 01 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Lennar is proposing a development that would cause significant economic damage to my practice and the value of my investment in the Tualatin Professional Center (TPC).

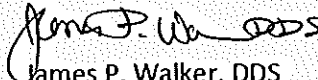
While they initially presented that they intended to be "good neighbors", their proposals and discussions have demonstrated alternative intentions. Although TPC has presented several very reasonable proposals for the proposed access to the development from 65th, none of them have been adopted. Consistently, their concerns for a few hundred thousand dollars of additional profit have always been more important than the millions of dollars invested in TPC. At our last meeting we were advised by their legal counsel that in essence "we will hurt you, it is just your choice about how much", hardly an honest approach to collaborative efforts. Additionally, in reviewing their Land Use Application, it is apparent they have withheld important information, demonstrating a lack of "good-faith" disclosure.

My main concerns are:

- 1) The restriction of access to the south-west and south-east parking areas of TPC during and after construction
- 2) The taking of TPC land without merit or compensation to the owners of TPC
- 3) The encumbrance of TPC land that will materially harm the professional practices located there
- 4) There is a lack of full disclosure. Therefore, there may be additional plan elements that are averse to me that I am not aware of.

I also would like to point out that the only stated basis of the driveway encumbrance is presented in the form of a contact between the city and the original TPC developer that clearly states that agreement expired nearly twenty-six and a half years ago on May 13th 1989. If the city or the Sagert family had intended to maintain this easement, they reasonably would have renewed that agreement or exercised that right by building the street extension. Tualatin and the Sagert family revoked this easement by not performing either action and in fact demonstrated their removal of this easement, by allowing TPC to openly and continuously use, improve and maintain the driveways and parking.

Sincerely


James P. Walker, DDS

September 27, 2015

CITY OF TUALATIN
RECEIVED
OCT 01 2015
ENGINEERING &
BUILDING DEPARTMENT

City Engineer
Attn: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, Oregon 97062-7092

Dear Mr. Doran

Thank you for the opportunity to comment on the notice of application of submittal regarding the development of Sagert Farms (SB15-0002).

My family and I live at 6085 SW Sequoia Drive, directly backing the proposed development on the east side. We have lived here for 8 years, and are very interested in the approach taken to develop this property. We have attended each of the meetings held with the public, by 3J Consulting and Lennar Homes. We appreciated their presentations, and taking under advisement our comments and the comments of others. I wish to make some of the comments I have shared with them here, as well as some other comments, in order to protect our interests and document the understanding we have regarding the development.

We understand that there will be no zoning change sought with respect to this development. We appreciate the developer's decision to build within the current zoning, and to avoid seeking to place more homes in the area than is allowed under current zoning.

The builder has represented that they will be mindful of the neighbors during construction, including keeping traffic and noise under control. We also understand that they will fence and landscape all of the properties.

We expressed that we would have appreciated some buffer between the new neighborhood and the existing neighborhood. We have a small back yard, and are concerned about how the new houses will fit in where the neighborhoods join. We understand that the developers are not proposing a greenspace or similar arrangement, but hope that they will make every reasonable effort to account for a smooth transition, and a layout of homes that does everything possible to ensure that our property is not unreasonably changed through the placement of the new homes.

I also want to comment on the trees that sit along the property line in our back yard. We believe they are mulberry trees, and they attract a great diversity of wildlife, and add scenic value and shade to the neighborhood. We understand that they have been identified to be protected. We expect that they will be, including maintenance of tree protection fencing during construction, and that no new construction or other activities would be allowed to damage them or their root systems, which would decrease the health of the trees, or cause us financial or other harm. We expect that we would be consulted if, for

any unexpected reason, the developer was required to take on any activities that could affect the trees, including trimming or digging near the roots.

We, and many others at the public meetings, expressed concern about the traffic flows through our neighborhood that may come about because of the new development. We are very concerned that traffic will cut through from Borland to Sagert across our existing neighborhood. If this happens, it could impose safety risks, increase noise, and change the feel of our neighborhood. We expect the city and developers to be mindful of this risk, which was expressed by numerous of our neighbors, and would ask that everything appropriate be done to monitor this situation and take any actions necessary to keep it under control. We have noticed and appreciate the installation of a four-way stop that is likely meant to address this situation to some extent.

Thank you for your consideration of these comments.

Sincerely,



Mark Thompson
6085 SW Sequoia Drive
Tualatin, Oregon 97062
503-691-1987



October 16, 2015

City of Tualatin
Tony Doran, EIT
Engineering Associate
18880 SW Martinazzi Avenue
Tualatin, OR 97062

**Sagert Farm Subdivision
SB15-0002
Tualatin, Oregon**

Dear Tony,

This letter has been prepared in order to respond to several public comments which have been received during the open comment period associated with the Sagert Farm Subdivision (SB15-0002). We appreciate the fact that the public is interested in this application and acknowledge that many of the comments received are generally positive and constructive in nature. As you know this project has been active for nearly 2 years and our team has made a genuine effort to reach out to our neighbors and listen to their comments during that time frame. As a result of this ongoing effort, several of our neighbor's suggestions have been included within the subdivision plans.

The following is a summary of the comments received in each of the letters submitted during the comment period followed by a response from the Applicant:

Mr. Bob Nelson Letter – September 24, 2015

Mr. Nelson raised concerns about tree numbers 10982, 10979, 10982, 10981, 10978, 10977, and 10980.

Applicant's Response Mr. Nelson raised some very good and detailed questions regarding tree protection along the project's boundary with Mr. Nelson's property. Due to the specificity of Mr. Nelson's questions, the project's arborist, Morgan Holen, has prepared a response which addresses each of Mr. Nelson's concerns in detail. This response has been attached hereto.

Mrs. Nancy Falconer – September 24, 2015

Ms. Falconer raised the following concerns:

1. The grading of lots on SW 61st Terrace with particular regard for erosion control, landscaping, and changes to the existing retaining wall.
2. Fencing – will a privacy fence be installed along the shared property line? If so, what material will be used?
3. Traffic – How will the new project affect traffic in Sequoia Ridge and what has been proposed to encourage the planned ingress/egress to and from the project?

Applicant's Response Regarding grading along the lots on SW 61st Terrace, we note that there are some grading challenges associated with the extension of Sagert near to SW 61st Terrace due to the presence of an existing berm located along the Sagert Road alignment. The project's team will work diligently to complete the required extension while minimizing impacts to adjoining private properties. If any temporary impacts or transitioning features are required, Lennar will work directly with the neighbors

through the construction plan review and site construction process to minimize impacts and to repair and replace any impacted landscape areas.

Regarding fencing, where existing fences exist along shared property lines, these will be evaluated as to whether they are of sufficient quality for retention. Where fences are found to be in need of replacement, Lennar will contact adjoining property owners and work out arrangements to replace fencing with new fencing materials.

Regarding the impacts on traffic within Sequoia Ridge, Lennar has prepared and submitted a detailed Traffic Impact Analysis with the land use application. This report is available within the City's submission materials and is present on the City's website. Lennar has gone to great lengths to make the potential for cut-through traffic into Sequoia Ridge unappealing to vehicular traffic. While a single connection to Sequoia Ridge is proposed at the west bound stub street within the Sequoia Ridge Neighborhood, this intersection has been provided with a preliminary design for a central median. The central median will have a traffic calming effect by narrowing down the travel lanes for vehicles moving in each direction. The first intersection to the west of the project's connection to Sequoia Heights will also be provided with a full four way stop. These traffic calming measures and the circuitous nature of Sagert, Sequoia Drive, and SW 60th Avenue should reduce the potential for cut-through traffic between Sagert Farms and Sequoia Ridge.

Dr. David R. TenHulsen, MD, DMD, PC – October 1, 2015

Dr. TenHulsen's letter addresses the restriction of access from Sagert Road for existing patients, ambulance, and fire service to the Tualatin Professional Center.

**Applicant's
Response**

The parking lot for the Tualatin Professional Center will be impacted by the extension of Sagert however, these impacts are necessary as the eastbound extension of Sagert from SW 65th Avenue has been contemplated since the Tualatin Professional Center was constructed. Lennar is proposing an extension which will occur only within the existing Sagert right-of-way. The alignment of Sagert is fixed by the virtue of existing improvements to the west of 65th Avenue as was discovered during the process of trying to push the Sagert alignment to the south as much as possible after the concerns of TPC were raised. The impacted portion of the TPC parking lot was constructed, not on the TPC's property, but within the public right-of-way. TPC did not construct this half street improvement at the time of its construction, rather, Lennar is shouldering the costs for the full width of the improvement. Lennar has also proposed to reconstruct the existing driveway and new landscaping along TPC's frontage, following the completion of the construction of the Sagert extension. We note that the parking configuration and access situation is less than ideal for access to the eastern and western lots however, the eastern parking lot will be provided with a left-turn from Sagert and both parking lots will continue to have access from Borland Road.

The proposed reconfigurations will take some time for patients to adjust to but we believe the changes are reasonable given TPC's situation.



Mr. Greg Knakal – September 28, 2015

Mr. Knakal inquired as to whether or not the two signals (one existing and one proposed) along Borland and 65th Avenue would be coordinated to provide synchronized movements. Mr. Knakal also inquired as to whether speed bumps would be installed along the extension of SW Sagert.

Applicant's Response The new signal at SW Sagert and SW 65th and the existing signal at SW Borland and SW 65th Avenue will be coordinated to work in tandem to move traffic as efficiently as possible through both intersections.

Lennar and the City have discussed the concept of placing speed cushions or speed bumps within the development along SW Sagert. Both the City and Lennar are in agreement that they are likely not necessary. Instead of speed bumps, Lennar will be installing a four way stop at the intersection of SW Sagert and SW 61st Avenue and a central median near the intersection of SW Sagert and SW 61st Terrace. These improvements should have the effect of calming traffic along SW Sagert.

Mr. James Marlow – October 1, 2015

Mr. Marlow felt that the Tualatin Professional Center was adversely affected by the proposed development. The center has a limited number of access points and the Borland Road entrance only provides right-in/right-out access. The proposal will remove a total of 14 parking spaces from the Center's parking lot. Nearly two thirds of the remaining spaces (88 of 148 remaining spaces) will only be accessed by right-in/right-out access points. Providing instructions to patients trying to access the site will be difficult to explain.

Applicant's Response The parking lot for the Tualatin Professional Center will be impacted by the extension of Sagert however, these impacts are necessary as the eastbound extension of Sagert from SW 65th Avenue has been contemplated since the Tualatin Professional Center was constructed. Lennar is proposing an extension which will occur only within the existing Sagert right-of-way. The alignment of Sagert is fixed because of the location of the existing improvements to the west of 65th Avenue. Lennar did discuss this potential solution with the City but intersection alignment is critical to ensuring safe movement for vehicles. The impacted portion of the TPC parking lot was constructed, not on the TPC's property, but within the public right-of-way. TPC did not construct this half street improvement at the time of its construction, rather, Lennar is shouldering the costs for the full width of the improvement. Lennar has also proposed to reconstruct the existing driveway and new landscaping along TPC's frontage, following the completion of the construction of the Sagert extension. We note that the parking configuration and access situation is less than ideal for access to the eastern and western lots however, the eastern parking lot will be provided with a left-turn from Sagert and both parking lots will continue to have access from Borland Road.

The proposed reconfigurations will take some time for patients to adjust to but we believe that the changes are reasonable given TPC's situation.

Mr. Dean Alterman on behalf of the Owners of the Tualatin Professional Center – October 1, 2015

Mr. Alterman does not oppose the proposed land use application but would request a change to the preliminary circulation plan to provide for better safety for the patients of the health care providers at the Center.

He states the circulation within the Center is limited from east to west – a significant grade change exists at the northern end of the property, preventing east/west circulation. Eastbound access to the



western parking lot would be eliminated as part of Lennar's proposed subdivision plan and because of the proposed improvements to SW Sagert.

The proposed change runs afoul of several provisions of the City's Transportation System Plan including the objectives of reducing trip length, facilitating efficient access and customers to and from commercial lands, ensuring that emergency vehicles are able to provide services throughout the City to support a safe community, and considering negative effects of alternatives on adjacent residential and business areas.

Lennar proposes to remove some improvements that are located on the Center property, such as the rock retaining wall that supports the Center's east parking lot, seven parking spaces, and a storm drain. Lennar also proposes to locate a temporary inlet protection around drains on the center property and a stabilized construction entrance.

The owners of the TPC can support a proposed reduction of their access if the design of Sagert Street is modified slightly to provide a private accessway just north of Sagert Street between the west and east parking lots. If Sagert Street is built a few feet farther south, then there will be enough room to place a two-way driveway between the east and western parking lots, using a combination of public and private property. The new accessway would enable movement between the two parking areas.

The new connector may require a variance from City standards but Lennar's proposal also requires a variance from City standards for minor collector streets, so the additional variance should not be an obstacle. TDC 75.140 permits commercial uses with 70 feet or more of frontage to have driveways onto minor Collector streets. Chapter 75 and the TSP imply that the City prefers to have landowners use combined accesses so that collector and higher classification streets have fewer driveways, not more, so the Center's proposal is consistent with the City's goals.

Applicant's Response

The proposed improvements will remove one movement from the existing access from the Tualatin Professional Center's movement by preventing a left turn from SW Sagert into the center's western parking lot. Access via right turns will still be permitted and the property will still have access to the western parking lot from Borland. While we note that the owners of the TPC speculate that a northern connection point for the parking lot is not possible, without an engineering analysis, this conclusion is premature. We note that the owners of the TPC have not consulted with a professional engineer to analyze any on-site construction options to improve circulation following the loss of the unrestricted use of the Sagert right-of-way.

Lennar proposes to make improvements within the existing Sagert right-of-way to allow for the construction of the anticipated public street. This improvement will require impacts to the existing parking lot for the center beyond the edge of the existing right-of-way, as a significant portion of the center's southern parking lot is currently located within the right-of-way. Lennar has proposed the inlet protection and the stabilized construction entrance, and additional improvements to TPC's property in order to leave the reconstructed parking lot in a repaired state. These improvements are shown on the proposed preliminary construction plans. Lennar is committed to 1) repairing the impacts to the TPC site in a manner which will re-establish the parking areas to the extent they can be retained, 2) re-establish the site's access from Sagert in a manner which is acceptable to the City, and 3) protect the TPC's property during the construction process from erosion and heavy equipment impacts. The proposed temporary construction and erosion control activities would be considered to be best management practices for sites with existing infrastructure during construction activities.



Lennar has explored a number of options for the redesign of the access to the site's southern parking lots. The proposed design submitted by the owners of the TPC is similar to another design which was not supported by the City's staff, nor by Lennar's transportation consultants. Lennar and Lennar's engineer have suggested on several occasions that the owners of the TPC should engage a professional engineer to review options for safe functional access to and throughout the center's property and this recommendation continues to stand.

The proposed improvements to SW Sagert represent not a variance, but an allowed modification to the City's standard improvements for a Minor Collector. The proposed modifications have been proposed to respond to several site specific concerns related to safety, decreased parking/increased impacts, the speed of traffic moving along Sagert, and the re-classification of SW Sagert as a minor collector during a recent TSP update. The modifications benefit all three parties by reducing the impacts to both TPC and Lennar (adjusting the alignment as far south as possible, which is what is currently proposed), and also the City by beginning a narrowing of the roadway and creating a traffic calming effect. The proposed modifications have been evaluated by Lennar's traffic engineer and by the City Engineer. All of the proposed modifications are within the City Engineer's purview to enable and no formal variance application is necessary.

The City's Transportation System Plan (TSP) does permit access to a collector for sites with a minimum frontage of at least 70 feet. The TPC does have more than 70 feet of frontage and two access points will be provided, both to the east and western parking areas. The property will have access to the eastern parking area via a full access driveway. The western parking area will only have access via a right-in/right-out configuration due to safety concerns about the presence of a full access intersection. The previously requested full access point to the western parking lot would create an unsafe condition with the potential for conflicting turning movements and unsafe queuing onto 65th Avenue.

The proposed design of the center's revised access scenario has been well vetted by Lennar's traffic engineers and the City's Engineering staff. The City's TSP, while promoting combining of driveways, also places a very high regard upon safety and it is likely that the existing access points to the TPC property would not be approvable if the center were to re-apply with the same access points under today's codes and standards.

Lennar has stated at multiple points throughout this design process that they are committed to reducing the impact upon the TPC property where possible and that they are willing to repair the impacts to TPC's existing infrastructure to create a finished look to the revised parking area. Given the situation, Lennar is of the opinion that the loss of access for left turning vehicles to the western parking lot is the best possible outcome for the TPC's parking lot, given the location of the parking lot within the existing right-of-way.

Mr. Mark Thompson – September 27, 2015

Mr. Thompson appreciates the neighborhood outreach process and that this project will not involve a zone change. He would like to see a buffer along the existing homes to the east. Mr. Thompson is of the understanding that the "mulberry trees" along the shared property line are intended to be protected. He also wishes to ensure that tree fencing is maintained to prevent damage to these trees and would request consultation if these trees were required to be removed to accommodate construction. There is concern about the potential for cut-through traffic from Borland to Sagert through the existing Sequoia Heights neighborhood, however the four way stop proposed along Sagert is appreciated.



Applicant's Response Lennar has proposed to install tree fencing along the trees which have been identified for retention within the development. Lennar's arborist has recommended that site construction activities which occur near to trees or tree protection fencing be carried out only with on-site observation from the project's arborist. Lennar is prepared to involve the project's arborist if any trees which are identified for construction may require removal during construction activities.

Dr. James Walker, DDS, PC – September 30, 2015

Dr. Walker is concerned Lennar's proposal will damage his practice and investment in the Tualatin Professional Center. He states that the TPC has presented several reasonable proposals for access to TPC from SW 65th and legal counsel for Lennar presented that "we will hurt you, it is just your choice about how much". He believes it is apparent that information has been presented in the land use application which was withheld from TPC, representing a lack of good-faith.

His primary concerns are as follows:

1. Restriction of access to the southwest and southeast parking areas.
2. The taking of TPC land without merit or compensation to the owners of TPC.
3. There is a lack of full disclosure. Additional plan elements may be proposed which I am not aware of.
4. The driveway encumbrance was required by a contract between the TPC developer and the City. The contract expired on May 13th 1989. If the City or Sagert intended to maintain this easement, they should have renewed that agreement or exercised that right by building the street section. Tualatin and the Sagert Family revoked this easement by not performing either option and by allowing TPC to use, maintain, and improve the driveways and the parking area.

Applicant's Response Lennar has made a genuine effort to coordinate the effects of the required and proposed extension of SW Sagert within the existing right-of-way along TPC's frontage with the owners of the TPC. This right-of-way, and the improvements which existed therein, were in place when the center was constructed. No change in value to the existing condominiums has occurred, an item of on-going concern has simply been triggered by a proposed development to construct a site using the existing right-of-way and the owners of the center are now required to deal with an existing condition which until now, had been dormant.

Lennar met with the owners of the TPC on three separate occasions (May 16, 2014, on February 20, 2015, and on June 12, 2015), to discuss options for the improvements to SW Sagert and to discuss the potential impacts to the western parking area. Facing an uncertain result during the initial meetings, Lennar and their consultants have worked diligently to reduce impacts to the TPC property throughout this process showing much more than just a good faith effort, but a genuine neighborly effort to accommodate the TPC site to the best of their ability given the constraints

Regarding the concerns listed within Dr. Walker's letter, we have the following responses:

1. The proposed access to the center from Sagert Street provides adequate but not perfect access to both parking lots. The proposed design would allow TPC to have full access to the eastern parking lot from Sagert Street. Only the western access point would be affected through the installation of a right-in/right out configuration has been proposed due to safety concerns. The site will retain the existing access to the western parking lot from Borland Road.
2. No right-of-way will be required to facilitate the construction of the Sagert Street Extension. The land upon which construction activities are proposed, is already existing right-of-way and not TPC's property.



3. Lennar has made significant efforts to examine a variety of options for the TPC's property and has arranged for several meetings to communicate these options. Lennar has made extraordinary efforts to accommodate the desires of the TPC's ownership group.
4. As a result of the negotiations between the City and the original developer of the TPC, the right-of-way necessary to complete the extension of SW Sagert was dedicated to the City in 1995 (Document Number 95-006450). The City has no obligation to renew or reaffirm its status as the owner of the City's right-of-ways.

Marion and Jim Ortman – October 13, 2015

The Ortman's raised concerns about commuters using Borland Road and SW 65th to get to I-205, which has increased traffic flow onto SW Sagert. The letter notes that the Ortman's were not able to attend any of the public meetings held for the project and wondered if there were going to be intersection improvements at Sagert/Borland/65th Avenue. They also wondered if any studies had been completed regarding the installation of a round-a-bout. They would also like to know what the current plans are for traffic control at the 65th and Sagert intersection.

Applicant's Response

Lennar completed a series of public meetings and consultations to explain the proposed transportation improvements and the subdivision process. Lennar also completed a detailed transportation impact analysis which is available on the City's website for review. Several comments received from the neighbors who attended the meetings which specifically requested traffic calming measures were incorporated into the proposed development and transportation system. Among these were four way stops along Sagert through the development, and a central median to calm traffic, just before the connection to the existing portion of Sagert within Sequoia Ridge.

SW Sagert and SW 65th will receive a new full traffic signal as a result of the development. This traffic signal will be coordinated to work in tandem with the signal at SW 65th and Borland Road. The signals will be coordinated to allow traffic to move through both intersections as efficiently as possible. The Traffic Impact Analysis submitted with the land use application indicates that residents can expect a level of slight improvement of the function of both intersections as a result of the off-site improvements.

Please feel free to give me a call if you have any questions or need any additional clarification.

Sincerely,



Andrew Tull
Principal Planner
3J Consulting, Inc.

Attached: Arborist's Response Memorandum – September 29, 2015

Copy: Mr. Mike Loomis, Lennar
Mr. Mike Anders, Lennar
Mr. John Howorth, 3J Consulting, Inc.
Mrs. Kelly Hossani, Miller Nash Graham & Dunn, LLP
File



DATE: September 30, 2015
TO: Andrew Tull, 3J Consulting
FROM: Morgan Holen, Project Arborist
RE: Sagert Farms – Arborist Response to September 24, 2015 Letter from Bob Nelson

MHA15017

This memorandum is provided in response to the questions and concerns presented in the September 24, 2015 letter from Bob Nelson who lives at 6035 SW Sequoia Drive in Tualatin, directly adjacent to the Sagert Farms project site. Excerpts from Mr. Nelson’s letter are included below in bold type; responses from the project arborist follow each question or concern.

Why did you not give the recommendation to “Protect off-site tree” for tree # 10982? You gave tree #10979 (redwood with 10” DBH) 100’ to the north the recommendation of “Protect off-site tree”, but not tree #10982.

The difference has to do with how tree survey points appear on the tree survey drawing that was used to conduct the tree inventory fieldwork. The tree inventory data includes recommendations to “protect off-site tree” for trees with survey points located completely off-site or on property boundaries, while recommendations for trees with survey points located on-site were classified as either “retain” or “remove”. The survey point for tree 10982 is shown on-site, although the trunk of the tree is large enough to cross over onto Mr. Nelson’s property. The survey point for tree 10979 is shown on the property boundary, therefore this tree was classified as “protect off-site”. Regardless, both trees are recommended for preservation with protection during construction.

What is the recommended setback distance for construction activity (grading, earthmoving, foundations, nonporous surfaces) from a large redwood tree? I assume if is no closer than the dripline – but I would like your professional opinion.

and

The second tree I am concerned about is tree #10981 (Douglas Fir; 30” DBH; 24’ C-Rad; Good condition). What is the recommended construction setback for this Douglas Fir (tree # 10981)? Is it at the dripline?

We recommend construction encroachment no closer than one half the crown radius distance limited to one quadrant of the total root zone and arborist oversight of work that is necessary within the encroachment area to supervise construction and provide on-the-ground recommendations to minimize tree root impacts. The crown radius along the west side of tree 10982 measured 28-feet. Therefore, encroachment should be limited to no closer than 14-feet beneath the dripline; this is where tree protection fencing is illustrated on the tree protection plan. The crown radius along the west side of tree 10981 measured 24-feet. Therefore, encroachment should be limited to no closer than 12-feet beneath the dripline; tree protection fencing is illustrated at 14-feet on the tree protection plan.

The project arborist should supervise work that is necessary beneath the dripline within the allowable encroachment area to evaluate potential root impacts and provide recommendations as needed to avoid critical root impacts. Such oversight, recommendations, and implementation of the arborist’s recommendations should be documented in tree protection monitoring reports submitted to the developer.

The tree protection recommendations provided on pages 5 and 6 of our May 10, 2015 Tree Assessment Report specify that construction that is necessary beneath protected tree driplines should be monitored by the project arborist and note that it is the developer's responsibility to coordinate with the project arborist as needed prior to working beneath the dripline of any protected tree. These recommendations should be translated as specifications onto the tree protection plan; this could be required by the City as a Condition of Approval.

Considering the species and general condition of both trees, the tree protection recommendations provided allow for limited encroachment within the dripline area, while providing sufficient protection during construction.

Will tree #10981 be exposed to additional windthrow when tree #10978, 10977, and #10980 are removed?

During the tree inventory fieldwork, trees were evaluated in terms of potential impacts from exposure by adjacent tree removal. Trees 10977 and 10978 are planned for removal for construction. Tree 10980 is an off-site Douglas-fir with a unique treatment classification: "re-evaluate at the time of adjacent tree removal". The May 10, 2015 Tree Assessment Report states that tree 10980 "is an 18-inch diameter Douglas-fir located in the City's open space tract east of the project site in the northeast area. This tree is intermediate in crown class and the proposed removal of two on-site Douglas-firs (#10977 and #10978) for construction on lot 78 is likely to expose this tree resulting in an increased risk of windthrow. Therefore, tree #10980 should be re-evaluated by a qualified arborist at the time of clearing in terms of hazard risk potential and removal may be recommended. The applicant should coordinate with the City to obtain authorization to remove this tree if it is determined that the tree presents a foreseeable threat of danger after being exposed by adjacent tree removal" (pages 3-4).

Tree 10981 was classified as "retain" and no significant negative impacts are anticipated from exposure by adjacent tree removal. The nearby trees planned for removal are not in direct competition with this tree, nor do they provide important shelter for this tree from predominant winds. Tree 10981 has relatively good structure, including good taper and height to diameter and live crown ratios, which are all indicators of stability. The tree protection recommendations provided on pages 5 and 6 of our May 10, 2015 Tree Assessment Report specify that stumps of removed trees located within 30-feet of protected trees should be removed under the direction of the project arborist to help minimize underground impacts to potentially interconnected roots. Again, these recommendations should be translated as specifications onto the tree protection plan, which could be required by the City as a Condition of Approval. We also anticipate the opportunity to visually assess protected trees following tree removal activities and would document any concerns or recommendations as needed.

The submitted plans appear to indicate that the tree protection fencing is only 15' from the Redwood and 20' from the Douglas Fir. I do not want the trees in, or near, my property to be at risk of harm due to construction or the new development. I would like to find out what the best practice is to maintain the integrity of existing large trees. They are very large and in close proximity to my family's home (and soon 2 more homes). These trees could present a major threat of danger if their health is compromised. Also, the cost of removal would exponentially rise after construction is complete.

The tree protection plan specifies tree protection fencing to be installed at the 15-foot rear yard setback along the eastern property boundary. The tree protection measures recommended in our May 10, 2015 Tree Assessment Report will provide sufficient tree protection while allowing limited construction

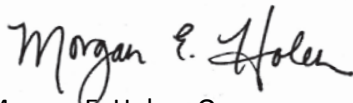
encroachment beneath protected tree driplines. However, it is the developer's responsibility to ensure that the tree protection plan is followed. The tree protection recommendations provided on pages 5 and 6 of our May 10, 2015 Tree Assessment Report note that "The project arborist should supervise proper execution of this plan during construction and will be available on-call. It is the developer's responsibility to coordinate with the project arborist as needed." Furthermore, "After the project has been completed, the project arborist should provide a final report that describes the measures needed to maintain and protect the remaining trees." Translating these recommendations onto the tree protection plan as specifications is again suggested.

We have worked with Lennar on numerous development projects to provide on-the-ground assistance and document tree protection plan implementation and look forward to providing consulting arborist assistance during the construction phase of the Sagert Farms project. Arborist site visits will be documented in monitoring reports that Lennar may provide to Mr. Nelson and other interested parties upon request. The condition of tree protection measures and implementation of arborist recommendations will be described in these reports. If, at any time, unforeseen or unnecessary construction impacts were to occur to any protected tree, it would be documented in these reports along with recommendations for remedial treatments. The trees planned for retention can be adequately protected during construction so long as the tree protection plan is implemented with the recommendations provided in the May 10, 2015 Tree Assessment Report.

We want to thank Mr. Nelson for reviewing the tree protection plan and submitting his written comments to us with the opportunity to respond.

Please contact us if you have questions or need any additional information.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Owner
ISA Certified Arborist, PN-6145A
ISA Tree Risk Assessment Qualified
Forest Biologist



August 10, 2015

Clackamas County Engineering Technical Staff
Transportation and Development
150 Beaver Creek Rd.
Oregon City, OR 97045

Sagert Farm Subdivision
Tualatin, Oregon
RE: Design Modification – SW 65th Avenue

Dear Clackamas County Engineering Technical Staff:

This letter and the attachments hereto have been submitted in order to request a design modification for improvements associated with the subdivision planned for the Sagert Farm property located at 20130 SW 65th Avenue within the City of Tualatin. The Applicant's for this property have an active application under review with the City of Tualatin (SB15-0002) and have applied for this modification with the County as Clackamas County has jurisdiction over SW 65th Avenue, which fronts the property.

The Relief Requested:

1. The Applicant requests relief from the sidewalk width standards listed within ZDO Section 1007 to allow for a decrease in sidewalk width from the required 8 foot curb-tight sidewalk to a 5 foot curb-tight sidewalk. The intersection between SW Sagert Street and SW 65th Avenue contains improvements constructed by a previous development application in 1995 within the right-of-way.. The presence of a retaining wall along with grading issues near private property require the existing retaining wall to remain thus requiring a reduction in the sidewalk width. Due to the existing alignment of Sagert Road and the property alignment of the Tualatin Professional Center, the newly configured roadway is required to maintain the proposed alignment.

Regulation Requirement:

1. Per the Clackamas County Minor Arterial Standards:

Table 1007-1: Minimum Sidewalk and Pedestrian Pathway Width

Street Type	Residential Sidewalk	Commercial or Institutional Sidewalk	Industrial Sidewalk
Local	5 feet	7 feet	5 feet
Connector	5 feet	7 feet	5 feet
Collector	5 feet	8 feet	5 feet
Arterial	6 feet	8 feet	6 feet

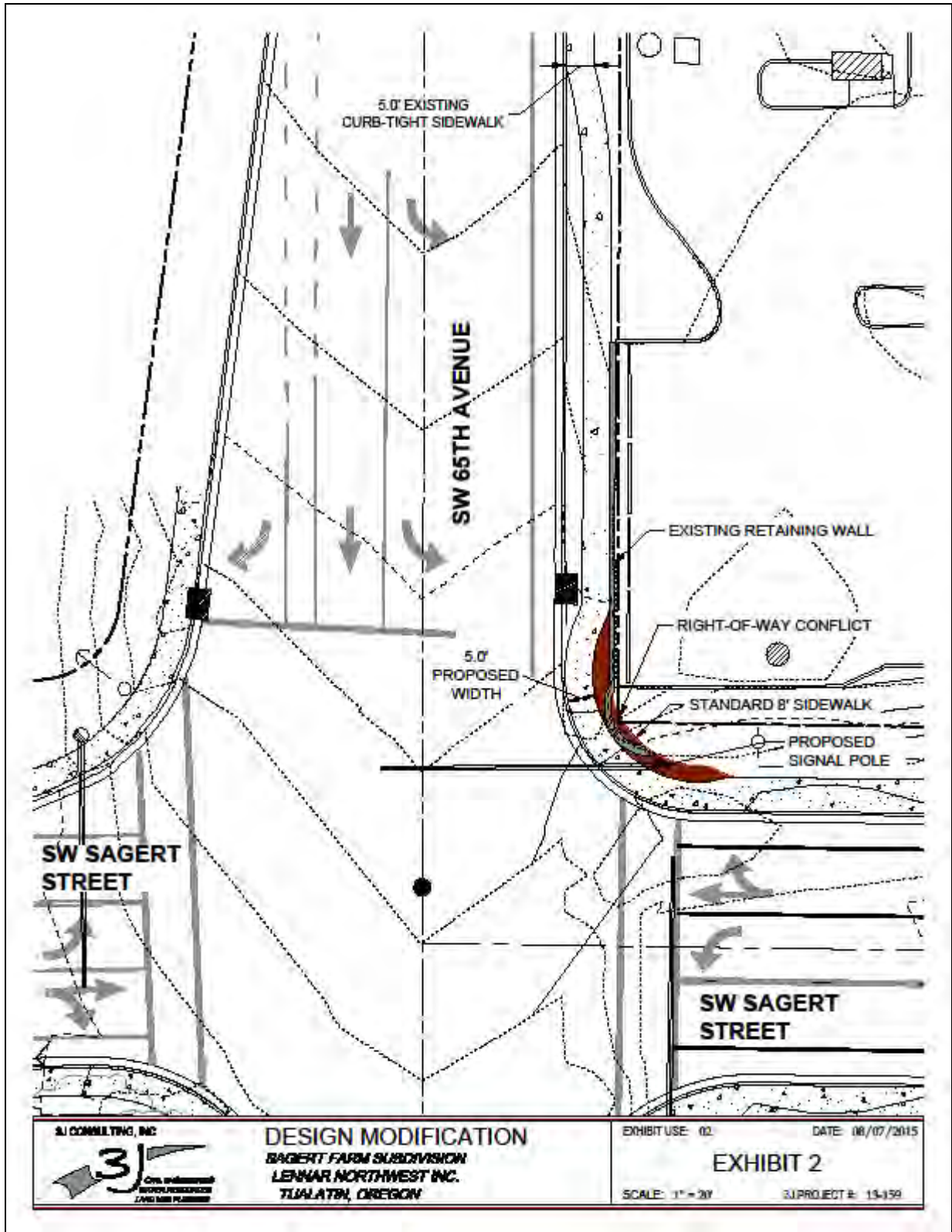
1. The entire required width of sidewalks and pedestrian pathways shall be unobstructed.
2. Sidewalks and pedestrian pathways at transit stops shall be a minimum of eight feet wide for a distance of 20 feet centered on the transit shelter or transit stop sign.
3. A sidewalk set back from the curb by at least five feet may be one foot narrower (but not less than five feet) than the standard listed above. This five-foot separation strip shall be landscaped and shall be maintained by the adjacent property owner. The landscape strip may contain fixed objects provided that sight distance and roadside clear zone standards are satisfied pursuant to the Clackamas County Roadway Standards.
4. Uses located in the Campus Industrial, Light Industrial, General Industrial, or Business Park District and containing over 5,000 square feet of office space shall comply with the requirements for Commercial and Institutional uses.

Per the City of Tualatin TSP, SW 65th Avenue is designated as a Collector road and requires an 8 foot wide commercial sidewalk unless permitted through the modification process.

Proposed Design:

1. In order to provide pedestrian access and connection of existing sidewalk infrastructure, a reduction from the county standard of 8 feet to 5 feet is proposed. Existing grade and property restrictions adjacent to the proposed intersection at SW Sagert Street and SW 65th Avenue preclude the construction of a curb tight sidewalk built to current Clackamas County standards. The available clear distance between the proposed back of curb and the existing adjacent retaining wall will allow for a 5 foot wide curb-tight sidewalk. A 5 foot meandering sidewalk currently exists along the east side of SW 65th Avenue, with portions being constructed curb tight. ADA standards for accessible routes currently require 3.5 feet (42 inches) of clear travel space for the user. Including the 0.5 foot (6 inches) standard curb and the proposed 5 foot (60 inches) sidewalk, the proposed design would meet ADA standards while allowing for 2 foot (24 inches) of additional maneuvering area on the route.





Summary:

The Applicant has proposed to maintain pedestrian access along the north-east corner of the SW Sagert Street and SW 65th Avenue intersection.

The Applicant has proposed to locate a 5 foot wide curb-tight sidewalk at the northeast corner of SW 65th Avenue and SW Sagert Street. The proposed 5 foot wide curb-tight sidewalk would allow a transition to the existing 5 foot wide sidewalk along the east side of SW 65th Avenue and avoid encroaching onto the adjacent private property. The proposed configuration would also allow for the placement of a new signal pole while maintaining pedestrian access in a state which closely reflects the existing conditions along the Tualatin Professional Center frontage.

We respectfully request the Engineering Technical Staff to approve the design modifications which have been requested herein.

Sincerely,

Jesse Emerson, PE
3J Consulting, Inc.

2550
2550

AGREEMENT

H-21

THIS AGREEMENT, made and entered into this 14th day of May, 1984, by and between CITY OF TUALATIN, a municipal corporation in Washington County, Oregon, hereinafter referred to as "CITY," and CONSOLIDATED ASSET GROUP, INC., hereinafter referred to as "DEVELOPER,"

WITNESSETH:

WHEREAS, the DEVELOPER received approval for a development from the CITY; and

WHEREAS, Land Partition (LP-83-01), approved by the City Council of Tualatin on March 28, 1983, contains certain conditions relative to half-street improvements in S.W. 65th Avenue and S.W. Sagert Street, and

IN CONSIDERATION of the mutual promises, covenants and undertakings, IT IS AGREED:

Section 1: The DEVELOPER agrees to deposit with the CITY the sum of \$15,613.95. This amount is equal to the cost of construction that would have been incurred by the DEVELOPER had the improvements to S.W. 65th Avenue and S.W. Sagert Street been constructed at the time the project was developed. The improvements required to be constructed in S.W. 65th Avenue and S.W. Sagert Street are adjacent to the Tualatin Professional Center are as follows:

- Widening of the pavement to provide a 20-foot half-street improvement along S.W. Sagert Street and 22-foot half-street improvement along S.W. 65th Avenue from the centerline of the road, installation of curbs

and gutters and sidewalks, street trees and street lights along S.W. 65th Avenue and S.W. Sagert Street, reconstruction of portions of S.W. 65th Avenue deemed to be of inadequate structural section to handle the projected traffic loads on S.W. 65th Avenue, and to make adjustments in the horizontal and vertical alignment as necessary to construct S.W. 65th Avenue in a safe manner.

Section 2: The funds deposited with the CITY shall be retained by the CITY and all interest earned on this money shall be used for the construction of the improvements described in this agreement.

Section 3: CITY agrees to use the funds deposited by DEVELOPER and all interest accrued on said funds in the following manner:

1. CITY may construct a half-street improvement required of DEVELOPER using the funds deposited and interest accrued thereon.
2. CITY may combine the funds deposited and interest accrued thereon from DEVELOPER with other funds available to the CITY for construction of a City sponsored project.
3. CITY may combine the funds deposited and interest accrued thereon with funds derived from a local improvement district for the improvement of S.W. 65th Avenue and S.W. Sagert Street.

Section 4: If the CITY constructs a half-street improvement as discussed above in Section #1 above, the CITY will keep a detailed cost accounting of the project, the excess funds upon completion of the project, and these funds

2

PAGE TWO

will be returned to the DEVELOPER. If the total construction costs exceed the amount deposited by the DEVELOPER, the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

Section 5: If the CITY combines funds with other funds for City projects as in 2(2) above, CITY will determine an appropriate assessment method for properties that would be included in a local improvement district had one been formed. If the amount that would be assessed to DEVELOPER is less than the amount deposited by DEVELOPER and interest accrued on said deposit and the CITY will refund the difference back to DEVELOPER. If the total cost exceeds the amount deposited by the DEVELOPER the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

The CITY and DEVELOPER agree that the maximum obligation of the DEVELOPER under Sections 4 and 5 is 10% more than the amount deposited plus interest earned under Section 2 of this agreement.

Section 6: If the City forms a Local Improvement District to construct the improvements covered by this agreement and if assessment against this property is less than the total of the funds deposited by DEVELOPER, and interest accrued thereon, the CITY will refund to DEVELOPER the difference. If the assessment determined by the CITY is greater than the funds deposited and interest accrued thereon by DEVELOPER, DEVELOPER will pay the additional amount over the amount deposited and interest accrued thereon. This additional amount will be eligible for Bancroft Bond financing. If the CITY forms a Local Improvement District to construct the improvements covered by this agreement, the DEVELOPER may elect to Bancroft the entire assessment and receive a refund of the amount deposited in Section 1 of this agreement with the interest accrued in Section 2.

3

H.2 C
Section 7: The DEVELOPER agrees that by execution of this agreement, he will not remonstrate against the formation of a local improvement district to construct improvements to S.W. 65th Avenue and S.W. Sagert Street.

Section 8: This agreement shall be in effect for a period of five (5) years from its enactment. If at the end of five (5) years the CITY has not used funds deposited and interest accrued by DEVELOPER for the improvement of S.W. 65th Avenue and S.W. Sagert Street, then the funds and interest shall be returned to DEVELOPER.

Section 9: It is intended by the parties that all promises to be performed by DEVELOPER shall be covenants, conditions and restrictions running with the title to the property and shall be binding upon DEVELOPERS, their successors in interest and assigns.

Section 10: Promptly after its execution by the parties, this agreement shall be recorded in the records of Washington County to provide public notice of the conditions, covenants and restrictions against the title to the property imposed by this agreement.

Section 11: The DEVELOPER agrees that the driveway improvements to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his expense.

Section 12: Land Partition (LP-83-01) contains certain conditions relative to half-street improvements along S.W. Borland Road.

4

1. Said improvements have been completed to the satisfaction of the CITY.
2. DEVELOPER is required to submit to the CITY a maintenance bond in the amount of 15% of the cost of said half-street improvements as guarantee against any defects in materials and workmanship for a period of (1) year from the date of this agreement, DEVELOPER agrees to deposit the sum of \$3750.00 in substitution for said maintenance bond.
3. CITY agrees to use said deposit to correct any defects in materials and workmanship for a period of (1) year from the date of this agreement.
4. CITY agrees to refund the balance of the deposit plus any interest accrued on the initial deposit to the DEVELOPER at the end of the (1) year period.

IN WITNESS WHEREOF, the parties have executed this agreement to be effective on the date first above mentioned.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY Stephen A. Rhodes
City Recorder

DEVELOPERS:

[Signature]

5

PAGE FIVE

SUBSCRIBED AND SWORN to before me this 29th day of March, 1983. H-2C

Mary A. Wood
Notary Public for Washington

My commission expires: 6-1-86



STATE OF WASHINGTON
County of Clark
I, Juanita M. Oba, County Clerk, E. Clerk,
Recorder, Conservator of the State of Oregon,
County of Clark, do hereby certify that
the instrument of writing hereinafter
recording in the records of said County at

1983 MAY 17 PM 1:56

Witness my hand and seal, affixed
Juanita M. Oba
JUANITA M. OBA
County Clerk
Recorder Certificate
CCP 64 S-4 16657

6

PAGE SIX

550
5-56

H-2C

RESOLUTION NO. 1408-84

A RESOLUTION AUTHORIZING THE MAYOR AND CITY RECORDER
TO EXECUTE AN AGREEMENT WITH CONSOLIDATED ASSET GROUP

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON,
that:

Section 1: That the agreement (attached hereto) between the Consolidated
Asset Group and the City of Tualatin is for the purpose of half-street
improvements in S.W. 65th Avenue and S.W. Sagert Street adjacent to the
Tualatin Professional Center Development.

Section 2: That the Mayor and City Recorder are authorized to execute
the attached agreement and record said agreement on the Clackamas County
Book of Records.

INTRODUCED AND ADOPTED this 9th day of April, 1984.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY [Signature]
City Recorder



STATE OF OREGON)
County of Clackamas)
I, Juanita N. Orr, County Clerk, Ex-Officio
Recorder of Conveyances of the State of Oregon,
for the County of Clackamas, do hereby certify
that the instrument of writing was received for
recording in the records of said County at

1984 MAY 17 PM 1:56



Resolution No. 1408-84

84 16656



Dorothy S. Cofield,
Attorney at Law

December 18, 2017

Erin Engman
18880 SW Martinazzi Ave.
Tualatin, OR 97062-7092

Via: HAND DELIVERY

Re: Request for Review of MAR 17-004 Tualatin Professional Center Appeal

Dear Ms. Engman,

Please find two CDs and a flash drive with the documents to be placed in the record and before the decisionmaker in the above referenced appeal.

The documents on the CD are as follows:

1. Preliminary Land Use Plans
2. Narrative
3. Neighborhood Meeting May 2014
4. Neighborhood Meeting Dec 2014
5. Neighborhood Meeting Jan 2015
6. Tualatin Professional Center Meeting Minutes
7. Tualatin Professional Center Sagert St Clack Co Recorded Doc 84-16656-7
8. Clackamas County Modification Request Submittal - Sagert & 65th Modification
9. SB15-0002 Sagert Farms Issued Decision
10. Citizen Comments with Developer Response
11. Request for Review
12. Applicant's Response
13. Lennar hearing memo
14. ClackCo Recorded Document 84-16656-7
15. LP 83-01 Documents
16. ARB 83-06
17. Power Point Sagert Farms Staff Report Presentation 2016_01_25

///

///

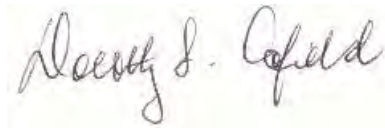
///

Erin Engman Letter
December 18, 2017
Page 2

18. Resolution 5265 Approving Sagert Farms SB15-0002
19. MAR17-0041_TPC_Completeness Letter_20170921
20. Erin Engman Letter Response 10.3.17

Very truly yours,

COFIELD LAW OFFICE

A handwritten signature in black ink on a light yellow background. The signature reads "Dorothy S. Cofield" in a cursive script.

Dorothy S. Cofield

DSC:ekb



Dorothy S. Cofield,
Attorney at Law

October 3, 2017

Erin Engman
Planning Department
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
VIA: eengman@tualatin.gov

Re: Tualatin Professional Center, 6464 SW Borland Road, Tualatin, OR 97062

Dear Ms. Engman,

I am now the land use attorney representing Tualatin Professional Center (TPC) and my client's engineer, Matt Johnson with KPFF Consulting Engineers), passed along the letter you sent him on September 21, 2017 regarding the restoration of the site's two southern accesses on to Sagert Road, as required by the Sagert Farms subdivision approval (SB15-0002). As I understand your letter, as part of the approval process for the two, restored accesses, TPC needs to submit revised site plans that include the four bullet items listed in your letter.

TPC very much appreciates your review of their construction plans for the restored two accesses. The purpose of this letter is to let you know how TPC will respond to your four requested additions:

- *Evidence that the two on-site access drives meet the standards of TDC 73.400(11)*

It is TPC's position that the minor architectural review (MAR) for the restored accesses does not apply to TPC's access reconstruction plans. Architectural review applies to parking lot improvements or expansion; landscaping improvements and a change of use for a property. TPC is not constructing or expanding its parking lot: It is restoring its two southern accesses per the Sagert Farm's subdivision approval Conditions Nos. 16 and 48. The two southern accesses to TPC's four buildings (approved in 1984 as a condominium plat and as such is a lawful, nonconforming use) were reviewed and approved in the Lennar Sagert Farms review process. During the Sagert Farms review, there was never any mention of a subsequent land use review to restore TPC's two southern accesses, such as the MAR which is now being required.

To that point, Lennar Homes Northwest, the applicant for Sagert Farms, already submitted and was approved for a site plan for the two southern TPC accesses. *See Exhibit 1.* The City applied TDC Chapter 75 which required TPC to change its southwestern access to right-in-right-out due to the development of the Sagert Farms subdivision and Sagert Road.

As part of the Sagert Farms subdivision review, TPC appealed the City's requirement that its southwestern access be modified to a "right-in-right-out." In denying TPC's request, the extensive findings for TPC's appeal of the "right-in-right-out" requirement made clear that: **"Tualatin Professional Center will have substantially similar access as compared to its current condition."** See Attached Exhibit 5 (Staff Report, Request For Review SB 15-0002 "M." Findings Related to TPC.)

After the subdivision was approved, Matt Johnson and TPC attended a scoping meeting with the city planning staff on February 22, 2017 to discuss restoring the two southern accesses. The City discussed some general requirements but did not indicate a revision of the internal parking lot was required. To that end, the City asked TPC to apply for a pre-application ("Pre-app") conference and submit a preliminary site plan which TPC prepared consistent with the previously approved SB 15-0002 Lennar TPC access plan. See Exhibit 1 and 6. During the Pre-app on April 5, 2017, TPC was told that if their plan matched the Sagert Farms site plan, it would be reviewed as a Minor Architectural Review (MAR). When the construction plans to conform with the understanding from the Pre-app meeting were submitted to the city staff, there was a change of direction that imposed the access standards of TPC 73.400(11) for the first time.

As I'm sure you are aware, those access standards will severely impact TPC's existing, nonconforming use parking lot by requiring extension of each 32' wide access for the first 50 feet from the ROW of Sagert Road. Losing up the 19 additional parking spaces in order to meet TDC 73.400(11) "50-foot throat" is not a substantially similar access as represented in the City's Request for Review Staff Report Findings. Bear in mind TPC already agreed to lose 7 spaces in front of building "D" due to the Sagert Road development and to landscape these lost parking spaces.

TDC 73.400 applies when there is "an increase" to ingress and egress uses of a property. In this case, there is no change to TPC's use of its property as a medical condominium comprised of four separate buildings. The change is to Sagert Road due to the construction of Sagert Farms Subdivision. It seems to me that the City having reviewed the two southern accesses and approved them in SB 15-0002 and the Request for Review, now has no reason to require a new land use review process which impacts TPC's internal, nonconforming use parking lot. It is only due to the Sagert Farms subdivision that TPC's two southern accesses must be relocated. The TDC seeks to protect a lawfully, nonconforming use and TPC should be afforded that right to continue using its historical parking lot configuration and not have a new, stricter access standard apply which removes up to 19 existing parking spaces. See Attached Exhibit 2; TDC 35.020 (Continuation of Non-Conforming Uses). TPC is not requesting an alteration or enlargement of its parking lot – just a restoration of its previously-existing southern accesses. As I'm sure you are aware, TPC is a medical condominium and as such accessible parking is very important for the patients coming to see their doctors. As I'm sure we can all agree, having enough parking spaces to serve patients is critical to the community's health needs.

As for the other bullet items in your letter, TPC can provide additional information as follows:

- *Improved site access that meets the standards of TDC 73.360(6)(a)*

TPC will install island landscaping to meet TDC 73.360(6)(a) as shown on the attached Exhibit 3 plan.

- *ADA compliant walkway(s) that meet TDC 73.160(1)(a)(i)*

TPC will construct the walkways from the newly constructed Sagert Road right-of-way and add landscaping where parking spaces along the southern side of Building “D” were removed due to the construction of Sagert Road. However, these two restoration elements in no way involve a MAR and the planning and engineering department should approve the submitted KPFF construction plans that show those two features as shown on Exhibit 4.

- *Driveway plan and profile to show transition between the public right-of-way and on-site access drives.*

TPC’s attached plans shows the required transition. *See Exhibit 4.*

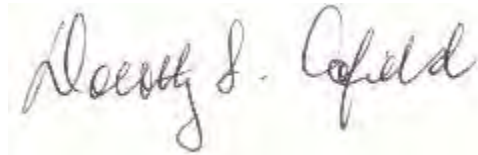
We appreciate your suggestion of a variance but TPC should not have to get a variance to TDC 73.400(11) because it does not apply to the restoration of the two southern accesses. A few years ago, TPC re-asphalted its parking lot and did the required storm drainage improvements the City required. Unlike the present situation, there was no imposition of a land use review and new standards.

TPC wants to work with the City to ensure its southern accesses to Sagert Road are safe and meet the Sagert Farms subdivision approval. TPC has lost seven parking spaces on the south side of Building “D” but understands that the improvements to Sagert Road necessitated the loss of these parking spaces. TPC will ensure replacement landscaping meets all city standards and beautifies the City of Tualatin.

If the City agrees with TPC’s position above, TPC will withdraw its MAR application and the City should promptly approve the submitted Exhibit 4 plans.

Thank you in advance for your response to the applicant’s intentions to submit the identified, additional information from your completeness letter.

Very truly yours,



Dorothy S. Cofield

Enclosures: As Stated (Exhibits 1-6)

cc: Client
Matt Johnson
Margot Seitz
City Attorney



Mailing: PO Box 903, Canby, OR 97013
Physical: 16570A SE McLoughlin Blvd. Portland, OR 97267
Office (503) 305-7204 • Fax (503) 303-5809
www.kineticpropertiesllc.com • info@kineticpropertiesllc.com

December 14, 2017

Dorothy Cofield
Cofield Law Office,
1001 SW 5th Ave. Suite 1100, Portland, Oregon 97210

Re: TPCCPA Parking lot restoration hardship

Dear Ms. Cofield,

This letter is intended to help define the hardship placed upon Tualatin Professional Center Condo Owners Association (TPC). This hardship has resulted from the imposed restoration of their southern driveways lost because of the Lennar housing project and the impact of a potential reduction of 19 parking stalls in addition to the 7 stalls already lost due to the construction of Sagert Road and the City's decision in SB 15-0002.

Costs to date

To date the TPC has spent the following:

- Consulting services \$27,095.90
- Legal services \$42,014.74

These costs are ongoing.

Impact on property values

The reduction of parking at any commercial venue impacts current property values and current and future resale values. Studies of comparable properties suggest that a loss of over 16% of the parking stalls at TPCC could have a negative impact on lease values of up to 8% and condo resale prices of up to 7%. At current resale values (\$157 per sq./ft.) this could represent an aggregate loss for TPC owners of \$328,924.

Cost of restored access

The cost of restoring the two driveways 50' long and 32' wide to current code with landscaping and pedestrian walkways, at an average pf \$59 per sq./ft., would be approximately \$188,800 based on current averages for similar projects.

A multi-level parking lot is probably not feasible both from a site and cost perspective. A project of this nature to restore 26 parking spaces would be in the range of \$537,000 minimum at current averages.

Impact on client business

This would be hard to measure. If all the Practices experienced a \$6000 per month loss in income due (2 to 3 appointments per week) to insufficient parking, the aggregate loss for practices would be \$1,080,000 annually. Again, the impact is hard to quantify, due to location of practice, access, immediate parking, type of service provided etc.

Sincerely,

Tobin Johnson
Principal Broker



Mailing: PO Box 903, Canby, OR 97013
Physical: 16570A SE McLoughlin Blvd. Portland, OR 97267
Office (503) 305-7204 • Fax (503) 303-5809
www.kineticpropertiesllc.com • info@kineticpropertiesllc.com

December 14, 2017

Dorothy Cofield
Cofield Law Office,
1001 SW 5th Ave. Suite 1100, Portland, Oregon 97210

Re: TPCCPA Parking lot restoration hardship

Dear Ms. Cofield,

This letter is intended to help define the hardship placed upon Tualatin Professional Center Condo Owners Association (TPC). This hardship has resulted from the imposed restoration of their southern driveways lost because of the Lennar housing project and the impact of a potential reduction of 19 parking stalls in addition to the 7 stalls already lost due to the construction of Sagert Road and the City's decision in SB 15-0002.

Costs to date

To date the TPC has spent the following:

- Consulting services \$17,070.90
- Legal services \$42,014.74

These costs are ongoing.

Impact on property values

The reduction of parking at any commercial venue impacts current property values and current and future resale values. Studies of comparable properties suggest that a loss of over 16% of the parking stalls at TPCC could have a negative impact on lease values of up to 8% and condo resale prices of up to 7%. At current resale values (\$157 per sq./ft.) this could represent an aggregate loss for TPC owners of \$328,924.

Cost of restored access

The cost of restoring the two driveways 50' long and 32' wide to current code with landscaping and pedestrian walkways, at an average pf \$59 per sq./ft., would be approximately \$188,800 based on current averages for similar projects.

A multi-level parking lot is probably not feasible both from a site and cost perspective. A project of this nature to restore 26 parking spaces would be in the range of \$537,000 minimum at current averages.

Impact on client business

This would be hard to measure. If all the Practices experienced a \$6000 per month loss in income due (2 to 3 appointments per week) to insufficient parking, the aggregate loss for practices would be \$1,080,000 annually. Again, the impact is hard to quantify, due to location of practice, access, immediate parking, type of service provided etc.

Sincerely,

Tobin Johnson
Principal Broker

Kelly S. Hossaini
kelly.hossaini@millernash.com
503.205.2332 direct line

January 15, 2016

BY ELECTRONIC MAIL

Mayor Lou Ogden
Tualatin City Council
City of Tualatin
18880 S.W. Martinazzi Avenue
Tualatin, Oregon 97062

Subject: Appeal of Sagert Farm Subdivision, SB15-0002

Dear Mayor Ogden and City Councilors:

We represent Lennar Northwest, Inc. ("Lennar"), in the above-referenced appeal. Lennar is requesting and staff has approved a 79-lot residential subdivision (the "Application") on a 20.90-acre property located at the east end of S.W. Sagert Street, across S.W. 65th Avenue. The Application has been appealed by a neighboring property owner, Tualatin Professional Center Condominium ("TPC"), because TPC objects to the effect on its property of the proposed Sagert Street extension.

It is necessary to extend Sagert Street through the proposed subdivision to provide access and circulation for the subdivision residents, as well as the larger area, to the surrounding transportation system. The approved extension configuration is labeled Exhibit 1 and included as Attachment 1. TPC objects to this extension, because it will require the removal of private improvements that TPC constructed to serve its development. The removal of these private improvements is required, however, because TPC constructed those improvements in the public right-of-way and they do not conform to any required street cross-section. The improvements comprise the southern portion of TPC's parking lot and include two driveways, seven parking spaces, and a drive aisle. Although Lennar has had several face-to-face meetings and other communications with TPC representatives, and Lennar modified the extension of Sagert Street and its own subdivision development as much as possible to mitigate the impact of the Sagert Street extension on the TPC property, TPC was not satisfied with the modifications that were determined to be feasible and insisted on a street cross-section that both the City's engineer and Lennar's traffic engineer found to be unsafe. As part of

Mayor Lou Ogden
Tualatin City Council
January 15, 2016
Page 2

TPC's December 16, 2015, "Request for Review," TPC has advanced a modified design for the Sagert Street extension.

History of TPC Encroachments Into Sagert Street

From documents that Lennar has been able to obtain regarding the history of the TPC development, it appears that the TPC development obtained architectural review approval in 1983 as ARB-83-06. Lennar has included in the record the full decision for ARB-83-06. For purposes of this hearing memo, however, the approved site plan is most important. (See Attachment 2.) On this approved site plan, one access point to the Sagert Street extension was approved. That access point is not within the public right-of-way, but instead respects that right-of-way. What was approved through ARB-83-06, then, is not what TPC built.

The City approved the plat for that development in 1984. (See Attachment 3.) The plat shows four buildings arranged on the site in their current configuration. Also on the plat in the southwest corner is the dedicated extension of S.W. Sagert Street, which references an agreement recorded as Document 84-166567 (the "Agreement"). (See Attachment 4.) The Agreement was entered into by the City and the developer of the TPC property, Consolidated Asset Group, in 1984 and sets forth the understanding between the City and developer with respect to the half-street improvements serving the TPC development. In particular, the Agreement required the developer to deposit money with the City to cover the cost of the development's S.W. 65th Avenue and S.W. Sagert Street half-street improvements. (Agreement at 1.) Instead of requiring the developer to actually construct the street improvements, then, the City accepted the dedication of the right-of-way, and agreed to accept money for that construction and construct the improvements itself.

Apparently, the City did not construct the S.W. Sagert Street half-street improvements within the dedicated right-of-way along the southern edge of the TPC development. In the meantime, however, the southern portion of the TPC development's parking lot was constructed within that right-of-way instead. This construction was contemplated in the Agreement, but Section 11 of the Agreement states: "The DEVELOPER agrees that the driveway improvements to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his expense." In other words, although the City apparently allowed the developer to build private parking lot improvements within the Sagert Street right-of-way, those improvements were never intended to be permanent and the City expected that those

Mayor Lou Ogden
Tualatin City Council
January 15, 2016
Page 3

improvements would be removed—at the TPC development's own risk—once Sagert Street was extended.

Lennar Negotiations With TPC

Lennar became aware of the private improvements in the Sagert Street right-of-way as it conducted its due diligence for the proposed subdivision. Understanding that the extension of Sagert Street and associated street improvements would require the removal of TPC's private encroachments into the right-of-way and would impact TPC's parking and access, Lennar met with representatives of TPC early in the development process. The first two contacts with TPC were through neighborhood meetings that Lennar held on December 5, 2013, and May 20, 2014. (See Attachment 5.) TPC representatives were present at both meetings. On May 23, 2014, Lennar held a meeting specifically with TPC representatives at the TPC development site and introduced the project to those in attendance in more detail. Another neighborhood meeting was held on February 18, 2015, and TPC representatives were again in attendance.

On February 20, 2015, Lennar met with TPC representatives at the City offices. The attendees discussed the subdivision project and the impacts on the TPC development. TPC's access concerns were discussed, with TPC requesting that the Sagert Street extension be pushed further south and that circulation be maintained at the south end of the TPC property. TPC also requested a short left-turn lane into the west parking lot from the Sagert Street extension, which was determined by Lennar's traffic engineer to be unsafe.

There were further communications between Lennar and TPC after the February 20, 2015, meeting that led to another meeting between TPC representatives and Lennar. Lennar's civil engineer brought several exhibits to demonstrate the feasible extent to which the impacts of the Sagert Street extension could be mitigated while not compromising the safety of the traveling public and the TPC development patrons. TPC expressed the same concerns about access and circulation and asked that Lennar explore one or more right-in-right-out access points on S.W. 65th Avenue, as well as a request to, again, consider the left-turn lane into the west parking lot from Sagert Street. Lennar prepared exhibits depicting those options and forwarded them to the City Engineer, who rejected them as unsafe and contrary to accepted engineering standards.

Mayor Lou Ogden
Tualatin City Council
January 15, 2016
Page 4

At this point, Lennar heard nothing further from TPC until TPC submitted comments during the open record period reiterating its request that Sagert Street be pushed further south and a two-way drive aisle be constructed at the southern end of the TPC parking lot, which would provide direct access between the west and east parking lots in that area. That option was deemed infeasible because Sagert Street had already been pushed as far south as safety would allow. Nothing else was heard from TPC until it filed its appeal of the Application approval.

TPC's Proposed Sagert Street Cross-Section

As part of its appeal submittal, TPC submitted a drawing that represents its preferred design of the Sagert Street extension south of the TPC property. This configuration is similar to one that it submitted during the open record period and would require Sagert Street to be pushed further south than is already proposed. As explained above, Sagert Street can only be pushed south so far before the centerline on the east side of S.W. 65th Avenue fails to line up with the centerline on the west side of S.W. 65th Avenue to such a degree that it becomes unsafe. Further, Sagert Street on the west side of S.W. 65th Avenue cannot be relocated further south to change the centerline to better accommodate TPC, because that would require that the roadway shift onto Atfalati Park. Removing parkland and replacing it with right-of-way would require a vote of the City residents. The proposed and approved location of the Sagert Street extension has already been pushed as far south as safety and practicality will permit. We would also note that Lennar has already modified the east leg of Sagert Street, as it runs along the TPC property, with narrower, curb-tight sidewalks. This has further lessened the impact of the road extension on the TPC property. Without modifying the City-required street section even further, the TPC preferred street section cannot be accommodated.

Part of the challenge in negotiating a resolution to the access issue with TPC has been that, to Lennar's knowledge, TPC has never employed a professional engineer to evaluate any of TPC's proposals. To date, Lennar has paid its transportation and civil engineers to do that work for TPC, but none of TPC's proposals has proved feasible. In one way or another, those proposals end up violating accepted roadway design standards and would be unsafe.

TPC contends that if the proposed Sagert Street configuration is built, the only way for anyone to access the west parking lot from the south will be to drive south through the new subdivision and circle back onto Sagert Street. This is incorrect. There

Mayor Lou Ogden
Tualatin City Council
January 15, 2016
Page 5

is actually no reason anyone would ever travel such a circuitous and out-of-direction path to reach the west parking lot. As demonstrated by Lennar's transportation engineer, there are numerous access options into and out of the TPC development with the approved street design, and none of those options involve the path specified by Mr. Alterman. (See Attachment 6.) As also noted by Lennar's traffic engineer, these access and circulation options are adequate for TPC's development.

TPC's Arguments on Appeal

In TPC's December 16, 2015, request for review, TPC's attorney, Dean Alterman, states that TPC does not oppose the subdivision application itself. Instead, through the request for review TPC "only asks the city to make one change to the alignment of Sagert Street for the better safety of the Center and the patients of the health care providers at the Center." (Request for Review at 1.) As explained above, the problem with TPC's requested change to the alignment of Sagert Street is that it does *not* better provide for the safety of TPC or the patients of its health care providers—or the traveling public, for that matter—over what the City has already approved. Instead, providing TPC with a two-way access between the east and west parking lots at the south end of its development would actually require a number of additional deviations from the City's road standards, which will be addressed further below.

The Request for Review goes on to describe its parking lot encroachments in the Sagert Street right-of-way as "a half-street that provides access to the two south driveways of the Center and the seven parking spaces in between." (Request for Review at 1.) It is not clear what Mr. Alterman means by "half-street," but if it is intended to convey the impression that the southern portion of TPC's parking lot somehow qualifies as a half-street improvement, it does not and, per the Agreement, was never intended to. As understood from the evidence in the record, TPC's private encroachments into the right-of-way were constructed at TPC's own risk and were never considered to be a half-street improvement. Mr. Alterman opines that the TPC development does not circulate well without using the right-of-way as part of the parking lot, because grade changes apparently make east-west connections through the development difficult. It is not clear that such connections would be impossible or even very burdensome, because TPC has never submitted any engineering analysis to that effect. Further, Lennar has already expended substantial time, and engineering and legal fees, to mitigate the TPC development's original design failure as much as possible. This has included shifting the Sagert Street extension as much as possible to the south, onto Lennar's property, removing the planter strips for curb-tight sidewalks, and exploring a number of

Mayor Lou Ogden
Tualatin City Council
January 15, 2016
Page 6

mitigation measures. At the end of the day, although the approved street design may not be the perfect solution for TPC, it functions adequately and provides safe access and circulation in light of the original encroachments.

As support for approval of its proposed road design, the Request for Review cites TDC § 75.140. Sagert Street, as it is extended east of S.W. 65th Street, is a minor collector. With respect to access to minor collectors, TDC § 75.140 states in pertinent part:

"(b) Minor Collectors. Residential, commercial and industrial driveways where the frontage is greater or equal to 70 feet are permitted. Minimum spacing at 100 feet. Uses with less than 50 feet of frontage shall use a common (joint) access where available."

TPC correctly points out that its development as it abuts the Sagert Street right-of-way has more than 70 feet of frontage. The development currently has two driveways onto the right-of-way—neither of which conform to what was approved in ARB-83-06. It is not clear what the argument is. There is no dispute that TDC may take access to Sagert Street from the south end of its parking lot—and it currently does. But TDC § 75.140 does not grant unfettered access regardless of safety implications for the convenience of a single private development. Access is allowed, true, but that is not the end of the analysis—it's only the beginning.

Lennar would also note that to the extent that TPC contends that the approved Sagert Street extension is inconsistent with "several objectives of Tualatin's adopted Transportation System Plan," Tualatin's Transportation System Plan does not contain approval criteria that are applicable to the subdivision application. The subdivision application is a limited land use decision, and pursuant to ORS 197.195(1) comprehensive plan provisions are not directly applicable. Even so, TPC's argument is that the approved road design is inconsistent with those Transportation System Plan objectives because it believes that vehicles will have to travel south, through proposed S.W. 64th Terrace, to reach the southern entrance of the west parking lot. Lennar's transportation engineer has demonstrated that this is not so.

Alternative Sagert Street Road Section

After receipt of TPC's appeal, Lennar met with City staff to determine if there is an alternative Sagert Street cross-section that would further accommodate

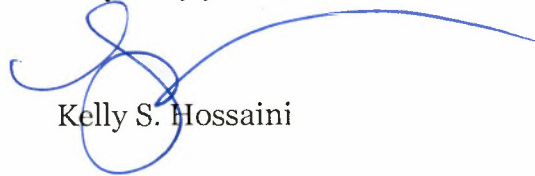
Mayor Lou Ogden
Tualatin City Council
January 15, 2016
Page 7

TPC's access desires at the south end of its parking lot. Lennar and staff came up with an alternative ("Exhibit 2"), which allows for a two-way drive aisle at the southern end of the TPC development, thereby internally linking the east and west parking lots. (See Attachment 7.) This cross-section would require not only the removal of the landscape strips between the sidewalk and the adjacent travel lanes, but the removal of the bike lane on the north side of the Sagert Street extension, and vacation of existing right-of-way. Lennar sent Exhibit 2 to TPC on January 12, 2016, but has yet to hear any response to this alternative.

Conclusion

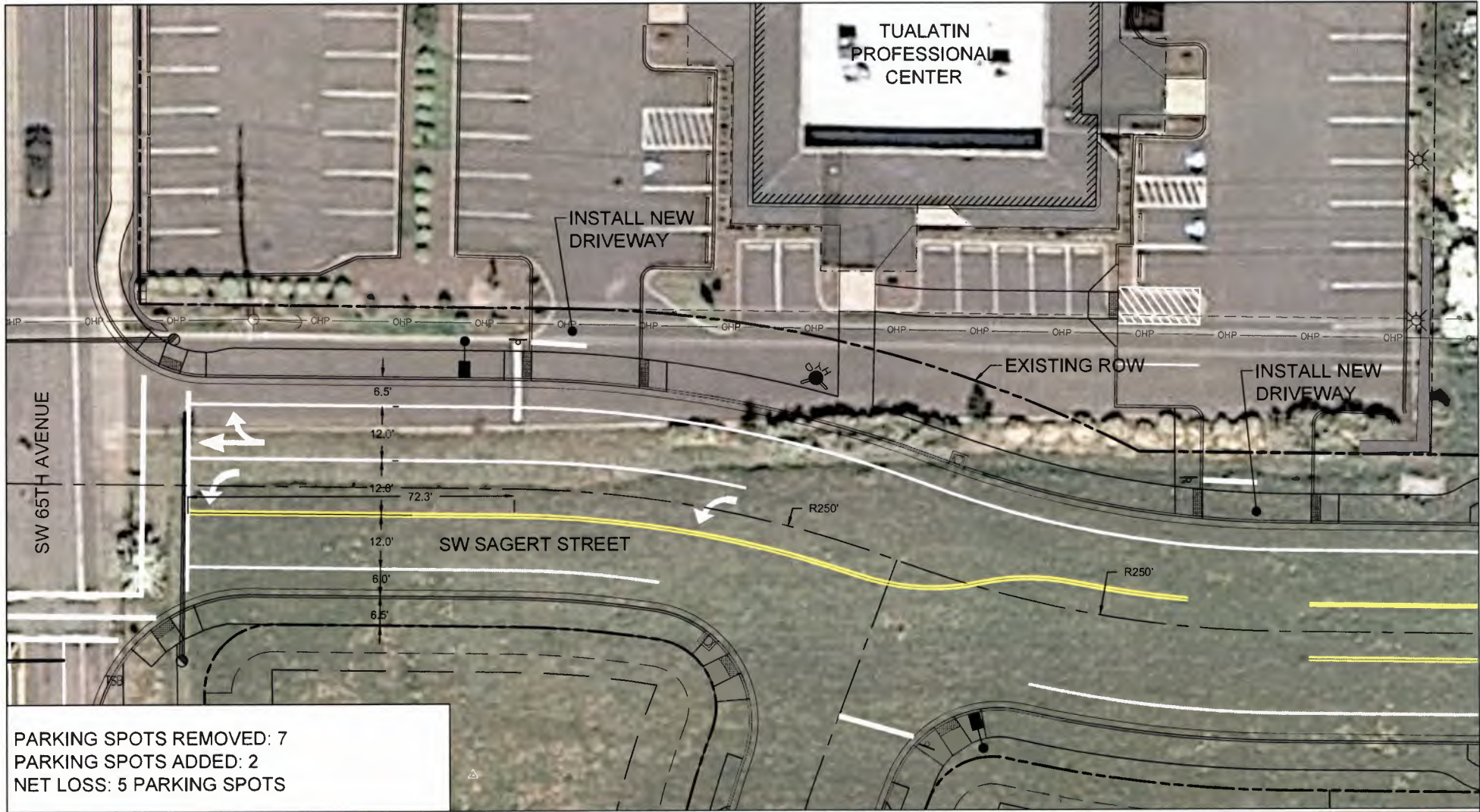
Much work has been done by Lennar and City staff in accommodating TPC and the fact that it built its parking lot into the public right-of-way at its own risk. Under the circumstances, the approved Sagert Street extension is the optimal design for safety and efficiency for all road users. To the extent that the City wishes to further accommodate TPC, the alternative road section at Exhibit 2 can be approved instead.

Very truly yours,



Kelly S. Hossaini

cc: Mr. Michael Loomis
Mr. Michael Anders



3J CONSULTING, INC



SAGER SUBDIVISION TPC EXPANSION EXHIBIT

SCALE: 1" = 20'



Exhibit Use

EXHIBIT 1

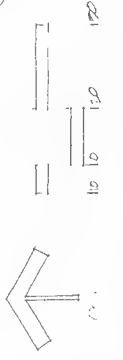
Date: 12/21/15

By: CKW

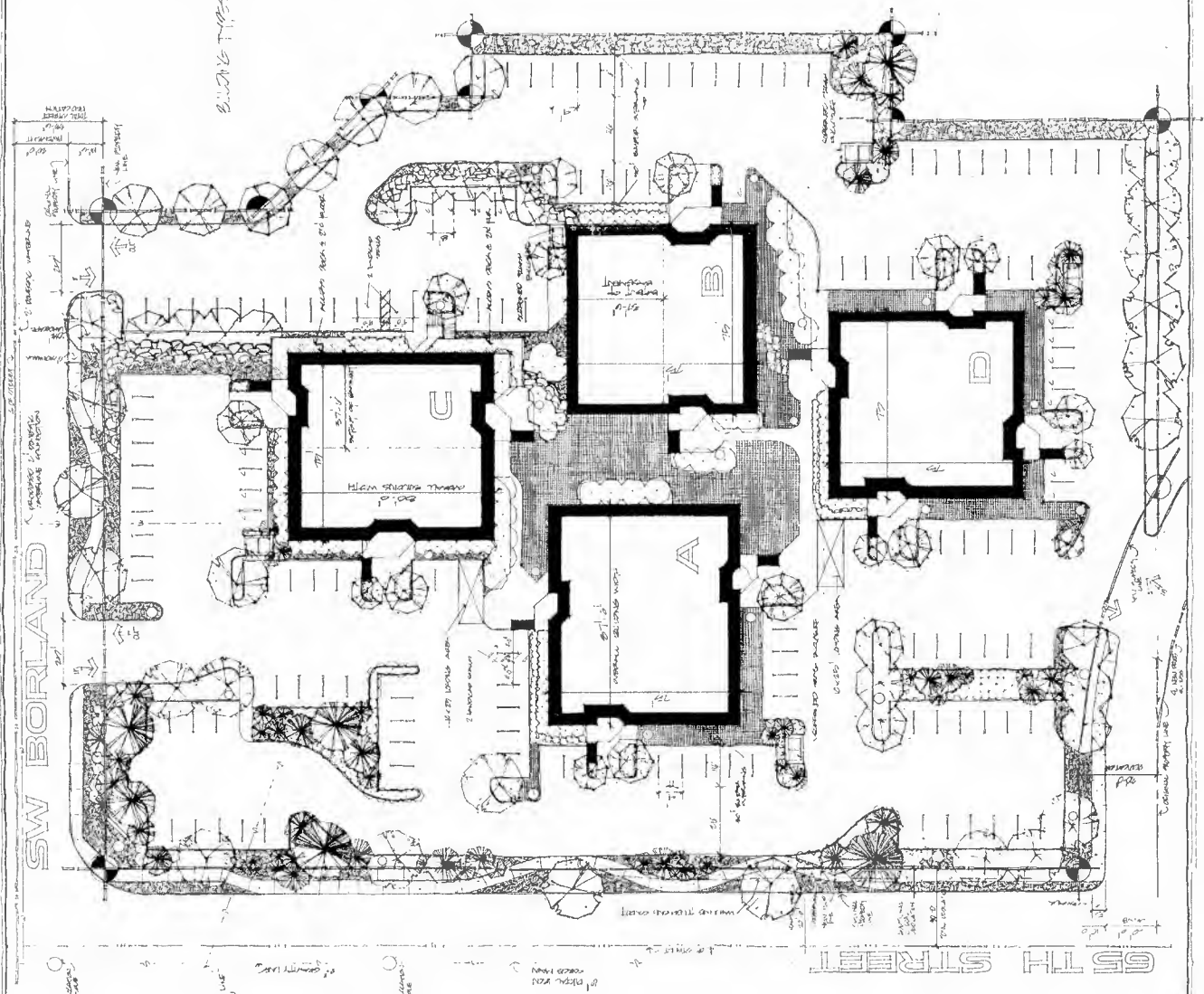
PROJECT INFORMATION

- PLANNING**
- A. SAGE AVENUE PROJECT - 1999/01
 - B. 1015 E. 174th St. - 2001/02
 - C. 1100 SW 174th St. - 2002/03
 - D. SAGE AVENUE PROJECT - 2003/04
- PLANNING**
- 1. SAGE AVENUE PROJECT - 1999/01
 - 2. 1015 E. 174th St. - 2001/02
 - 3. 1100 SW 174th St. - 2002/03
 - 4. SAGE AVENUE PROJECT - 2003/04

83-00
 APPROVED
 Architectural Review Board
 1. 2/17/04
 2. 2/17/04
 3. 2/17/04
 4. 2/17/04
 5. 2/17/04
 6. 2/17/04
 7. 2/17/04
 8. 2/17/04
 9. 2/17/04
 10. 2/17/04

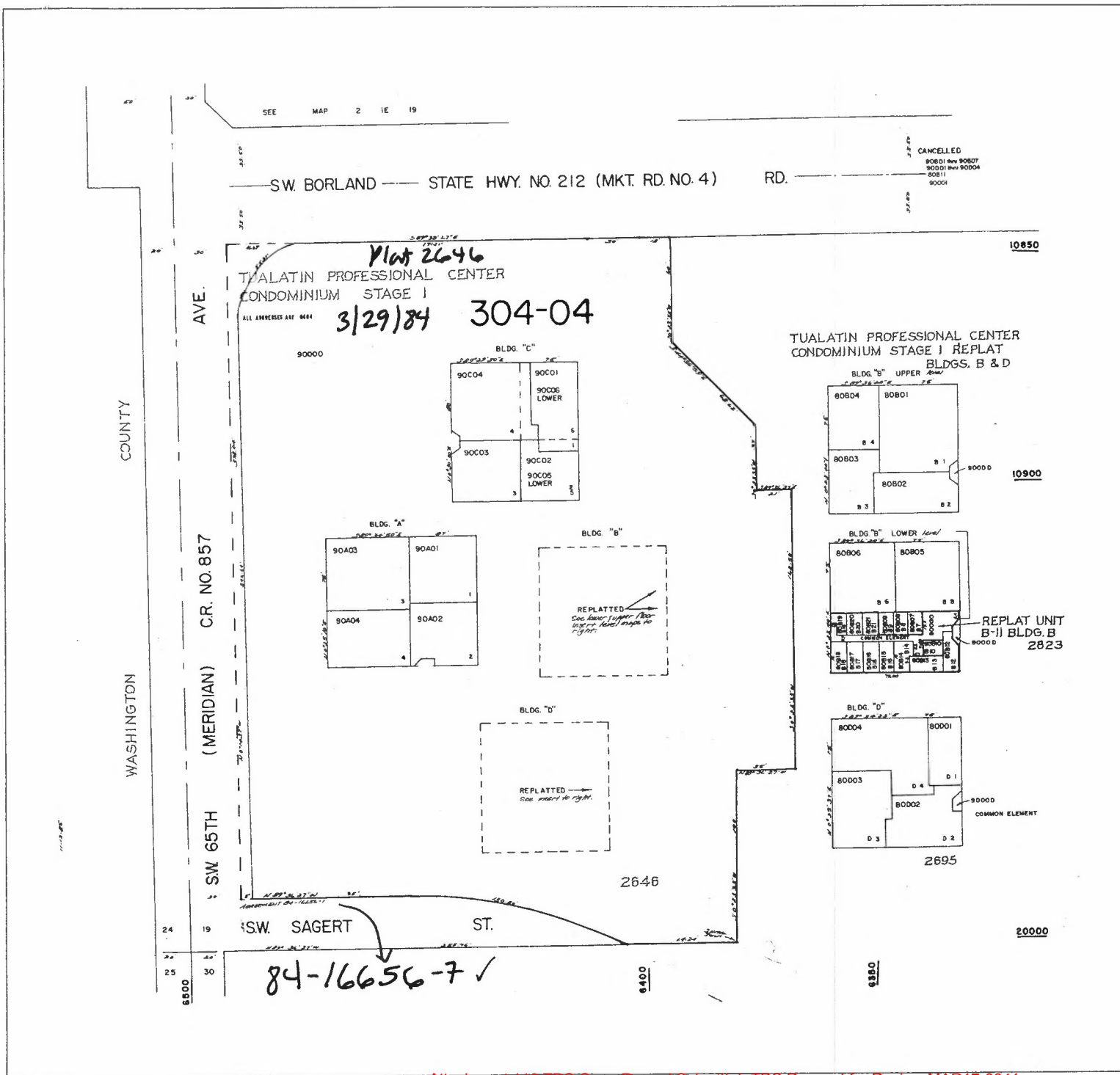


SITE PLAN
 No. 10-0
 RECEIVED
 2/17/04
 2/17/04
 2/17/04
 2/17/04
 2/17/04
 2/17/04
 2/17/04
 2/17/04
 2/17/04
 2/17/04



N.W.1/4 SEC.30 T.2S. R.1E. W.M.
Clackamas County
NOT TO SCALE

Cancelled Taxlots



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

TUALATIN PROFESSIONAL CENTER CONDOMINIUM STAGE I

IN THE SW 1/4 OF SECTION 19, T.2 S., R.1 E., W. M.
CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON

JANUARY 1984 SCALE 1"=50' 2.694 ACRES

DAVID EVANS & ASSOCIATES, INC.
2626 S. W. CHIBBETT AVENUE
PORTLAND, OREGON 97201

1984

24 19 M 1/4 Cor.
Fd. Alum. Disc. in Mon. Box

S. W. 65TH AVE.
MERIDIAN ROAD

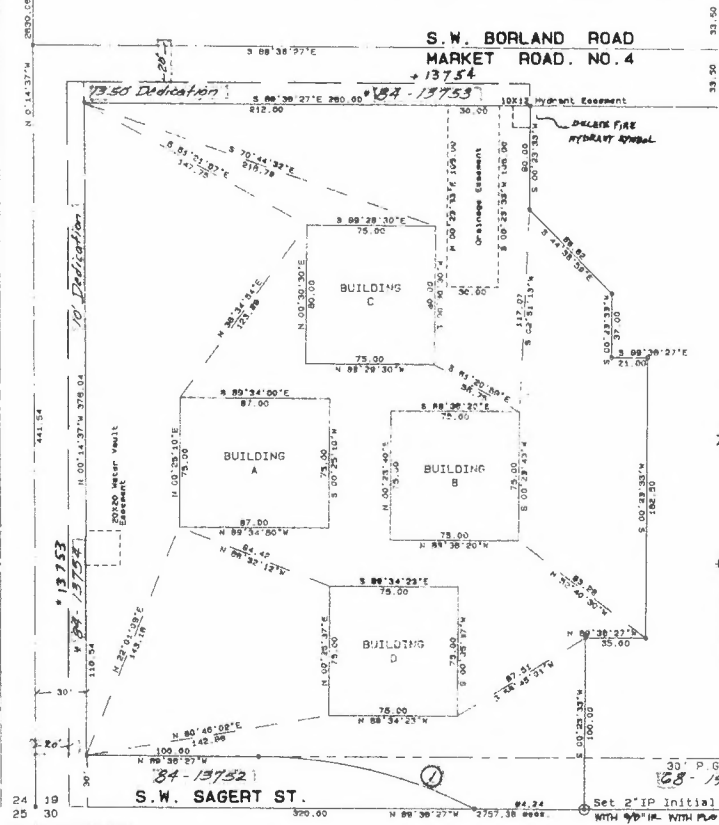
20 20'

N. D. 14.37' M.
2850.08 MEAS.

LEGEND

- ⊙ DENOTES SET 2" X 30" IRON PIPE AT INITIAL POINT
- DENOTES CEMENT IRON RODS WITH PLS. BKG. YELLOW PLASTIC CAPS 3/8" DIA. X 90 INCHES
- DENOTES ROUND MONUMENT AS NOTED

**
COUNTY SURVEYOR NOTE:
Amended pursuant to Instrument No. 84-29481
dated Aug 23 1984 recorded with County Clerk.



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Ronald E. Lambert
OREGON
JULY 14, 1987
RONALD E. LAMBERT
806

①
CURVE DATA
R = 280.00
D = 281°45'52"
L = 130.80
CH = 129.81
N. 7P'13'31" N.

BASIS OF BEARINGS
N 0°14'37" W OF THE WEST LINE OF SECTION 19

NOTES
PARKING IS NOT NUMBERED OR RESERVED.
ALL DISTANCES ARE IN FEET UNLESS OTHERWISE NOTED.
ALL DIMENSIONS ARE 6 FEET EXCEPT WHERE SHOWN OTHERWISE.

DATUM BENCHMARK
BRAND OAP SECTION CORNER ELEV. 218.97
OR-BOON STATE HIGHWAY DEPT. CITY OF TUALATIN

I HEREBY CERTIFY THIS TRACING TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I
Ronald E. Lambert
RONALD E. LAMBERT - RLS 806

Sec. Cor. Fd. Area Disc
Per PS 16, 529

APPROVALS

APPROVED THIS 12TH DAY OF MARCH 1984
Ry R. J.
MAYOR - CITY OF TUALATIN

ATTEST: THIS 13TH DAY OF MARCH 1984
Stephen D. Rhodes
CITY RECORDER - CITY OF TUALATIN

BY _____

APPROVED THIS 20TH DAY OF March 1984
Ralph Groener
COUNTY COMMISSIONERS

APPROVED THIS 24TH DAY OF August 1984
Donna Graham for Winston Keith
COUNTY ROADMASTER

BY _____ DEPUTY

PURSUANT TO ORS 91.512, I HEREBY CERTIFY THAT ALL TAXES HAVE BEEN PAID ~~AS OF~~ ~~THE~~ 6-30-1984
APPROVED THIS 28TH DAY OF March 1984

George S. Malin
COUNTY ASSESSOR

BY *Pat Bonst* DEPUTY

BY *Cynthia Landay* DEPUTY

ATTEST *Juanita H. Cox* 3/29/84
COUNTY CLERK

BY _____ DEPUTY

THOMAS A. MILNE
COUNTY SURVEYOR
BY *Russell A. Jow* Aug 23 84
DEPUTY DATE

< SIDE 1 OF 2

86/8

TUALATIN PROFESSIONAL CENTER CONDOMINIUM STAGE I

IN THE SW 1/4 OF SECTION 19, T.2 S., R.1 E., W. M.
CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON

DECLARATION AND DEDICATION

JANUARY 1984

2.694 ACRES

DAVID EVANS & ASSOCIATES, INC.
2626 S. W. CORBETT AVENUE
PORTLAND, OREGON 97201

KNOW ALL MEN BY THESE PRESENTS: THAT CONSOLIDATED ASSET GROUP, INC., A WASHINGTON CORPORATION, DOES HEREBY MAKE ESTABLISH AND DECLARE THE ANNEXED MAP OF "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I" AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, TO BE A TRUE MAP AND PLAT THEREOF AND DOES HEREBY COMMIT SAID LAND TO THE OPERATION OF THE OREGON CONDOMINIUM ACT IN ACCORDANCE WITH CHAPTER 94, OF THE OREGON REVISED STATUTES, AND DOES HEREBY DEDICATE THE WATER VAULT, DRAINAGE AND FIRE HYDRANT EQUIPMENTS SHOWN TO THE CITY OF TUALATIN.

Michael T. Reidy
MICHAEL T. REIDY - PRESIDENT

SEE SIDE 1 OF 4
FOR COUNTY SURVEYOR
NOTE OF AMENDMENT

ACKNOWLEDGEMENTS

STATE OF OREGON S.S.
COUNTY OF CLACKAMAS

BE IT REMEMBERED THAT ON THIS 31 DAY OF February, 1984, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED MICHAEL T. REIDY, TO ME PERSONALLY KNOWN, WHO BEING DULY SWORN, DID SAY THAT HE MICHAEL T. REIDY IS PRESIDENT OF "CONSOLIDATED ASSET GROUP, INC.", A WASHINGTON CORPORATION, AND OWNER OF THE PROPERTY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND THAT THIS INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS AND THAT THE SIGNATURE AFFIXED TO SAID DECLARATION WAS OF HIS OWN FREE ACT AND DEED.

Richard P. Reiver
NOTARY PUBLIC IN AND FOR THE STATE OF OREGON
MY COMMISSION EXPIRES 2-3-1985

Richard P. Reiver
2-3-1985

SURVEYOR'S CERTIFICATE:

I, RONALD E. LAMBERT, A REGISTERED PROFESSIONAL LAND SURVEYOR, FIRST BEING DULY SWORN DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ANNEXED MAP OF "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I" AND AT THE INITIAL POINT OF SAID SURVEY I SET A 2" BY 2" GALVANIZED IRON PIPE, 6" BELOW THE SURFACE OF THE GROUND, SAID POINT BEARS SOUTH 89°36'27" EAST 320.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 19, T.2 S., R.1 E., W.M. IN CLACKAMAS COUNTY, OREGON, SAID POINT BEING ON THE SOUTH LINE OF SECTION 19. THENCE FROM SAID INITIAL POINT I RAN NORTH 89°36'27" WEST ALONG THE SOUTH LINE OF SECTION 19, A DISTANCE OF 84.34 FEET TO A POINT OF CURVATURE, THENCE ALONG THE ARC OF A 290.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°45'52", AN ARC DISTANCE OF 130.80 FEET, (THE CHORD BEARS NORTH 76°13'31" WEST 129.61 FEET, TO A POINT OF TANGENCY, THENCE NORTH 09°36'27" WEST A DISTANCE OF 100.00 FEET TO A POINT IN THE EAST LINE OF S.W. 65TH AVE. (MERIDIAN ROAD); THENCE NORTH 0°23'33" WEST PARALLEL WITH THE WEST LINE OF SECTION 19, A DISTANCE OF 378.04 FEET TO A POINT IN THE SOUTH LINE OF S.W. BORLAND ROAD, (MARKET ROAD NO. 31) THENCE SOUTH 89°36'27" EAST ALONG SAID SOUTH LINE 260.00 FEET TO A POINT; SOUTH 0°23'33" WEST, AT RIGHT ANGLES TO SAID SOUTH LINE A DISTANCE OF 60.00 FEET; THENCE SOUTH 44°36'59" EAST 68.62 FEET; THENCE SOUTH 0°23'33" WEST 37.00 FEET; THENCE SOUTH 89°36'27" EAST 21.00 FEET; THENCE SOUTH 0°23'33" WEST 162.50 FEET; THENCE NORTH 89°36'27" WEST 35.00 FEET; THENCE SOUTH 0°23'33" WEST A DISTANCE OF 100.00 FEET TO "THE POINT" OF BEGINNING.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 31 DAY OF FEBRUARY, 1984

Richard P. Reiver
RICHARD P. REIVER
NOTARY PUBLIC - OREGON
My Commission Expires 2-3-1985

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Ronald E. Lambert
RONALD E. LAMBERT
RCL

I HEREBY CERTIFY THIS TRACING TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I"

Ronald E. Lambert
RONALD E. LAMBERT - HLS 808

SIDE 2 OF 4

86/8

TUALATIN PROFESSIONAL CENTER CONDOMINIUM STAGE I

IN THE SW 1/4 OF SECTION 19, T.2 S., R.1 E., W. M.
CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON

JANUARY 1984 SCALE 1"=15' 2.694 ACRES

I HEREBY CERTIFY THAT THE TYPICAL PERIMETER FLOOR PLAN FULLY AND ACCURATELY DEPICTS THE BOUNDARIES OF THE UNITS AND FLOORS OF THE BUILDINGS OF "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I" IN THE CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON. SAID BUILDINGS WERE COMPLETED ON OR BEFORE FEB. 1, 1984.

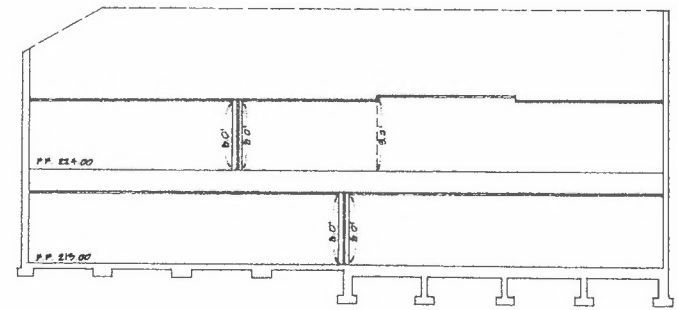
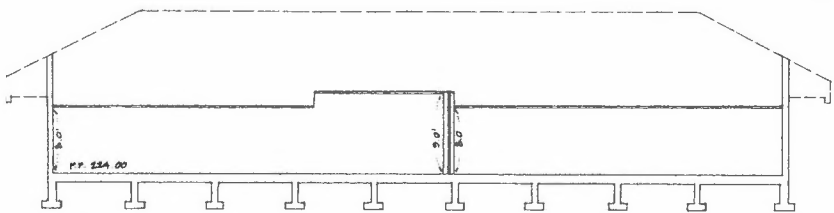
DAVID EVANS & ASSOCIATES, INC.
2926 S. W. CORBETT AVENUE
PORTLAND, OREGON 97201

Ronald E. Lambert
RONALD E. LAMBERT - RLS 806

SEE SIDE 1 OF 4
FOR COUNTY SURVEYOR
NOTE OF AMENDMENT:

SECTION B-B

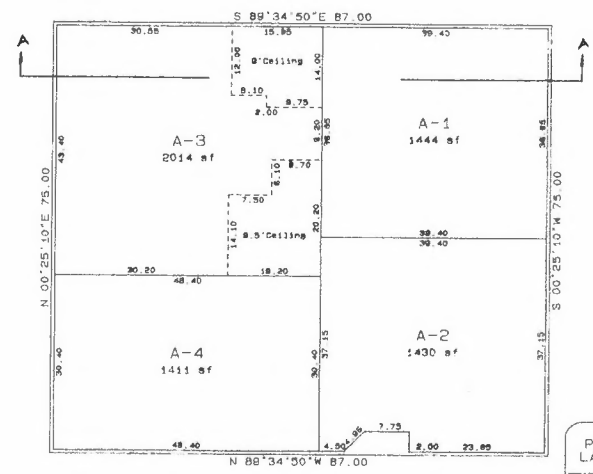
SECTION A-A



Note:
FF = Finished Floor
SF = Square Feet

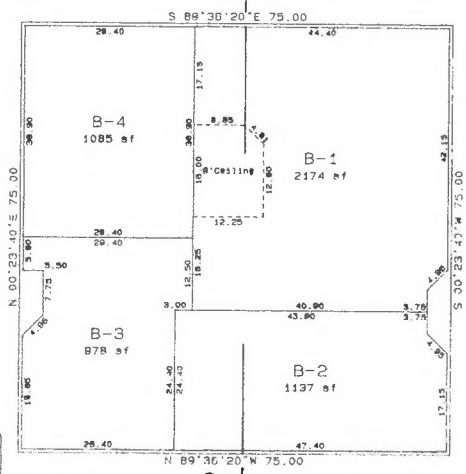
I HEREBY CERTIFY THIS TRACING TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I"

Ronald E. Lambert
RONALD E. LAMBERT - RLS 806

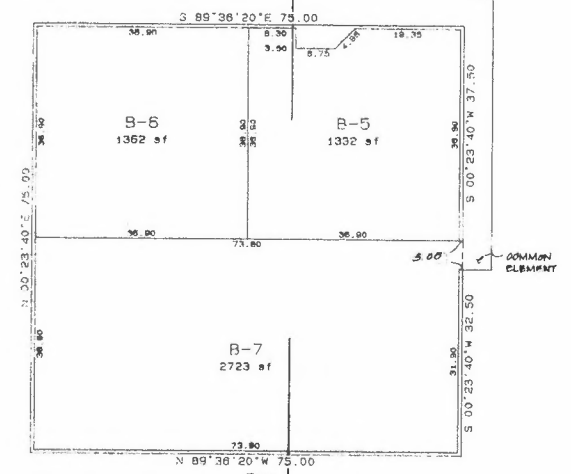


BUILDING A
F.F. 224.00 ALL UNITS

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Ronald E. Lambert
OREGON
JULY 14, 1967
RONALD E. LAMBERT
806



BUILDING B UPPER
F.F. 224.00 ALL UNITS



BUILDING B LOWER
F.F. 213.00 ALL UNITS

SIDE 3 OF 4

2646

86/8

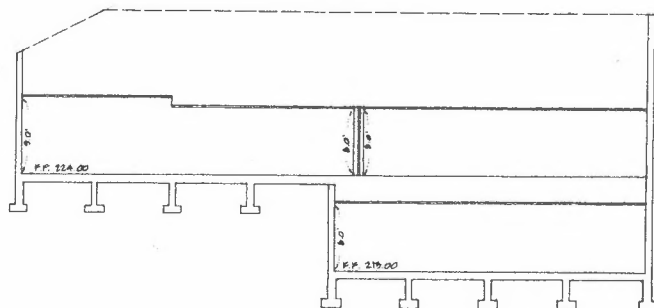
TUALATIN PROFESSIONAL CENTER CONDOMINIUM STAGE I

IN THE SW 1/4 OF SECTION 19, T.2 S., R.1 E., W. M.
CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON

JANUARY 1984 SCALE 1"=15' 2.694 ACRES

DAVID EVANS & ASSOCIATES, INC.
2626 S. W. CORBETT AVENUE
PORTLAND, OREGON 97201

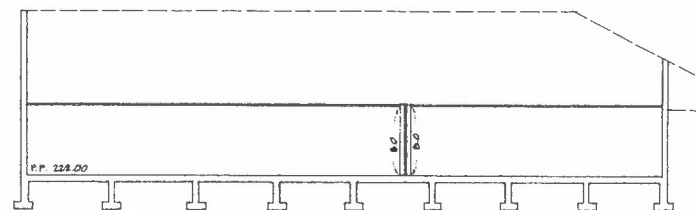
SECTION G-G



SEE SIDE 1 OF 4
FOR COUNTY SURVEYOR
NOTE OF AMENDMENT

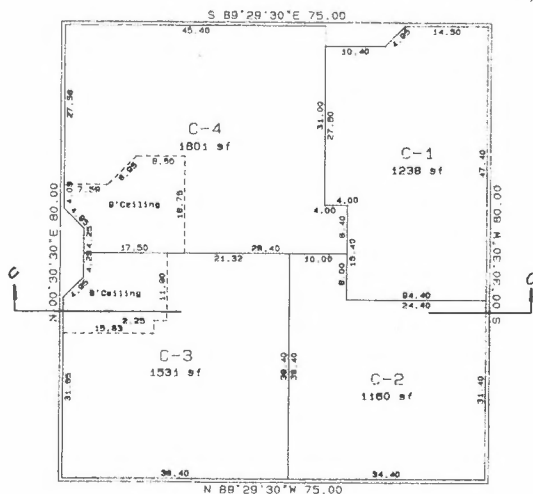
NOTE:
F.F. = Finished Floor
S.F. = Square Feet

SECTION D-D



I HEREBY CERTIFY THAT THE TYPICAL PERIMETER FLOOR PLAN FULLY
AND ACCURATELY DEPICTS THE BOUNDARIES OF THE UNITS AND FLOORS OF THE
BUILDINGS OF "TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I"
IN THE CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON.
SAID BUILDINGS WERE COMPLETED ON OR BEFORE FEB. 1, 1984.

Ronald E. Lambert
RONALD E. LAMBERT - PLS 806



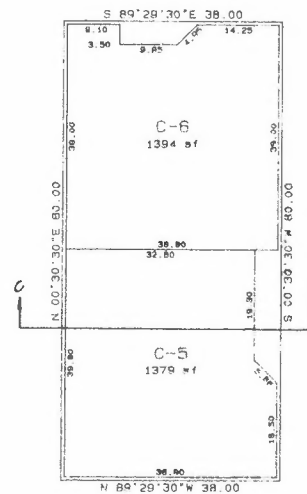
BUILDING C UPPER
F.F. 224.00 ALL UNITS



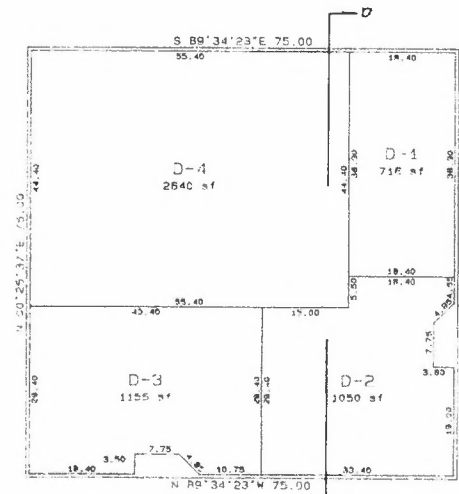
REGISTERED
PROFESSIONAL
LAND SURVEYOR
Ronald E. Lambert
OREGON
JULY 14, 1987
RONALD E. LAMBERT
800

I HEREBY CERTIFY THIS TRACING TO BE A TRUE AND EXACT
COPY OF THE ORIGINAL PLAT OF "TUALATIN PROFESSIONAL
CENTER CONDOMINIUM - STAGE I"

Ronald E. Lambert
RONALD E. LAMBERT - PLS 806



BUILDING C LOWER
F.F. 219.00 ALL UNITS



BUILDING D
F.F. 222.00 ALL UNITS

SIDE 4 OF 4

87/27

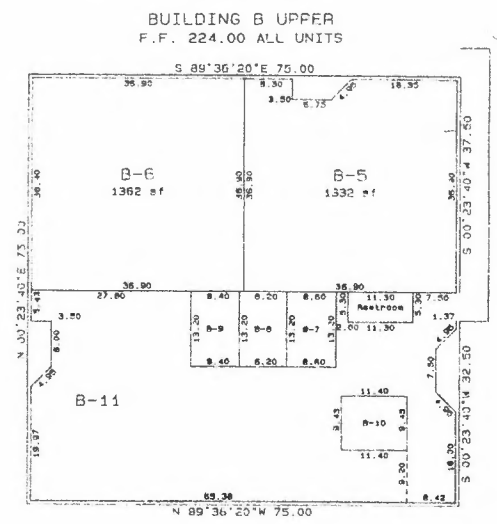
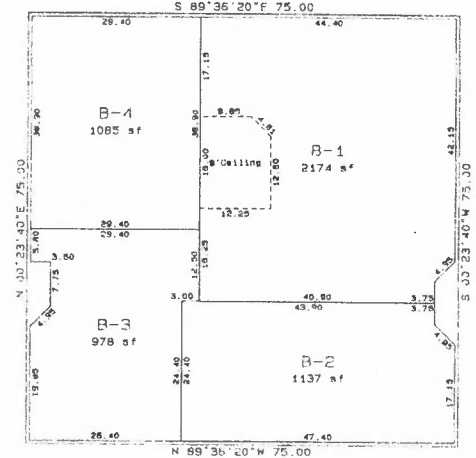
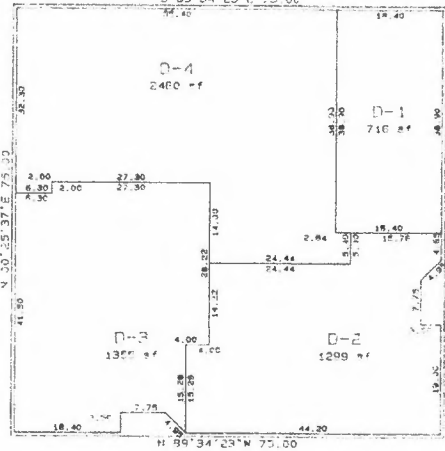
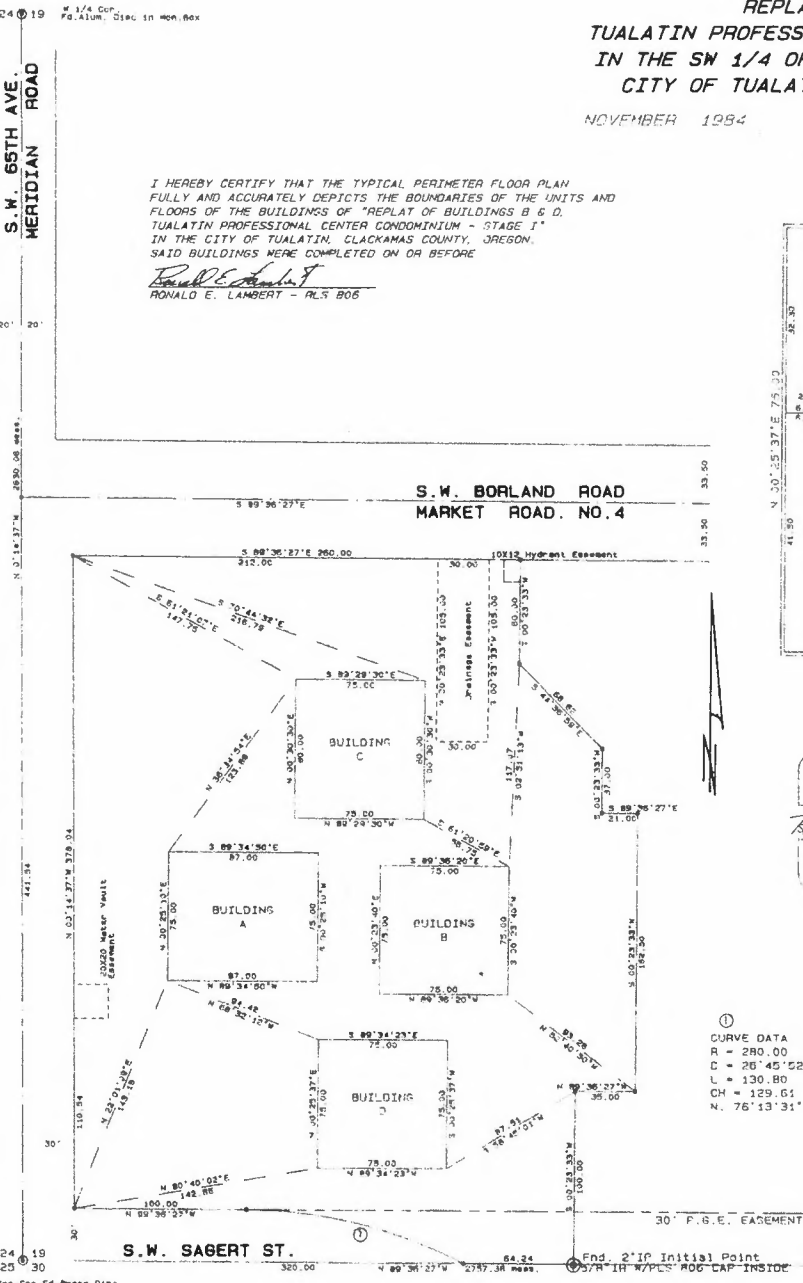
SIDE 1 OF 2.

1984

REPLAT OF BUILDINGS B AND D
 TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1
 IN THE SW 1/4 OF SECTION 19, T.2 S., R.1 E., W.M.
 CITY OF TUALATIN CLACKAMAS COUNTY OREGON

NOVEMBER 1984 SCALE 1"=50' 2.694 ACRES

DAVID EVANG & ASSOCIATES, INC.
 2828 S. W. CINDYETT AVENUE
 PORTLAND, OREGON 97202
 PHONE 1-503-223-6663
 S 89°34'23"W 75.00



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Ronald E. Lambert
 OREGON
 383 14 1987
 RONALD E. LAMBERT
 R.S.G.

LEGEND
 (I) DENOTES FOUND 2"X 36" IRON PIPE INITIAL POINT
 (M) DENOTES FOUND MONUMENT AS NOTED
 (X) IRON RODS WERE SET

BASIS OF BEARINGS
 N 0°14'37" W WEST LINE OF SECTION 19

NOTES
 PARKING IS NOT NUMBERED OR RESERVED
 "LIMITED COMMON ELEMENTS" ARE RESTROOMS OR ENTRYWAYS
 ALL CEILING ARE B FEET IN THE REPLAT

DATUM BENCH MARK
 BRASS CAP SECTION CORNER FLEV. 219.97
 OREGON STATE HIGHWAY DEPT. AND CITY OF TUALATIN DATUM

(1) CURVE DATA
 R = 280.00
 D = 26°45'52"
 L = 130.80
 CH = 129.61
 N. 76°13'31" W.

I HEREBY CERTIFY THIS TRACING TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "REPLAT OF BUILDINGS B & C, TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1"

Ronald E. Lambert
 RONALD E. LAMBERT - RLS BOB

HL 3-12-85

87/27

SIDE 2 OF 2.

REPLAT OF BUILDINGS B AND D
TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1
IN THE SW 1/4 OF SECTION 19, T.2 S., R.1 E., W.M.
CITY OF TUALATIN CLACKAMAS COUNTY OREGON

NOVEMBER 1984 SCALE 1"=50' 2.694 ACRES

DAVID EVANS & ASSOCIATES, INC.
2626 S. W. CORRETT AVENUE
PORTLAND, OREGON 97201
PHONE 1-503-223-6663

DECLARATION

KNOW ALL MEN BY THESE PRESENTS: THAT CONSOLIDATED ASSET GROUP, INC. A WASHINGTON CORPORATION, DOES HEREBY MAKE ESTABLISH AND DECLARE THE ANNEXED MAP OF "REPLAT OF BUILDINGS B & D, TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1" AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, TO BE A TRUE MAP AND PLAT THEREOF AND DOES HEREBY COMMIT SAID LAND TO THE OPERATION OF THE OREGON CONDOMINIUM ACT IN ACCORDANCE WITH CHAPTER 94, OF THE OREGON REVISED STATUTES.

*CONSOLIDATED ASSET GROUP, INC.

Michael T. Reidy
MICHAEL T. REIDY - PRESIDENT

ACKNOWLEDGEMENTS

STATE OF OREGON S.S.
COUNTY OF CLACKAMAS

BE IT REMEMBERED THAT ON THIS 15 DAY OF Nov 1984, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED MICHAEL T. REIDY, TO ME PERSONALLY KNOWN, WHO BEING DULY SWORN DID SAY THAT HE, MICHAEL T. REIDY IS PRESIDENT OF "CONSOLIDATED ASSET GROUP, INC" AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND SAID MICHAEL T. REIDY DOES HEREBY ACKNOWLEDGE SAID INSTRUMENT TO BE A FREE ACT AND DEED, WITNESS MY HAND AND OFFICIAL SEAL THIS DAY AND YEAR LAST ABOVE WRITTEN.

Richard P. Reiver
RICHARD P. REIVER
NOTARY PUBLIC - OREGON
EXPIRES 2-3-85

SURVEYOR'S CERTIFICATE:

I, RONALD F. LAMBERT, A REGISTERED PROFESSIONAL LAND SURVEYOR, FIRST BEING DULY SWORN DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ANNEXED MAP OF "REPLAT OF BUILDINGS B & D, TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1" AND AT THE INITIAL POINT OF SAID SURVEY I USED THE INITIAL POINT SET FOR TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE I SAID POINT BEARS SOUTH 89°36'27" EAST 320.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 19, T.2 S., R.1 E., W.M. IN CLACKAMAS COUNTY, OREGON, SAID POINT BEING ON THE SOUTH LINE OF SAID SECTION 19; THENCE FROM SAID INITIAL POINT I RAN NORTH 89°36'27" WEST ALONG THE SOUTH LINE OF SECTION 19 A DISTANCE OF 64.24 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°43'52" AN ARC DISTANCE OF 130.80 FEET, (THE CHORD BEARS NORTH 76°13'31" WEST 129.61 FEET) TO A POINT OF TANGENCY; THENCE NORTH 89°36'27" WEST A DISTANCE OF 100.00 FEET TO A POINT IN THE EAST LINE OF S.W. 65TH AVE. (MERIDIAN ROAD); THENCE NORTH 0°14'37" WEST, PARALLEL WITH THE WEST LINE OF SECTION 19, A DISTANCE OF 379.04 FEET TO A POINT IN THE SOUTH LINE OF S.W. BORLAND ROAD, (MARKET ROAD NO. 4); THENCE SOUTH 89°36'27" EAST ALONG SAID SOUTH LINE 260.00 FEET TO A POINT; THENCE SOUTH 0°23'33" WEST, AT RIGHT ANGLES TO SAID SOUTH LINE A DISTANCE OF 50.00 FEET; THENCE SOUTH 44°36'59" EAST 68.62 FEET THENCE SOUTH 0°23'33" WEST 37.00 FEET; THENCE SOUTH 89°36'27" EAST 21.00 FEET; THENCE SOUTH 0°23'33" WEST 162.50 FEET; THENCE NORTH 89°36'27" WEST 35.00 FEET; THENCE SOUTH 0°23'33" WEST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 15 DAY OF Nov 1984

Richard P. Reiver
RICHARD P. REIVER
NOTARY PUBLIC - OREGON
EXPIRES 2-3-85

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Ronald F. Lambert
JULY 14, 1967
RONALD F. LAMBERT
808

APPROVALS

APPROVED THIS 10th DAY OF DECEMBER 1984
Tyler T. Ts
MAYOR - CITY OF TUALATIN

ATTEST: THIS 10th DAY OF DECEMBER 1984
Stephen A. Rhoads
CITY RECORDER - CITY OF TUALATIN

BY _____
APPROVED THIS 20th DAY OF Nov 1984
Dale H. Harkness
COUNTY COMMISSIONERS

APPROVED THIS 20th DAY OF December 1984
Annita B. Berman for Walter Kuehn
COUNTY ROADMASTER
BY _____
DEPUTY

APPROVED THIS 12 DAY OF MARCH 1985
THOMAS A. MILNE
COUNTY SURVEYOR
BY *G. Robert Taylor*
DEPUTY

PURSUANT TO ORS 31.036 I HEREBY CERTIFY THAT ALL TAXES HAVE BEEN PAID 6-30-84 1984
APPROVED THIS 15th DAY OF August 1984
COUNTY ASSESSOR George E. Malin
BY *Pat Bradford* *Cynthia Lawley*
DEPUTY
ATTEST: *Janet A. Oul* 8-25-84
COUNTY CLERK
BY _____
DEPUTY

I HEREBY CERTIFY THIS TRACING TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "REPLAT OF BUILDINGS B & D, TUALATIN PROFESSIONAL CENTER CONDOMINIUM - STAGE 1"
Ronald F. Lambert
RONALD F. LAMBERT - RLS 808

AGREEMENT

THIS AGREEMENT, made and entered into this 14th day of May, 1984, by and between CITY OF TUALATIN, a municipal corporation in Washington County, Oregon, hereinafter referred to as "CITY," and CONSOLIDATED ASSET GROUP, INC., hereinafter referred to as "DEVELOPER."

WITNESSETH:

WHEREAS, the DEVELOPER received approval for a development from the CITY; and

WHEREAS, Land Partition (LP-83-01), approved by the City Council of Tualatin on March 28, 1983, contains certain conditions relative to half-street improvements in S.W. 65th Avenue and S.W. Sagert Street, and

IN CONSIDERATION of the mutual promises, covenants and undertakings, IT IS AGREED:

Section 1: The DEVELOPER agrees to deposit with the CITY the sum of \$15,613.95. This amount is equal to the cost of construction that would have been incurred by the DEVELOPER had the improvements to S.W. 65th Avenue and S.W. Sagert Street been constructed at the time the project was developed. The improvements required to be constructed in S.W. 65th Avenue and S.W. Sagert Street are adjacent to the Tualatin Professional Center are as follows:

Widening of the pavement to provide a 20-foot half-street improvement along S.W. Sagert Street and 22-foot half-street improvement along S.W. 65th Avenue from the centerline of the road, installation of curbs

84 16657

and gutters and sidewalks, street trees and street lights along S.W. 65th Avenue and S.W. Sagert Street, reconstruction of portions of S.W. 65th Avenue deemed to be of inadequate structural section to handle the projected traffic loads on S.W. 65th Avenue, and to make adjustments in the horizontal and vertical alignment as necessary to construct S.W. 65th Avenue in a safe manner.

Section 2: The funds deposited with the CITY shall be retained by the CITY and all interest earned on this money shall be used for the construction of the improvements described in this agreement.

Section 3: CITY agrees to use the funds deposited by DEVELOPER and all interest accrued on said funds in the following manner:

1. CITY may construct a half-street improvement required of DEVELOPER using the funds deposited and interest accrued thereon.
2. CITY may combine the funds deposited and interest accrued thereon from DEVELOPER with other funds available to the CITY for construction of a City sponsored project.
3. CITY may combine the funds deposited and interest accrued thereon with funds derived from a local improvement district for the improvement of S.W. 65th Avenue and S.W. Sagert Street.

Section 4: If the CITY constructs a half-street improvement as discussed above in Section #1 above, the CITY will keep a detailed cost accounting of the project, the excess funds upon completion of the project, and these funds

2

PAGE TWO

will be returned to the DEVELOPER. If the total construction costs exceed the amount deposited by the DEVELOPER, the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

Section 5: If the CITY combines funds with other funds for City projects as in 2(2) above, CITY will determine an appropriate assesemnt method for properties that would be included in a local improvement district had one been formed. If the amount that would be assessed to DEVELOPER is less than the amount deposited by DEVELOPER and interest accrued on said deposit and the CITY will refund the difference back to DEVELOPER. If the total cost exceeds the amount deposited by the DEVELOPER the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

The CITY and DEVELOPER agree that the maximum obligation of the DEVELOPER under Sections 4 and 5 is 10% more than the amount deposited plus interest earned under Section 2 of this agreement.

Section 6: If the City forms a Local Improvement District to construct the improvements covered by this agreement and if assessment against this property is less than the total of the funds deposited by DEVELOPER, and interest accrued thereon, the CITY will refund to DEVELOPER the difference. If the assessment determined by the CITY is greater than the funds deposited and interest accrued thereon by DEVELOPER, DEVELOPER will pay the additional amount over the amount deposited and interest accrued thereon. This additional amount will be eligible for Bancroft Bond financing. If the CITY forms a Local Improvement District to construct the improvements covered by this agreement, the DEVELOPER may elect to Bancroft the entire assessment and receive a refund of the amount deposited in Section 1 of this agreement with the interest accrued in Section 2.

3

PAGE THREE

1122
Section 7: The DEVELOPER agrees that by execution of this agreement, he will not remonstrate against the formation of a local improvement district to construct improvements to S.W. 65th Avenue and S.W. Sagert Street.

Section 8: This agreement shall be in effect for a period of five (5) years from its enactment. If at the end of five (5) years the CITY has not used funds deposited and interest accrued by DEVELOPER for the improvement of S.W. 65th Avenue and S.W. Sagert Street, then the funds and interest shall be returned to DEVELOPER.

Section 9: It is intended by the parties that all promises to be performed by DEVELOPER shall be covenants, conditions and restrictions running with the title to the property and shall be binding upon DEVELOPERS, their successors in interest and assigns.

Section 10: Promptly after its execution by the parties, this agreement shall be recorded in the records of Washington County to provide public notice of the conditions, covenants and restrictions against the title to the property imposed by this agreement.

Section 11: The DEVELOPER agrees that the driveway improvements to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his expense.

Section 12: Land Partition (LP-83-01) contains certain conditions relative to half-street improvements along S.W. Borland Road.

4
PAGE FOUR

1. Said improvements have been completed to the satisfaction of the CITY.
2. DEVELOPER is required to submit to the CITY a maintenance bond in the amount of 15% of the cost of said half-street improvements as guarantee against any defects in materials and workmanship for a period of (1) year from the date of this agreement. DEVELOPER agrees to deposit the sum of \$3750.00 in substitution for said maintenance bond.
3. CITY agrees to use said deposit to correct any defects in materials and workmanship for a period of (1) year from the date of this agreement.
4. CITY agrees to refund the balance of the deposit plus any interest accrued on the initial deposit to the DEVELOPER at the end of the (1) year period.

IN WITNESS WHEREOF, the parties have executed this agreement to be effective on the date first above mentioned.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY [Signature]
City Recorder

DEVELOPERS:

[Signature]

5

PAGE FIVE

SUBSCRIBED AND SWORN to before me this 29th day of March, 1989.

H-2C

Mary A. Hood
Notary Public for Washington

My commission expires: 6-1-91

[Faint, illegible text]

99-11 PM 166

[Signature]
REGULATORY SERVICES
CEP# 4 54 16657



6

PAGE SIX

550
5-56

H-2C

RESOLUTION NO. 1408-84

A RESOLUTION AUTHORIZING THE MAYOR AND CITY RECORDER
TO EXECUTE AN AGREEMENT WITH CONSOLIDATED ASSET GROUP

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON,
that:

Section 1: That the agreement (attached hereto) between the Consolidated
Asset Group and the City of Tualatin is for the purpose of half-street
improvements in S.W. 65th Avenue and S.W. Sagert Street adjacent to the
Tualatin Professional Center Development.

Section 2: That the Mayor and City Recorder are authorized to execute
the attached agreement and record said agreement on the Clackamas County
Book of Records.

INTRODUCED AND ADOPTED this 9th day of April, 1984.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

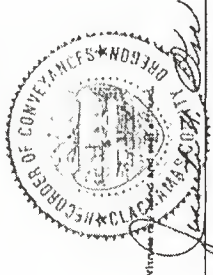
ATTEST:

BY [Signature]
City Recorder



STATE OF OREGON)
County of Clackamas)
I, Juanita N. Orr, County Clerk, do hereby certify
for the County of Clackamas, do hereby certify
that the instrument of writing was received for
recording in the records of said County at

1984 MAY 17 PM 1:56



JUANITA N. ORR
County Clerk
Recording Certificate
CCP-14 84 16656

Resolution No. 1408-84

84 16656

MEMORANDUM

To: Kelly Hossaini
Attorney

From: John Howorth
Principal Engineer

Date: December 29, 2015

Project Name: Sagert Farm Subdivision
Project No: 13159
RE: TPC Timetable

The following is our account and understanding of the TPC property as it was developed through the years and the meetings and communications we had with TPC owners as we moved through the process of subdividing the Sagert property in Tualatin.

Tualatin Professional Center – History as we understand

- 1983-03-09 Architectural Review Board (ARB-83-06) Deferral from March 2, 1983 for Modifications.
1. Total required parking spaces is 163, which is the number provided. Four need to be designated ADA.
 2. Total landscaping equals 33,265-sf, or approximately 27% of the site.
 3. Developer is required to dedicate 13.5-ft along the north edge for SW Borland Road.
 4. Developer is required to dedicate 10-ft along the west edge for SW 65th Avenue.
 5. Developer is required to dedicate 30-ft along the south edge for SW Sagert Street with a 250-ft centerline radii.
 6. Developer will be required to do a half-street improvement including sidewalks along both SW Borland and SW Sagert. Improvements within SW 65th will be deferred until a later date, but the developer will be required to deposit the cost of those improvements with the City.
- 1984-05-14 Recorded Agreement (84-16657)
This agreement was for the deposit of \$15,613.95 to the City for cost of construction that would have been incurred by the developer had the improvements to SW 65th Avenue and SW Sagert Street been constructed. Interesting sections to review further.
Section 8: This agreement shall be in effect for a period of five years from enactment. If at the end of the five (5) years the CITY has not used the funds deposited and interest accrued by DEVELOPER for the improvement of SW 65th Avenue and SW Sagert Street, then the funds and interest shall be returned to DEVELOPER.
- 1984-05-29 Resolution 1416-84
Dedication of right-of-way for Sagert, including (within in the Findings No. 11) the extension of Sagert east to provide additional access to Lot 1 and also to provide access for future residential development planned for land south of the site.
- 1995-02-03 Warranty Deed dedicating the right-of-way along SW 65th Avenue.
- 1995-10-25 As-Built Plans of SW 65th Avenue showing the 35-ft half right-of-way and improvements along SW 65th Avenue.

Meetings and Communication with TPC

- 2013-12-05 Neighborhood Meeting – TPC condominium owners were in attendance.
- 2014-05-20 Neighborhood Meeting – TPC condominium owners were in attendance.
- 2014-05-23 Meeting with TPC On-Site
1. This was the first meeting with TPC. The only item shared was the subdivision layout. Discussions of the issues were the main topic. This was basically the first formal meeting we had and introduced the project to them along with the concerns about the site.
- 2015-02-18 Neighborhood Meeting – TPC condominium owners were in attendance.
- 2015-02-20 Meeting with TPC at City offices.
1. Discussed the project and what impacts it has on TPC site.
 2. Discussed the ROW dedication and the improvements constructed within the ROW by TPC.
 3. Discussed concerns about access to the east and west lots.
 4. TPC want to push Sagert further south.
 5. TPC desires circulation on south end of site.
 6. Discussed fact that future development would likely close the north access(es) on Borland.
 7. Discussed opportunities to work with Mei building property to the east.
 8. TPC believes a short left turn lane could work. City and Lennar to review.
 - a. *Further review found the intersection as designed is acceptable and a short left turn lane would not be safe.*
- 2015-06-12 Meeting with TPC at Library.
1. Discussed several exhibits showing what could be the improvements along the southern site boundary vs. what Lennar and the City were willing to do (shoving the roadway south) to accommodate as much as possible.
 2. TPC had same concerns, nothing new was proposed that had any engineering review.
 3. TPC requested Lennar look at a RI/RO on SW 65th.
 - a. *Lennar had 3J submit two options for this to the City...both of which were not approved.*
 4. TPC requested Lennar look at a dedicated left turn lane into the west side of the site.
 - a. *Lennar had 3J submit this option to the City...this was deemed unsafe queuing.*

- - - END OF DOCUMENT - - -



MEETING AGENDA

Date: February 20, 2015
Project: Sagert Property – 13159
Subject: City of Tualatin – Lennar – Tualatin Professional Center

1. Introductions
2. Overview of Subdivision Plans
3. Sagert Road Extension and Alignment
4. Existing Conditions – Improvements within the Right of Way
5. Design Alternatives for Access to Sagert
6. Design Alternatives for Parking
7. Considerations along Borland
8. Applicant's Responsibilities
 - a. What will the City require for the Application to be deemed complete?
9. City's Responsibilities
10. TPC's Responsibilities

5075 SW Griffith Drive
Suite 150
Beaverton, OR 97005

4107 SE International Way
Suite 705
Milwaukie, OR 97222

3J Consulting, Inc.
Ph: 503-946-9365
www.3j-consulting.com



Meeting Minutes – TPC Meeting

Meeting Date: February 20, 2015
 Project: Sagert Farms Subdivision
 3J No.: 13159
 Location: Tualatin Professional Center

Attendee	Company	Phone
James Marlow	TPC	503-544-9776
Dean Delavan	TPC	503-860-2091
Cindy Walker	TPC	
Jim Walker	TPC	
Anjali Rosenbloom	TPC	503-784-9724
Cheryl Owens	TPC	503-680-1206
David TenHulzen	TPC	503-692-5654
Gary Owings	TPC	
Mike Loomis	Lennar	360-258-7900
Mike Anders	Lennar	360-258-7900
John Howorth	3J	503-946-9365 x201
Dave Rouse	City of Tualatin – City Engineer	503-691-3026
Tony Doran	City of Tualatin – Engineering Associate	503-691-3035
Clare Fuchs	City of Tualatin – Senior Planner	503-691-3027

The following is a record of the meeting between the Sagert Development Team and the Tualatin Professional Center owners on February 20, 2015.

Topic	Comment
Sagert Street Extension Alignment	<ul style="list-style-type: none"> • Overview of the alignment of the Sagert Street extension was discussed. • Existing right-of-way dedicated by the TPC development in 1983 was 30-ft with a 250-ft centerline radius required by the City. • Improvements are within the existing dedicated right-of-way.
Design Alternatives for Access to Sagert	<ul style="list-style-type: none"> • Owners concerned about access to the east and west lots if Sagert removes the circulation capability on site. • Owners would like to push the road onto Lennar’s side to avoid disruption to their site. • Owners would like to maintain a left turn movement into the western lot. • Owners would like to maintain full access into the eastern lot.
Design Alternatives for maintaining parking count and circulation	<ul style="list-style-type: none"> • Any design that minimizes the loss of parking is desirable. • Parking close to the individual medical offices is a desire as well since patients are typically under sedation after treatments. • Circulation around the south side of the buildings is desirable to maintain.
Future Considerations along	<ul style="list-style-type: none"> • It was pointed out that any future site improvement may trigger the north access driveways to be closed off due the proximity to the

5075 SW Griffith Drive
 Suite 150
 Beaverton, OR 97005

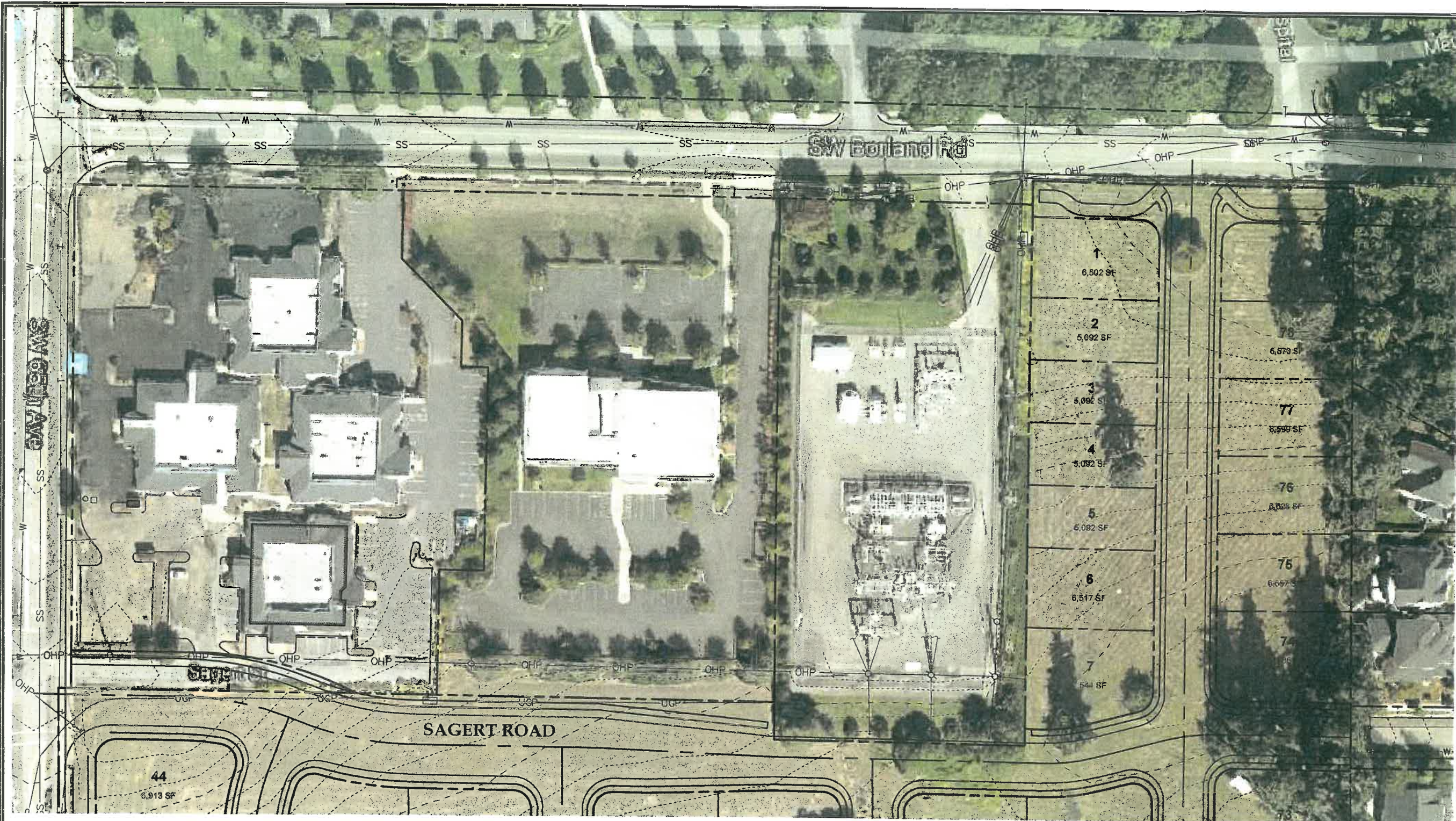
4107 SE International Way
 Suite 705
 Milwaukie, OR 97222

3J Consulting, Inc.
 Ph: 503-946-9365
 www.3j-consulting.com

Borland	intersection and the classification of Borland Road. <ul style="list-style-type: none">• Design team pointed out opportunities that may be beneficial to explore now that the neighbor to the east is under a condition to close off their access to Borland as well.• Option onsite may include removing the 10-ft wall along the north end of the site. Further investigation may show that the cost of this revision to the site may not impact the existing building foundation and be less expensive than anticipated.• The Mei Medical Building owner may be interested in discussing a cross access and cross parking agreement.
Items for Follow-up	<ul style="list-style-type: none">• City and Lennar to review options for maintaining more access for the westerly parking lot within City codes and standards. This may require a closer review of the traffic analysis prepared by Lennar's design team.• Lennar to work with City on final alignment of Sagert.

- - - END OF DOCUMENT - - -





PLANNING DOCUMENTS	01/02/2015
REVISION SUMMARY	BY DATE

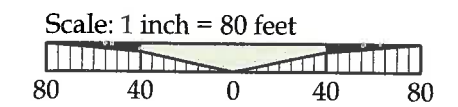
SAGERT ALIGNMENT PLAN
SAGERT FARMS
 SUBDIVISION
 TUALATIN, OREGON
 LENNAR NORTHWEST, INC



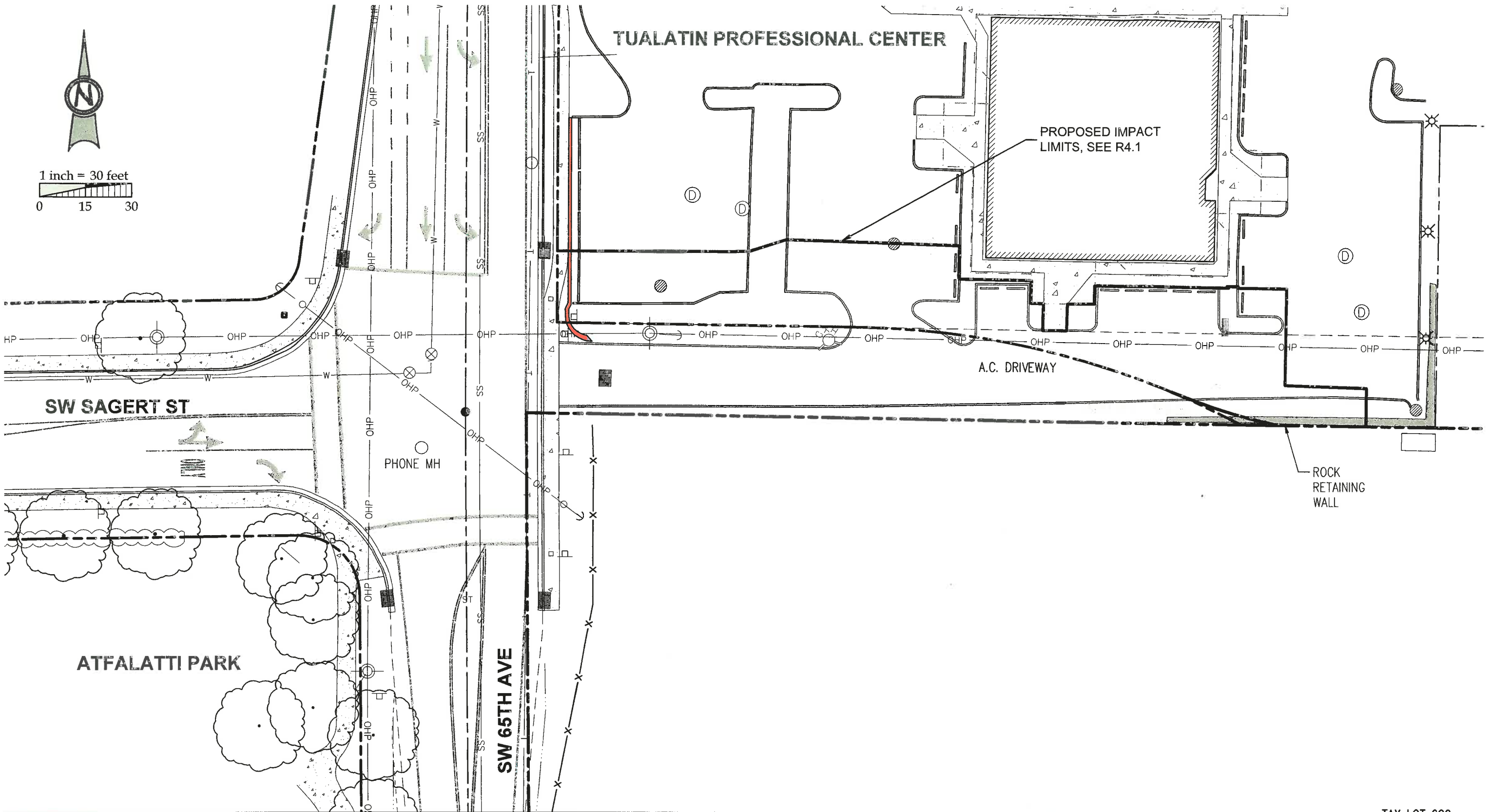
3J CONSULTING, INC
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 6075 SW GREIFER DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE: (503) 946-6385 FAX: (503) 885-4293

3J JOB ID #	13159
LAND USE #	
TAX LOT #	251E308 300 & 600
DESIGNED BY	MDS
CHECKED BY	AKT
SHEET TITLE	SAGERT PLAN
SHEET NUMBER	

P1.1



June 12, 2015, TPC/Lennar Meeting Materials



3J CONSULTING, INC



SAGERT ST & 65TH AVE SAGERT FARM SUBDIVISION

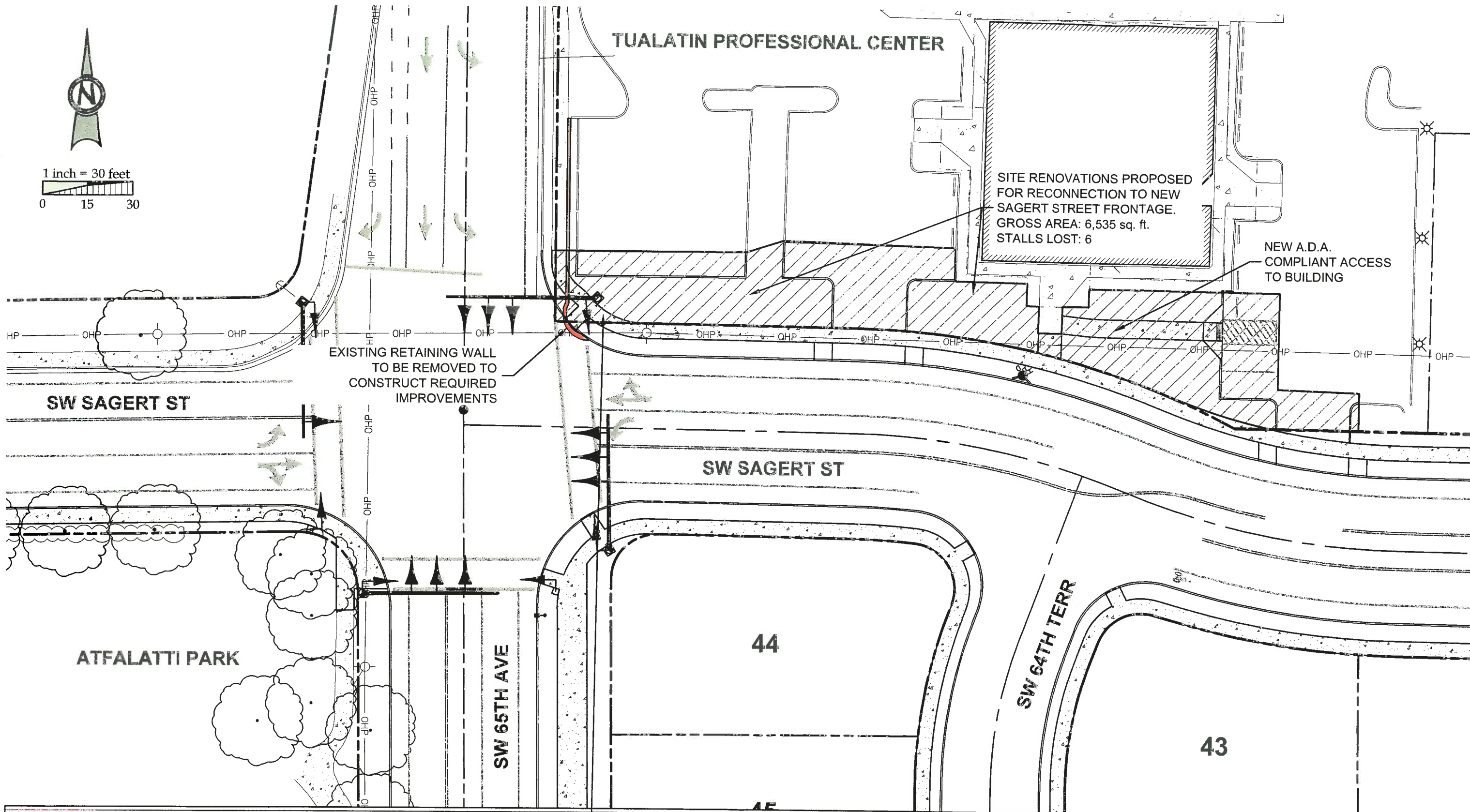
INFORMATION ONLY

FIGURE R1.0

Date: 5/28/15 Attachment 5 By: JTE



1 inch = 30 feet
0 15 30



3J CONSULTING, INC

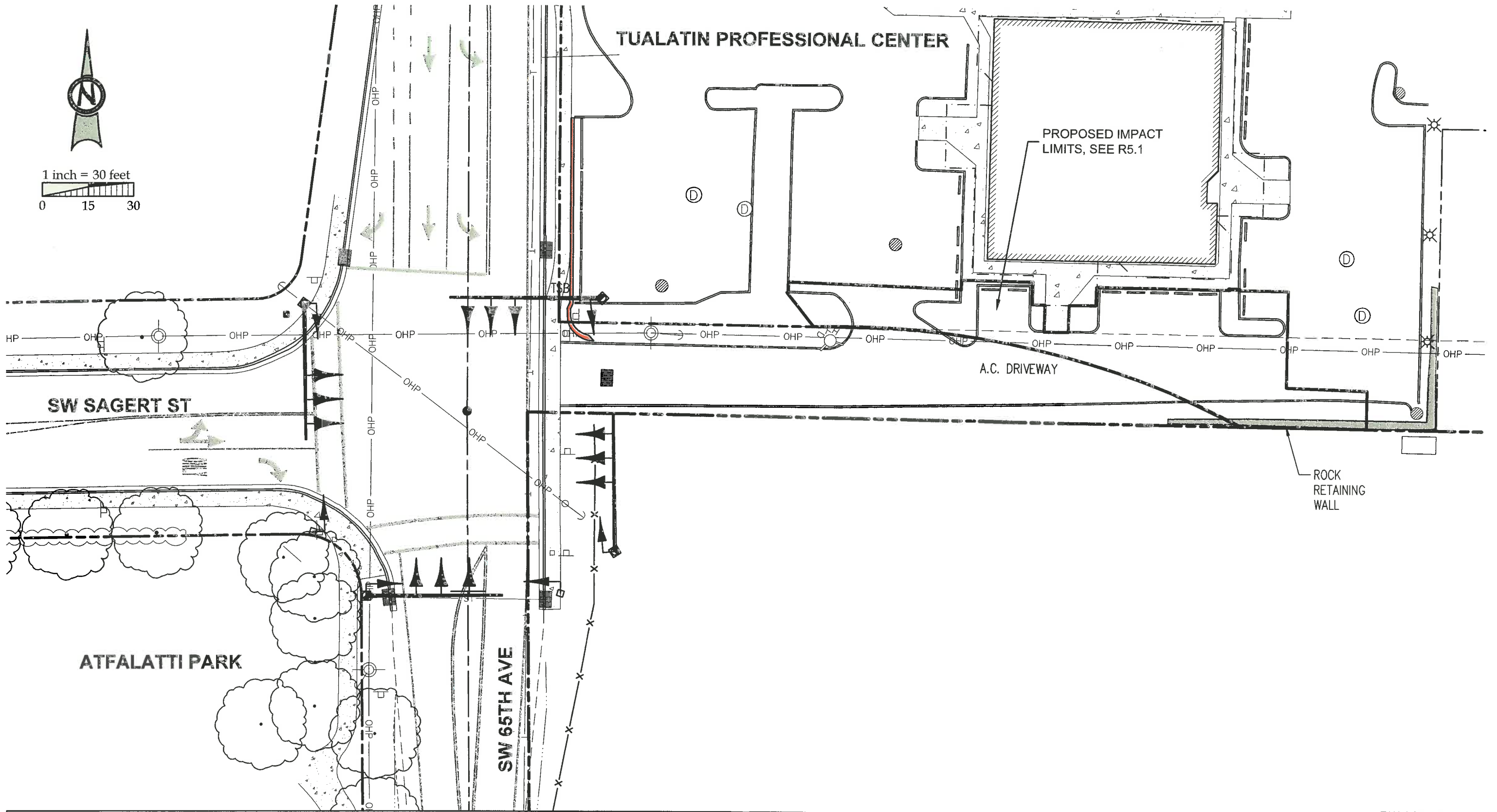


SAGERT ST & 65TH AVE SAGERT FARM SUBDIVISION

INFORMATION ONLY

FIGURE R1.1

Date: 5/28/15 Attachment 5 By: JTE
Attachment 110 TPC Open Record Submittal - TPC Request for Review MAR17 0941
Page 9 of 18 Attachment 405A Page 12



3J CONSULTING, INC



SAGERT ST & 65TH AVE SAGERT FARM SUBDIVISION

INFORMATION ONLY

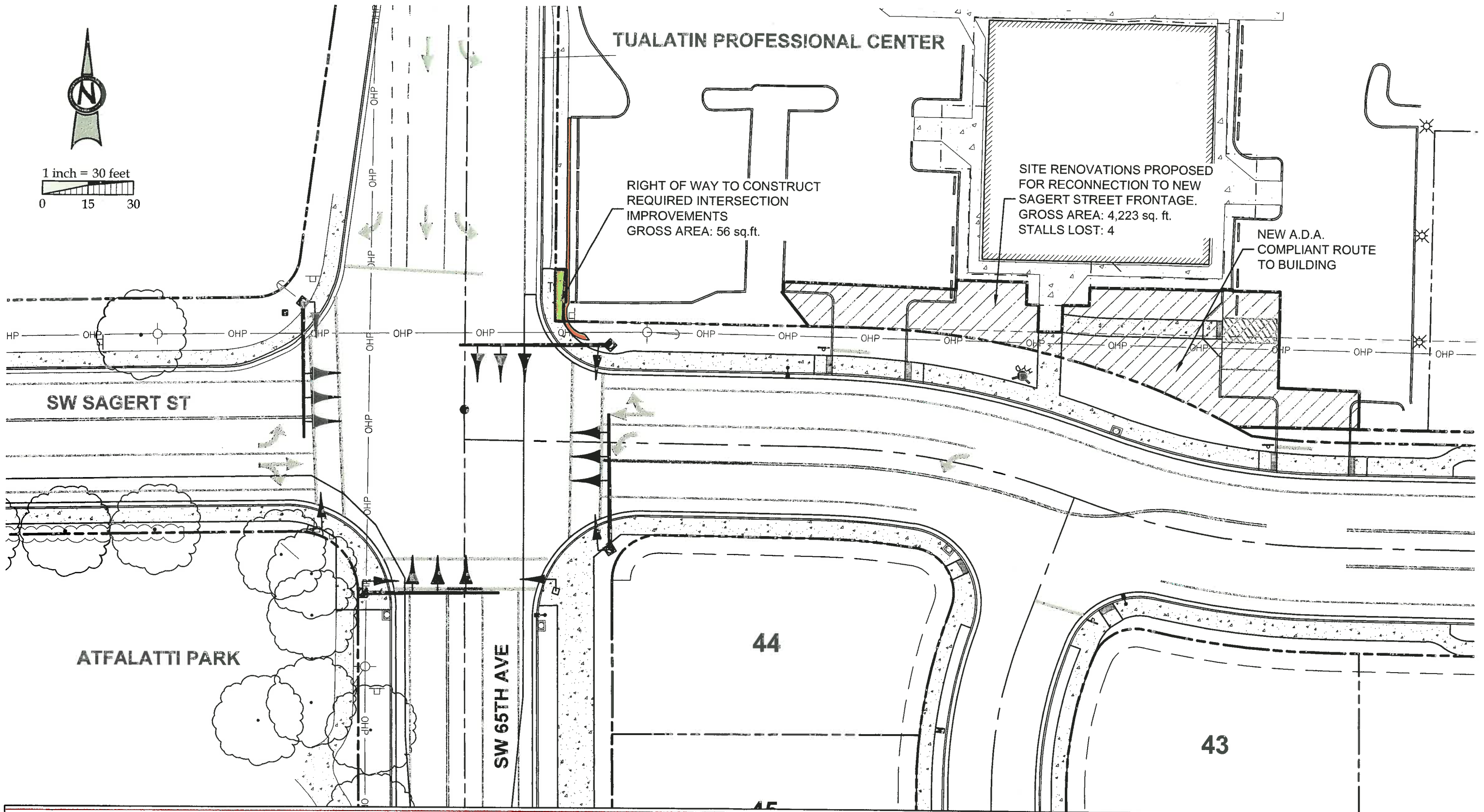
FIGURE R2.0

Date: 5/28/15 Attachment 5 By: JTE

Page 10 of 18



1 inch = 30 feet



3J CONSULTING, INC

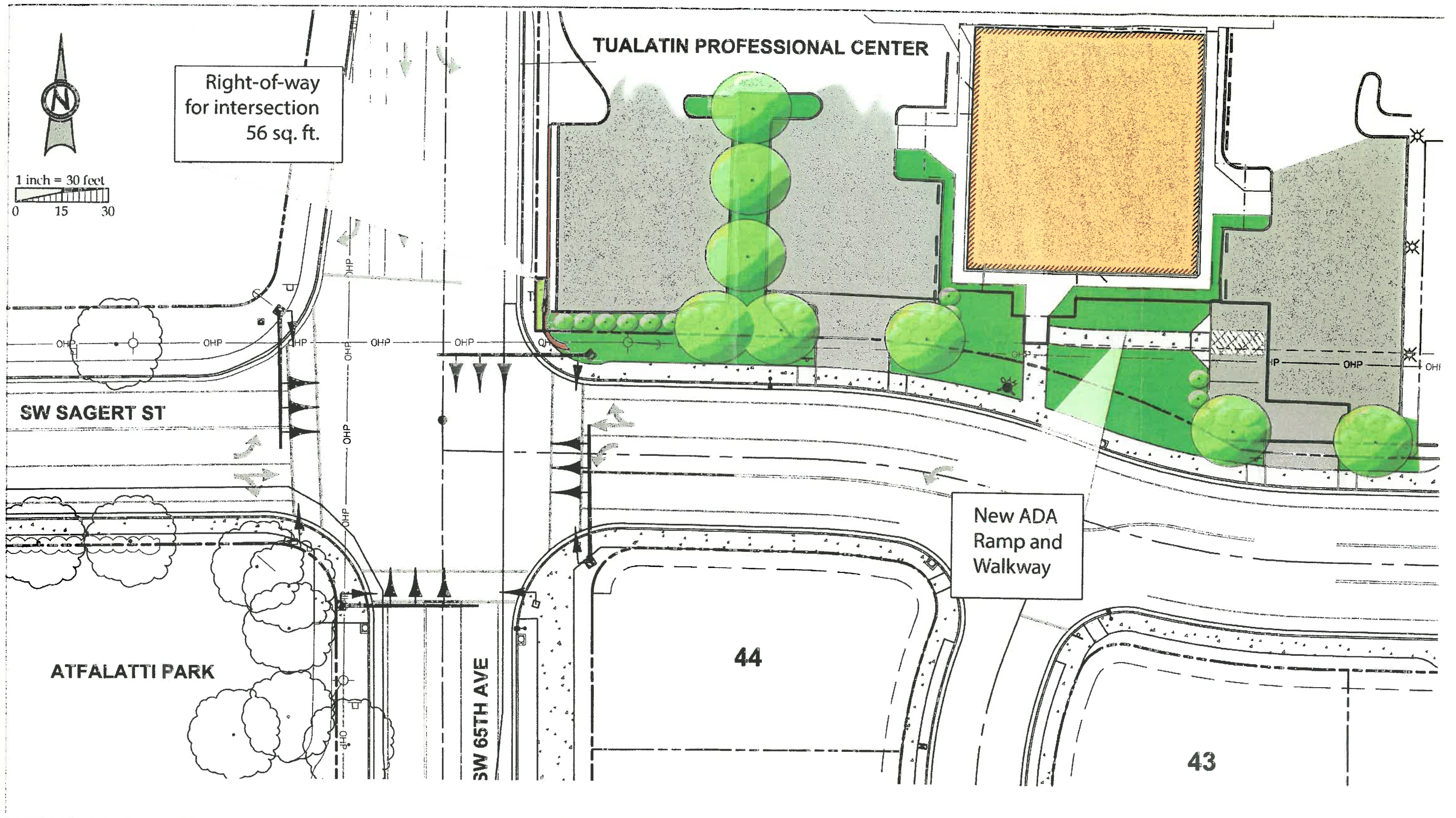


SAGERT ST & 65TH AVE SAGERT FARM SUBDIVISION

INFORMATION ONLY

FIGURE R2.1

Date: 5/28/15 Attachment 5 By: JTE



SAGERT FARM SUBDIVISION - SAGERT AND 65TH ALIGNMENT PLAN

June 2015



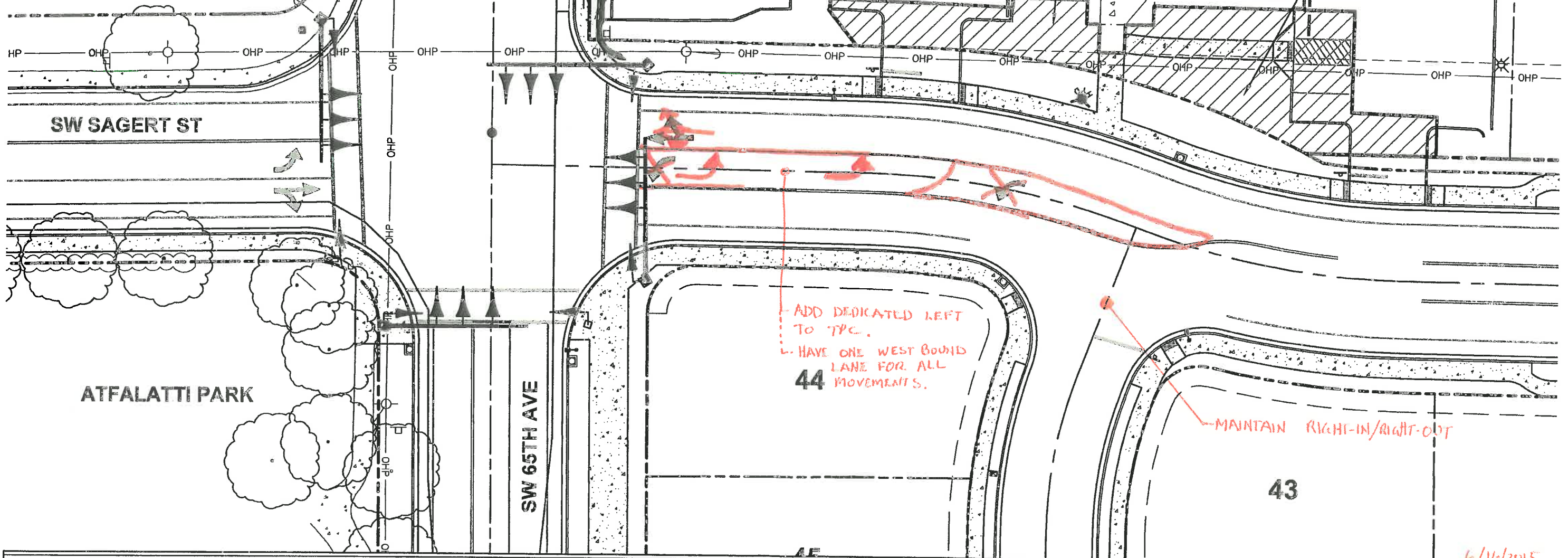
1 inch = 30 feet
0 15 30

TUALATIN PROFESSIONAL CENTER

RIGHT OF WAY TO CONSTRUCT
REQUIRED INTERSECTION
IMPROVEMENTS
GROSS AREA: 56 sq.ft.

SITE RENOVATIONS PROPOSED
FOR RECONNECTION TO NEW
SAGERT STREET FRONTAGE.
GROSS AREA: 4,223 sq. ft.
STALLS LOST: 4

NEW A.D.A.
COMPLIANT ROUTE
TO BUILDING



ADD DEDICATED LEFT
TO TPC.
HAVE ONE WEST BOUND
LANE FOR ALL
MOVEMENTS.
44

MAINTAIN RIGHT-IN/RIGHT-OUT

43

6/16/2015

3J CONSULTING, INC



CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING

SAGERT ST & 65TH AVE SAGERT FARM SUBDIVISION

INFORMATION ONLY

FIGURE R2.1

Date: 5/28/15 Attachment 5 By: JTE
Page 13 of 18



RIGHT-IN/RIGHT-OUT

RIGHT-IN/RIGHT-OUT

TWO OPTIONS THAT MAY WORK FOR RI/RO ACCESS. THIS IDEA WOULD ALLOW VEHICLES FROM THE SOUTH TO ACCESS THE WEST LOT EASIER.

Sagert St

© 2014 Google

Hossaini, Kelly

From: Jeff Fuchs <jfuchs@ci.tualatin.or.us>
Sent: Tuesday, July 07, 2015 3:29 PM
To: John Howorth
Cc: Tony Doran; Clare Fuchs; Kelly Hossaini (kelly.hossaini@millernash.com); Mike Loomis (Mike.Loomis@Lennar.com); Michael Anders (Mike.Anders@lennar.com); Andrew Tull; Jesse Emerson; Josh Pronozuk
Subject: RE: Sagert Farm Subdivision - TPC Meeting Request
Attachments: 13159-TPC Dedicated LT Lane from Sagert.pdf; 13159-TPC RI-RO Options from 65th.pdf

John,

We reviewed the attached proposals for access to TPC. Here is our response.

1. The access proposed onto 65th presents multiple challenges. We would not typically approve such an access on a major arterial. 65th is a major arterial. We believe the proposed driveway approaches would most likely present safety issues. A traffic study would be needed to prove that the access are safe. It should also be noted that the east side of 65th is in Clackamas County's jurisdiction. All access improvements would require their approval. It would also be unusual for the City to approve these proposed access as part of your subdivision application. If TPC wanted to reconfigure their parking lot and access as shown, they could submit an application for an AR. However, for the reasons stated above it would probably not be approved.
2. The eastbound left turn pocket fails to meet any standard traffic solutions. The configuration shown would most likely cause queuing into the intersection, which does not meet our intersection design standards nor could I find anything in MUTCD that would allow this configuration.

At this point, access provided to TPC will need to continue to be from Sagert Street and from the existing driveway approaches on Borland. You will need to continue to work with TPC to identify access solutions that work from Sagert.

Let me know if you have questions or comments.

Thanks,

Jeff Fuchs, PE
City Engineer
City of Tualatin | Community Development
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
o) 503.691.3034 | c) 541-788-6621
jfuchs@ci.tualatin.or.us | www.tualatinoregon.gov

From: John Howorth [<mailto:john.howorth@3j-consulting.com>]
Sent: Tuesday, June 16, 2015 11:33 AM
To: Jeff Fuchs
Cc: Tony Doran; Clare Fuchs; Kelly Hossaini (kelly.hossaini@millernash.com); Mike Loomis (Mike.Loomis@Lennar.com); Michael Anders (Mike.Anders@lennar.com); Andrew Tull; Jesse Emerson; Josh Pronozuk
Subject: Sagert Farm Subdivision - TPC Meeting Request
Importance: High

Jeff,

We held a meeting with the Tualatin Professional Center (TPC) condominium owners and their attorney last Friday afternoon. During that meeting we presented the full standard intersection design showing the potential impacts with that. We then followed up with an exhibit showing Sagert Street pushed south with some minor variations to the code. They understand the situation, but as you can imagine are still very unhappy with the results regardless of the options as they will lose circulation around the buildings.

To that end, we discussed several other options to maintain better access to their west parking lot. Attached are two quick exhibits showing the options suggested by TPC.

1. Dedicated Left Turn into the West Lot on Sagert. The first idea is an immediate left turn lane that could be used to queue on the roadway and not block any traffic on 65th, etc.
2. Right-in/Right-out on 65th. The second idea was to do a RI/RO on 65th. I explained that the onsite geometry of the parking lot may not allow this, and after reviewing the attached aerial, I have further concerns that this option would not be a safe alternative.

Our attorney has requested that we obtain a letter from you in response to these alternatives to present to TPC and include within our final application to the City. If an option is feasible we would also want to further explore the details and incorporate them into the plans.

Thanks for your time in reviewing these options.

John Howorth, PE

Principal Engineer

3J Consulting, Inc.

5075 SW Griffith Drive, Suite 150

Beaverton, OR 97005

O: (503) 946-9365 x201 C: (503) 577-8176

john.howorth@3j-consulting.com

Civil Engineering – Water Resources – Land Use Planning

www.3j-consulting.com | [Follow us on LinkedIn](#) | [Like us on Facebook](#)



1 inch = 30 feet
0 15 30

TUALATIN PROFESSIONAL CENTER

RIGHT OF WAY TO CONSTRUCT
REQUIRED INTERSECTION
IMPROVEMENTS
GROSS AREA: 56 sq.ft.

SITE RENOVATIONS PROPOSED
FOR RECONNECTION TO NEW
SAGERT STREET FRONTAGE.
GROSS AREA: 4,223 sq. ft.
STALLS LOST: 4

NEW A.D.A.
COMPLIANT ROUTE
TO BUILDING

SW SAGERT ST

ATFALATTI PARK

SW 65TH AVE

ADD DEDICATED LEFT
TO TPC.
HAVE ONE WEST BOUND
LANE FOR ALL
MOVEMENTS.
44

MAINTAIN RIGHT-IN/RIGHT-OUT

43

6/16/2015

3J CONSULTING, INC

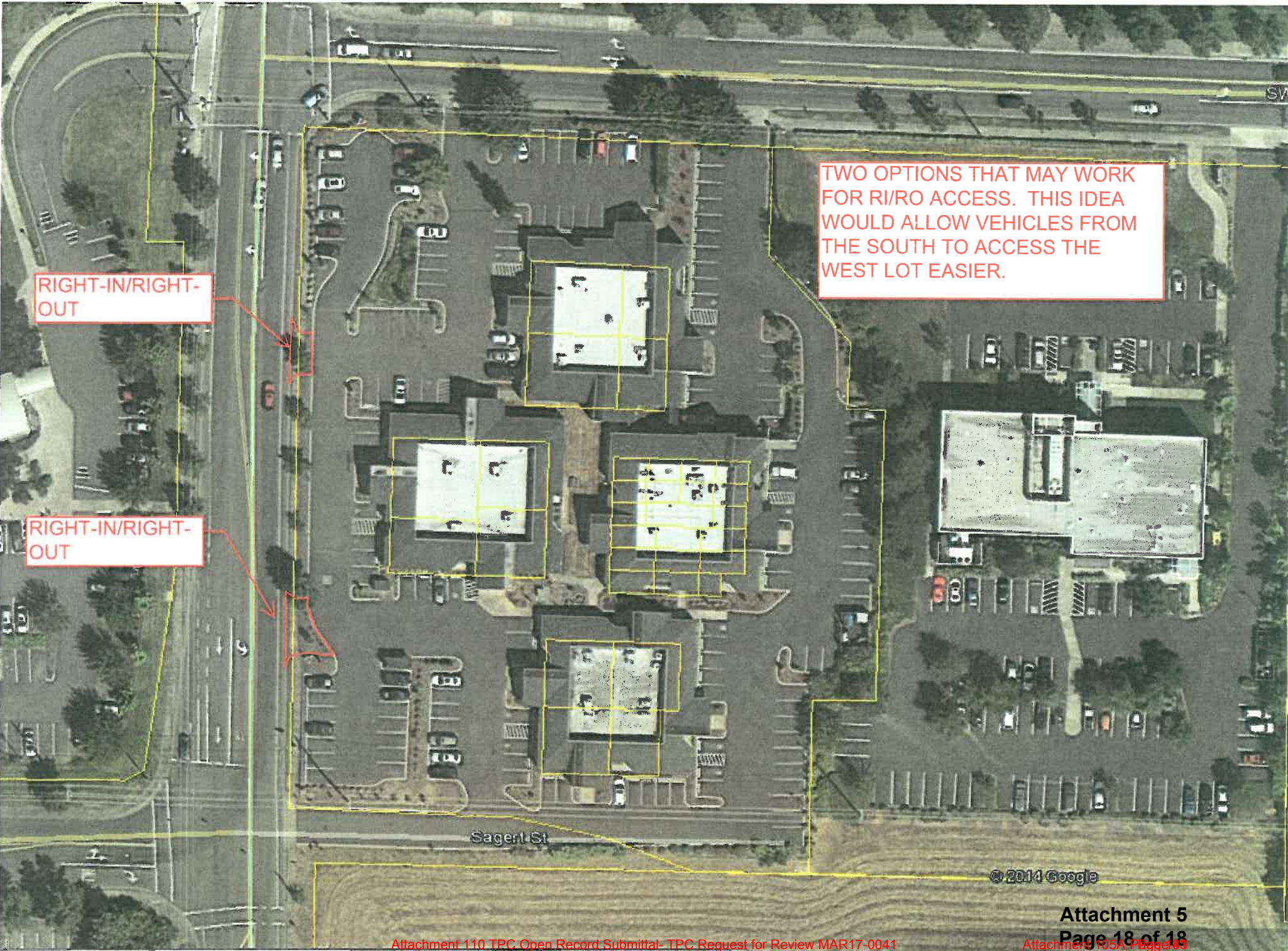


SAGERT ST & 65TH AVE SAGERT FARM SUBDIVISION

INFORMATION ONLY

FIGURE R2.1

Date: 5/28/15 Attachment 5 By: JTE



RIGHT-IN/RIGHT-OUT

RIGHT-IN/RIGHT-OUT

TWO OPTIONS THAT MAY WORK FOR RI/RO ACCESS. THIS IDEA WOULD ALLOW VEHICLES FROM THE SOUTH TO ACCESS THE WEST LOT EASIER.

Sargent St

© 2014 Google



January 8, 2016

Project #: 17299

Jeff Fuchs
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

RE: Response to the TPC Request for Review of the Sagert Street Access

Dear Mr. Fuchs,

This letter provides information in response to the Tualatin Professional Center's Request for Review regarding the future extension of Sagert Street and the corresponding access limitation proposed at their western site driveway.

Background

The City of Tualatin's adopted *Transportation System Plan* (TSP) identifies the need for future signalization of the SW Sagert Street/SW 65th Avenue intersection as well as the extension of SW Sagert Street from SW 65th Avenue east. Tualatin Development Code (TDC) Sections 11.630 and 74.420 effectively dictate the easterly extension of SW Sagert Street in conjunction with development of the proposed Sagert Farms site.

The *Sagert Farms Development Transportation Impact Analysis* (TIA) was prepared in June 2015 (along with a subsequent update in August 2015) and was guided in part by the City's TSP. The TIAs determined that the TSP-identified SW Sagert Street/SW 65th Avenue intersection signalization is needed in conjunction with site development to accommodate additional traffic from the Sagert Farms development and anticipated changes in circulation brought about by the required roadway extension.

The design team representing the Sagert Farms Development worked to develop alignment options for the easterly extension of SW Sagert Street that would accommodate the proposed Sagert Farm development while preserving access to the adjacent Tualatin Professional Center (TPC). The approved alignment for the roadway extension maintains one driveway serving TPC's western parking lot and one driveway serving TPC's eastern parking lot.

Given that the proposed driveway serving TPC's western parking lot would be located less than 100 feet from the newly reconstructed/signalized SW Sagert Street/SW 65th Avenue intersection, vehicular movements are recommended to be limited to right-turns only at the western driveway access via a raised median. The raised median will restrict left-turns and through movements at both the TPC western parking lot and the new SW 64th Terrace (located approximately half-way between the TPC

western parking lot driveway and the TPC eastern parking lot driveway). The turn movement restrictions are recommended based on operational and safety considerations within the influence area of the signalized SW Sagert Street/SW 65th Avenue intersection. Specifically, westbound queues on SW Sagert Street extension are projected to routinely extend to SW 64th Terrace. As a result, westbound queues will physically block access to the TPC western site driveway. The proposed turn movement restrictions and raised median treatment will better these vehicle queues while ensuring the operational integrity and safety of the SW Sagert Street/SW 65th Avenue intersection¹.

This design and recommended restriction of turning movements at the TPC west driveway are supported by various Tualatin Development Code sections as identified below:

- TDC 73.400 (15)(a) states that except for single family dwellings, the minimum distance between a private driveway and the intersection of collector or arterial streets shall be 150 feet.
- TDC 75.010 states that the purpose of TDC Chapter 75: Access Management is to “promote the development of safe, convenient and economic transportation systems and to preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties”.
- TDC 75.060 (2) states that “The City Engineer may restrict existing driveways and street intersections to right-in and right-out by construction of raised median barriers or other means”.

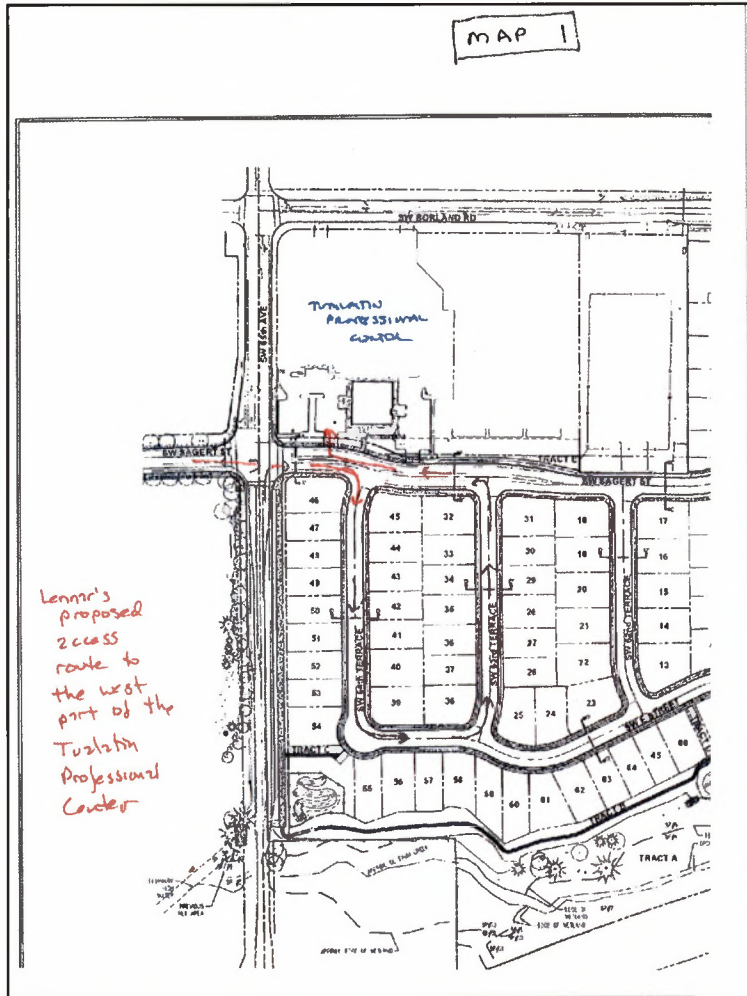
In recognition that the access recommendation would result in some re-routing of TPC site-generated traffic, the TIAs provided a detailed assessment of this and other circulation modifications and concluded that the adjacent intersections/driveways could adequately and safely accommodate the proposed modifications.

TPC Request of Review Comments

On December 16, 2015, TPC submitted a Request for Review to the City of Tualatin. As part of this request, TPC asserts that the proposed western parking lot access limitations will force all patients/visitors who park in the western parking lot to re-route and loop through the proposed Sagert Farms subdivision as graphically noted in Exhibit 1 below.

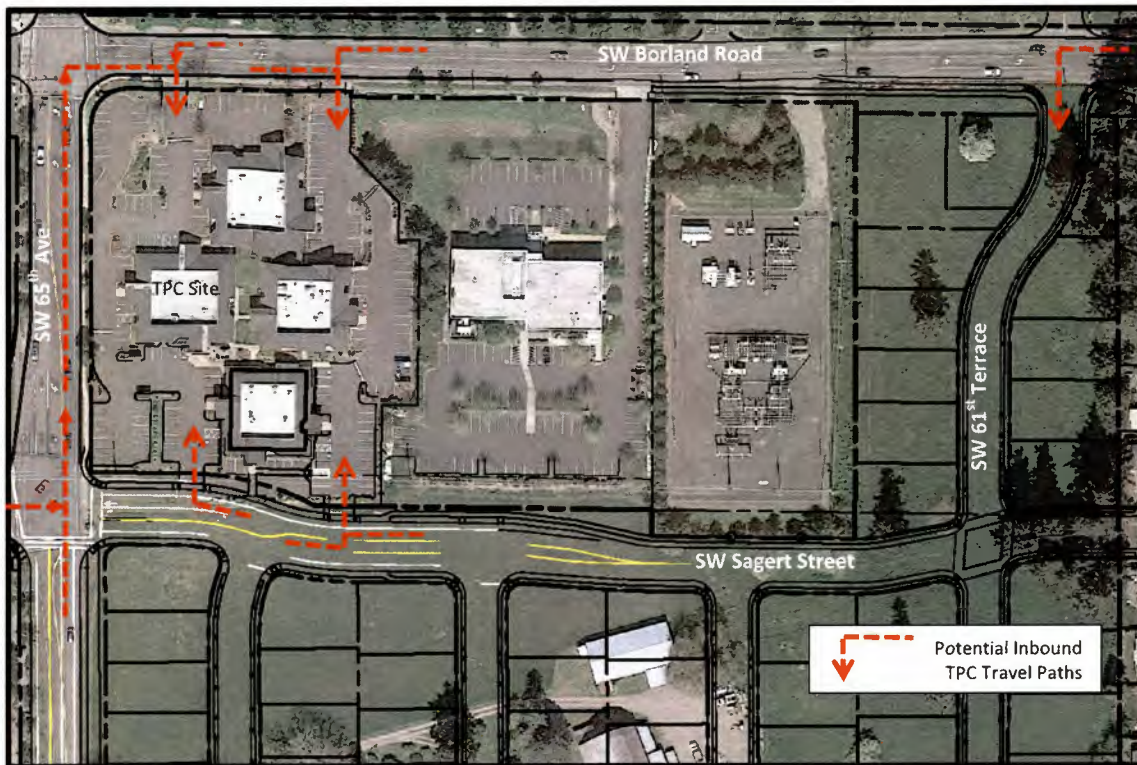
¹ Allowing eastbound left-turn movements into the TPC western site driveway could result in eastbound left-turn traffic stopping in the eastbound travel lane while waiting for a gap in westbound traffic in order to complete the left-turn. The eastbound left-turn traffic waiting for a gap could quickly result in vehicle spillback to SW 65th Avenue, further complicating intersection operations and safety.

Exhibit 1 - Traffic Rerouting Exhibit from the TPC Request for Review Letter



While the path illustrated in Exhibit 1 is a potential option, we believe TPC clients and especially TPC staff are more likely to follow alternative routing scenarios. The TPC western parking lot currently has, and will continue to have, a full movement driveway located off of SW Borland Road. For those familiar with the site (employees, returning clients/patients), it is anticipated that this fully accessible driveway will likely become the preferred site ingress driveway. Exhibit 2 illustrates this more likely alternative routing as well as all of the other inbound routing scenarios. Recognizing the SW Borland Road driveway is fully accessible for all visitors regardless of where they are coming from, we respectfully anticipate that businesses within TPC will direct their clients and staff to enter TPC via the SW Borland Road primary driveway when providing verbal or written directions.

Exhibit 2 – Inbound Travel Paths from South on SW 65th Avenue, East/West on SW Sagert Street, and East on SW Borland Road



In addition to this more likely routing scenario, the TPC site will have a second fully accessible driveway located off of the SW Sagert Street extension that will serve the eastern parking lot. Clients/patients can use this lot for parking, or during less busy times, use it to turn around in order to access the western parking lot.

Lastly, it should also be pointed out that the Sagert Farms Development will be enhancing street connectivity in the area that will benefit the TPC site. Specifically, the SW Sagert Street extension and the proposed SW 61st Terrace street connection to SW Borland Road will provide an alternate routing choice for employees/customers/patients traveling to the site via westbound SW Borland Road.

While we understand TPC's issues regarding the proposed access limitations at the west parking lot access, the network connectivity and signalization identified by the City's TSP and development code dictate that the access currently available to the TPC site will change to accommodate the planned public street network. If turn movement restrictions were not signed and enforced by the proposed raised median, westbound queues on SW Sagert Street can be expected to routinely block the western site driveway and result in a de-facto turn movement restriction. From a public safety and traffic signal operations perspective, we conclude that installation of the proposed median is appropriate and that existing and future TPC site staff and clients will have adequate access.

Please let us know if you have any questions.

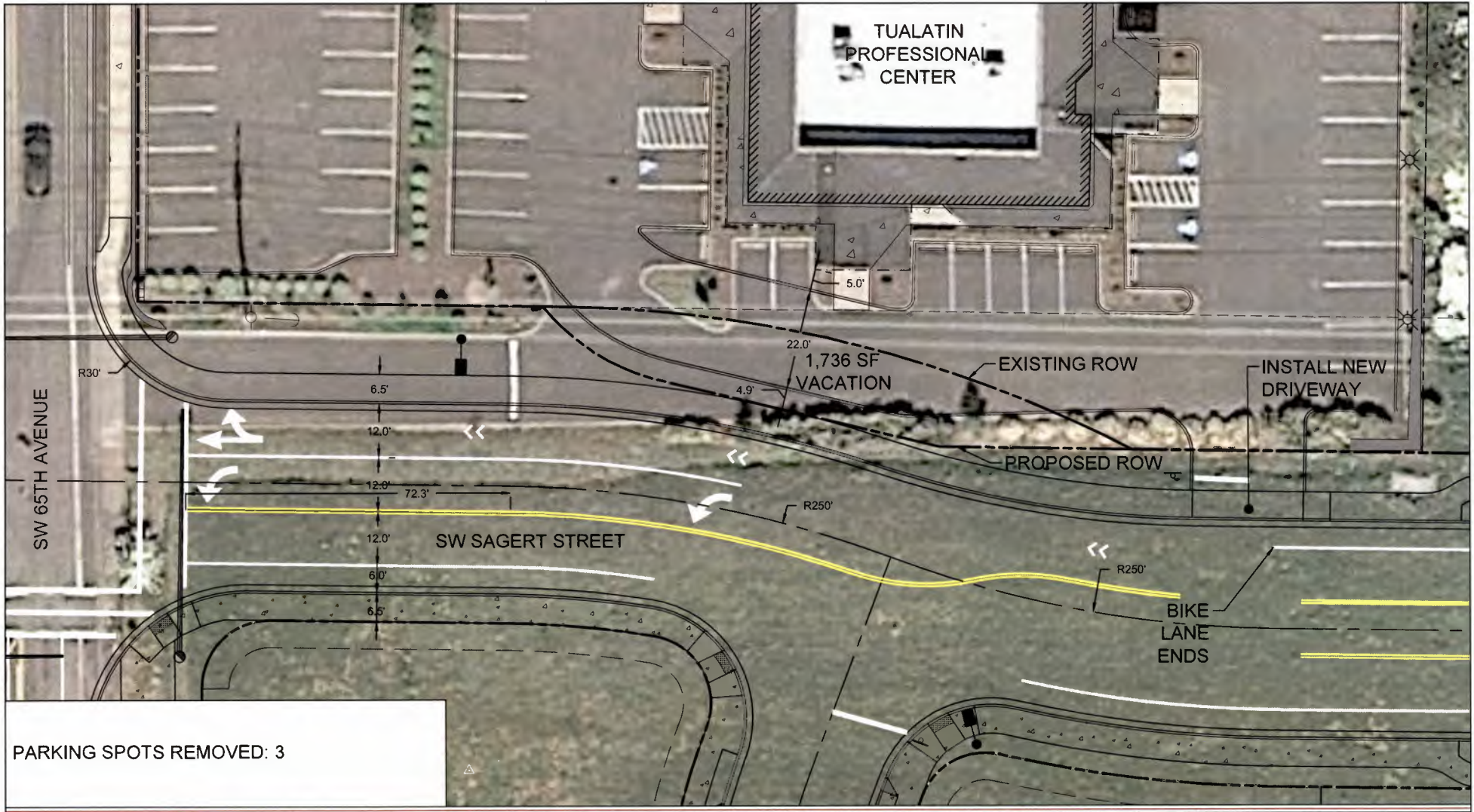
Sincerely,
KITTELSON & ASSOCIATES, INC.



Matt Hughart, AICP
Associate Planner



Chris Brehmer, P.E.
Principal Engineer



3J CONSULTING, INC



CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING

SAGERT SUBDIVISION TPC EXPANSION EXHIBIT

SCALE: 1" = 20'




Exhibit Use

EXHIBIT 2

Date: 1/6/16 By: CKW

RESOLUTION NO. 1416-84A RESOLUTION APPROVING LAND PARTITIONING
APPLICATION OF DAVID EVANS & ASSOCIATES

WHEREAS, a public hearing was held before the City Council of the City of Tualatin, Oregon, on March 28, 1983, upon the application of David Evans & Associates for a land partitioning on real property hereinafter described, and

WHEREAS, notice of said public hearing was given as required in accordance with the applicable ordinances of the City, in the Tualatin Times, a newspaper of general circulation within the City, on March 17, 1983, and March 24, 1983, which notice by publication is evidenced by that certain Affidavit of Publication, marked Exhibit "A," attached hereto and by this reference incorporated herein, and by mailing a copy of notice to affected property owners, which notice by mailing is evidenced by that certain Affidavit of Mailing, marked Exhibit "B," attached hereto and by this reference incorporated herein, and

WHEREAS, the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City Staff and those appearing at said public hearings, and

WHEREAS, based upon the evidence presented to and considered by the Council, the Council made and entered the Findings of Fact set forth in Exhibit "C," attached hereto and by this reference incorporated herein, and

WHEREAS, based upon the foregoing Findings of Fact, the Council considers that it is in the best interests of the owner and applicant of the subject property, the residents and inhabitants of the City and the adjacent and affected property owners that the requested land partitioning be approved subject to the conditions set forth below.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, THAT:

Section 1: The partitioning of the following-described tract of land into Lots 1 and 2 as depicted and described on Exhibit "D," attached hereto and by this reference incorporated herein, be and the same hereby is approved subject to the conditions contained in Section 2 below:

A tract of land described on the records of the Clackamas County Department of Assessment and Taxation as Tax Account No. 21E-30B-500.

Section 2: The approval of partitioning granted in Section 1

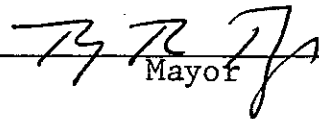
F10

above is subject to the following conditions:

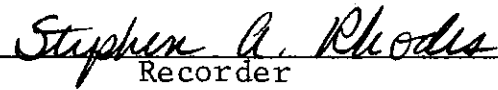
1. That prior to the adoption of the resolution approving the partition, the owner shall dedicate additional right-of-way to the public to provide the following widths at the following locations in conformance with the Transportation Element of the Tualatin Public Facilities Plan.
 - a. In S. W. Borland Road to provide a total of 33 1/2 feet from the centerline of said road abutting Lots 1 and 2 of the site; and
 - b. In S. W. 65th Avenue to provide a total of 30 feet from the centerline of said street abutting Lot 1 of the site; and
 - c. In the future easterly extension of S. W. Sagert Street to provide a total of 30 feet from the centerline of said street abutting Lot 1.
2. That prior to adoption of the resolution approving the partition, the owner shall enter into an agreement with the City of Tualatin under the provisions of which the owner shall provide the following street improvements in the following locations in conformance with the Transportation Element of the Tualatin Public Facilities Plan:
 - a. A half-street improvement including a sidewalk or bicycle path in S. W. Borland Road abutting Lot 1 to be constructed during development of Lot 1.
 - b. A half-street improvement, including sidewalk in S. W. 65th Avenue abutting Lot 1, to be constructed following telephone cable relocation.
 - c. A half-street improvement, including sidewalk, in that portion of the eastward extension of S. W. Sagert Street described in 1-c above, to be constructed during development of Lot 1.
3. A half-street improvement including a sidewalk or bicycle path in S. W. Borland Road abutting Lot 2 to be constructed prior to issuance of a building permit.
4. In the event documents are not recorded within one year after adoption of the resolution, with the Clackamas County Recorder to create lots authorized by the resolution, then this partition shall be automatically terminated and shall be of no further legal effect.

INTRODUCED AND ADOPTED this 29th day of May, 1984.

CITY OF TUALATIN, OREGON

By 
Mayor

ATTEST:

By 
Recorder

F4C

EXHIBIT "C"

FINDINGS:

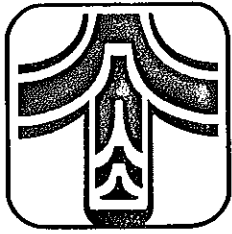
LP-83-01--DAVID EVANS & ASSOCIATES
(S.E. CORNER, S.W. 65TH AVENUE & BORLAND ROAD)
March 24, 1983

1. The subject property is located at the southeast corner of S.W. 65th Avenue and Borland Road, contains a total of 5.5 acres, and is listed on the records of the Clackamas County Assessor's Office as Tax Lot 500, Tax Map 21E 30B.
2. The applicant proposed to partition the site into two parcels, namely Lots 1 and 2 as shown on the sketch map in Exhibit B. Lot 1 contains 2.82 acres, and Lot 2 contains 2.41 acres.
3. The Tualatin Community Plan designates the site as an Office Commercial (CO) Planning District. The CO designation also applies to land across 65th Avenue from the site. Land to the north, east and south is in a Low Density Residential (RL) Planning District.
4. Water service is available to the site from 12-inch mains located both in 65th Avenue and Borland Road.
5. Sewer service is available to the site from an 8-inch main in S.W. 65th Avenue.
6. Storm drainage for the site will ultimately be accommodated by a storm drain constructed when S.W. 65th Avenue is improved.
7. Lots 1 and 2 both conform to the CO Planning District Standards with respect to lot size, lot width, and the required amount of street frontage.
8. Medical office development on the site as proposed by the applicant could result in the generation of up to 3,250 two-way vehicle trips per average weekday on S.W. 65th Avenue and S.W. Borland Road, based on trip generation data contained in Table 7 of the document entitled "Report on the Transportation Element, Tualatin Urban Renewal Plan, Tualatin, Oregon." This report is contained in Technical Appendix D of the Urban Renewal Plan which Plan and Appendix were adopted by the City Council on October 10, 1977 by Ordinance No. 406-77. To accommodate this additional traffic, half-street improvements, including sidewalks should be provided along S.W. 65th Avenue and Borland Road abutting the site. The design standards for S.W. 65th Avenue and Borland Road abutting the site are contained in the Transportation Element of the Tualatin Public Facilities Plan, which Public Facilities Plan is part of the Tualatin Community Plan. The design standards are based on a Year 2000 forecast of 9,000 and 2,000 two-way vehicle trips per average weekday for S.W. Borland Road and S.W. 65th Avenue, respectively.

F-4C

At present, S.W. 65th Avenue and Borland Road adjacent to the site are improved to a width of approximately 26 feet with gravel shoulders and roadside ditches for storm drainage. S.W. 65th Avenue and Borland Road are not currently improved to City standards, and are not adequate in its present condition to safely accommodate additional vehicle traffic.

9. The existing right-of-way width for S.W. 65th Avenue abutting the site is 40 feet. Dedication of 10 feet of additional right-of-way is necessary to provide a total of 30 feet of right-of-way from the center line of S.W. 65th Avenue abutting the site in order to accommodate the increased traffic described in Finding 8 above. This will allow the proposed development to comply with the Transportation Element of the Tualatin Public Facilities Plan, which Plan calls for a 60-foot right-of-way for S.W. 65th Avenue.
10. The existing right-of-way width for S.W. Borland Road abutting the site is 53½ feet. Dedication of 13½ feet of additional right-of-way is necessary to provide a total of 33½ feet of right-of-way from the center line of S.W. Borland Road abutting the site in order to accommodate the increased traffic described in finding 8 above. This will allow the proposed development to comply with the Transportation Element of the Tualatin Public Facilities Plan, which Plan calls for a 67-foot right-of-way for S.W. Borland Road.
11. Presently, S.W. Sagert Street ends at its intersection with S.W. 65th Avenue, opposite the southwesterly corner of the site. S.W. Sagert Street should be extended east along a portion of the south line of Lot 1 to provide additional access to Lot 1 and also to provide access for future residential development planned for land south of the site. In order to adequately provide for the portion of the Sagert Street extension adjacent to Lot 1, 30 feet of additional right-of-way should be dedicated to the public along the south edge of Lot 1 as shown on the sketch map in Exhibit B. Also, a half-street improvement, including sidewalks, should be provided in this portion of said Sagert Street extension.



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 692-2000

March 30, 1983

Michael Reidy
Plaza Builders, Inc.
500 N. Morain, Suite 2104
Kennewick, Washington 99336

Dear Mr. Reidy:

RE: Council Action on Land Partition (Tax Lot 500, Tax Map 21E 30B)

At its March 28, 1983 meeting, the Tualatin City Council approved the land partition requested by you for the above-described property. Enclosed is a copy of the staff report considered by the Council at the meeting. The Council approved your request subject to the following conditions:

1. That prior to the adoption of the resolution approving the partition, the owner shall dedicate additional right-of-way to the public to provide the following widths at the following locations in conformance with the Transportation Element of the Tualatin Public Facilities Plan.
 - a. In S.W. Borland Road to provide a total of 33½ feet from the center line of said road abutting Lots 1 and 2 of the site; and
 - b. In S.W. 65th Avenue to provide a total of 30 feet from the center line of said street abutting Lot 1 of the site; and
 - c. In the future easterly extension of S.W. Sagert Street to provide a total of 30 feet from the center line of said street abutting Lot 1.
2. That prior to adoption of the resolution approving the partition, the owner shall enter into an agreement with the City of Tualatin under the provisions of which the owner shall provide the following street improvements in the following locations in conformance with the Transportation Element of the Tualatin Public Facilities Plan:
 - a. A half-street improvement including a sidewalk or bicycle path in S.W. Borland Road abutting Lots 1 to be constructed during development of Lot 1. A half-street shall be constructed abutting Lot 2 before development occurs on Lot 2.
 - b. A half-street improvement, including sidewalk in S.W. 65th Avenue abutting Lot 1, to be constructed following telephone cable relocation.

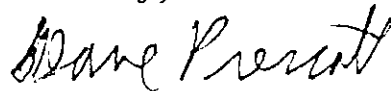
Letter
Michael Reidy
March 30, 1983
Page Two

- c. A half-street improvement, including a sidewalk, in that portion of the eastward extension of S.W. Sagert Street described in 1-c above, to be constructed during development of Lot 1.
3. In the event documents are not recorded within one year after adoption of the resolution, with the Clackamas County Recorder to create lots authorized by the resolution, then this partition shall be automatically terminated and shall be of no further legal effect.

As soon as the deeds of dedication and the improvement agreements are executed by all parties, the Council will adopt a resolution formalizing its March 28 action. We will send you a copy of that resolution after it is adopted.

If you have any questions regarding this matter, please call me at 692-2000, extension #48.

Sincerely,



Dave Prescott
City Planner

DP/11s

cc: David Evans & Associates

FILE: LP-83-01

Enclosure

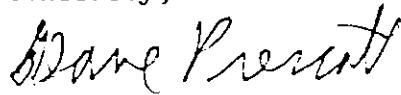
Letter
Michael Reidy
March 30, 1983
Page Two

- c. A half-street improvement, including a sidewalk, in that portion of the eastward extension of S.W. Sagert Street described in 1-c above, to be constructed during development of Lot 1.
3. In the event documents are not recorded within one year after adoption of the resolution, with the Clackamas County Recorder to create lots authorized by the resolution, then this partition shall be automatically terminated and shall be of no further legal effect.

As soon as the deeds of dedication and the improvement agreements are executed by all parties, the Council will adopt a resolution formalizing its March 28 action. We will send you a copy of that resolution after it is adopted.

If you have any questions regarding this matter, please call me at 692-2000, extension #48.

Sincerely,



Dave Prescott
City Planner

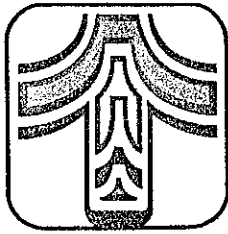
DP/11s

cc: David Evans & Associates

FILE: **LP-83-01**

Enclosure

E-4



CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369
TUALATIN, OREGON 97062
[503] 692-2000

March 24, 1983

City Council
City of Tualatin

Members of the Council:

LAND PARTITION - CASE NO. LP-83-01
TAX LOT 500, TAX MAP 2SE 30B
(S.E. CORNER, S.W. 65TH AVENUE & BORLAND ROAD)

David Evans & Associates, Inc. has submitted a partitioning request for the above-described property. Plaza Builders, Inc. are the owners of the property. Attached are the following exhibits:

- Exhibit A: Findings
- Exhibit B: Applicant's Sketch Map (Scale 1 inch = 100 feet)
- Exhibit C: Vicinity Map (Scale 1 inch = 600 feet)
- Exhibit D: Application

DESCRIPTION OF PROPOSAL

The site is Tax Lot 500 on Tax Map 21E 30B, and lies at the southeast corner of S.W. 65th Avenue and Borland Road. The applicant proposes to partition the site into two parcels as shown on the sketch map (Exhibit B). Lot 1 contains 2.82 acres, and Lot 2 contains 2.41 acres. Both lots are in an Office Commercial (CO) Planning District pursuant to the Tualatin Community Plan. As required by Planning District Standards Sec. 2509, all proposed lots abut public streets.

The owners plan to construct a medical office condominium complex on the site. The first phase will be located on Lot 1 and received Architectural Review Board approval on March 16, 1983.

Public water and sewer service are available to the site from existing lines. The north side of Borland Road, across from the site, is fully improved. Provision of a half-street improvement abutting the site will complete this portion of the street. Dedication of additional right-of-way and provision of a half-street improvement in S.W. 65th Avenue are also needed to comply with the Transportation Element of the Tualatin Public Facilities Plan.

In addition to improvements in 65th and Borland, it will be necessary to dedicate right-of-way for and construct one-half of an easterly extension of S.W. Sagert Street along the south edge of the site. Eventually, this street will be the main access for residential development on property south of the site.

FINDINGS - (See Exhibit A)

E:4

RECOMMENDATION

Based on the above discussion and on the findings in Exhibit A, staff recommends that the Council direct the preparation of, and adopt, a resolution approving the proposed land partition subject to the following conditions:

1. That prior to the adoption of the resolution approving the partition, the owner shall dedicate additional right-of-way to the public to provide the following widths at the following locations in conformance with the Transportation Element of the Tualatin Public Facilities Plan.
 - a. In S.W. Borland Road to provide a total of 33½ feet from the center line of said road abutting Lots 1 and 2 of the site; and
 - b. In S.W. 65th Avenue to provide a total of 30 feet from the center line of said street abutting Lot 1 of the site; and
 - c. In the future easterly extension of S.W. Sagert Street to provide a total of 30 feet from the center line of said street abutting Lot 1.

2. That prior to adoption of the resolution approving the partition, the owner shall enter into an agreement with the City of Tualatin under the provisions of which the owner shall provide the following street improvements in the following locations in conformance with the Transportation Element of the Tualatin Public Facilities Plan:
 - a. A half-street improvement including a sidewalk or bicycle path in S.W. Borland Road abutting Lots 1 ~~and 2~~ to be constructed during development of Lot 1. *a half-street shall be constructed abutting Lot 2 before development occurs on Lot 2.*
 - b. A half-street improvement, including sidewalk in S.W. 65th Avenue abutting Lot 1, to be constructed following telephone cable relocation.
 - c. A half-street improvement, including a sidewalk, in that portion of the eastward extension of S.W. Sagert Street described in 1-c above, to be constructed during development of Lot 1.

3. In the event documents are not recorded within one year after adoption of the resolution, with the Clackamas County Recorder to create lots authorized by the resolution, then this partition shall be automatically terminated and shall be of no further legal effect.

City Council
LP-83-01
Page Three

5-4

The design of the above improvements shall be to applicable City standards with plans subject to review and approval by Washington County and the City Engineer. The form of the aforementioned agreement shall be subject to review and approval by the City Attorney.

Sincerely,



Dave Prescott
City Planner

DP/11s

cc: David Evans & Associates
Michael Reidy

FILE: LP-83-01

E-4

FINDINGS

LP-83-01--DAVID EVANS & ASSOCIATES
(S.E. CORNER, S.W. 65TH AVENUE & BORLAND ROAD)
March 24, 1983

1. The subject property is located at the southeast corner of S.W. 65th Avenue and Borland Road, contains a total of 5.5 acres, and is listed on the records of the Clackamas County Assessor's Office as Tax Lot 500, Tax Map 21E 30B.
2. The applicant proposed to partition the site into two parcels, namely Lots 1 and 2 as shown on the sketch map in Exhibit B. Lot 1 contains 2.82 acres, and Lot 2 contains 2.41 acres.
3. The Tualatin Community Plan designates the site as an Office Commercial (CO) Planning District. The CO designation also applies to land across 65th Avenue from the site. Land to the north, east and south is in a Low Density Residential (RL) Planning District.
4. Water service is available to the site from 12-inch mains located both in 65th Avenue and Borland Road.
5. Sewer service is available to the site from an 8-inch main in S.W. 65th Avenue.
6. Storm drainage for the site will ultimately be accommodated by a storm drain constructed when S.W. 65th Avenue is improved.
7. Lots 1 and 2 both conform to the CO Planning District Standards with respect to lot size, lot width, and the required amount of street frontage.
8. Medical office development on the site as proposed by the applicant could result in the generation of up to 3,250 two-way vehicle trips per average weekday on S.W. 65th Avenue and S.W. Borland Road, based on trip generation data contained in Table 7 of the document entitled "Report on the Transportation Element, Tualatin Urban Renewal Plan, Tualatin, Oregon." This report is contained in Technical Appendix D of the Urban Renewal Plan which Plan and Appendix were adopted by the City Council on October 10, 1977 by Ordinance No. 406-77. To accommodate this additional traffic, half-street improvements, including sidewalks should be provided along S.W. 65th Avenue and Borland Road abutting the site. The design standards for S.W. 65th Avenue and Borland Road abutting the site are contained in the Transportation Element of the Tualatin Public Facilities Plan, which Public Facilities Plan is part of the Tualatin Community Plan. The design standards are based on a Year 2000 forecast of 9,000 and 2,000 two-way vehicle trips per average weekday for S.W. Borland Road and S.W. 65th Avenue, respectively.

E-4

At present, S.W. 65th Avenue and Borland Road adjacent to the site are improved to a width of approximately 26 feet with gravel shoulders and roadside ditches for storm drainage. S.W. 65th Avenue and Borland Road are not currently improved to City standards, and are not adequate in its present condition to safely accommodate additional vehicle traffic.

9. The existing right-of-way width for S.W. 65th Avenue abutting the site is 40 feet. Dedication of 10 feet of additional right-of-way is necessary to provide a total of 30 feet of right-of-way from the center line of S.W. 65th Avenue abutting the site in order to accommodate the increased traffic described in Finding 8 above. This will allow the proposed development to comply with the Transportation Element of the Tualatin Public Facilities Plan, which Plan calls for a 60-foot right-of-way for S.W. 65th Avenue.
10. The existing right-of-way width for S.W. Borland Road abutting the site is 53½ feet. Dedication of 13½ feet of additional right-of-way is necessary to provide a total of 33½ feet of right-of-way from the center line of S.W. Borland Road abutting the site in order to accommodate the increased traffic described in finding 8 above. This will allow the proposed development to comply with the Transportation Element of the Tualatin Public Facilities Plan, which Plan calls for a 67-foot right-of-way for S.W. Borland Road.
11. Presently, S.W. Sagert Street ends at its intersection with S.W. 65th Avenue, opposite the southwesterly corner of the site. S.W. Sagert Street should be extended east along a portion of the south line of Lot 1 to provide additional access to Lot 1 and also to provide access for future residential development planned for land south of the site. In order to adequately provide for the portion of the Sagert Street extension adjacent to Lot 1, 30 feet of additional right-of-way should be dedicated to the public along the south edge of Lot 1 as shown on the sketch map in Exhibit B. Also, a half-street improvement, including sidewalks, should be provided in this portion of said Sagert Street extension.

24 1/4 Cor. Fd. Alum. Disc. in Mon. Box

MERIDIAN ROAD

MINOR PARTITION

TAX LOT 500, NW1/4, SECTION 19, T.2 S., R.1 E., W.M.
CITY OF TUALATIN, WASHINGTON COUNTY, OREGON

SCALE 1"=50'

FEBRUARY 1983



Handwritten note:
65th
New Street
1/2 street
65th
New Street

43.54
10.00
Fd. 5/8" IR w/K W Cox Cap

1230.41 meas.

Fd. 5/8" IR w/K W Cox Cap

N 0° 14' 37" W 2630.06 meas.
S 89° 36' 27" E 568.00
BORLAND ROAD MARKET ROAD NO. 4
Fd. 11/2" IP, S 3.89

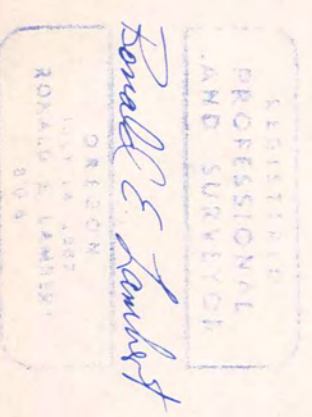
Set IRs 13.50 260.00 298.00 457.06 meas.
Set IRs 2757.38 meas.

PARCEL 1
122,884 SF Net

PARCEL 2
104,788 SF Net

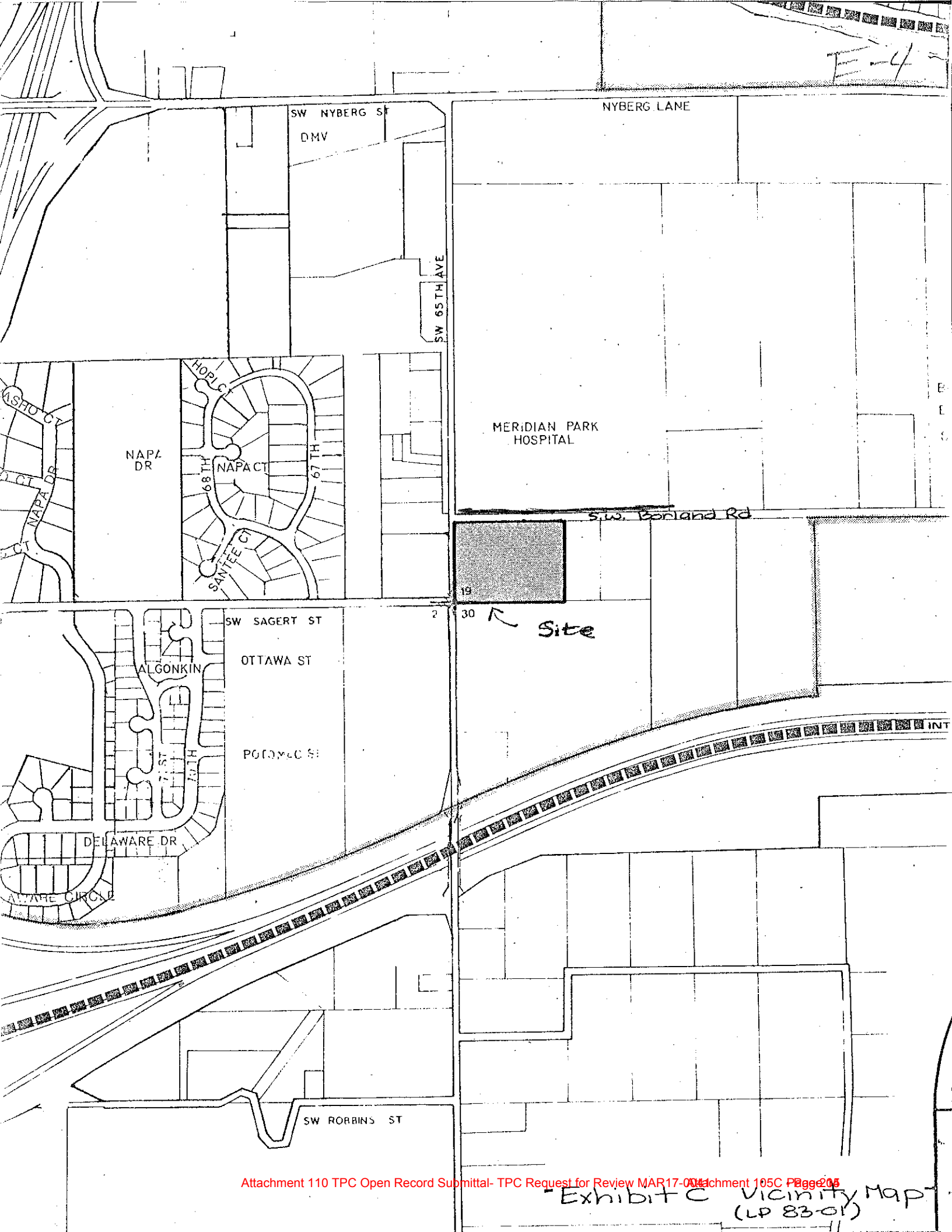
BY
DAVID EVANS & ASSOCIATES, INC.
2626 S.W. CORBETT AVE.
PORTLAND, OREGON 97201
1-503-223-6663

FOR
PLAZA BUILDERS, INC.
500 N. MORAIN SUITE 2104
KENNEWICK, WASHINGTON 99336
1-509-735-8402



24 19 25 30
20' 10'
441.54
421.54
408.04
Set IRs 237.14
52.86
30' P.G.E. EASEMENT
288.00
S 89° 36' 27" E 2757.38 meas.

Sec. Cor. Fd. Brass Disc
S 1/4 Cor. Fd. 11/2" IP



CITY OF TUALATIN
APPLICATION FOR LAND PARTITION

E-4

PLEASE PRINT IN INK OR TYPE

Applicant's Name David Evans & Associates, Inc. Phone 223-6663

Applicant's Address 2626 S.W. Corbett Ave., Portland, Oregon 97201
(street) (city) (state) (ZIP)

Owner's Name Plaza Builders, Inc. Phone 1/509-735-8402

Owner's Address 500 N. Morain, Suite 2104, Kennewick, Washington 99336
(street) (city) (state) (ZIP)

Applicant is: Owner Contract Purchaser Developer Agent
Other (specify) Engineer Mickey Mouse

Owner recognition of application: Plaza Builders, Inc.

Michael Lidy for Ronald E. Lambert
Signature of owner(s)

Assessor's Map Number 2 1E 30B Tax Lot Number(s) 500

Address 6464 S.W. Borland Planning District Office/Commercial

Existing Use Farmland Proposed Use Medical Clinic

Land Area: Parcel 1 2.82 Parcel 2 2.41 Parcel 3 xx Total 5.50
acres acres acres acres

Application Checklist

Application Form ()
Filing Fee (\$125.00) ()
Sketch Map (4 copies) ()

As the person responsible for this application, I, the undersigned, hereby acknowledge that I have read the above application and its attachments, understand the requirements described herein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Name Ronald E. Lambert Date 2-28-83 Phone 223-6663

Address 2626 S.W. Corbett Ave. Portland, Oregon 97201
(street) (city) (state) (ZIP)

Case No. LP-83-01 Date Received 2-28-83 By LS

City Filing Fee \$125.00 Receipt No. # 6111

Exhibit D (LP 83-01)

AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss
County of Washington)

I, EILEEN I. SEELEY, being first duly sworn, depose and say:

That on the 16th day of March, 1983, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of the Notice of Hearing marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original thereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County Department of Assessment and Taxation 1982-1983 Tax Rolls, and that said envelopes were placed in the United States Mail at Hillsboro, Oregon, with postage fully prepaid thereon.

15/ Eileen I. Seeley

SUBSCRIBED AND SWORN before me this 16th day of March, 1983.

Mable L. Handbeck
Notary Public for Oregon
My commission expires: 2-17-84

RE: David Evans & Associates, Land Partition (LP-83-01)

LAW OFFICES

SCHWENN, BRADLEY, BATCHELOR AND BRISBEE

W. C. SCHWENN
CARRELL F. BRADLEY
DEMAR L. BATCHELOR
LARRY A. BRISBEE
WILLIAM H. STOCKTON

P. O. BOX 567
139 NE LINCOLN
HILLSBORO, OREGON 97123
TELEPHONE (503) 648-6677

March 16, 1983

REC'D.
CITY OF TUALATIN

MAILS

Mayor
Admin.
Police
Eng.
Bldg.
Recreation
File No.

Prescott

Ms. Jan Nelson
City of Tualatin
P. O. Box 369
Tualatin, Oregon 97062

Re: Affidavit of Mailing

Dear Jan:

Enclosed please find an Affidavit of Mailing in the David Evans & Associates Land Partition matter.

Yours very truly,

DLB:eis

Enclosure

cc: Mr. David Prescott ✓

EXHIBIT "A"

Portland General Electric
621 S. W. Alder
Portland, Oregon 97205

David & Patricia Wagner
19875 S. W. 65th Avenue
Tualatin, Oregon 97062

Earl & Margaret Sagert
20130 S. W. 65th Avenue
Tualatin, Oregon 97062

Donald & Ingrid Brown
19945 S. W. 65th Avenue
Tualatin, Oregon 97062

Hospital Facilities
19300 S. W. 65th Avenue
Tualatin, Oregon 97062

Century 21 Properties
7412 S. W. Beaverton-Hillsdale
Highway
Portland, Oregon 97225

Metro Hospitals, Inc.
2801 N. Gantenbein
Portland, Oregon 97227

EXHIBIT "B"

NOTICE OF HEARING

CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council of the City of Tualatin, Oregon, commencing at 7:30 o'clock p.m. on Monday, March 28, 1983, at the City Hall, Tualatin, Oregon, to consider the following matters:

1. The application for approval of a preliminary subdivision plat to be known as Squaw Valley upon real property described on the records of the Washington County Department of Assessment and Taxation as Tax Account No. 2S1-26DD-12800, which property is located at S. W. 90th Avenue and Blake Street, Tualatin, Oregon.
2. The application of Marcelyn K. Hanlon for a conditional use permit to construct a day care center in a Central Commercial (CC) Planning District upon real property described on the records of the Washington County Department of Assessment and Taxation as Tax Account No. 2S1-24BC-Tax Lot 901, located at 18725 S. W. Boones Ferry Road, Tualatin, Washington County, Oregon.
3. The application of David Evans & Associates for a land partitioning of real property described on the records of the Department of Assessment and Taxation as Tax Account No. 21E-30B-500, located at 6464 S. W. Borland, Tualatin, Clackamas County, Oregon.
4. The application of Playland Shows, Inc., for approval of a temporary use for a carnival and outdoor sale on property which is described on the records of the Washington County Department of Assessment and Taxation as Tax Account No. 2S1-24C-100, located at 19200 S. W. Martinazzi, Tualatin, Washington County, Oregon.

All residents and inhabitants of the City are invited to attend said hearing and be heard upon the applications. A map or maps more particularly describing the above-described property are on file, together with copies of the application and supporting documents, in the Office of David Prescott, City Planner, City Hall Annex, Tualatin, Oregon, for examination by the public.

CITY OF TUALATIN, OREGON

By Stephen Rhodes
City Recorder

NOTE TO TUALATIN TIMES: Please publish Thursday, March 17, 1983, and March 24, 1983

PGE
621 S.W. Alder
Portland, OR 97205
2S1 30B TL#400

Earl & Margaret Sagert
20130 S.W. 65th Avenue
Tualatin, OR 97062
2S1 30B TL#600

Hospital Facilities
19300 S.W. 65th Avenue
Tualatin, OR 97062
2S1 19 TL#1300

Metro Hospitals, Inc.
2801 N. Gantenbein
Portland, OR 97227
2S1 19 TL#1302

David & Patricia Wagner
19875 S.W. 65th Avenue
Tualatin, OR 97062
2S1 24DD TL#900

Donald & Ingrid Brown
19945 S.W. 65th Avenue
Tualatin, OR 97062
2S1 24DD TL#1000

Century 21 Properties
7412 S.W. Beaverton-Hillsdale
Highway
Portland, OR 97225
2S1 25A TL#100

MEMORANDUM

TO; David Bantz, DeMar Batchelor, Joe Greulich, Mike McKillip,
Steve Rhodes

FROM: Dave Prescott, City Planner *DP*

DATE: March 2, 1983

SUBJECT: Land Partition--6464 S.W. Borland Road (LP-83-01)

On February 28, 1983, the City of Tualatin received an application for a Land Partition involving the above-described property (Tax Lot 500, Tax Map 21E 30B). Attached for your review and comment are copies of the application and sketch map.

April 25, 1983 is the tentative date of the public hearing on the proposed Land Partition. Please review the attached materials and return any written comments to me on or before Friday, March 18, 1983, to allow for consideration of these comments in preparation of the staff report.

FILE: LP-83-01
6464 S.W. Borland Road

DP/11s

Planning

Please attach a condition for
dedication of half street for Borland,
Sagert & 65th

SAR

CITY OF TUALATIN
APPLICATION FOR LAND PARTITION

PLEASE PRINT IN INK OR TYPE

Applicant's Name David Evans & Associates, Inc. Phone 223-6663

Applicant's Address 2626 S.W. Corbett Ave., Portland, Oregon 97201
(street) (city) (state) (ZIP)

Owner's Name Plaza Builders, Inc. Phone 1/509-735-8402

Owner's Address 500 N. Morain, Suite 2104, Kennewick, Washington 99336
(street) (city) (state) (ZIP)

Applicant is: Owner Contract Purchaser Developer Agent
Other (specify) Engineer

Owner recognition of application: Plaza Builders, Inc.

Michael Kelly for Ronald E. Lambert
Signature of owner(s)

Assessor's Map Number 2 1E 30B Tax Lot Number(s) 500

Address 6464 S.W. Borland Planning District Office/Commercial

Existing Use Farmland Proposed Use Medical Clinic

Land Area: Parcel 1 2.82 Parcel 2 2.41 Parcel 3 XX Total 5.50
acres acres acres acres

Application Checklist

Application Form ()
Filing Fee (\$125.00) ()
Sketch Map (4 copies) ()

As the person responsible for this application, I, the undersigned, hereby acknowledge that I have read the above application and its attachments, understand the requirements described herein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Name Ronald E. Lambert Date 2-28-83 Phone 223-6663

Address 2626 S.W. Corbett Ave. Portland, Oregon 97201
(street) (city) (state) (ZIP)

Case No. LP-83-01 Date Received 2/28/83 By [Signature]

City Filing Fee \$125.00 Receipt No. 223-6663



City of Tualatin

www.tualatinoregon.gov

September 21, 2017

Matt Johnson
KPF Consulting Engineers
111 SW 5th Avenue
Portland, OR 97204

Site: Tualatin Professional Center, 6464 SW Borland Road, Tualatin, OR 97062

Dear Mr. Johnson:

Staff has reviewed the degree of completion of the Minor Architectural Review (MAR) application for the Tualatin Professional Center Driveway Adjustment (Tax Lot 21E30B90000). This application was first submitted on August 21, 2017, and **has been deemed complete on September 21, 2017** based on the information that you submitted. You are receiving this letter in compliance with Oregon Revised Statutes (ORS) 227.178(2).

Approvability Items

The following items are approvability items, not completeness items. They are listed here for your information and should be resolved at the beginning of the review process so that staff has sufficient time to formulate a recommendation with regard to approvability.

1. Submit a revised site plan that includes:
 - Evidence that two on-site access drives meet the standards of [TDC 73.400\(11\)](#)
 - Improved site access that meets the standards of [TDC 73.360\(6\)\(a\)](#)
 - ADA compliant walkway(s) that meet the standards of [TDC 73.160\(1\)\(a\)\(i\)](#)
 - Driveway plan and profile to show transition between the public right-of-way and on-site access drives

The City of Tualatin recognizes the time sensitivity of the driveway adjustment proposal. The City also recognizes that your team may be interested in applying for a variance pursuant to [TDC 33.010\(2\)](#). Your team has the option to withdraw this application to apply for a variance.

Please contact me with any questions at 503.691.3024 or eengman@tualatin.gov.

Thank you,

A handwritten signature in blue ink, appearing to be the name of the official representing the City of Tualatin.

Erin Engman
Assistant Planner

cc: Aquilla Hurd-Ravich, AICP, Planning Manager
Tony Doran, Engineering Associate
Nadya Dowd, Building Technician
Dr. Walker, jpw@tualatinendo.com

File: MAR17-0041

Contents

GENERAL INFORMATION	5
SITE INFORMATION.....	5
INTRODUCTION.....	6
APPLICANT'S REQUEST.....	6
PROPOSED SITE IMPROVEMENTS.....	6
APPLICABLE CRITERIA.....	7
TDC CHAPTER 36: SUBDIVIDING, PARTITIONING AND PROPERTY LINE ADJUSTMENTS	7
SECTION 36.070 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS.....	7
SECTION 36.080 APPROVAL OF STREETS AND WAYS.....	7
SECTION 36.090 ISSUANCE OF BUILDING PERMITS.....	7
TDC CHAPTER 40. LOW DENSITY RESIDENTIAL PLANNING DISTRICT (RL)	8
SECTION 40.010 PURPOSE.....	10
SECTION 40.015 PERMITTED DENSITY.....	10
SECTION 40.020 PERMITTED USES.....	10
SECTION 40.050 LOT SIZE FOR PERMITTED USES.....	11
SECTION 40.055 LOT SIZE FOR GREENWAY AND NATURAL AREA TRACTS AND LOTS.....	11
SECTION 40.070 SETBACK REQUIREMENTS FOR PERMITTED USES.....	14
SECTION 40.090 PROJECTIONS INTO REQUIRED YARDS.....	14
SECTION 40.100 STRUCTURE HEIGHT.....	14
SECTION 40.110 ACCESS.....	14
SECTION 40.120 OFF-STREET PARKING AND LOADING.....	16
SECTION 40.130 FLOODPLAIN DISTRICT.....	17
TDC CHAPTER 34: SPECIAL REGULATIONS	17
SECTION 34.210 APPLICATION FOR ARCHITECTURAL REVIEW, SUB-DIVISION OR PARTITION REVIEW, OR TREE REMOVAL PERMIT.....	17
SECTION 34.230 CRITERIA.....	18
TDC CHAPTER 71: WETLANDS PROTECTION DISTRICT (WPD)	19
SECTION 71.060 ENVIRONMENTAL STANDARDS.....	19
SECTION 71.061 DEVELOPMENT SETBACK	19
SECTION 71.062 EXCAVATION AND FILLING.....	19
TDC CHAPTER 72: NATURAL RESOURCE PROTECTION OVERLAY DISTRICT (NRPO)	24

SECTION 72.011 CRITERIA FOR DETERMINING SIGNIFICANT NATURAL RESOURCES.....	24
SECTION 72.013 SIGNIFICANT NATURAL RESOURCES.	27
SECTION 72.020 LOCATION OF GREENWAYS AND NATURAL AREAS.	27
SECTION 72.030 GREENWAYS.....	27
SECTION 72.060 DEVELOPMENT RESTRICTIONS IN GREENWAYS AND NATURAL AREAS.	28
SECTION 72.065 HARDSHIP CREATED, MAP ERROR, PROPERTY NOT BUILDABLE.....	30
SECTION 72.070 GENERAL GUIDELINES FOR PEDESTRIAN AND BIKE PATHS IN GREENWAYS.	30
SECTION 72.080 SHIFT OF DENSITY FOR RESIDENTIAL DEVELOPMENT ADJACENT TO GREENWAYS OR NATURAL AREAS.....	31
SECTION 72.100 PARKS SYSTEMS DEVELOPMENT CHARGE (SDC) CREDIT.....	31
SECTION 72.110 EASEMENTS FOR PEDESTRIAN AND BICYCLE ACCESS.	31
SECTION 72.120 WETLANDS PROTECTION DISTRICT.....	31
TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS.....	32
SECTION 73.040 ARCHITECTURAL REVIEW PLAN APPROVAL REQUIRED.	32
TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS	32
IMPROVEMENTS	36
SECTION 74.110 PHASING OF IMPROVEMENTS.	37
SECTION 74.120 PUBLIC IMPROVEMENTS.....	37
SECTION 74.130 PRIVATE IMPROVEMENTS.....	37
Section 74.140 Construction Timing	37
RIGHT-OF-WAY.....	37
SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.....	37
EASEMENTS AND TRACTS	40
SECTION 74.310 GREENWAY, NATURAL AREA, BIKE, AND PEDESTRIAN PATH DEDICATIONS AND EASEMENTS.....	40
SECTION 74.320 SLOPE EASEMENTS.....	40
SECTION 74.330 UTILITY EASEMENTS.....	40
SECTION 74.340 WATERCOURSE EASEMENTS.....	41
SECTION 74.350 TRACTS.	42
TRANSPORTATION	42
SECTION 74.410 FUTURE STREET EXTENSIONS.....	42
SECTION 74.420 STREET IMPROVEMENTS.....	43
SECTION 74.425 STREET DESIGN STANDARDS.....	45

SECTION 74.430 STREETS, MODIFICATIONS OF REQUIREMENTS IN CASES OF UNUSUAL CONDITIONS..... 45

SECTION 74.440 STREETS, TRAFFIC STUDY REQUIRED. 46

SECTION 74.450 BIKEWAYS AND PEDESTRIAN PATHS..... 47

SECTION 74.460 ACCESSWAYS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SUBDIVISIONS AND PARTITIONS. 47

SECTION 74.470 STREET LIGHTS. 48

SECTION 74.475 STREET NAMES..... 48

SECTION 74.480 STREET SIGNS. 48

SECTION 74.485 STREET TREES..... 49

UTILITIES..... 49

SECTION 74.610 WATER SERVICE. 49

SECTION 74.620 SANITARY SEWER SERVICE. 50

SECTION 74.630 STORM DRAINAGE SYSTEM..... 50

SECTION 74.640 GRADING..... 51

SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL. 51

SECTION 74.660 UNDERGROUND..... 52

SECTION 74.670 EXISTING STRUCTURES..... 52

SECTION 74.700 REMOVAL, DESTRUCTION OR INJURY OF TREES..... 52

SECTION 74.705 STREET TREE REMOVAL PERMIT. 53

SECTION 74.706 STREET TREE FEES. 53

SECTION 74.707 STREET TREE VOLUNTARY PLANTING. 53

SECTION 74.708 STREET TREE EMERGENCIES..... 53

SECTION 74.710 OPEN GROUND. 53

SECTION 74.715 ATTACHMENTS TO TREES. 53

SECTION 74.720 PROTECTION OF TREES DURING CONSTRUCTION. 53

SECTION 74.725 PROTECTION OF TREES DURING CONSTRUCTION. 53

SECTION 74.730 NOTICE OF VIOLATION..... 53

SECTION 74.735 TRIMMING BY CITY..... 53

SECTION 74.740 PROHIBITED TREES..... 53

SECTION 74.745 CUTTING AND PLANTING SPECIFICATIONS..... 53

SECTION 74.750 REMOVAL OR TREATMENT BY CITY. 53

SECTION 74.755 APPEAL OF PERMIT DENIAL. 53

SECTION 74.760 PENALTIES. 53
SUMMARY AND CONCLUSION 53

Appendixes

Appendix A - Land Use Application

Appendix B - Pre-Application Conference Notes

Appendix C - Neighborhood Meeting Documentation

Appendix D – Technical Reports

- Stormwater Report
- Geotechnical Report
- Arborist Report
- CWS Site Assessment

Appendix E – Land Use Plan Set

Appendix F – Supplementary Figures & Exhibits

GENERAL INFORMATION

Applicant: **Lennar Northwest**
Attn: Michael Loomis
11807 NE 99th Street, Suite 1170
Vancouver, WA 98682
Phone: 360-258-7882
Email: mike.loomis@lennar.com

Owner: **Sagert Family, LLC**
Attn: John Pinkstaff, Esq.
Lane Powell, PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204
Phone: 503-778-2186
Email: pinstaffj@lanepowell.com

Applicant's Representative **3J Consulting, Inc**
5075 SW Griffith Drive, Suite 150
Beaverton, OR 97005
Contact: Andrew Tull
Phone: 503-545-1907
Email: andrew.tull@3j-consulting.com

Contributing Consultant
Contact Details: **Land Use Planning and Civil Engineering**
3J Consulting, Inc.
5075 SW Griffith Drive, Suite 150
Beaverton, OR 97005
Contact: John Howorth
Phone: 503-946-9365
Email: john.howorth@3j-consulting.com

SITE INFORMATION

Tax Lot Number: 21E30B 00300 & 00600
Address: 20130 SW 65TH Avenue
Size: 20.90 acres
Zoning Designation: Low Density Residential (RL)

Neighborhood: East Tualatin CIO
Comprehensive Plan: Low Density Residential
Existing Use: Single Family Residential
Street Functional: SW Sagert Street (East of SW 65th Avenue) – Minor Collector

Classifications: SW Sagert Street (West of SW 65th Avenue) – Minor Arterial
SW 65th Avenue – Major Arterial
SW Borland Road – Major Arterial

Surrounding Zoning: East and West – Low Density Residential (RL)
North – Commercial Office (CO) and Medical Commercial (MC)
South – Clackamas County Zoning

INTRODUCTION

APPLICANT'S REQUEST

The Applicant seeks approval of an application for Subdivision Preliminary Plat for the development of 79 residential lots. This narrative describes the proposed subdivision of the site and documents compliance with the relevant sections of the City of Tualatin's Development Code ("TDC").

PROPOSED SITE IMPROVEMENTS

The project site consists of a total of 20.90 acres. The proposed development site is located east of SW 65th Avenue, south of SW Borland Road, and north of Saum Creek and the I-205 corridor. The site is bounded to the east by the Sequoia Ridge subdivision. The site's northern boundary is formed by two separate professional medical office buildings, a PGE substation, and SW Borland Road. The site is bounded by Saum Creek and Interstate 205 to the south. There currently sits a single-family detached home with a wooden barn near the center of the property.

The proposed residential subdivision includes the extension of SW Sagert Street (east of SW 65th Avenue). The site slopes downward towards the south. A substantial area in the southern portion of the site is designated with a Significant Natural Resource Overlay and will be preserved in a tract.

The intent of this subdivision is to provide seventy-nine (79) buildable lots, for development with single-family homes, a use permitted outright in the RL zone.

APPLICABLE CRITERIA

The following sections of the Tualatin Development Code (TDC) have been extracted as they have been deemed to be applicable to the proposal. Following each applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document that the proposed development has satisfied the approval criteria for a Subdivision Preliminary Plat.

TDC CHAPTER 36. SUBDIVIDING, PARTITIONING AND PROPERTY LINE ADJUSTMENTS

SECTION 36.070 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS.

- (1) All land divisions shall be created by a subdivision or partition plat and must comply with ORS Chapter 92 and this Chapter.

Applicant's Finding: This narrative, along with drawings and other exhibits, have been provided as evidence demonstrating that the proposed development complies with the applicable regulations of the City of Tualatin and ORS Chapter 92. This land division is proposed to be created by a subdivision complying with all applicable standards.

The requirements of this section have been satisfied.

SECTION 36.080 APPROVAL OF STREETS AND WAYS.

- (1) The subdivision or partition plat shall provide for the dedication of all public rights-of-way, reserve strips, easements, tracts and accessways, together with public improvements therein approved and accepted for public use.
- (a) The applicant shall comply with the requirements of TDC Chapter 74, Public Improvement Requirements.
- (b) The applicant shall comply with the design and construction standards set forth in the Public Works Construction Code.
- (c) The applicant shall provide evidence to the City that property intended to be dedicated to the public is free of all liens, encumbrances, claims and encroachments.
- (2) The subdivision or partition plat shall indicate the ownership and location of private easements and tracts, and the owner-ship and location of private improvements within public rights-of-way and easements.
- (3) Approval of the subdivision or partition plat by the City shall constitute acceptance of all public rights-of-way, reserve strips, easements, tracts and accessways shown thereon, as well as public facilities located therein.

Applicant's Finding: This application has been submitted for preliminary plat approval. It is meant to illustrate proposed right-of-way dedication, construction of utilities and streets, and other improvements necessary to satisfy Tualatin Development Code requirements. All required improvements will be completed in conjunction with the final subdivision plat process.

The requirements of this section have been satisfied.

SECTION 36.090 ISSUANCE OF BUILDING PERMITS.

- (1) Except as provided in subsection (5) of this section no building permit or permits to connect to City utility services shall be is-sued for lots within a subdivision or partition plat until the City Engineer has

determined that the corresponding public improvements are substantially complete to assure that the health and safety of the citizens will not be endangered from inadequate public facilities.

- (2) Subject to submittal and approval of, and compliance with, the subdivision plan, as well as sufficient security to assure completion of the public portions of the subdivision, the applicant or individual lot owners within the subdivision may receive a building permit or utility service for not more than 50 percent of the platted lots within the subdivision prior to:
 - (a) the completion of all required public improvements in accordance with the Public Works Construction Code; and
 - (b) the acceptance of the public improvements by resolution of the City Council.
- (3) No building permits shall be issued or utility service approved for any lot which together with previously approved lots would exceed 50 percent of the platted lots within the subdivision until:
 - (a) all required public improvements have been completed in accordance with the Public Works Construction Code; and
 - (b) the public improvements have been accepted by resolution of the City Council.
- (4) City approval for use of a public improvement prior to the final approval and acceptance by the City of the subdivision plat shall not be construed as a release or waiver of any security which has been filed to assure compliance with the subdivision plan approval or any related agreements.
- (5) For a subdivision or partition in commercial, institutional, or manufacturing planning districts or multi-family residential developments which require Architectural Review approval, the City Engineer may authorize building permits to be issued prior to the public improvements being substantially complete provided the following conditions are satisfied:
 - (a) A Public Works Permit for the public improvements has been issued;
 - (b) An Architectural Review for the development has been approved;
 - (c) The subdivision or partition plat is recorded;
 - (d) All easements and dedications required of any development approval have been recorded; and
 - (e) Such building permits are conditioned to deny occupancy until the public improvements in the subdivision are complete and are accepted by resolution of the City Council.

Applicant's Finding: The Applicant will comply with all requirements necessary to obtain building permits. Upon receiving a substantially complete status, the Applicant may request a number of building permits in order to initiate the construction of a series of two to four model homes.

The requirements of this section have been satisfied.

Section 36.120 Applications and Filing Fee.

- (1) A request for a Subdivision shall be subject to a Neighborhood/Developer Meeting pursuant to TDC 31.063.
- (2) The applicant shall discuss the preliminary plans with the City Engineer in a pre-application conference prior to submitting an application. An applicant for a subdivision shall conduct a Neighborhood/Developer Meeting subject to TDC 31.063. Following the pre-application conference and the Neighborhood/Developer Meeting, the applicant shall prepare and submit a City of Tualatin development application, available from the City Engineer.

Applicant's Finding: On February 28, 2015, the applicant held a general neighborhood meeting to discuss the proposed subdivision with property owners in the surrounding area. Approximately 50

neighbors and other interested persons were in attendance. The notes from that meeting are attached to this narrative. (See Appendix C). In general, the concerns were the proposed density, the plans for the historic barn located on the property, and the roadway and access pattern. Cut-through traffic was expressed as a concern by the existing subdivision to the east. The applicant has worked hard to incorporate those concerns into this final application. For example, Sagert street has been narrowed as it progresses east through the site to better fit with the residential character of the surrounding area and to mitigate cut-through traffic. A center median with plantings has also been provided along the project's eastern access point and an all-way stop has been proposed at intersection with 61st Terrace. At that neighborhood meeting, the applicant also heard localized concerns from the property owners associated with the Tualatin Professional Condominium ("TPC"). The TPC development is located east of SW 65th Avenue, south of Borland Road and north of the Sagert Street extension. Specifically, TPC was concerned about the impact the extension of Sagert Street would have on its parking and circulation improvements that are currently encroaching into the Sagert Street right-of-way. Over a period of approximately ten months, the applicant met twice with representatives of TPC and had numerous other communications with TPC in order to determine how the impact of the Sagert Street extension could best be mitigated while still meeting engineering requirements for the road extension. According to a 1984 agreement between the City and the original developer of the TPC property, the City allowed the developer to dedicate the Sagert Street extension right-of-way, but not actually build its half street improvement. (See Appendix F). Instead the developer paid a fee-in-lieu. The agreement also allowed the developer to encroach into the Sagert Street right-of-way with driveway improvements but the developer specifically agreed "that the driveway improvements to S.W. Sagert Street are temporary in nature" and the developer "agree[d] to maintain said driveway at his expense." (See Appendix F, Section 11.)

Even though the developer agreed to the temporary nature of the driveway improvements, and even though any subsequent purchaser of that property was put on notice from the 1984 recorded agreement that the driveway improvements were temporary, the applicant worked extensively with TPC to explore a number of options to mitigate the impact on the TPC property of removing the driveway improvements within the right-of-way. Some of the options were offered by TPC, while others were offered by the applicant, but in all cases the applicant paid its consultants to evaluate the feasibility of those options against applicable engineering and safety standards and requirements. Unfortunately, no option was both feasible and acceptable to TPC. Because no agreement could be reached, the applicant mitigated the impact on the TPC property as much as it independently could while still complying with applicable standards for the street extension. Specifically, the applicant pushed the Sagert Street extension south, onto its own property, as much as possible while still ensuring that the street lined up in a safe way with the existing Sagert Street right-of-way on the west side of SW 65th Avenue. This ensured that as little of the TPC property as possible would be impacted.

TDC CHAPTER 40. LOW DENSITY RESIDENTIAL PLANNING DISTRICT (RL)

SECTION 40.010 PURPOSE.

The purpose of this district is to provide low density residential areas in the City that are appropriate for dwellings on individual lots, as well as other miscellaneous land uses compatible with a low density residential environment.

Applicant's Finding: The Applicant is proposing the subdivision of the subject property to provide low density residential lots for single family dwellings.

The requirements of this section have been satisfied.

SECTION 40.015 PERMITTED DENSITY.

Housing density shall not exceed 6.4 units per net acre, except as set forth below:

(1) The maximum density for small-lot subdivisions, and partitions and subdivisions affected by TDC 40.055, shall not exceed 7.5 dwelling units per net acre.

Applicant's Finding: The southern portion of the subject site has been identified as a Greenway Protected in the NRPO per The City of Tualatin Map 72-1: Natural Resources Protection Overlay District (NRPO) and Greenway Locations. Per the requirements of TDC 40.055 the proposed Greenway has been located wholly within a tract. The proposed subdivision is affected by TDC 40.055, therefore the maximum density of the site is 7.5 dwelling units per acre.

The net acreage of the site (after the removal of the right-of-way, greenway tract, CWS vegetative corridor tract, and water quality tract) is 11.4 acres. The proposed 79 dwelling units result in a density of 7.0 dwelling units per net residential acre which is below the maximum of 7.5 dwelling units per acre.

The requirements of this section have been satisfied.

SECTION 40.020 PERMITTED USES.

- (1) Single-family dwellings, including manufactured homes.
- (2) Agricultural uses of land, such as truck gardening, horticulture, but excluding commercial buildings or structures and excluding the raising of animals other than normal household pets.
- (3) Home occupations as provided in TDC 34.030 to 34.050.
- (4) Public transit shelters.
- (5) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
- (6) Residential homes.
- (7) Residential facilities for up to 15 residents, not including staff.
- (8) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.
- (9) Sewer and water pump stations and pressure reading stations.

- (10) **Wireless communication facility attached, provided it is not on a single-family dwelling or its accessory structures.**
- (11) **Accessory dwelling units as provided in TDC 34.300 to 34.310.**
- (12) **Transportation facilities and improvements.**
- (13) **Public park, public playground, and public recreation building**

Applicant's The proposed single-family dwellings are permitted outright in the RL zone.

Finding: The requirements of this section have been satisfied.

SECTION 40.050 LOT SIZE FOR PERMITTED USES.

Except as otherwise provided, the lot size for a single-family dwelling shall be:

- (1) **The minimum lot area shall be an average of 6,500 square feet.**
- (2) **The average lot width shall be at least 30 feet.**
- (3) **When a lot has frontage on a public street, the minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.**
- (4) **The maximum building coverage shall be 45 percent.**
- (5) **For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(7) - (12).**

Applicant's The proposed lots range in size from 5,000 square feet to 9,012 square feet. With the
Finding: removal of 16 small lots from the average lot size calculation (per Section 40.055 below), the overall average lot area is 6,502 square feet, which exceeds the minimum of 6,500 square feet per the requirements of subsection (1).

All lots exceed the 30-foot minimum average width in subsection (2).

All lots will have frontage on a public street and will meet the minimum width requirement of subsection (3) of 50 feet on a street and 30 feet around a cul-de-sac bulb.

The homes will meet the lot coverage standard of subsection (4). No more than 45% of any lot will be covered with buildings. This can be verified at time of building permit submission.

The Applicant is not proposing flag lots as a part of this subdivision, therefore the requirements of subsection (5) are not applicable. Lot 1 and Lot 2 will have frontage on Borland Road, but will be accessed by a shared access drive located off of SW 61st Terrace, a proposed local street. The proposed shared access drive will meet the minimum access requirements contained in TDC 73.400(7)-(12).

The requirements of this section have been satisfied.

SECTION 40.055 LOT SIZE FOR GREENWAY AND NATURAL AREA TRACTS AND LOTS.

- (1) **The decision authority for partitions and subdivisions may allow one small lot for each 6,500 square feet of Tract created in the subdivision or partition process, provided the following criteria are met:**
 - (a) **Each Tract must be:**

- (i) wholly in the Natural Resource Protection Overlay (NRPO) District (TDC Chapter 72), or
 - (ii) wholly in an Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or
 - (iii) wholly in a Clean Water Services Vegetated Corridor.
- (b) The ownership of each Tract must be one of the following:
- (i) dedicated to the City at the City's option, or
 - (ii) dedicated in a manner approved by the City to a non-profit conservation organization, or
 - (iii) retained in private ownership by the developer.
- (c) The small lot:
- (i) Shall be no less than 5,000 square feet and no more than 5,999.99 square feet.
 - (ii) The average lot width shall be at least 30 feet.
 - (iii) The minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.
 - (iv) The maximum building coverage for lots less than 6,000 square feet shall be 45 percent.
 - (v) The subdivision's or partition's density, net of the Tracts, shall not exceed 7.5 dwelling units per acre.

Applicant's Finding:

The Applicant has proposed a 2.91 acre (127,076 square feet) tract which is wholly in the Natural Resource Overlay District. The Applicant has additionally proposed a 0.96 acre (41,897 square feet) tract for the purpose of the Saum Creek Greenway Trail. The two proposed tracts are to be dedicated to the City at the City's option. Given the 168,973 square foot tract dedication, the Applicant is allowed 25 total small lots (168,973 square feet/6,500 square feet = 25.99 lots).

The Applicant has provided 16 small lots with a minimum square footage of 5,000 square feet and a maximum of 5,999.99 square feet. The average width of the proposed lots will meet the minimum average width of 30 feet. All proposed lots will have street frontage and will meet the minimum frontage requirement of 50 feet on a street and 30 feet around a cul-de-sac bulb. The maximum building coverage will not exceed 45 percent.

The lots proposed for the small lot allowance are lots 10, 33, 36, 41-43, 47-53 and 63-65.

The proposed 79 dwelling units result in a density of 7.0 dwelling units per net residential acre which is below the maximum of 7.5 dwelling units per acre.

The requirements of this section have been satisfied.

- (2) **The decision authority for partitions and subdivisions shall consider, but is not limited to, the following factors when determining if TDC 40.055(1)(b)(i - iii) are allowed:**
- (a) Does the Park and Recreation Master Plan designate the Tract for a greenway, pedestrian or bike path, public park, recreation, overlook or interpretive facility, or other public facility;
 - (b) Does the Tract include one or more designated Heritage Trees, or one or more significant trees;
 - (c) Does the Tract provide a significant view or aesthetic element, or does it include a unique or intrinsically valuable element;

- (d) Does the Tract connect publicly owned or publicly accessible properties;
- (e) Does the Tract abut an existing park, greenway, natural area or other public facility;
- (f) Does the Tract provide a public benefit or serve a public need;
- (g) Does the Tract contain environmental hazards;
- (h) Geologic stability of the Tract; and
- (i) Future maintenance costs for the Tract.

Applicant's Finding: The Park and Recreation Master Plan designates the area shown as Tract A as a greenway per subsection (a).

The Park and Recreation Master Plan designates the area shown as Tract B as a pedestrian path per subsection (a).

The applicant understands that based on the criteria of this section, ownership of Tracts A and B shall be determined by the City.

The requirements of this section have been satisfied.

(3) The following shall apply to small lots included in a partition or subdivision pursuant to (1) above:

- (a) When a small lot abuts an existing lot in an approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the abutting lot. For example, a new small lot shall be no less than 5,500 square feet if it abuts an existing lot of 6,000 square feet; 5,600 square feet if it abuts an existing lot of 6,100 square feet; 5,700 square feet if it abuts an existing lot of 6,200 square feet; and so on, up to 5,999 square feet if it abuts an existing lot of 6,499 square feet.
- (b) When a small lot is directly across a local street from an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the lot directly across the street. For purposes of this section, a small lot is directly across the street if one or more of its lot lines, when extended in a straight line across the local street, intersect the property line of the lot across the street.
- (c) When a Tract or easement is between a small lot and an existing lot in a City approved and recorded subdivision or partition the small lot shall be separated from the existing lot by at least 50 feet.
- (d) When a subdivision is constructed in phases, a small lot in a later phase may abut or be directly across a local street from an existing lot in an earlier phase.

Applicant's Finding: The Applicant is not proposing to locate any small lots abutting an existing lot in an approved or recorded subdivision or partition per subsection (a).

The Applicant is not proposing to locate any small lots directly across a local street from an existing lot in a City approved and recorded subdivision or partition per subsection (b).

The Applicant is not proposing to locate a tract or easement between any small lots and a City approved and recorded subdivision or partition per subsection (c)

The Applicant is not proposing a phased construction of the proposed subdivision (d).

The requirements of this section have been satisfied.

SECTION 40.070 SETBACK REQUIREMENTS FOR PERMITTED USES.

Except as otherwise provided, the setbacks for permitted uses shall be:

- (1) The front yard setback shall be a minimum of 15 feet, except to an unenclosed porch, which shall be 12 feet.
- (2) The setback to a garage door shall be a minimum of 20 feet.
- (3) The side yard setback shall be a minimum of five feet.
- (4) For a corner lot, the following provisions shall apply:
 - (a) one front yard setback shall be a minimum of 15 feet; it shall be determined by the orientation of the structure based on the location of the front door.
 - (b) the second front yard setback shall be a minimum of 10 feet.
- (5) The rear yard setback shall be a minimum of 15 feet

Applicant's All setback standards will be met at the time of building permit submittal.

Finding:
The requirements of this section have been satisfied.

SECTION 40.090 PROJECTIONS INTO REQUIRED YARDS.

Cornices, eaves, canopies, decks, sun-shades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and other similar architectural features may extend or project into a required front or rear yard setback area not more than three feet and into a required side yard not more than two feet, or into the required open space as established by coverage standards in this chapter.

Applicant's Future construction of dwellings on the proposed lots will be required to comply with

Finding: the provisions of this Section.

The requirements of this section have been satisfied.

SECTION 40.100 STRUCTURE HEIGHT.

Except as otherwise provided, the maximum structure height is 35 feet.

Applicant's Future construction of dwellings on the proposed lots will be required to comply with

Finding: the provisions of this Section.

The requirements of this section have been satisfied.

SECTION 40.110 ACCESS.

Refer to TDC 36.470 [see applicant's response statement above] and 73.400.

SECTION 73.400 ACCESS. [Subsections applicable to single-family residential development]

- (8) To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the City Engineer. Sidewalks approved by the City Engineer may include temporary sidewalks and sidewalks constructed on private

property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grades and alignment established by the City Engineer.

Applicant's Finding:

The City Engineer has reviewed the proposal and made recommendations to the Applicant, which are incorporated into the proposed pedestrian access configuration.

The Applicant is proposing to construct sidewalks along all street frontage in accordance with the recommendations of the City Engineer and the requirements of the City, as shown on the included plans.

The requirements of this section have been satisfied.

(10) Minimum access requirements for residential uses:

- (a) Ingress and egress for single-family residential uses, including townhouses, shall be paved to a minimum width of 10 feet. Maximum driveway widths shall not exceed 26 feet for one and two car garages, and 37 feet for three or more car garages. For the purposes of this section, driveway widths shall be measured at the property line.**

Applicant's Finding:

All of the proposed lots are wide enough to accommodate homes with two-car garages and driveways meeting these dimensional requirements.

The requirements of this section have been satisfied.

(15) Distance between Driveways and Intersections.

Except for single-family dwellings, the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection.

- (a) At the intersection of collector or arterial streets, driveways shall be located a minimum of 150 feet from the intersection.**
- (b) At the intersection of two local streets, driveways shall be located a minimum of 30 feet from the intersection.**
- (c) If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the 5-foot setback between the driveway and property line as required by TDC 73.400(14)(b).**
- (d) When considering a public facilities plan that has been submitted as part of an Architectural Review plan in accordance with TDC 31.071(6), the City Engineer may approve the location of a driveway closer than 150 feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision. The written approval shall be incorporated into the decision of the City Engineer for the utility facilities portion of the Architectural Review plan under the process set forth in TDC 31.071 through 31.077.**

Applicant's Finding: The Applicant is proposing a subdivision consisting of single-family residential development, therefore the standards of this section do not apply to the proposed single-family residential driveways.

The requirements of this section have been satisfied.

(16) Vision Clearance Area.

- (a) **Local Streets** - A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 10 feet from the intersection point of the right-of-way lines, as measured along such lines (see [Figure 73-2](#) for illustration).
- (b) **Collector Streets** - A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet (see [Figure 73-2](#) for illustration).
- (c) **Vertical Height Restriction** - Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction shall be permitted between 30 inches and 8 feet above the established height of the curb in the clear vision area (see [Figure 73-2](#) for illustration).

Applicant's Finding: The Applicant has illustrated the required vision clearance area triangle for each proposed intersection on the submitted plans and Figure 1 and Figure 2 submitted under Appendix F. All required vision clearance areas will be maintained.

The requirements of this section have been satisfied.

SECTION 40.120 OFF-STREET PARKING AND LOADING.

Refer to [TDC Chapter 73](#).

SECTION 73.370(2) OFF-STREET PARKING AND LOADING.

USE	MINIMUM MOTOR VEHICLE PARKING REQUIREMENT	MAXIMUM MOTOR VEHICLE PARKING REQUIREMENT	BICYCLE PARKING REQUIREMENT	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
<u>Residential Uses:</u>				
(i) Detached single-family dwelling, residential home, residential facilities (located in low density (RL) planning districts) Townhouse	2.00 vehicle parking spaces per dwelling unit, residential home or residential facility (stalls or spaces within a residential garage not included, except as approved in Architectural Review).	None	None Required	N/A

Applicant's Finding: A minimum of 2.0 off street vehicle spaces will be provided for each residential home. All off-street parking standards will be met when specific building plans are submitted at the time of building permit submittal.

The requirements of this section have been satisfied.

SECTION 40.130 FLOODPLAIN DISTRICT.
Refer to TDC Chapter 70.

Applicant's Finding: Per FEMA AND CWS mapping, the site does not lie within a 100 year flood plain.
The requirements of this section have been satisfied.

TDC CHAPTER 34: SPECIAL REGULATIONS

SECTION 34.210 APPLICATION FOR ARCHITECTURAL REVIEW, SUB-DIVISION OR PARTITION REVIEW, OR TREE REMOVAL PERMIT.

(1) **Architectural Review, Subdivision, or Partition.** When a property owner wishes to remove trees, other than the exemptions permitted under TDC 34.200(3), to develop property, and the development is subject to Architectural Review, Subdivision Review, or Partition Review approval, the property owner shall apply for approval to remove trees as part of the Architectural Review, Subdivision Review, or Partition Review application process.

(a) The application for tree removal shall include:

(i) A Tree Preservation Site Plan, drawn to a legible scale, showing the following information: a north arrow; existing and proposed property lines; existing and proposed topographical contour lines; existing and proposed structures, impervious surfaces, wells, septic systems, and stormwater retention/detention facilities; existing and proposed utility and access locations/easements; illustration of vision clearance areas; and illustration of all trees on-site that are eight inches or more in diameter (including size, species, and tag i.d. number). All trees proposed for removal and all trees proposed for preservation shall be indicated on the site plan as such by identifying symbols, except as follows:

- (A) Where Clean Water Services (CWS) has issued a Service Provider Letter that addresses the proposed development currently under consideration, and
- (B) Where CWS has approved delineation of a "sensitive area" or "vegetated corridor" on the subject property, and
- (C) Where CWS has required dedication of an easement that prohibits encroachment into the delineated area, then
- (D) All trees located within the CWS-required easement need not be individually identified on the Tree Preservation Site Plan if the CWS-required easement boundary is clearly illustrated and identified on the Tree Preservation Site Plan.

(ii) A tree assessment prepared by a qualified arborist, including the following information: an analysis as to whether trees proposed for preservation can in fact be preserved in light of the development proposed, are healthy specimens, and do not pose an imminent hazard to persons or property if preserved; an analysis as to whether any trees proposed for removal could be reasonably preserved in light of the

development proposed and health of the tree; a statement addressing the approval criteria set forth in TDC 34.230; and arborist's signature and contact information. The tree assessment report shall have been prepared and dated no more than one calendar year preceding the date the development application is deemed complete by the City. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located within the CWS-required easement need not be included in the tree assessment report.

- (iii) All trees on-site shall be physically identified and numbered in the field with an arborist-approved tagging system. The tag i.d. numbers shall correspond with the tag i.d. numbers illustrated on the site plan. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located in the CWS-required easement need not be tagged.
 - (b) The application for tree removal shall be approved or denied based on the criteria in TDC 34.230.
 - (c) The approval or denial of an application to remove trees shall be a part of the Architectural Review, Subdivision Review, or Partition Review decision.
- (2) Existing Single-Family Dwelling.
[not applicable; detailed provisions omitted for brevity]
- (3) Other. When a property owner wishes to remove trees, other than the exemptions permitted under TDC 34.200(3), for reasons other than those identified in TDC 34.210(1) and (2), the property owner shall apply for a Tree Removal Permit as follows:
[not applicable; detailed provisions omitted for brevity]

Applicant's Finding: The Tree Protection and Removal Plan (Sheet C105-C109) identifies the locations of all trees on site eight inches or more in diameter. The CWS required easement boundary has been identified on the tree plan. Trees proposed for removal have also been identified. A tree assessment has been prepared and provided with this application.

The requirements of this section have been satisfied.

SECTION 34.230 CRITERIA

The Community Development Director shall consider the following criteria when approving, approving with conditions, or denying a request to cut trees.

- (1) An applicant must satisfactorily demonstrate that any of the following criteria are met:
 - (a) The tree is diseased, and
 - (i) The disease threatens the structural integrity of the tree; or
 - (ii) The disease permanently and severely diminishes the esthetic value of the tree; or
 - (iii) The continued retention of the tree could result in other trees being infected with a disease that threatens either their structural integrity or esthetic value.
 - b) The tree represents a hazard which may include but not be limited to:
 - (i) The tree is in danger of falling;
 - (ii) Substantial portions of the tree are in danger of falling.
 - (c) It is necessary to remove the tree to construct proposed improvements based on Architectural Review approval, building permit, or approval of a Subdivision or Partition Review.
- (2) If none of the conditions in TDC 34.240(1) are met, the Community Development Director shall evaluate the condition of each tree based on the following criteria. A tree given a rating of one on a factor will not be required to be retained.

Applicant's Finding: The trees that are being proposed for removal as a part of this Subdivision Review are being removed to accommodate the construction of the proposed improvements for the subdivision plan. All tree removal is detailed in the included Arborist's report, as well as sheets C105 through C109. All proposed tree removal is necessary to construct the proposed improvements associated with the subdivision.

The requirements of this section have been satisfied.

TDC CHAPTER 71: WETLANDS PROTECTION DISTRICT (WPD)

SECTION 71.060 ENVIRONMENTAL STANDARDS

All construction or development, including excavation or filling, or the use of any land within the Wetlands Protection District (WPD), shall conform to the environmental standards required by TDC 71.061 to 71.066.

Applicant's Finding: All construction within the WPD will conform to environmental standards required by the applicable standards, as detailed further in this report.

The requirements of this section have been satisfied.

SECTION 71.061 DEVELOPMENT SETBACK

- (1) Except as otherwise provided for herein, all permanent surface structures and other surface improvements located adjacent to the Wetlands Protected Area (WPA) shall be set back not less than 40 feet from the boundary of the Wetlands Protected Area (WPA) established in accordance with the provisions of this chapter.**
- (2) Where buildings or other surface structures are placed on or immediately adjacent to the outer edge of the setback area, and where means of emergency access or egress is required to be furnished to or from the sides of such buildings or structures that adjoin or face the Wetlands Protected Area (WPA), such means of access or egress may be provided within the setback area.**
- (3) Except as otherwise provided herein or in the Resource Management Plan, no setback for permanent surface structures and other surface improvements is required from the boundary of the Sweek Pond Management Area (SPMA).**

Applicant's Finding: The site has an established vegetative corridor which has been reviewed by Clean Water Services (CWS). As the CWS buffer is wider than the required WPA boundary, all permanent surface structures will be set back 40 feet from the WPA.

The requirements of this section have been satisfied.

SECTION 71.062 EXCAVATION AND FILLING

Excavation, filling and earth-moving activities are permitted within the Wetlands Protection District (WPD), subject to the following restrictions:

- (1) Within the Wetlands Protected Area (WPA), temporary dredging, filling, de-watering or other activities may be undertaken in order to place, install, service or maintain utilities or similar improvements within or across the area only during such periods and in such manner as to reduce as much as reasonably practicable the significant detrimental effects, if any, such activities may have on wildlife within, or on the hydrological integrity of the area.**

- (2) Within the Wetlands Fringe Area (WFA), excavation and filling shall be allowed in all areas for purposes related to its full development and use in accordance with applicable primary planning district classifications and for purposes of increasing or decreasing the elevations within such area to, or in excess of, the level of the so-called "100-year flood plain"; provided, however:
- (a) Excavation or filling in the Wetlands Fringe Area (WFA) shall not, when completed, result in significant increase or decrease in the volume of surface water that will thereafter flow or discharge into the Wetlands Protected Area (WPA) from the Wetlands Fringe Area (WFA).
 - (b) All excavation, filling or other earth-moving activities within the Wetlands Fringe Area (WFA) shall be conducted in such a manner that erosion and silting of surface water runoff into the Wetlands Protected Area (WPA) will not take place. Where upland areas are exposed and subject to erosion due to such excavation, filling or other earth-moving activities, temporary grass cover or other soil stabilizing vegetation shall be established immediately upon completion of such activities if such exposure and erosion will result in erosion or siltation of any portion of the Wetlands Protected Area (WPA).
- (3) Where necessary or desired in order to fully utilize all land lying in the Wetlands Fringe Area (WFA), or for the purpose of the installation or maintenance of subsurface improvements located thereon, fill, excavation or other earth-moving activities shall be permitted within the setback area above described; provided that, upon completion of such activities, the profile of the setback area shall conform with the characteristics of a "Type A" or "Type B" development setback, as depicted by Figure 71-1.
- (a) Fill materials placed in the setback area shall consist of topsoil of suitable nature and character to allow re-vegetation in accordance with the provisions of TDC 71.064, or, in the alternative, where topsoil is not utilized for purposes of fill, the materials that are utilized as fill shall be covered with topsoil to a depth of at least 12 inches where the underlying fill material is heavily compacted.
 - (b) Quatoma, Woodburn or Hillsboro loam, when identified within the setback area or upon adjacent land inside the Wetlands Fringe Area (WFA) by the U.S. Soil Conservation Service or by other reliable means, shall be suitable in nature and character to serve as topsoil for purposes of allowing re-vegetation of soil surfaces altered by filling, excavation or other earth-moving activities undertaken within the setback area, or elsewhere within the Wetlands Fringe Area (WFA) in accordance with the requirements of the provisions of TDC 71.064. Where other types of soils or materials are proposed for use as topsoil in accordance with this subsection, the same shall be of a type and character that will promote rapid propagation and growth of vegetation which will provide food, cover and nesting areas for wildlife, as well as a visual barrier or screen between the Wetlands Protected Area (WPA) and adjacent uplands.
 - (c) Cove clay and silty clay loam shall not be used for purposes of providing any topsoil cover required to be placed within the setback area after filling, excavation or other earth-moving activities.
 - (d) Placement of landfill and topsoil within the setback area should be accomplished before September 15 in order to provide adequate opportunity for re-vegetation to occur during the ensuing growing season. Pending permanent re-vegetation in accordance with the requirements of TDC 71.064, filled areas within the setback area should be planted with temporary grass cover, winter cereal grains (broadcast at a rate of not less than 100 pounds per acre), or other soil-stabilizing vegetation for fast and effective control of any erosion or siltation that will occur in the Wetlands Protected Area (WPA) if stabilization is not effected in such areas.
- (4) Within the Sweek Pond Management Area (SPMA) filling, de-watering or other activities may be undertaken in order to place, install, service or maintain utilities or similar improvements, subject to the Resource Management Plan. The work will be accomplished in such manner as to reduce as much as reasonably practicable the significant detrimental effects, if any, such activities may have on wildlife within, or on the hydrological integrity of the area.

Applicant's Finding: Any excavation, filling or earth-moving activities within the Wetlands Protection District will expressly follow the requirements of this section. This will be further reviewed with grading and erosion control permits, construction improvement permits, and on-site inspection throughout the construction process.

The requirements of this section have been satisfied.

SECTION 71.063 CONTAMINATION AND SEDIMENTATION

During the course of development, site preparation, construction of any improvements, or usage of lands lying within the Wetlands Fringe Area (WFA) or the Sweek Pond Management Area (SPMA), the introduction of storm drainage, surface and roof runoff into the Wetlands Protection Area (WPA) and the Sweek Pond Management Area (SPMA) shall only occur when such runoff is substantially free of silt, debris, oil or other materials injurious to plants or wildlife in the Wetlands Protected Area and the Sweek Pond Management Area (WPA and SPMA).

- (1) All apparent and potential sources of storm drainage and surface runoff contamination located within the Wetlands Fringe Area (WFA) and the Sweek Pond Management Area (SPMA) such as operating areas, and equipment cleaning and maintenance area, shall have curbs and be drained into impoundment areas or a waste treatment system in such a manner that no contaminated storm drainage or surface runoff originating in such areas will be discharged directly into the Wetlands Protected Area (WPA) or Sweek Pond Management Area (SPMA) without treatment that would render such drainage uncontaminated.
- (2) No solid wastes that are known to be toxic to vegetation or wildlife within the Wetlands Protected Area (WPA) and the Sweek Pond Management Area (SPMA) shall be permanently stored or disposed of within the Wetlands Fringe Area (WFA) or Sweek Pond Management Area (SPMA).
- (3) No pesticides shall be used in the Wetlands Protected District before the type, duration and manner of use have been approved by the Oregon Department of Environmental Quality.
- (4) To prevent soil movement into, or erosion within, the Wetlands Protected Area and the Sweek Pond Management Area (WPA and SPMA) as a result of drainage from adjacent upland areas within the Wetlands Fringe Area (WFA) and Sweek Pond Management Area (SPMA) during the course of development, site preparation, construction of improvements or use, a combination of filters or diversions or other appropriate means to be specified by an engineer shall be employed where necessary in order to supplement soils stabilization that will result from re-vegetation as otherwise provided for and described in TDC 71.062(2) and 71.064

Applicant's Finding: All standards required to prevent contamination or sedimentation in the WPA will be followed throughout construction of the development. No contamination or sedimentation is proposed or anticipated. This will be further reviewed with the grading and erosion control permit and inspections of the site throughout construction.

The requirements of this section have been satisfied.

SECTION 71.064 VEGETATION

- (1) Vegetation occurring within the Wet-lands Protected Area (WPA) and the Sweek Pond Management Area (SPMA) shall not be degraded or damaged except as a result of activities otherwise permitted by this chapter.

- (2) Vegetation occurring within the Wetlands Fringe Area (WFA) may be removed or altered at any time during the course of development, site preparation, construction of improvements or usage, when reasonably required for any of such purposes, subject to the following:
- (a) Areas where vegetation has been removed or altered incidental to construction or development of land areas within the Wetlands Fringe Area (WFA) lying outside the setback area, which are not otherwise committed and used as the location or site of surface improvements associated with the development or use of the property, shall be seeded or planted to reestablish a vegetation cover compatible with the adjacent wetland habitats insofar as practicable.
 - (b) Areas where vegetation has been removed or altered incidental to development or usage of land areas within the Wetlands Fringe Area (WFA) which occurs by reason of filling, excavation or other activities undertaken within the setback areas, shall be seeded or planted so as to effect eventual reestablishment of vegetation, if practicable, of the character, type and density that occurred in the areas affected prior to such removal or alteration.
 - (c) Owners and occupiers of land lying within the setback area upon which vegetation has been disturbed as a result of development, site preparation, construction of improvements or use shall permit access to such areas by public agencies, resource management groups and environmental interest groups approved by the City for purposes of entry and the conduct of activities designed or intended to effect the seeding, planting and maintenance of vegetation within the setback area in addition to, or in lieu of, the vegetation to be placed therein in accordance with TDC 71.064(2)(b) in the nature of trees, shrubs or other vegetation forms that will provide food, cover and nesting areas for wildlife and which may also provide a visual barrier or screen between the boundary of the Wetlands Protected Area (WPA) and adjacent upland areas. No such activity shall be authorized or permitted where the same or the effects thereof may materially impair or damage the structural integrity or usefulness of landfill occurring within such area, or which may enhance the area's susceptibility to erosion or damaging surface or subsurface water flow, or which may damage, or impair the usefulness of, utilities or other improvements lying within or adjacent to the area otherwise permitted under the terms of this chapter.
 - (d) Re-vegetation as required by the provisions of this section shall begin as soon as practicable, but in no event later than 60 days, after cessation of development, unless otherwise approved by the City. Such re-vegetation shall be deemed to comply with the requirements of this chapter if approved or recommended as to type, species and placement by either the U.S. Soil Conservation Service or the Oregon Department of Fish and Wildlife.
- (3) Land areas within the Wetlands Fringe Area (WFA) that lie outside the 40-foot setback area and which are not otherwise committed to development or use in connection with the intended development or use to be made of such areas by the owners, developers or occupiers thereof, shall be left, insofar as practicable, in their natural state for so long as such development or use does not require their alteration. Subject to the limitations set forth in TDC 71.064(2)(c), access shall be afforded to public agencies, resource management groups and environmental interest groups approved for purposes of planting and maintenance of vegetation within such areas that will afford food, cover and nesting areas for wildlife indigenous to the Wetlands Protected Area (WPA) except where such entry or activities are unsafe or may damage the property or security of adjacent developed areas. Any such vegetation shall be subject to removal at a later date, should such areas be required or involved in future development.
- (4) There shall be included in the statement of proposed construction methods and schedule required as part of the certification by TDC 71.040 of this chapter, a landscaping and re-vegetation plan and schedule, which shall set forth in reasonable detail the means by which the applicant(s) for any building permits, subdivision approvals or public works permits within the Wetlands Protection District (WPD) shall comply with the requirements of this section. [Ord. 800-90, 3/26/90]

Applicant's Finding: No degradation of vegetation in the WPA is proposed with this subdivision application and associated open space and future pedestrian path. Any vegetation removed to accommodate construction will be reseeded in the areas appropriate for final use of the site for a nature path. All landscaping and re-vegetation will be included with applications for permits for construction of the pedestrian path.

The requirements of this section have been satisfied.

SECTION 71.065 USES

Except as otherwise provided for, or permitted, by the provisions of this chapter, and subject to the provisions of the Resource Management Plan, no permanent use of the Wetlands Protected Area (WPA) will be allowed other than passive nature study, wildlife protection and enhancement, the north-south collector road (90th Avenue) and pedestrian bridge through the Zidell property (2S1--23/100), and other activities compatible with the intent, purposes and objectives of this chapter above set forth. The pedestrian bridge shall be located within 300 foot wide corridor west of the Pratt-Broome property (2S1--23/100).

Except as otherwise provided for, or permitted by the provisions of this chapter (and subject to the Resource Management Plan), no permanent use of the Sweek Pond Management Area (SPMA) will be allowed other than the following uses:***

All uses in the WPA and SPMA will be subject to the following provisions:

- (1) Such permitted uses shall be in all cases and at all times remain subject to the provisions of TDC 71.090(2) and (3) of this chapter and to such other or further restrictions or conditions as may be, or become, reasonably necessary to afford to the owner(s) or to others entitled to possession or control of the area reasonable assurance that they will suffer or incur no loss, damage, expense or liability of any kind by reason of such uses or any activities undertaken in connection therewith.
- (2) No discharge of firearms, trapping, poisoning, or intentional destruction of wildlife shall be permitted in the Wetlands Protection District (WPD).
- (3) Annual monitoring of the number of plant and animal species and the number within each species occurring within the Wetlands Protection Area (WPA) and 40-foot setback within the Wetlands Fringe Area (WFA) may be undertaken by conservation groups under the supervision, or with the approval, of the Oregon Department of Fish and Wildlife.
- (4) Uses occurring within the Wetlands Fringe Area (WFA) shall be restricted to those uses allowed by the primary planning district classifications and standards.
- (5) Structures and other permanent improvements to land lying adjacent to the boundary of the Wetlands Protected Area (WPA) and Sweek Pond Management Area (SPMA) shall be located as far removed from such boundary as is consistent with the development objectives and plans of the owners or developers of such adjacent property, subject in all cases to the provisions of TDC 71.061 of this chapter.
- (6) Where upland development occurs and immediately adjacent to the Wetlands Protected Area (WPA) and the 40-foot set-back provided for by TDC 71.061, such development and usages associated therewith shall be effected in such a manner as to minimize to the greatest extent practicable, consistent with full development and usage of the Wetlands Fringe Area (WFA), disturbance of recognized valuable wildlife forms within the Wetlands Protected Area (WPA) by automobile, truck and pedestrian traffic, shipping and receiving activities, trash and refuse pickup or disposal activities, and outdoor production or manufacturing operations.

Applicant's Finding: The only conceptual improvement adjacent to the WPA is a future pedestrian path, a use compatible with the intent, purpose, and objectives of this chapter.

The requirements of this section have been satisfied.

SECTION 71.066 EXCEPTIONS

If degradation of the wildlife habitat within the Wetlands Protected Area (WPA) occurs despite protective work accomplished complying with an approved certification statement pursuant to TDC 71.040, and such degradation is caused by an overburdening by an Act of God of the protective methods so approved; then the owners, occupiers, or users of the land where said degradation originated shall not be liable for such adverse effects on the Wetland Protected Area (WPA). After an Act of God, said owner, occupiers, or users shall immediately take steps to conform to the provisions of this chapter. An Act of God, for the purposes of this section, shall be extreme climatic conditions which include, but are not limited to, a rain storm in excess of the 25-year frequency storm, extremely long periods of drought or freezing weather, or damage caused by wildfires or unusual insect infestations.

Applicant's Finding: The Applicant notes this exception.

Finding:

The requirements of this section have been satisfied.

TDC CHAPTER 72: NATURAL RESOURCE PROTECTION OVERLAY DISTRICT (NRPO)

SECTION 72.011 CRITERIA FOR DETERMINING SIGNIFICANT NATURAL RESOURCES.

- (1) The Significant Resource Criteria in Subsections (2-3) must be considered when determining whether a natural resource site is a Significant Natural Resource or is not significant.
- (2) Significant Resource Criteria — Wetlands Not in Riparian Corridors.
 - (a) Exclusions. Wetland natural resources are not significant if they fall within any one of the following categories:
 - (i) Wetlands artificially created entirely from upland that are:
 - (A) created for the purpose of controlling, storing or maintaining stormwater; or
 - (B) active surface mining or active log ponds; or
 - (C) ditches without a free and open connection to natural waters of the state (as defined in OAR 141-85-010(9) and which do not contain food or game fish (as defined in ORS 496.009); or
 - (D) less than one acre in size and created unintentionally as the result of irrigation water overflow or construction activity not related to compensatory mitigation for permitted wetland impacts; or
 - (E) of any size and created for wastewater treatment, farm or stock watering, settling of sediment, cooling industrial water, or as a golf course hazard.
 - (ii) Wetlands or portions of wetlands that are contaminated by hazardous substances, materials or wastes as per the following conditions:
 - (A) The wetland is documented as contaminated on either the U.S. Environmental Protection Agency's (EPA) National Priority List, or the Department of Environmental Quality's (DEQ) Inventory of Hazardous Substance Sites (ORS 465.225).
 - (B) Only the portion of the wetland affected by such hazardous substances shall be excluded from significance analysis.

- (b) A Wetland natural resource is a Significant Natural Resource if it meets one or more of the following criteria:
- (i) The site has a rating of "High" in at least one of the following environmental categories in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) Wetland and Natural Areas Inventory Environmental and Social Value Assessment:
 - (A) Fish Habitat Value. The assessment values use the low-medium-high rating for a site based on the modified fish habitat and wildlife habitat assessment methods used in the City of Tualatin Natural Resource Inventory. Fish habitat rates high if potential fish habitat exists.
 - (B) Wildlife Habitat Value. Evaluates habitat diversity. Areas with permanent or seasonal water, diverse vegetation and structure, and interspersed plant communities rate high. Wildlife habitat value also increases with the size of the site and linkage to open space habitat.
 - (C) Hydrologic Control, Water Quality Protection, and Water Quality Potential. Resource sites that provide or have the potential to provide water quality protection to receiving streams or storm-water detention within the watershed are important and are rated high.
 - (ii) The wetland or a portion of the wetland occurs within a horizontal distance of less than one-fourth mile from a water body listed by the Oregon Department of Environmental Quality (DEQ) as a water quality limited body [303(d) list] and the wetland's water quality protection or potential function is described as High or Medium in the Wetlands and Natural Areas Assessment.
 - (iii) The site has a presence of one or more rare or locally unique plant communities that are relatively undisturbed with few or no non-native plants.
 - (iv) The site has a presence of a plant or animal species that is state or federally listed as sensitive, rare, threatened or endangered, or is a critical habitat for such listed species, unless the appropriate state or federal agency indicates that the wetland is not important for the maintenance of the species.
- (3) Significant Resource Criteria — Streams, riparian corridors, forests, meadows and geologic features. A stream, riparian corridor, forest, meadow or geologic feature site is a significant resource site if it meets one or more of the following criteria:
- (a) The site has a presence of a plant or animal species that is state or federally listed as sensitive, rare, threatened or endangered, or is a critical habitat for such listed species;
 - (b) The site has a presence of a physical feature that is designated as a scenic river or natural or geologic resource by county or regional government, or state or federal agencies. This includes but is not limited to designation as a significant natural resource or geologic area. Physical features do not include buildings or other constructed features.
 - (c) The site has a presence of one or more relatively undisturbed native plant communities with few or no non-native plants.
 - (d) The site has a rating of "High" in at least one of the following environmental categories in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) Wetland and Natural Areas Inventory Environmental and Social Value Assessment:
 - (i) Fish Habitat Value. The assessment values use the low-medium-high rating for a site based on the modified fish habitat and wildlife habitat assessment methods used in the City of Tualatin Natural Resource Inventory. Fish habitat rates high if potential fish habitat exists.

- (ii) **Wildlife Habitat Value.** Evaluates habitat diversity. Areas with permanent or seasonal water, diverse vegetation and structure, and interspersions of plant communities rate high. Wildlife habitat value also increases with the size of the site and linkage to open space habitat.
 - (iii) **Hydrologic Control, Water Quality Protection, and Water Quality Potential.** Resource sites that provide or have the potential to provide water quality protection to receiving streams or stormwater detention within the watershed are important and are rated high.
 - (iv) **Ecological Integrity.** Sites are rated high if they provide ecosystem linkage or continuity, allow wildlife passage between larger habitat units or genetic flow between plant populations, provide critical habitat for certain life history stages of sensitive fish and wildlife species, or other watershed or ecosystem functions. This criterion regards the both the ecological integrity and connectivity assessments of the site.
 - (v) **Uniqueness.** Site contains fish and wildlife species, wildlife habitat, plant communities or geologic features that are unique in the Tualatin area. Uniqueness is a consideration of the quantity and quality of a particular resource site relative to other resources in the Tualatin area.
- (e) A non-wetland site has a rating of "High" in at least two of the following social categories in the City of Tualatin Natural Resource Inventory (December, 1995) Wetland and Natural Areas Inventory Environmental and Social Value Assessment:
- (i) **Educational Value and Scientific Research.** Sites are rated high if they provide potential educational opportunities for local schools or parks and recreation programs or research opportunities for the scientific community. This value is dependent on access and distance from schools.
 - (ii) **Aesthetic or Scenic Qualities, or Visual or Noise Buffering Qualities.** Rating aesthetic or scenic quality is based on visual characteristics. Buffering qualities refer to the site's ability to serve as a buffer to unattractive or noisy areas such as the interstate freeways.
 - (iii) **Opportunity for Passive Recreation.** Rating for recreational opportunity is based on a combination of the availability of public access, environmental value, aesthetic and/or scenic value, and low probability for recreational uses that will adversely affect environmental, aesthetic or scenic values.
- (f) Meets the definition of a riparian corridor in OAR-660-090-5 and any other criteria in subsections (3)(a-e) and (3)(g).
- (g) In addition to (a)-(f) above, a final decision to determine whether a resource site is significant or not significant shall consider information about the resource site from all available sources, including but not limited to property owners and interested citizens, and may use factors not listed in criteria (a)-(f) above provided that it is shown the factor(s) address the issue of whether or not the site is significant.

Applicant's Finding:

A portion of the project site has been identified in the *City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) Wetland and Natural Areas Inventory Environmental and Social Value Assessment* as the location of a portion of Wetland W9. The wetland located on site is a Significant Natural Resource as it has been categorized as "high" in Fish Habitat Value, Hydrologic Control, and Water Quality.

The Wetland has been determined to be Significant.

SECTION 72.013 SIGNIFICANT NATURAL RESOURCES.

The following natural resource sites identified in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) are Significant Natural Resources:

Unit #	Resource #	Assessors Map and Tax Lot		
S	F9	Interstate 5 Hwy ROW		
S2	F5	21E30A01300 21E30B00200	21E30A01600 21E30B00600	21E30A01700 21E30B00100

Applicant's Finding: The project site, tax lot 21E30B00600, has been identified as a natural resource site in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory.

The requirements of this section have been satisfied.

SECTION 72.020 LOCATION OF GREENWAYS AND NATURAL AREAS.

- (1) The designated significant natural resources are the Greenways and Natural Areas on Map 72-1, which shows the general location of the NRPO District. The general locations of Other [n] Natural Areas are shown on the Recreation Resources Map (Figure 3-4) of the Parks and Recreation Master Plan.
- (2) Lands in the Wetland Protection District (WPD) are subject to Chapter 71, and other applicable regulations, but not Chapter 72.

Applicant's Finding: The southern portion of the project site has been identified on *Map 72-1: Natural Resource Protection Overlay District (NRPO) and Greenway Locations* as the location of the Saum Creek Greenway, a greenway protected in the NRPO.

The requirements of this section have been satisfied.

SECTION 72.030 GREENWAYS.

- (1) Greenways can exhibit diverse characteristics. Those along the Tualatin River and Hedges, Nyberg and Saum Creeks can be natural in some sections and have pedestrian and bike paths in other sections. Greenways in built-up areas such as in subdivisions are typically landscaped with lawn and often include concrete pedestrian/bike paths.
- (2) Riverbank Greenway (NRPO-GR).
 - (a) Except as provided in Subsection (b), the NRPO District along the south bank of the Tualatin River, beginning at the City's western Urban Growth Boundary (UGB) and extending to the City's eastern UGB, and along the north bank of the Tualatin River from the northwest corner of Tax Lot 1007 to the southeast corner of Tax Lot 1006, Washington County Tax Map 2S1 24B, shall have a width as measured from a line 40 feet inland from the top of the bank extending to the middle of the river. The top of the bank shall be where the landform called "the bank" changes from a generally up-slope feature to a generally flat feature. The NRPO District shall

automatically apply to property annexed to the City, except as provided for in Appendix G to the Parks and Recreation Master Plan.

- (b) For the area 300 feet east and west of the I-5 right-of-way as shown on Map 72-1, the NRPO District on the south bank of the Tualatin River shall have a width as measured from a line 75 feet in-land from the top of the bank extending to the middle of the river.
- (3) Creek Greenways (NRPO-GC).
- (a) Except as provided in Subsections (b-d), the NRPO-GC District shall have a width of 50 feet centered on the centerline of Hedges Creek from SW Ibach Street to the western boundary of the Wet-lands Protection District and from the eastern boundary of the Wetlands Protection District to the Tualatin River, and centered on Nyberg Creek from SW Tonka Street to the Tualatin River.
 - (b) The NRPO-GC District shall have a width of 30 feet centered on the centerline of Nyberg Creek from SW Boones Ferry Road to SW Tonka Street.
 - (c) Property owners on opposite sides of a creek may enter into a written agreement to allow the NRPO-GC District to be off-center, but in no case shall it be less than 15 feet on one side of the creek. Such agreement shall be binding on property owners, their heirs and assigns; shall be approved by City Council and shall be placed on permanent file with the City Recorder.
 - (d) The NRPO-GC District shall have a width of 50 feet extending out from the top of the stream bank or from the upland edge of wetlands within the stream riparian area on the following creek sections:
 - (i) Hedges Creek from SW 105th Avenue downstream to the private driveway culvert at the upper end of the fire pond at Tri-County Industrial Park,
 - (ii) Hedges Creek from the fire pond dam's outlet at Tri-County Industrial Park downstream to SW Tualatin-Sherwood Road, and
 - (iii) Saum Creek beginning east of I-5, just north of I-205 extending downstream to the Tualatin River, except:
 - (A) a width of 25 feet extending out from the upland edge of wet-lands in the stream riparian area for the severely constrained properties shown on Map 72-1, and
 - (B) to the upland edge of the wetland in the stream riparian area adjacent to existing developed residential properties west of Atfalati Park shown on Map 72-1.
- (4) Other Greenways (NRPO-OG). The greenways listed below are not within a riverbank or creek greenway. These areas are primarily drainage corridors for neighboring residential zones. The location and size of these greenways are shown on Map 72-1.
- (a) Chieftain/Dakota Greenway,
 - (b) Indian Meadows Greenway,
 - (c) Hi-West Estates Greenway,
 - (d) Shaniko Greenway,
 - (e) Nyberg Creek Greenway (south)

Applicant's Finding: This site contains a portion of the area designated as the Saum Creek Greenway.

The requirements of this section have been satisfied.

SECTION 72.060 DEVELOPMENT RESTRICTIONS IN GREENWAYS AND NATURAL AREAS.

- (1) Except as provided in Subsection (2), no building, structure, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development shall occur within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas.

- (2) The following uses, activities and types of development are permitted within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas provided they are designed to minimize intrusion into riparian areas:
- (a) Public bicycle or pedestrian ways, subject to the provisions of TDC 72.070.
 - (b) Public streets, including bridges, when part of a City approved transportation plan, and public utility facilities, when part of a City approved plan and provided appropriate restoration is completed.
 - (c) Except in Wetland Natural Areas, private driveways and pedestrian ways when necessary to afford access between portions of private property that may be bisected by a Greenway or Open Space Natural Area.
 - (d) Except in Creek Greenways and Wetland Natural Areas, outdoor seating for a restaurant within the Central Urban Renewal District, but outside of any sensitive area or its vegetated corridor.
 - (e) Public parks and recreational facilities including, but not limited to, boat ramps, benches, interpretive stations, trash receptacles and directional signage, when part of a City-approved Greenway or Natural Area enhancement plan.
 - (f) Landscaping, when part of a landscape plan approved through the Architectural Review process. City initiated landscape projects are exempt from the Architectural Review process. Landscaping in Greenways and Natural Areas shall comply with the approved Plant List in the Parks and Recreation Master Plan. When appropriate, technical advice shall be obtained from the Oregon Department of Fish and Wildlife, U.S. Soil Conservation Service, or similar agency, to ensure the proposed landscaping will enhance the preservation of any existing fish or wildlife habitats in the vicinity.
 - (g) Wildlife protection and enhancement, including the removal of non-native vegetation and replacement with native plant species.
 - (h) Except in Wetland Natural Areas, public boating facilities, irrigation pumps, water-related and water-dependent uses including the removal of vegetation necessary for the development of water-related and water-dependent uses, and replacement of existing structures with structures in the same location that do not disturb additional riparian surface.
 - (i) In Wetland Natural Areas, perimeter mowing and other cutting necessary for hazard prevention.
- (3) The City may, through the subdivision, conditional use, architectural review, or other development approval process, attach appropriate conditions to approval of a development permit. Such conditions may include, but are not limited to:
- (a) Use of Greenways and Natural Areas for storm drainage purposes;
 - (b) Location of approved landscaping, pedestrian and bike access areas, and other non-building uses and activities in Greenways and Natural Areas;
 - (c) Setback of proposed buildings, parking lots, and loading areas away from the Greenway and Natural Area boundary.
- (4) Greenways and Natural Areas in which an access easement is owned by the City, but retained in private ownership, shall be maintained by the property owner in their natural state and may only be modified if a landscape and maintenance plan complies with the approved Plant List in the Parks and Recreation Master Plan, and has been approved through the Architectural Review process or by the Parks and Recreation Director when Architectural Review is not required.
- (5) The Parks and Recreation Director shall be included as a commentor when a development application proposes dedication of Greenway or Natural Area property to the City or when development is proposed on Greenway or Natural Areas property maintained by the Parks and Recreation Department.

Applicant's Finding: The Applicant is not proposing any buildings, structures, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development within the Greenway and Wetland.

In order to minimize intrusion into the riparian area, the proposed pathway will be constructed as detailed in Section 72.070, below.

The requirements of this section have been satisfied.

SECTION 72.065 HARDSHIP CREATED, MAP ERROR, PROPERTY NOT BUILDABLE.
[Details omitted for brevity]

Applicant's Finding: The Applicant is not applying for any variances, therefore the standards of this section do not apply.

The requirements of this section have been satisfied.

SECTION 72.070 GENERAL GUIDELINES FOR PEDESTRIAN AND BIKE PATHS IN GREENWAYS.

To construct bike and pedestrian paths in greenways, the developer of the path shall adhere to the following guidelines, wherever practicable:

- (1) Incorporate trails into the surrounding topography.
- (2) Provide viewing opportunities for special vistas, wetlands, and unique natural features.
- (3) Protect existing vegetation to the greatest extent possible. In wooded areas meander paths through the woods to avoid significant trees. An arborist should be consulted to determine methods for minimizing impact of construction of paths near trees greater than 5 inch caliper as measured 4 feet above-grade.
- (4) Replant trees in the vicinity where they were removed. Use native species as outlined in the approved plant list incorporated in the Parks and Recreation Master Plan.
- (5) Minimize impact on wetland environments. Build paths above wetlands wherever possible. Use boardwalks, bridges or other elevated structures when passing through a wetland. Direct trails away from sensitive habitat areas such as nesting or breeding grounds.
- (6) Provide interpretive opportunities along the trail. Use interpretive signage and displays to describe plant and animal species, nesting areas, wildlife food sources, and geologic, cultural and historic features.
- (7) Provide amenities along the trail. Place benches, picnic tables, trash receptacles and interpretive signage where appropriate.
- (8) Where paths are placed in utility corridors, path design should be coordinated with the City's Engineering and Building Department and Operations Department to allow utility maintenance.
- (9) Mitigate surface water drainage near wetlands and streams. Where hard surface trails occur adjacent to wetlands or creeks, provide, when appropriate, an open water system through swales, trench percolation, or on-site detention ponds to prevent erosion and negative impacts.
- (10) Incorporate signage. Place properly scaled and sited regulatory and guide signs to instruct users on accessibility, local conditions, safety concerns and mileage information.

Applicant's Finding: The City's Parks and Transportation System plans indicate that an extension of the Saum Creek trail will ultimately be constructed adjacent to Saum Creek, along the Southern boundary of the property. The Applicant has created a tract on the preliminary plat which would provide a location and alignment for the extension of the trail and may

work with the City to construct the pathway. Discussions regarding the construction of the pathway will be ongoing during the construction planning process.

The requirements of this section have been satisfied.

SECTION 72.080 SHIFT OF DENSITY FOR RESIDENTIAL DEVELOPMENT ADJACENT TO GREENWAYS OR NATURAL AREAS.

- (1) A shift of density may be allowed in accordance with TDC 41.150 (RML District), 42.150 (RMH District), 43.180 (RH District) and 44.160 (RH/HR District).
- (2) Small lots may be allowed in subdivisions and partitions in accordance with TDC 40.055 (RL District).

Applicant's Finding: The Applicant has provided responses for Section 40.055 (RL District) as a part of this narrative. Sixteen (16) small lots are proposed in accordance with Section 40.055.

The requirements of this section have been satisfied.

SECTION 72.100 PARKS SYSTEMS DEVELOPMENT CHARGE (SDC) CREDIT.

Ordinance 833-91 establishes a System Development Charge for Parks in residential planning districts. The ordinance contains provisions for credits against the Parks SDC, subject to certain limitations and procedures. Credit may be received up to the full amount of the Parks SDC fee. Dedication of NRPO District Areas, Other Natural Areas or vegetated corridors located within or adjacent to the NRPO District listed in the SDC capital improvement list are eligible for a SDC credit. Dedication and improvement of bicycle and pedestrian paths may also be eligible for a SDC credit.

Applicant's Finding: The Applicant may seek Parks SDC credits if required to construct a portion of the proposed Saum Creek Greenway pedestrian path.

The requirements of this section have been satisfied.

SECTION 72.110 EASEMENTS FOR PEDESTRIAN AND BICYCLE ACCESS.

In any portion of the NRPO District, the City may, through the subdivision, partition, conditional use, architectural review, or other applicable development approval process, require that easements for pedestrian and bicycle access and maintenance uses be granted as a condition of approval when said easements are necessary to achieve the purposes of the Parks and Recreation Master Plan, Greenways Development Plan, or Bikeways Plan.

Applicant's Finding: As the NRPO is within a designated tract, further easements are unnecessary to achieve the purposes of the Parks and Recreation Master Plan, Greenways Development Plan and Bikeways Plan.

The requirements of this section have been satisfied.

SECTION 72.120 WETLANDS PROTECTION DISTRICT.

In cases where land within the NRPO District is also within the Wetlands Protection District, Chapter 71, any development permitted by TDC 72.060 shall be subject to the provisions of Chapter 71.

Applicant's Finding: The requirements of Chapter 71 are discussed previously in this report.

The requirements of this section have been satisfied.

TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS

SECTION 73.040 ARCHITECTURAL REVIEW PLAN APPROVAL REQUIRED.

- (1) Except for an addition or alteration to an existing single-family dwelling when it results in less than a 35% expansion of the structure's existing footprint or less than a 35% alteration of an existing wall plane or only affects the wall plane of the side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling, as permitted by these standards, no new building, condominium, townhouse, single family dwelling, addition or alteration to an existing single-family dwelling when it results in a 35% or more expansion of the structure's existing footprint or a new second or higher story or a 35% or more alteration of an existing wall plane (except for the wall plane of a side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling), manufactured dwelling park, small-lot subdivision, landscape improvement (excluding greenways, parks and other Parks and Recreation Department road side improvements), parking lot improvement or expansion, above ground public utility facility (sewer or water pump stations, pressure reading stations and water reservoir), electrical substation, above ground natural gas pumping station, installation of decorative lighting (e.g. neon), exterior painting, awnings, murals, wireless communication facility, attached wireless communication facility or exterior major remodeling shall occur until the architectural review plan required under TDC 31.071 has been reviewed and approved by the Community Development Director and City Engineer or their designees, or by the Architectural Review Board or City Council for conformity with applicable standards or criteria.
- (2) No new single-family dwelling or addition or alteration to an existing single-family dwelling when it results in a 35% or more expansion of the structure's existing footprint or a new second or higher story or a 35% or more alteration of an existing wall plane (except for the wall plane of a side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling), as permitted by these standards, shall occur until the architectural review application under TDC 31.071(7) has been reviewed and approved by the Community Development Director or their designee for conformity with the applicable standards or criteria.

Applicant's Finding: This section is not directly applicable to this application because it does not include plans for construction of a dwelling. This section will apply to request to construct homes on the lots to be created by this proposed subdivision

The requirements of this section have been satisfied.

SECTION 73.400 ACCESS.

- (1) The provision and maintenance of vehicular and pedestrian ingress and egress from private property to the public streets as stipulated in this Code are continuing requirements for the use of any structure or parcel of real property in the City of Tualatin. Access management and spacing standards are provided in this section of the TDC and TDC Chapter 75. No building or other permit shall be issued until scale plans are presented that show how the ingress and egress requirement is to be fulfilled. If the owner or occupant of a lot or building changes the use to which the lot or building is put, thereby increasing

ingress and egress requirements, it shall be unlawful and a violation of this code to begin or maintain such altered use until the required increase in ingress and egress is provided.

Applicant's Finding: The Applicant is proposing a shared access drive between Lot 1 and Lot 2, which will be located within a private easement.

The requirements of this section have been satisfied.

(2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.

Applicant's Finding: The Applicant is proposing a shared access drive between Lot 1 and Lot 2, which will be located within a private easement. The Applicant will provide a copy of any deed documents and shared access agreements for the proposed shared access drive prior to the recordation of the final plat.

The requirements of this section have been satisfied.

(3) Joint and Cross Access.

(a) Adjacent commercial uses may be required to provide cross access drive and pedestrian access to allow circulation between sites.

Applicant's Finding: The Applicant is not proposing commercial use as a part of this development.

The requirements of this section are not applicable.

(b) A system of joint use driveways and cross access easements may be required and may incorporate the following:

- (i) a continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.**
- (ii) a design speed of 10 mph and a maximum width of 24 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;**
- (iii) stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;**
- (iv) a unified access and circulation system plan for coordinated or shared parking areas.**

Applicant's Finding: The proposed shared access drive will be for the sole purpose of providing residential access to Lot 1 and Lot 2, therefore a system of joint use driveways and cross access easements is not applicable.

The requirements of this section are not applicable.

- (c) Pursuant to this section, property owners may be required to:
- (i) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
 - (ii) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
 - (iii) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners;
 - (iv) If (i-iii) above involve access to the state highway system or county road system, ODOT or the county shall be contacted and shall approve changes to (i-iii) above prior to any changes.

Applicant's Finding: The proposed shared access drive will be located entirely within a private easement with a joint maintenance agreement between Lot 1 and Lot 2. The proposed access drive will not provide access to any additional properties.

The proposed access drive does not involve access to the state highway system or county road system, therefore subsection (iv) is not applicable.

The requirements of this section have been satisfied.

(4) Requirements for Development on Less than the Entire Site.

- (a) To promote unified access and circulation systems, lots and parcels under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as one unit in relation to the access standards. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area shall comply with the access requirements.
- (b) All access must be internalized using the shared circulation system of the principal commercial development or retail center. Driveways should be designed to avoid queuing across surrounding parking and driving aisles.

Applicant's Finding: The Applicant is proposing development on the entire site.

The standards of this section are not applicable.

(5) Lots that front on more than one street may be required to locate motor vehicle accesses on the street with the lower functional classification as determined by the City Engineer.

Applicant's Finding: Lot 1 and Lot 2 will have frontage on SW Borland Road, a minor arterial. Motor vehicle access will be provided via a shared access drive located off of SW 61st Terrace, a proposed local road.

The requirements of this section have been satisfied.

- (6) **Except as provided in TDC 53.100, all ingress and egress shall connect directly with public streets. [Ord. 882-92, § 24,12/14/92]**

Applicant's Finding: The proposed shared access drive will connect directly to SW 61st Terrace, a public street.

The requirements of this section have been satisfied.

- (7) **Vehicular access for residential uses shall be brought to within 50 feet of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units.**

Applicant's Finding: The proposed shared access drive will provide for access within 50 feet of the ground floor entrance of the proposed dwelling units, which will be confirmed at the time of building permit submittal.

The requirements of this section have been satisfied.

- (8) **To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the City Engineer. Sidewalks approved by the City Engineer may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grades and alignment established by the City Engineer.**

Applicant's Finding: The proposed development will provide sidewalks along all street frontages, as shown on the attached Site Plan (Sheet C200). All proposed sidewalks will be constructed to City Standards.

The requirements of this section have been satisfied.

- (9) **The standards set forth in this Code are minimum standards for access and egress, and may be increased through the Architectural Review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety, and general welfare.**

Applicant's Finding: The Applicant understands and acknowledges that the standards in this code are minimum standards for access and egress and they may be increased through the Architectural Review process.

The requirements of this section have been satisfied.

- (10) **Minimum access requirements for residential uses:**
(a) **Ingress and egress for single-family residential uses, including townhouses, shall be paved to a minimum width of 10 feet. Maximum driveway widths shall not exceed 26 feet for one and**

two car garages, and 37 feet for three or more car garages. For the purposes of this section, driveway widths shall be measured at the property line.

Applicant's Finding: The ingress and egress for the proposed development will meet these standards at the time of building permit submittal.

The requirements of this section have been satisfied.

(16) Vision Clearance Area.

- (a) **Local Streets** - A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 10 feet from the intersection point of the right-of-way lines, as measured along such lines (see Figure 73-2 for illustration).
- (b) **Collector Streets** - A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet (see Figure 73-2 for illustration).
- (c) **Vertical Height Restriction** - Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction shall be permitted between 30 inches and 8 feet above the established height of the curb in the clear vision area (see Figure 73-2 for illustration).

Applicant's Finding: The Applicant has illustrated the required vision clearance area triangle for each proposed intersection on the submitted plans and Figure 1 and Figure 2 submitted under Appendix F. All required vision clearance areas will be maintained.

The requirements of this section have been satisfied.

(17) Major driveways, as defined in 31.060, in new residential and mixed-use areas are required to connect with existing or planned streets except where prevented by topography, rail lines, freeways, pre-existing development or leases, easements or covenants, or other barriers.

Applicant's Finding: The Applicant is not proposing major driveways as a part of this development.

The requirements of this section are not applicable.

TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS

IMPROVEMENTS

SECTION 74.110 PHASING OF IMPROVEMENTS.

SECTION 74.120 PUBLIC IMPROVEMENTS.

- (1) Except as specially provided, all public improvements shall be installed at the expense of the applicant. All public improvements installed by the applicant shall be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. No work shall be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and a Public Works Permit issued and the required fees paid.
- (2) In accordance with the Tualatin Basin Program for fish and wildlife habitat the City intends to minimize or eliminate the negative affects of public streets by modifying right-of-way widths and street improvements when appropriate. The City Engineer is authorized to modify right-of-way widths and street improvements to address the negative affects on fish and wildlife habitat.

Applicant's Finding: A conceptual land use plan set has been submitted to show the proposed public water, sanitary sewer, and storm drainage facilities meeting City requirements to serve the proposed development.

The requirements of this section have been satisfied.

SECTION 74.130 PRIVATE IMPROVEMENTS.

All private improvements shall be in-stalled at the expense of the applicant. The property owner shall retain maintenance responsibilities over all private improvements.

Applicant's Finding: The Applicant is not proposing any private improvements as a part of this subdivision application.

The requirements of this section have been satisfied.

Section 74.140 Construction Timing.

- (1) All the public improvements required under this chapter shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.
- (2) All private improvements required under this chapter shall be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

Applicant's Finding: The Applicant acknowledges the procedural guidance of this section.

The requirements of this section have been satisfied.

RIGHT-OF-WAY

SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.

The width of streets in feet shall not be less than the width required to accommodate a street improvement needed to mitigate the impact of a proposed development. In cases where a street is required to be improved according to the standards of the TDC, the width of the right-of-way shall not be less than the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

- (1) For subdivision and partition applications, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width the additional right-of-way necessary to comply with TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G shall be shown on the final subdivision or partition plat prior to approval of the plat by the City. This right-of-way dedication shall be for the full width of the property abutting the roadway and, if required by the City Engineer, additional dedications shall be provided for slope and utility easements if deemed necessary.
- (2) For development applications other than subdivisions and partitions, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width, the additional right-of-way necessary to comply with TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G of the Tualatin Community Plan shall be dedicated to the City for use by the public prior to issuance of any building permit for the proposed development. This right-of-way dedication shall be for the full width of the property abutting the roadway and, if required by the City Engineer, additional dedications shall be provided for slope and utility easements if deemed necessary.
- (3) For development applications that will impact existing streets not adjacent to the applicant's property, and to construct necessary street improvements to mitigate those impacts would require additional right-of-way, the applicant shall be responsible for obtaining the necessary right-of-way from the property owner. A right-of-way dedication deed form shall be obtained from the City Engineer and upon completion returned to the City Engineer for acceptance by the City. On subdivision and partition plats the right-of-way dedication shall be accepted by the City prior to acceptance of the final plat by the City. On other development applications the right-of-way dedication shall be accepted by the City prior to issuance of building permits. The City may elect to exercise eminent domain and condemn necessary off-site right-of-way at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.
- (4) If the City Engineer deems that it is impractical to acquire the additional right-of-way as required in subsections (1)-(3) of this section from both sides of the center-line in equal amounts, the City Engineer may require that the right-of-way be dedicated in a manner that would result in unequal dedication from each side of the road. This requirement will also apply to slope and utility easements as discussed in TDC 74.320 and 74.330. The City Engineer's recommendation shall be presented to the City Council in the preliminary plat approval for subdivisions and partitions, and in the recommended decision on all other development applications, prior to finalization of the right-of-way dedication requirements.
- (5) Whenever a proposed development is bisected by an existing or future road or street that is of inadequate right-of-way width according to TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G, additional right-of-way shall be dedicated from both sides or from one side only as determined by the City Engineer to bring the road right-of-way in compliance with this section.
- (6) When a proposed development is adjacent to or bisected by a street proposed in TDC Chapter 11, Transportation Plan (Figure 11-3) and no street right-of-way exists at the time the development is proposed, the entire right-of-way as shown in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G shall be dedicated by the applicant. The dedication of right-of-way required in this subsection shall be along the route of the road as determined by the City.

Applicant's Finding: The 2013 Tualatin Transportation System Plan designates SW Sagert Street as a "Minor Arterial" west SW 65th Avenue and as a "Minor Collector" where it extends through the property. According to the TSP Figure 2 and Table 3, the preferred width for a Collector Street is a 76-foot wide right-of-way.

The existing ROW of Sagert Street between SW 65th Avenue and SW Wampanoag Drive is 78 feet in width. As shown on the submitted plans, proposed improvements between SW 65th Avenue and Wampanog Drive include widening the center turn lane to 12 feet, providing a 12 foot travel lanes in each direction, a 5 foot bike lane on the south side and a 4.9 foot wide bike lane on the north side, a 5.5 foot sidewalk on both sides of the street, 3.5 feet of landscaping on the south side and 17.5 feet of landscaping on the north side.

The Tualatin TSP designates the necessity to extend Sagert Street through the proposed development from SW 65th Avenue to the Sequoia Ridge subdivision to the east.

As shown on the submitted plans, the roadway improvements for SW Sagert Street between SW 65th Avenue and the proposed SW 63rd Terrace include a 12 foot center turn lane, 12 foot travel lanes in either direction, 6 foot bike lanes in either direction, 6 foot planter strip and 5 foot sidewalks in either direction. Right-of-way width varies due to existing development constraints north of the proposed development from 70.5 feet to 75 feet.

The submitted plans show a modified arterial section for SW Sagert Street between SW 63rd Avenue and the Sequoia Ridge including 32 feet of paved width, 6 foot planter strip and 5 foot sidewalks in either direction. The modified arterial section is designed to transition SW Sagert Street to the residential uses found within the proposed development and within Sequoia Ridge to the east. The right-of-way width is 54 feet.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial. The City has expressed a preferred right-of-way width of 74 feet.

The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder.

The Tualatin TSP designates SW Borland Street as a Major Arterial. The City has expressed a preferred right-of-way width of 74 feet.

The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area.

New public streets within the development will have a 50-foot right-of-way with 32 feet of improvements from curb to curb. A 5 foot sidewalk and a 4 foot wide planter strip will be provided from the edge of the curb.

The requirements of this section have been satisfied.

EASEMENTS AND TRACTS

SECTION 74.310 GREENWAY, NATURAL AREA, BIKE, AND PEDESTRIAN PATH DEDICATIONS AND EASEMENTS.

- (1) Areas dedicated to the City for Greenway or Natural Area purposes or easements or dedications for bike and pedestrian facilities during the development application process shall be surveyed, staked and marked with a City approved boundary marker prior to acceptance by the City.
- (2) For subdivision and partition applications, the Greenway, Natural Area, bike, and pedestrian path dedication and easement areas shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or
- (3) For all other development applications, Greenway, Natural Area, bike, and pedestrian path dedications and easements shall be submitted to the City Engineer; building permits shall not be issued for the development prior to acceptance of the dedication or easement by the City.

Applicant's Finding: The areas proposed as dedication to the City for Greenway or Natural Area purposes have been surveyed, and will be staked and marked with a City approved boundary marker, per the requirements of subsection (1).

The areas proposed as dedication to the City for Greenway, Natural Area, bike and pedestrian path dedication and easement areas have been shown to be dedicated to the City on the final subdivision plat, per the requirements of subsection (2).

The requirements of this section have been satisfied.

SECTION 74.320 SLOPE EASEMENTS.

- (1) The applicant shall obtain and convey to the City any slope easements determined by the City Engineer to be necessary adjacent to the proposed development site to support the street improvements in the public right-of-way or accessway or utility improvements required to be constructed by the applicant.
- (2) For subdivision and partition applications, the slope easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or
- (3) For all other development applications, a slope easement dedication shall be submitted to the City Engineer; building permits shall not be issued for the development prior to acceptance of the easement by the City.

Applicant's Finding: The requirements of this section are not applicable as the site's topography and relationship to the abutting streets does not warrant slope easements for the proposed improvements.

The requirements of this section have been satisfied.

SECTION 74.330 UTILITY EASEMENTS.

- (1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities shall be granted to the City.
- (2) For subdivision and partition applications, the on-site public utility easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; and

- (3) For subdivision and partition applications which require off-site public utility easements to serve the proposed development, a utility easement shall be granted to the City prior to approval of the final plat by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.
- (4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement shall be granted to the City; building permits shall not be issued for the development prior to acceptance of the easement by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.
- (5) The width of the public utility easement shall meet the requirements of the Public Works Construction Code. All subdivisions and partitions shall have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines.

Applicant's Finding: A public utility easement (PUE) is indicated on the submitted plat along the frontage of each lot. A utility easement is shown between lots 69 and 70 to provide access to an existing sanitary manhole. In addition, an access and utility easement is shown over lots 2 and 3 to provide access and utility service for lots 1 and 2. All easements will meet city dimensional requirements and be shown on the final recorded plat.

The requirements of this section have been satisfied.

SECTION 74.340 WATERCOURSE EASEMENTS.

- (1) Where a proposed development site is traversed by or adjacent to a watercourse, drainage way, channel or stream, the applicant shall provide a storm water easement, drainage right-of-way, or other means of preservation approved by the City Engineer, conforming substantially with the lines of the watercourse. The City Engineer shall determine the width of the easement, or other means of preservation, required to accommodate all the requirements of the Surface Water Management Ordinance, existing and future storm drainage needs and access for operation and maintenance.
- (2) For subdivision and partition applications, any watercourse easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or
- (3) For all other development applications, any watercourse easement shall be executed on a dedication form submitted to the City Engineer; building permits shall not be issued for the development prior to acceptance of the easement by the City.
- (4) The storm water easement shall be sized to accommodate the existing water course and all future improvements in the drainage basin. There may be additional requirements as set forth in TDC Chapter 72, Greenway and Riverbank Protection District, and the Surface Water Management Ordinance. Water quality facilities may require additional easements as described in the Surface Water Management Ordinance.

Applicant's Finding: Tracts are provided which contain a portion of Saum Creek, as well as the associated buffer area and future pedestrian path. Easements are not necessary as the tracts provide the necessary protection and preservation of the watercourse.

The requirements of this section have been satisfied.

SECTION 74.350 TRACTS.

A dedicated tract or easement will be required when access to public improvements for operation and maintenance is required, as determined by the City Engineer. Access for maintenance vehicles shall be constructed of an all-weather driving surface capable of carrying a 50,000-pound vehicle. The width of the tract or easement shall be 15-feet in order to accommodate City maintenance vehicles. In subdivisions and partitions, the tract shall be dedicated to the City on the final plat. In any other development, an access easement shall be granted to the City and recorded prior to issuance of a building permit.

Applicant's Finding: A proposed Water Quality Tract is located adjacent to SW 65th Avenue, in the southwest corner of the Subject Property. Because it can be accessed directly from multiple public streets, no special easement is required to allow access for operation and maintenance.

The requirements of this section have been satisfied.

TRANSPORTATION

SECTION 74.410 FUTURE STREET EXTENSIONS.

- (1) Streets shall be extended to the proposed development site boundary where necessary to:
- (a) give access to, or permit future development of adjoining land;
 - (b) provide additional access for emergency vehicles;
 - (c) provide for additional direct and convenient pedestrian, bicycle and vehicle circulation;
 - (d) eliminate the use of cul-de-sacs except where topography, barriers such as railroads or freeways, existing development, or environmental constraints such as major streams and rivers prevent street extension.
 - (e) eliminate circuitous routes. The resulting dead end streets may be approved without a turnaround. A reserve strip may be required to preserve the objectives of future street extensions.

Applicant's Finding: The Applicant proposes an east-west extension of SW Sagert Street that will extend between SW 65th Avenue and the Sequoia Ridge neighborhood to the east to provide connectivity. The Applicant also proposes the creation of a new north-south connection that will extend onto Borland Road to provide additional connectivity.

A traffic study is included with this application detailing the proposed street extensions.

The requirements of this section have been satisfied.

- (2) Proposed streets shall comply with the general location, orientation and spacing identified in the Functional Classification Plan (Figure 11-1), Local Streets Plan (TDC 11.630 and Figure 11-3) and the Street Design Standards (Figures 74-2A through 74-2G).
- (a) Streets and major driveways, as defined in TDC 31.060, proposed as part of new residential or mixed residential/commercial developments shall comply with the following standards:
 - (i) full street connections with spacing of no more than 530 feet between connections, except where prevented by barriers;
 - (ii) bicycle and pedestrian accessway easements where full street connections are not possible, with spacing of no more than 330 feet, except where prevented by barriers;

- (iii) limiting cul-de-sacs and other closed-end street systems to situations where barriers prevent full street extensions; and
- (iv) allowing cul-de-sacs and closed-end streets to be no longer than 200 feet or with more than 25 dwelling units, except for streets stubbed to future developable areas.

Applicant's Finding: The proposed streets all comply with the general location, orientation and spacing identified in the Functional Classification Plan, Local Streets Plan and Street Design Standards.

The requirements of this section have been satisfied.

SECTION 74.420 STREET IMPROVEMENTS.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City' s Public Works Construction Code, subject to the following provisions:

- (1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 shall be improved to standards as set out in the Public Works Construction Code.
- (2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.
- (3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.
- (4) Where development abuts an existing street, the improvement required shall apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Engineer to ensure a smooth transition between a new improvement and the existing roadway (half-street improvement). Additional right-of-way and street improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement shall connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.
- (5) If additional improvements are required as part of the Access Management Plan of the City, TDC Chapter 75, the improvements shall be required in the same manner as the half-street improvement requirements.
- (6) All required street improvements shall include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.
- (7) For subdivision and partition applications, the street improvements required by TDC Chapter 74 shall be completed and accepted by the City prior to signing the final subdivision or partition plat, or prior to releasing the security pro-vided by the applicant to assure completion of such improvements or as otherwise specified in the development application approval.
- (8) For development applications other than subdivisions and partitions, all street improvements required by this section shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.
- (9) In addition to land adjacent to an existing or proposed street, the requirements of this section shall apply to land separated from such a street only by a railroad right-of-way.

- (10) Streets within, or partially within, a proposed development site shall be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code.
- (11) Existing streets which abut the proposed development site shall be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).
- (12) Sidewalks with appropriate buffering shall be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.
- (13) The applicant shall comply with the requirements of the Oregon Department of Transportation (ODOT), Tri-Met, Washington County and Clackamas County when a proposed development site is adjacent to a roadway under any of their jurisdictions, in addition to the requirements of this chapter.
- (14) The applicant shall construct any required street improvements adjacent to parcels excluded from development, as set forth in TDC 74.220 of this chapter.
- (15) Except as provided in TDC 74.430, whenever an applicant proposes to develop land with frontage on certain arterial streets and, due to the access management provisions of TDC Chapter 75, is not allowed direct access onto the arterial, but instead must take access from another existing or future public street thereby providing an alternate to direct arterial access, the applicant shall be required to construct and place at a minimum street signage, a sidewalk, street trees and street lights along that portion of the arterial street adjacent to the applicant's property. The three certain arterial streets are S.W. Tualatin-Sherwood Road, S.W. Pacific Highway (99W) and S.W. 124th Avenue. In addition, the applicant may be required to construct and place on the arterial at the intersection of the arterial and an existing or future public non-arterial street warranted traffic control devices (in accordance with the Manual on Uniform Traffic Control Devices, latest edition), pavement markings, street tapers and turning lanes, in accordance with the Public Works Construction Code.
- (16) The City Engineer may determine that, although concurrent construction and placement of the improvements in (14) and (15) of this section, either individually or collectively, are impractical at the time of development, the improvements will be necessary at some future date. In such a case, the applicant shall sign a written agreement guaranteeing future performance by the applicant and any successors in interest of the property being developed. The agreement shall be subject to the City's approval.
- (17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.
- (18) Pursuant to requirements for off-site improvements as conditions of development approval in TDC 73.055(2)(e) and TDC 36.160(8), proposed multi-family residential, commercial, or institutional uses that are adjacent to a major transit stop will be required to comply with the City's Mid-Block Crossing Policy.

Applicant's Finding: The Applicant's submitted plans show public street, storm drainage and sidewalk improvements in the SW 65th Avenue right-of-way, in compliance with these requirements.

SW Sagert Street will be fully constructed to meet applicable City street standards, extending east from the existing intersection and terminated at the existing stub that connects with SW Sequoia Drive.

SW Borland Road will be constructed in accordance with city standards.

All street improvements are detailed in the plan sheets submitted with this subdivision

application.

The requirements of this section have been satisfied.

SECTION 74.425 STREET DESIGN STANDARDS.

- (1) Street design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, and safety. They are necessary to ensure that the system of streets, as it develops, will be capable of safely and efficiently serving the traveling public while also accommodating the orderly development of adjacent lands.
- (2) The proposed street design standards are shown in Figures 72A through 72G. The typical roadway cross sections comprise the following elements: right-of-way, number of travel lanes, bicycle and pedestrian facilities, and other amenities such as landscape strips. These figures are intended for planning purposes for new road construction, as well as for those locations where it is physically and economically feasible to improve existing streets.
- (3) In accordance with the Tualatin Basin Program for fish and wildlife habitat it is the intent of Figures 74-2A through 74-2G to allow for modifications to the standards when deemed appropriate by the City Engineer to address fish and wildlife habitat.
- (4) All streets shall be designed and constructed according to the preferred standard. The City Engineer may reduce the requirements of the preferred standard based on specific site conditions, but in no event will the requirement be less than the minimum standard. The City Engineer shall take into consideration the following factors when deciding whether the site conditions warrant a reduction of the preferred standard:
 - (a) Arterials:
 - (i) Whether adequate right-of-way exists
 - (ii) Impacts to properties adjacent to right-of-way
 - (iii) Current and future vehicle traffic at the location
 - (iv) Amount of heavy vehicles (buses and trucks).
 - (b) Collectors:
 - (i) Whether adequate right-of-way exists
 - (ii) Impacts to properties adjacent to right-of-way
 - (iii) Amount of heavy vehicles (buses and trucks)
 - (iv) Proximity to property zoned manufacturing or industrial.
 - (c) Local Streets:
 - (i) Local streets proposed within areas which have environmental constraints and/or sensitive areas and will not have direct residential access may utilize the minimum design standard. When the minimum design standard is allowed, the City Engineer may determine that no parking signs are required on one or both sides of the street.

Applicant's Finding: All street construction is proposed according to the street design standards for the functional classification of the street. Right-of-way dedication and construction of improvements is proposed per the required standards.

The requirements of this section have been satisfied.

SECTION 74.430 STREETS, MODIFICATIONS OF REQUIREMENTS IN CASES OF UNUSUAL CONDITIONS.

- (1) When, in the opinion of the City Engineer, the construction of street improvements in accordance with TDC 74.420 would result in the creation of a hazard, or would be impractical, or would be

detrimental to the City, the City Engineer may modify the scope of the required improvement to eliminate such hazardous, impractical, or detrimental results. Examples of conditions requiring modifications to improvement requirements include but are not limited to horizontal alignment, vertical alignment, significant stands of trees, fish and wildlife habitat areas, the amount of traffic generated by the proposed development, timing of the development or other conditions creating hazards for pedestrian, bicycle or motor vehicle traffic. The City Engineer may determine that, although an improvement may be impractical at the time of development, it will be necessary at some future date. In such cases, a written agreement guaranteeing future performance by the applicant in installing the required improvements must be signed by the applicant and approved by the City.

- (2) When the City Engineer determines that modification of the street improvement requirements in TDC 74.420 is warranted pursuant to subsection (1) of this section, the City Engineer shall prepare written findings of modification. The City Engineer shall forward a copy of said findings and description of modification to the applicant, or his authorized agent, as part of the Utility Facilities Review for the proposed development, as provided by TDC 31.072. The decision of the City Engineer may be appealed to the City Council in accordance with TDC 31.076 and 31.077.
- (3) To accommodate bicyclists on streets prior to those streets being upgraded to the full standards, an interim standard may be implemented by the City. These interim standards include reduction in motor vehicle lane width to 10 feet [the minimum specified in AASHTO's A Policy on Geo-metric Design of Highways and Streets (1990)], a reduction of bike lane width to 4-feet (as measured from the longitudinal gutter joint to the centerline of the bike lane stripe), and a paint-striped separation 2 to 4 feet wide in lieu of a center turn lane. Where available roadway width does not provide for these minimums, the roadway can be signed for shared use by bicycle and motor vehicle travel. When width constraints occur at an intersection, bike lanes should terminate 50 feet from the intersection with appropriate signing.

Applicant's Finding: The Applicant has submitted a design modification request to Clackamas County regarding the proposed access of a local street on SW Borland Road, an arterial. The Applicant has also submitted a design modification request to Clackamas County regarding the sidewalk at the intersection of SW Sagert Street and SW 65th Avenue. The proposed modifications have been submitted under Appendix F of this land use application.

The requirements of this section have been satisfied.

SECTION 74.440 STREETS, TRAFFIC STUDY REQUIRED.

- (1) The City Engineer may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Engineer determines that such a study is necessary in connection with a proposed development project in order to:
 - (a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or
 - (b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.
- (2) The required traffic study shall be completed prior to the approval of the development application.
- (3) The traffic study shall include, at a minimum:

- (a) an analysis of the existing situation, including the level of service on adjacent and impacted facilities.
 - (b) an analysis of any existing safety deficiencies.
 - (c) proposed trip generation and distribution for the proposed development.
 - (d) projected levels of service on adjacent and impacted facilities.
 - (e) recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.
 - (f) The City Engineer will determine which facilities are impacted and need to be included in the study.
 - (g) The study shall be conducted by a registered engineer.
- (4) The applicant shall implement all or a portion of the improvements called for in the traffic study as determined by the City Engineer.

Applicant's Finding: A traffic study conducted by Kittleson and Associates, Inc. has been provided as a part of this Subdivision Application, per the requirements of this section.

The requirements of this section have been satisfied.

SECTION 74.450 BIKEWAYS AND PEDESTRIAN PATHS.

- (1) Where proposed development abuts or contains an existing or proposed bikeway, pedestrian path, or multi-use path, as set forth in TDC Chapter 11, Transportation Figure 11-4, the City may require that a bikeway, pedestrian path, or multi-use path be constructed, and an easement or dedication provided to the City.
- (2) Where required, bikeways and pedestrian paths shall be provided as follows:
 - (a) Bike and pedestrian paths shall be constructed and surfaced in accordance with the Public Works Construction Code.
 - (b) The applicant shall install the striping and signing of the bike lanes and shared roadway facilities, where designated.

Applicant's Finding: The site includes a tract which will be created to contain a public pathway along the Saum Creek Greenway. The Applicant will work with the City to provide a tract to contain the proposed pedestrian pathway. The Applicant may also work with the City regarding the construction of the proposed pathway, subject to the availability of credits for System Development Charges.

The requirements of this section have been satisfied.

SECTION 74.460 ACCESSWAYS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SUBDIVISIONS AND PARTITIONS.

- (1) Accessways shall be constructed by the applicant, dedicated to the City on the final residential, commercial or industrial subdivision or partition plat, and accepted by the City.
- (2) Accessways shall be located between the proposed subdivision or partition and all of the following locations that apply:
 - (a) adjoining publicly-owned land intended for public use, including schools and parks. Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland;

- (b) adjoining arterial or collector streets upon which transit stops or bike lanes are provided or designated;
 - (c) adjoining undeveloped residential, commercial or industrial properties;
 - (d) adjoining developed sites where an accessway is planned or provided.
- [additional subsections (3) through (13) omitted for brevity]

Applicant's Finding: Tract D is shown in the location that the access is provided for the residents of the subdivision and the public to access the future public path along Saum Creek. Accessways have been planned for and will be located according to the standards of this section. The Applicant intends to work with the City regarding the construction of the trail through the construction documentation process.

The requirements of this section have been satisfied.

SECTION 74.470 STREET LIGHTS.

- (1) Street light poles and luminaries shall be installed in accordance with the Public Works Construction Code.
- (2) The applicant shall submit a street lighting plan for all interior and exterior streets on the proposed development site prior to issuance of a Public Works Permit.

Applicant's Finding: The Applicant recognizes that street lighting is an essential component of the streetscape and will comply with the applicable Public Works standards.

The requirements of this section have been satisfied.

SECTION 74.475 STREET NAMES.

- (1) No street name shall be used which will duplicate or be confused with the names of existing streets in the Counties of Washington or Clackamas, except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area.
- (2) The City Engineer shall maintain the approved list of street names from which the applicant may choose. Prior to the creation of any street, the street name shall be approved by the City Engineer.

Applicant's Finding: Proposed street names, as shown on the plat, will not duplicate or be confused with the names of existing streets, except for the extension of existing streets. The street names and numbers conform to the established pattern in the surrounding area.

The requirements of this section have been satisfied.

SECTION 74.480 STREET SIGNS.

- (1) Street name signs shall be installed at all street intersections in accordance with standards adopted by the City.
- (2) Stop signs and other traffic control signs (speed limit, dead-end, etc.) may be required by the City.
- (3) Prior to approval of the final subdivision or partition plat, the applicant shall pay the City a non-refundable fee equal to the cost of the purchase and installation of street signs, traffic control signs and street name signs. The location, placement, and cost of the signs shall be determined by the City.

Applicant's Finding: The Applicant has provided a street tree planting plan along with the proposed development plans. The Applicant will provide appropriate funds for street signs in accordance with this Section.

The requirements of this section have been satisfied.

SECTION 74.485 STREET TREES.

- (1) Prior to approval of a residential subdivision or partition final plat, the applicant shall pay the City a non-refundable fee equal to the cost of the purchase and installation of street trees. The location, placement, and cost of the trees shall be determined by the City. This sum shall be calculated on the interior and exterior streets as indicated on the final subdivision or partition plat.
- (2) In nonresidential subdivisions and partitions street trees shall be planted by the owners of the individual lots as development occurs.
- (3) The Street Tree Ordinance specifies the species of tree which is to be planted and the spacing between trees.

Applicant's Finding: The Applicant has provided a street tree planting plan along with the proposed development plans. The Applicant will provide appropriate funds for street trees in accordance with this Section.

The requirements of this section have been satisfied.

UTILITIES

SECTION 74.610 WATER SERVICE.

- (1) Water lines shall be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans shall be submitted to the City Engineer for review and approval prior to construction.
- (2) If there are undeveloped properties adjacent to the subject site, public water lines shall be extended by the applicant to the common boundary line of these properties. The lines shall be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.
- (3) As set forth in TDC Chapter 12, Water Service, the City has three water service levels. All development applicants shall be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant shall be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.

Applicant's Finding: The Applicant has submitted a Sanitary Sewer and Water Plan (Sheet Set C400-C404) showing how water lines will be installed to serve the proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1). Water service connections will be made as directed by the City Engineer, in accordance with subsection (3). Extension of the water service to undeveloped properties is not proposed, per subsection (2).

The requirements of this section have been satisfied.

SECTION 74.620 SANITARY SEWER SERVICE.

- (1) Sanitary sewer lines shall be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.
- (2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant shall extend public sanitary sewer lines to the common boundary line with these properties. The lines shall be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.

Applicant's Finding: The applicant has submitted a Sanitary Sewer and Water Plan (Sheet Set C400-C404) showing how sanitary sewer lines will be installed to serve the proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1). Extension of the sanitary sewer service to undeveloped properties is not proposed, per subsection (2).

The requirements of this section have been satisfied.

SECTION 74.630 STORM DRAINAGE SYSTEM.

- (1) Storm drainage lines shall be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.
- (2) The storm drainage calculations shall confirm that adequate capacity exists to serve the site. The discharge from the development shall be analyzed in accordance with the City's Storm and Surface Water Regulations.
- (3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant shall extend storm drainage lines to the common boundary line with these properties. The lines shall be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the Tualatin Drainage Plan in TDC Chapter 14.

Applicant's Finding: The Applicant has submitted a Street and Storm Plan (Sheet Set C210-C214) showing how storm drainage lines and a storm water management facility will be installed to serve the proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1).

The Applicant has provided a detailed stormwater management report (see Appendix D) detailing the preliminary design for the system which will serve this site in accordance with subsection (2). The stormwater management plan and report has been designed to meet the requirements of this section.

Extension of the storm sewer system is not proposed, per subsection (3).

The requirements of this section have been satisfied.

SECTION 74.640 GRADING.

- (1) Development sites shall be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.
- (2) A development applicant shall submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Engineer may require the applicant to remove all excess material from the development site.

Applicant's Finding: The Applicant has prepared a site plan which illustrates the extent of the proposed development over the site. The proposed footprint of the development has been minimized to the greatest extent possible to provide access and utility services to the proposed lots and to avoid disturbances to natural topography and vegetation in accordance with subsection (1).

The Applicant has submitted a Grading and Erosion Control Plan (Sheet Set C115-119 and Sheet Set C120-C124) showing the proposed grading which will be primarily limited to street construction and the water quality facility. Grading on individual lots will be minimal. Drainage for new structures will be routed to the street with connections to the storm drainage system.

The requirements of this section have been satisfied.

SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.

The applicant shall comply with the water quality, storm water detention and erosion control requirements in the Surface Water Management Ordinance. If required:

- (1) On subdivision and partition development applications, prior to approval of the final plat, the applicant shall arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be satisfied and obtain a Stormwater Connection Permit from Clean Water Services; or
- (2) On all other development applications, prior to issuance of any building permit, the applicant shall arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be met and obtain a Stormwater Connection Permit from Clean Water Services.
- (3) For on-site private and regional non-residential public facilities, the applicant shall submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant shall submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site shall occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

Applicant's Finding: The Applicant has provided a Storm Drainage Report to demonstrate the feasibility of constructing a storm water quality treatment and detention pond within the Water Quality Tract, as indicated in the submitted plans.

The requirements of this section have been satisfied.

SECTION 74.660 UNDERGROUND.

- (1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities shall be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant shall make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.
- (2) Any existing overhead utilities may not be upgraded to serve any proposed development. If existing overhead utilities are not adequate to serve the proposed development, the applicant shall, at their own expense, provide an underground system. The applicant shall be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements shall be submitted to the City Engineer for acceptance by the City prior to issuance of the Public Works Permit.

Applicant's Finding: The Applicant acknowledges and will comply with the underground requirements of the Development Code and Public Works Code in constructing improvements for the proposed subdivision.

The requirements of this section have been satisfied.

SECTION 74.670 EXISTING STRUCTURES.

- (1) Any existing structures requested to be retained by the applicant on a proposed development site shall be connected to all available City utilities at the expense of the applicant.
- (2) The applicant shall convert any existing overhead utilities serving existing structures to underground utilities, at the expense of the applicant.
- (3) The applicant shall be responsible for continuing all required street improvements adjacent to the existing structure, within the boundaries of the proposed development site.

Applicant's Finding: The Applicant is not proposing to retain any existing structures currently located on the site, therefore the standards of this section do not apply.

The requirements of this section have been satisfied.

SECTION 74.700 REMOVAL, DESTRUCTION OR INJURY OF TREES.

It is unlawful for a person, without a written permit from the Operations Director, to remove, destroy, break or injure a tree, plant or shrub, that is planted or growing in or upon a public right-of-way within the City, or cause, authorize, or procure a person to do so, authorize or procure a person to injure, misuse or remove a device set for the protection of any tree, in or upon a public right-of-way.

Applicant's Finding: The Applicant will obtain any necessary Tree Removal Permits per City requirements and provide fees to the City for planting of street trees pursuant to Section 74.485

The requirements of this section have been satisfied.

- SECTION 74.705 STREET TREE REMOVAL PERMIT.
- SECTION 74.706 STREET TREE FEES.
- SECTION 74.707 STREET TREE VOLUNTARY PLANTING.
- SECTION 74.708 STREET TREE EMERGENCIES.
- SECTION 74.710 OPEN GROUND.
- SECTION 74.715 ATTACHMENTS TO TREES.
- SECTION 74.720 PROTECTION OF TREES DURING CONSTRUCTION.

Applicant's Finding: The Applicant is not proposing to remove any existing street trees.

The requirements of this section have been satisfied.

SECTION 74.725 PROTECTION OF TREES DURING CONSTRUCTION.

Trees, shrubs or plants standing in or upon a public right-of-way, on public or private grounds that have branches projecting into the public street or sidewalk shall be kept trimmed by the owner of the property adjacent to or in front of where such trees, shrubs or plants are growing so that:

- (1) The lowest branches are not less than 12 feet above the surface of the street, and are not be less than 14 feet above the surface of streets designated as state highways.
- (2) The lowest branches are not less than eight feet above the surface of a sidewalk or footpath.
- (3) No plant, tree, bush or shrub shall be more than 24 inches in height in the triangular area at the street or highway corner of a corner lot, or the alley-street intersection of a lot, such an area defined by a line across the corner between the points on the street right-of-way line measured 10 feet back from the corner, and extending the line to the street curbs or, if there are no curbs, then to that portion of the street or alley used for vehicular traffic.
- (4) Newly planted trees may remain untrimmed if they do not interfere with street traffic or persons using the sidewalk or obstruct the light of a street electric lamp.
- (5) Maintenance responsibilities of the property owner include repair and upkeep of the sidewalk in accordance with the City Sidewalk Maintenance Ordinance.

- SECTION 74.730 NOTICE OF VIOLATION.
- SECTION 74.735 TRIMMING BY CITY.
- SECTION 74.740 PROHIBITED TREES
- SECTION 74.745 CUTTING AND PLANTING SPECIFICATIONS.

- SECTION 74.750 REMOVAL OR TREATMENT BY CITY.
- SECTION 74.755 APPEAL OF PERMIT DENIAL.
- SECTION 74.760 PENALTIES.

[DETAILED PROVISIONS OMITTED FOR BREVITY]

Applicant's Finding: The above provisions will apply to ongoing care and maintenance of street trees following final plat recording and planting of street trees by the City of Tualatin.

The requirements of this section have been satisfied.

SUMMARY AND CONCLUSION

Based on the above findings and the submitted plans and documentation, the Applicant has demonstrated compliance with the requirements of the relevant sections of the Tualatin Development Code. Therefore, the Applicant requests approval of this application of a 79-lot single-family residential subdivision on a 20.9 acre site in the RL zone.



November 19, 2013

Land Use Application for Sagert Farms Property

Dear Property Owner/Neighborhood Representative:

You are cordially invited to attend a meeting on **Thursday, December 5, 2013 at 6:00 p.m.** at the Legacy Meridian Park Hospital Education Building, Room 104 located at 19300 SW 65th Avenue in Tualatin. This meeting shall be held to discuss a proposed land use application for a project located at 20130 SW 65th Avenue (Tax Lots 21E30B00300 and 21E30B00600) in Tualatin. The property owner will be discussing the potential subdivision of the property and the potential removal of a historic structure.

Please note this will be an informational meeting on preliminary plans with the developer and representatives only and is not intended to take the place of a public hearing before the Planning Commission. You will have an opportunity to present testimony to these bodies when an application is submitted to the City for review.

We look forward to meeting you at the December meeting and hearing your thoughts on the proposed project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew Tull', is positioned above the typed name.

Andrew Tull
Senior Planner
3J Consulting, Inc.



SITE STATISTICS	
Property:	21e30b 00300/00600
Size:	21.11 Acres
Jurisdiction:	City of Tualatin
Address:	20130 SW 65th Ave
Dimensional Requirements:	
Zoning:	RL
Minimum Lot Size:	6,500 SF
Setbacks:	
Front:	15'
Side:	5'
Street Side:	10'
Rear:	15'

SITE NOTE

Site map has been prepared using data from existing tax maps and Metro's RLIS GIS Data. This map has been prepared for illustrative purposes only. All boundary and dimensional information should be verified by a professional land surveyor.



Sagert Property - Option 1
Preliminary Subdivision Concept

November 2013



SITE STATISTICS	
Property:	21e30b 00300/00600
Size:	21.11 Acres
Jurisdiction:	City of Tualatin
Address:	20130 SW 65th Ave
Dimensional Requirements:	
Zoning:	RL
Minimum Lot Size:	6,500 SF
Setbacks:	
Front:	15'
Side:	5'
Street Side:	10'
Rear:	15'

SITE NOTE

Site map has been prepared using data from existing tax maps and Metro's RLIS GIS Data. This map has been prepared for illustrative purposes only. All boundary and dimensional information should be verified by a professional land surveyor.



Sagert Property - Option 2
Preliminary Subdivision Concept

November 2013



Meeting Minutes – Sagert Property – Tualatin

Date: December 5, 2013
 Meeting No: Neighborhood Meeting
 Project: Sagert Farms Subdivision
 3J No.: 13159
 Location: Legacy Meridian Park Hospital Education Building – Tualatin

Presenters	Company
Andrew Tull	3J
Jesse Nemec	JT Smith Companies
John Howorth	3J

In preparation for the submission of a land use application for the subdivision or partitioning of the subject property, the applicant conducted a neighborhood meeting with the East Tualatin Citizen’s Involvement Organization.

The meeting began with a presentation of the proposed development by Andrew Tull and Jesse Nemec. A description of the existing conditions of the property as well as the proposed development, including proposed access and lot configuration was given. The Applicant also discussed the historic structure located on the property – going through the history of the building and its designation on the City’s landmark register. The general timeframe for the land use application and the development of the site was described.

Following the introduction of the project, neighbors and attendees openly asked questions of the project team. The following is a record of the questions and the project teams’ responses.

Item	Question	Response
1	A comment was made about the site appearing to be denser than the neighboring subdivision.	The applicant explained that the site was impacted by a Significant Natural Resource Area, which allowed for a density transfer and a number of smaller lots.
2	How large are the lots?	The lots are expected to fall within a range of 5,000SF-7,000SF.
3	What is the expected home square footage and price range?	The applicant explained that it was hoping for a house range within 2000-2400 SF with a price range of \$350,000-\$400,000
4	What will be done with the historic barn on the site?	The applicant explained that the barn will be offered for public sale and relocation. If the barn will not be relocated the applicant will apply for the demolition of the barn, per the City’s development code.
5	The barn will be missed – we’ve gotten used to looking at the barn from our office complex	The barn had a professional evaluation completed to look at relocation. Currently, it looks like retention of the barn is going to be cost prohibitive. The structure was never constructed to be used for anything other than agricultural purposes. The Applicant indicated that they would be meeting with the Tualatin

		Historic Society and the City to discuss the structure.
6	Will fencing and screening be provided for the property?	Each lot will likely have a perimeter fence that will either tie into existing fences, per an agreement with the neighboring property, or will have a fence set in 6 inches from the property line.
7	Will the significant trees on the site be preserved?	An inventory of all significant trees on the site will be done to determine the condition and significance of each tree. The applicant will attempt to retain significant trees on the site, within reason. Many of the significant trees within the northeast corner of the property are located within a city owned protection easement.
8	A number of comments were made about the issues that may arise should Sagert Street be constructed as a collector through across the property.	The applicant explained that the City has proposed the road connections through the site, but that the applicant hopes to work with the City to create a layout that minimizes cut through traffic on the property
9	A comment was made about the potential for speed bumps.	The applicant fully supports the addition of speed bumps to the property, and will work with the City to see if they are applicable to the site.
10	What will the width of the lots and the houses be?	The lots will be no smaller than 50 feet in width a, with the proposed homes having a 40 foot frontage.
11	What will the style of the homes be?	The applicant explained that all homes will be built by Lennar Homes, and will be similar in character to other projects they have completed.
12	When will construction begin?	Preliminary construction on the site will likely begin in the summer of 2014, with home construction likely beginning in the fall.
13	Where will the path connections be?	A 6 foot gravel path will run the perimeter of the stream located at the southern end of the property and will connect with the proposed sidewalk along 65 th avenue.

The meeting concluded at 7:00 pm.



January 28, 2015

**Sagert Farms
Proposed Residential Subdivision**

Dear Property Owner/Neighborhood Representative:

You are cordially invited to attend a meeting on **Wednesday February 18th at 6:00 p.m.** at the Legacy Meridian Park Hospital Education Building, Room 104 located at 19300 SW 65th Avenue in Tualatin. This meeting shall be held to discuss the subdivision of the Sagert Farms property located at 20130 SW 65th Avenue (Tax Lots 21E30B00300 and 21E30B00600) in Tualatin. Lennar Homes is currently considering the submission of an application for a subdivision consistent with the Low Density Residential (RL) zoning on the property.

Before finalizing an application to the City's Planning Department for the proposed subdivision, we would like to take the opportunity to discuss this proposal with the adjacent property owners.

The purpose of this meeting will be to provide a forum for surrounding property owners and residents to review the proposal and to identify issues so they can be given property consideration. This meeting will provide the opportunity for the public to share with the project team any special information about the property involved. The project team will try to answer questions related to how the project meets the relevant development standards consistent with Tualatin's land use regulations.

Please note that this will be an informational meeting based on preliminary development plans and that these plans may change before the application is submitted to the City.

We look forward to discussing this proposal with you. Please feel free to contact us by emailing andrew.tull@3j-consulting.com if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew Tull', is positioned above the typed name.

Andrew Tull
Senior Planner
3J Consulting, Inc.

MEETING AGENDA

Date: February 18, 2015
Project: 13159 – Sagert Farms Subdivision

1. Introductions
 - a. Lennar Homes
 - b. 3J Consulting
 - c. Kittleson
 - d. Elected Officials
2. Overview of Subdivision Plans
 - a. Zoning – LDR
 - b. Lot size and count – consistent with the zoning district
 - c. New extension of Saum Creek Pathway
 - d. New Enhanced Pedestrian Walkway along SW 65th
 - e. Barn Demolition Application
3. Sagert Road Extension and New Signals
4. Timing
 - a. Land Use Application submitted this Spring
 - b. Hoping to start construction this summer
5. Questions from the Audience

Meeting Minutes – Sagert Property – Tualatin

Date: February 18, 2015
 Meeting No: Neighborhood Meeting
 Project: Sagert Farms Subdivision
 3J No.: 13159
 Location: Legacy Meridian Park Hospital Education Building – Tualatin

Presenters	Company
Andrew Tull	3J
John Howorth	3J
Michael Anders	Lennar Northwest
Michael Loomis	Lennar Northwest
Matt Hughart	Kittelison

In preparation for the submission of a land use application for the subdivision or partitioning of the subject property, the applicant conducted a neighborhood meeting with the East Tualatin Citizen's Involvement Organization and neighboring properties.

The meeting began with a presentation of the proposed development by Andrew Tull. A description of the existing conditions of the property as well as the proposed development, including proposed access and lot configuration was given. A description of the traffic impact analysis and road configuration was given by Matt Hughart. The general timeframe for the land use application and the development of the site was described.

Following the introduction of the project, neighbors and attendees openly asked questions of the project team. The following is a record of the questions and the project teams' responses.

Item	Question	Response
1	Will the condition of approval placed on the May Building requiring that access be closed on Borland and redirected to Sagert be beneficial to lower traffic impact in the area?	A traffic impact study was done showing a scenario where access to the May Building remains as it currently exists off of Borland road and a scenario where access closed on Borland and is taken from Sagert Road. While the traffic study doesn't address whether it will be beneficial, it does show that this change in access can be accommodated by the proposed traffic signal at Sagert and 65 th . City Staff will look at the analysis and make a determination off of the relevant information.
2	Can traffic from driveways be limited to keep the users of the medical offices from turning towards the residential areas?	The logistics of where driveways are allowed to go can be very specific in this situation. As a part of the traffic study a recommendation can be made on whether it should be an open or limited access.
3	Is there an estimate on the number of cars that will be rerouted into the Sequoia Ridge Subdivision?	While exact numbers cannot be estimated, it is the best approximation that most new cars will use the new connection on Sagert and 65 th and along Borland and not reroute through

		Sequoia Ridge.
4	Will the meetings that the project team are holding with the medical building owners be open to residents?	These meetings will not be open to residents.
5	Are speed bumps being proposed	Traffic calming measures like speed bumps can be recommended as a part of the traffic study, but it is up to the City Staff to make the decision that speed bumps are warranted.
6	A comment was made regarding the likelihood that the proposed subdivision as well as Sequoia Ridge will be used as a cut through from 65 th in order to avoid the intersection lights on 65 th , especially for parents cutting through to Bridgeport elementary.	While it is possible that traffic will use the existing local street network as a cut through, it is more likely that they will use the higher designated roads, as they will likely have higher speed limits and the new signal will correlate with the existing signal at Borland and 65 th .
7	A comment was made that the extension of Sagert is not supported by members of the Sequoia Ridge neighborhood.	
8	The houses located along the eastern edge of the proposed subdivision are lower in elevation than the existing farmland. How will drainage issues be handled for the new subdivision?	All stormwater on site will be collected and treated on site. Grading will be done on the property in order for the extension of Sagert to meet the existing grades.
9	A comment was made about creating a parkway along the eastern boundary of the property between the existing houses and the proposed subdivision.	
10	Will the recommended right-in/right-out restricted access within the proposed development onto Borland Road require all traffic from the east to enter the subdivision either from Sagert or from the Sequoia Ridge neighborhood?	Vehicles coming from the east on Borland would be required to enter the proposed subdivision from either Sagert or 60 th avenue. In the traffic study it is shown that most of the commuting traffic in the existing neighborhood heads west, with only some heading east. It is not estimated that a significant amount of traffic would cut through Sequoia Ridge. The location of the mature Sequoia trees along Borland Road restrict the location and width of the proposed road exiting onto Borland Road.
11	Could it be proposed that both the new road along Borland Road and 60 th be restricted right-in/right-out access to reduce the number of people short-cutting through the neighborhoods?	A restricted access along both roads could be recommended but it will be up to the city to make the final determination.
12	A comment was raised about traffic from Oregon City and West Linn cutting through Sequoia Ridge.	While it cannot be determined what traffic will actually do, it can be reasonably estimated that most traffic will not use the lower designation roads, as they will have lower speeds and waiting times to make a left hand-turn onto 65 th would not make this an advantageous route. Traffic lights along 65 th will be correlated to reduce queue spill back.
13	Sagert will be designed as a collector from 65 th , is there a way to reduce the number of people who may use the road, not	A stop sign along Sagert may be an option, if it were determined to be warranted by the City Staff.



	knowing that it terminates in a residential neighborhood, possibly with a stop sign?	
14	At Fox Hill an entry monument was used as a median to indicate the transition into a residential neighborhood. Would it be possible to propose a wider section of Sagert Road, but provide a monument median at the entry into Sequoia Ridge?	The applicant can explore this idea.
15	Can the schools within the area handle the increased capacity? Specifically Bridgeport Elementary?	As a part of the zone change that was previously explored the applicant contacted the school district, who was in support of any increased growth within the area, as they are estimating the district may age out over time.
16	What is the proposed timeline for the project?	The applicant is hoping to submit for land use in the spring, and begin construction in late summer on the roads and utilities. Home construction will likely be phased over two years, starting in January 2016
17	What will be the average size of the homes and the price point?	There will be variation in the home sizes and design. Some will be single story, some may be masters on main. The houses will average around 2800-2900 square feet and the price point will fall around \$400,000+.
18	Will setbacks be maximized?	The applicant does not always maximize setbacks. Houses and yards are generally sized to fit the market. Larger rear yards are generally desirable.
19	Will fencing be constructed at the time of construction?	Lennar has an "everything is included" building standard including fencing and landscaping.

The meeting concluded at 7:40 pm.





May 1, 2014

Land Use Application for Sagert Farms Property

Dear Property Owner/Neighborhood Representative:

You are cordially invited to attend a meeting on **Tuesday, May 20, 2014 at 6:00 p.m.** at the Legacy Meridian Park Hospital Education Building, Room 104 located at 19300 SW 65th Avenue in Tualatin. This meeting shall be held to discuss a proposed land use application for a project located at 20130 SW 65th Avenue (Tax Lots 21E30B00300 and 21E30B00600) in Tualatin.

Lennar Homes is currently considering the submission of an application for a Comprehensive Plan Map Amendment to change the zoning for the site from Low Density Residential (RL) to Medium Low Density Residential (RML). The Developers of the property are seeking this change to allow for a slightly different lot size mix than what is currently permitted within the RL zoning district. Under the current subdivision proposal, the proposed plan amendment would result in the addition of six to ten additional lots for single family homes.

Please note this will be an informational meeting on preliminary plans with the developer and representatives only and is not intended to take the place of a public hearing before the Planning Commission or the City Council. You will have an opportunity to present testimony to these bodies when an application is submitted to the City for review.

We look forward to meeting you at the meeting and hearing your thoughts on the proposed project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew Tull', with a small blue dot at the end of the signature.

Andrew Tull
Senior Planner
3J Consulting, Inc.

MEMORANDUM

To: Tualatin CIO 2 and our Neighbors

From: Andrew Tull
Principal Planner

Date: May 20, 2014

Project Name: Sagert Property
RE: Neighborhood Meeting Agenda

1. Introductions
2. Lennar is proposing a Comprehensive Plan change from RL to RML.
 - a. Previously, 75 homes were proposed under RL zoning.
 - b. RML would allow Lennar between 85 to 88 single-family detached homes.
 - c. Previously 25 units were permitted to be less than 6,500 SF under the RL zone.
 - d. Under the RML district, 48-52 units will be less than 6,500 sf.
3. Proposed Development Controls:
 - a. No Condominiums proposed
 - b. No Townhomes proposed
 - c. No Chickens allowed
4. Mitigation Measures
 - a. In order to provide some certainty, Lennar is volunteering several conditions of approval for the zone change:
 - i. 6,500 sf lots along the eastern boundary
 - ii. Time limit upon zone change - if not developed within 3 years, automatic conversion back to RL
 - iii. No further condominium plats or further subdivision of any lots created as part of the subdivision.
 - b. Responding to the neighbor's comments, Lennar will pursue a curvilinear roadway configuration to reduce cut through traffic.
 - i. Lennar is willing to attempt to amend the Transportation System Plan to remove the planned extension of SW Sagert as a Minor Collector into the site.
 - ii. If not supported by the City, Lennar will install traffic calming devices along the extension of Sagert, as permitted by the City.
5. Summary
 - a. Lennar is proposing to rezone the site to achieve a slightly higher density.
 - b. Lennar is willing to pursue an alternative to the TSP's road alignment to help reduce opportunities for cut-through traffic.
 - c. No condominiums or townhomes are being contemplated or will be permitted.

Meeting Minutes – Sagert Property – Tualatin

Date: May 20, 2014
 Meeting No: Neighborhood Meeting
 Project: Sagert Farms Subdivision
 3J No.: 13159
 Location: Legacy Meridian Park Hospital Education Building – Tualatin

Presenters	Company
Andrew Tull	3J
John Howorth	3J
Michael Anders	Lennar Northwest
Matt Hughart	Kittelson

In preparation for the submission of an application for a Transportation System Plan (TSP) Amendment and Comprehensive Plan Map Amendment to change the zoning of the subject property from Low Density Residential to Medium Low Density Residential, the applicant conducted a neighborhood meeting with the East Tualatin Citizen's Involvement Organization and neighboring properties.

The meeting began with a presentation of the proposed development by Andrew Tull. A description of the existing conditions of the property as well as the proposed development, including proposed access and lot configuration was given. The general timeframe for the land use application and the development of the site was described.

Following the introduction of the project, neighbors and attendees openly asked questions of the project team. The following is a record of the questions and the project teams' responses.

Item	Question	Response
1	Will the streets be public or private?	All streets will be public.
2	Would a traffic circle help with the issues concerning the light on 65 th ?	A traffic circle is meant for an area where there is a steady flow of traffic. The existing light on 65 th would slow and stop the flow of traffic, which would stop the flow through the traffic circle. A light that is able to be programmed to correspond with the existing light is the best option.
3	Will there be parking on the site?	Each lot will have at least two parking spaces, as well as on street parking.
4	Why does the City not support the TSP and Comprehensive Plan Map Amendment?	The City is working within the current systems that are in place. The burden of proof falls on the Applicant to prove that the TSP and Comprehensive Plan Map Amendment will meet the needs of the community.
5	If the Comprehensive Plan Map Amendment were to be approved, how can the neighborhood be sure that the Applicant will not try to achieve a higher density than the single family subdivision that is being proposed?	There are two mechanisms for approval that can be used in order to insure that the development will be built with clear expectations. The Applicant is proposing either Conditions of Approval or a Development Agreement.

6	Will the electrical transformers cause an issue for the houses located along the border of the PGE property?	Currently there are no known restrictions for located lots along the edge of the property owned by PGE.
7	What traffic measures will be used to help with the current traffic issues, as well as the new traffic loads created by the development?	<ul style="list-style-type: none"> • A traffic signal will be used at the intersection of Sagert and 65th Avenue, as per the TSP. • The applicant is also hoping to amend the TSP so that Sagert will no longer be a straight shot through the development and into the neighboring subdivision, in order to reduce the amount of through traffic cutting through the site. • The access along Borland Drive will be a limited access, allowing only right – in and right – out traffic. • The applicant will do full frontage improvements along the property which will allow for safe pedestrian travel across the development.
8	What will the impact be on the schools if a new development were to be created, as the number of students is already very high in the district?	Schools are required to create a Capital Facilities Plan, which is an analysis of the developable land in the district, and they are required to plan for this land being developed. Moving forward with the development application will require coordination with the school district, as well as other public services to insure that the needs of the community can be met.
9	Will the two land bridge south of the property be improved?	Under the previous proposal the analysis of this bridge was not required in the scope of this project, it will be up to the city to determine whether the zone change will warrant analysis of this bridge.
10	Under the zone change the maximum density of the site will actually be 117-127 dwelling units, what will prevent the Applicant from building the maximum density on the site.	The developer's intent is to work with the City to control density through conditions of approval or through a development agreement. Should the application be approved, the conditions of approval will determine the number of lots and the size of the lots allowed for the site. Any changes to the conditions of approval would have to be brought to the neighborhood and city council for approval.
11	Will there be any widening 65 th Avenue north of the site?	Any widening north of the property would affect existing businesses and properties so it is not likely to be widened.
12	Will the site be able to be served by police and fire service?	We'll need to check in with the Police Department to see if there are any capacity issues.
13	If a proposal for 85 lots were to be approved, what would prevent the Applicant from changing the proposal to create a higher density?	If a development agreement were to be reached with the neighbors, the Applicant would only be able to change the density with the approval of all parties that entered into the development agreement. If the Applicant violated this development agreement, the parties involved would be able to take legal

		action against the development. Should no development agreement be reached with the neighborhood, and the proposal is approved with conditions of approval, the Applicant would be required to get the approval of the City Council to change the proposal.
14	Should the Applicant choose to sell this property instead of developing it, what would prevent the new owner from developing at a higher density than proposed with the zone change?	The Applicant is proposing that if the project should not be developed by the Applicant in a proposed time frame the site would revert back to the previous zoning per the conditions of approval.
15	Why should the public be interested in a rezone of the site?	The Applicant is looking to amend the TSP to create a safer and more desirable connection to the neighborhood. In order to account for this change, and the loss of lots, the Applicant is looking to rezone the property to allow for lots within the 4,500 – 6,500 SF range, rather than the 5,000SF – 6,500 SF range that is allowed outright by the current zoning.
16	What size homes will be built, and what will be the price range?	The houses will likely fall within the 2,200 – 3,000 SF range and a price range of \$375,000-\$450,000, consistent with the neighborhood. The product that will be used is likely to be similar to the community of Churchill Forest in Beaverton.
17	A comment was made that with the zone change, the lot coverage percentage also changes from 35% to 45%.	The developer is aware of the change.
18	A comment was made that this property will be developed, by Lennar or by another developer as it is a large property that is zoned outright for residential development. The commenter expressed an interest in working with the developer to create a quality development that fits within the neighborhood.	The developer agrees.
19	The site is primarily land locked. Will connectivity be an issue?	As a part of the application, the Applicant will be required to submit a full traffic analysis and report, by a licensed traffic engineer that will address issues with connectivity, and how these issues should be addressed.
20	What will the impact on the Hospital be?	We cannot answer this question as we're not sure what the Hospital has planned.
21	What finishes will be used on the homes?	The product will be very similar to the homes at Churchill Forest in Beaverton.

The meeting concluded at 7:10 pm.



Sagert Farms Subdivision – SB15-0002

Request for Review

Tualatin City Council
January 25, 2016

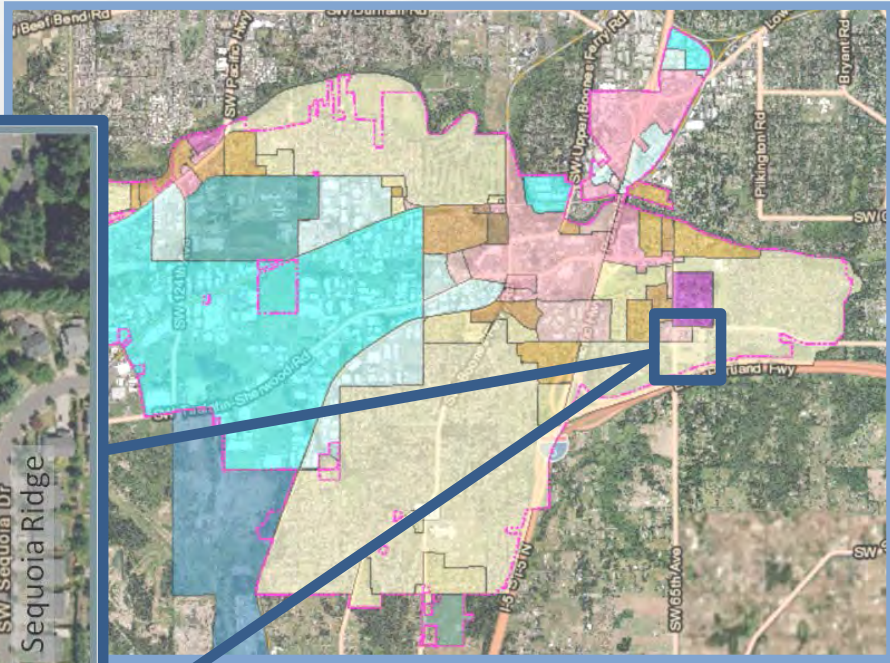


City of Tualatin



Vicinity Map

City of Tualatin





Summary of Application

City of Tualatin

Applicant: Lennar Homes

79 lots / 7 lots per acre

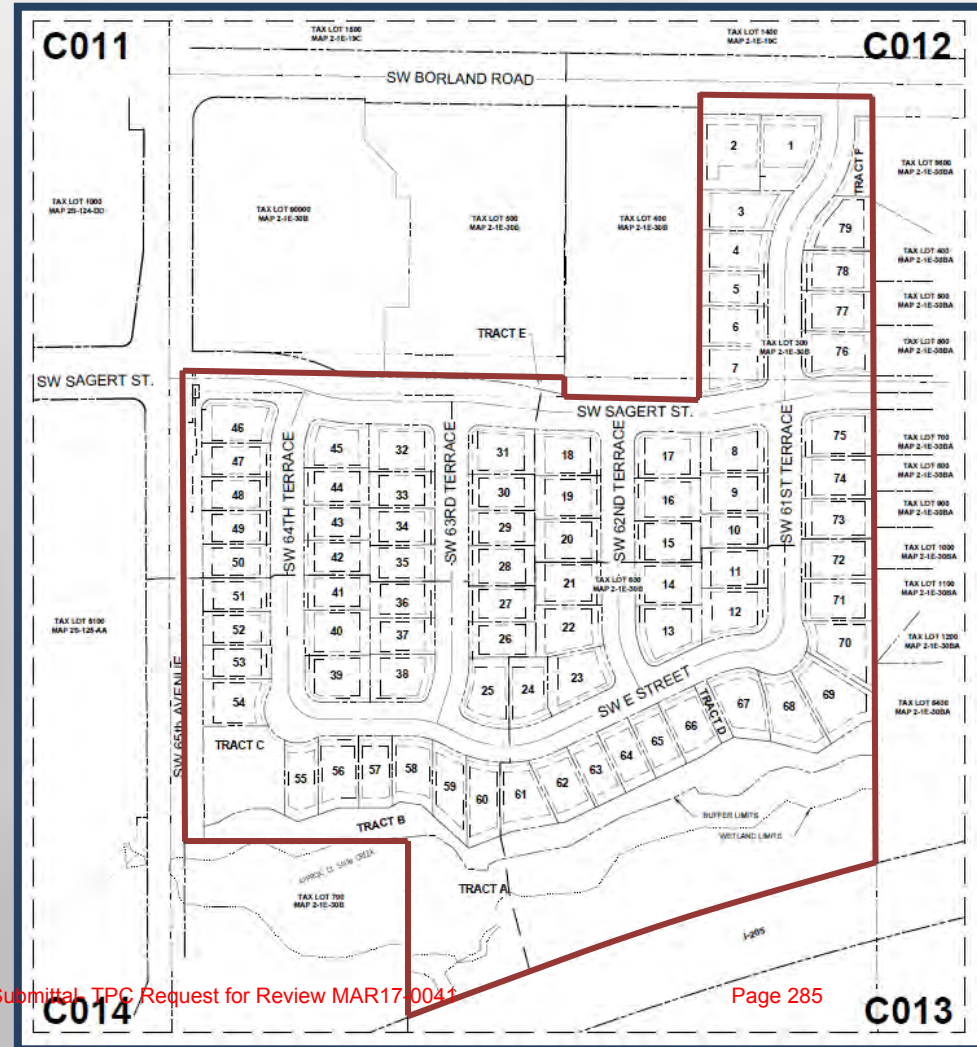
21 acre (gross)

11.4 acre (net)

RL - low density residential

Lot sizes 5,000 to 9,000 SF

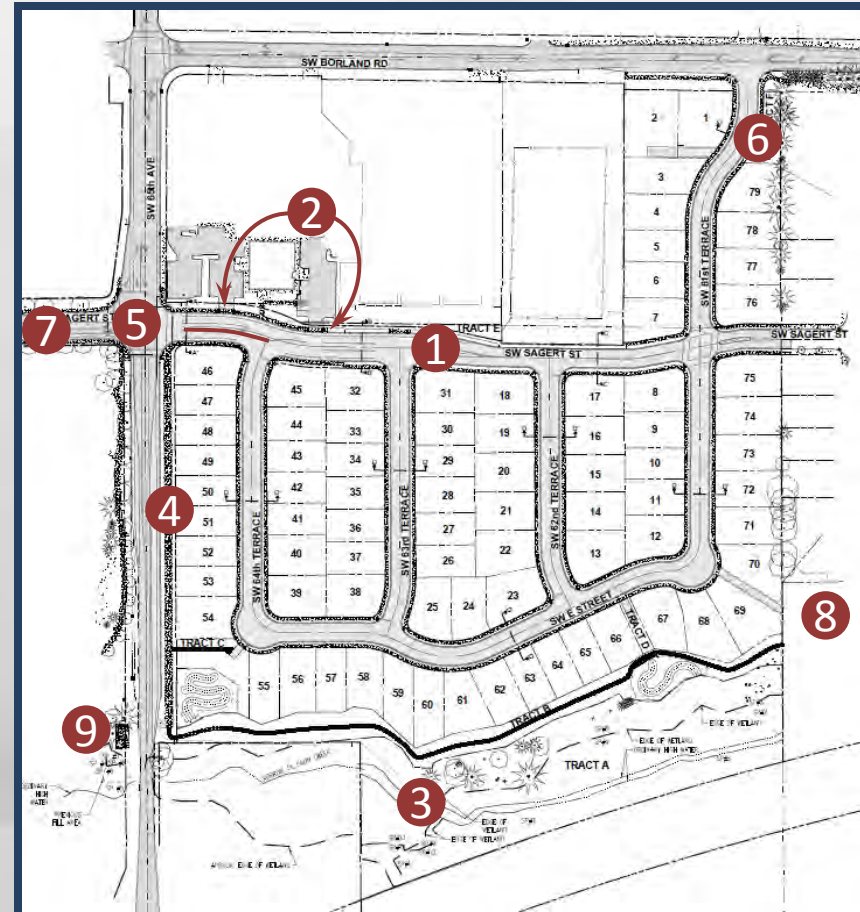
2.6 acres natural area



Summary of Application

(Continued)

- 1 Sagert Street connection to Sequoia Ridge
- 2 Revised southern accesses to TPC
- 3 Saum Creek Trail
- 4 Shared use path along 65th Avenue
- 5 Intersection improvements and new traffic signal coordinated with Borland Signal
- 6 Protection of existing Sequoia trees
- 7 Bike lane extended on west leg of Sagert
- 8 Replace existing Sequoia Ridge pump station with new gravity sewer
- 9 Upgrades to Saum Creek pump station





City of Tualatin

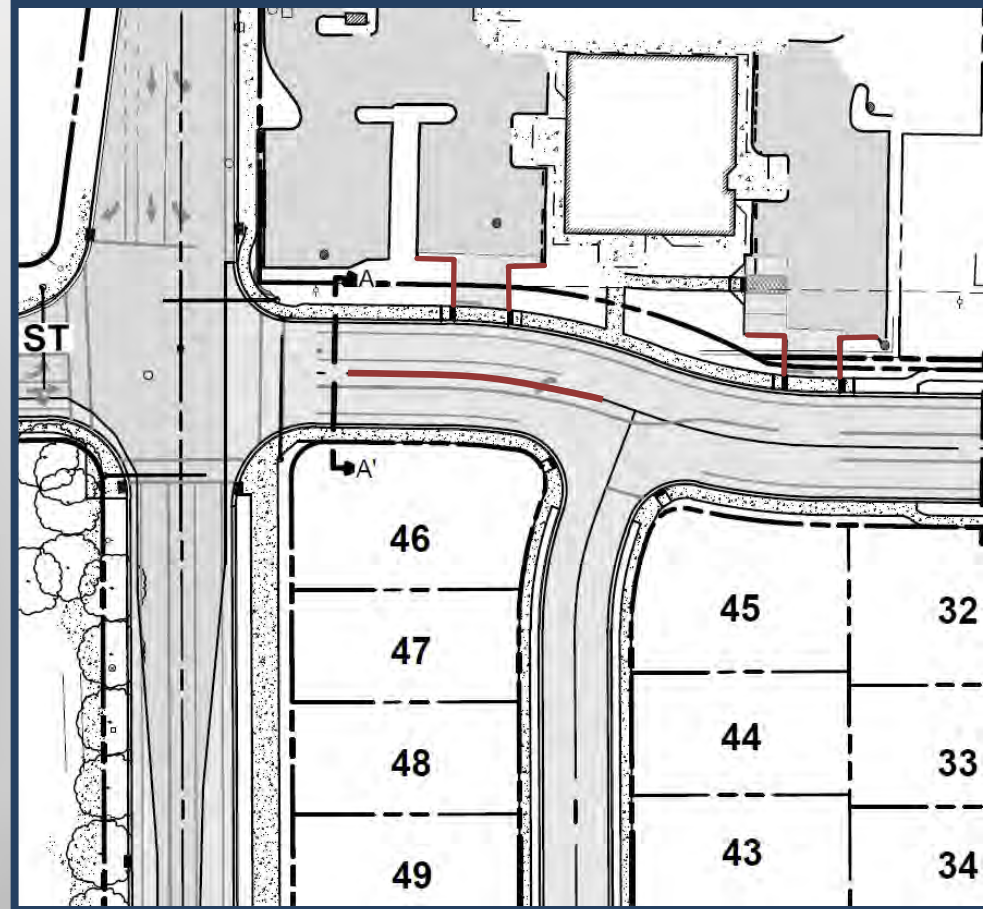
Summary of Appeal

Request for Review (a de novo appeal) was filed by representatives of Tualatin Professional Center on December 16, 2015

Not opposed to subdivision

Concerned with how the Sagert Street extension will impact access

Requesting Council consider proposal for to move Sagert Street south to lessen impact on TPC



Proposed Sagert Street alignment and TPC accesses.



Summary of Appeal (Continued)

City of Tualatin

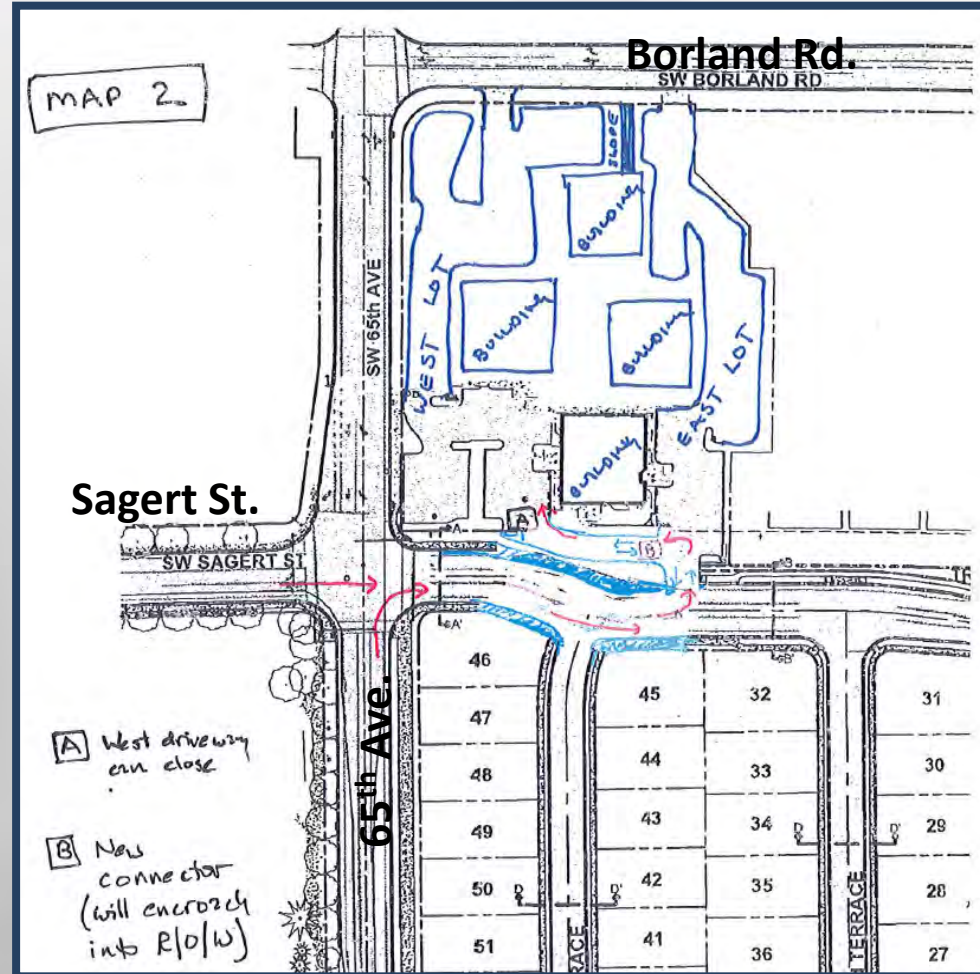
Requested accommodation by:

Shifting Sagert St. extension “a few feet south”,

Closing west driveway, and

Constructing private driveway located partially in right of way to connect east and west lots

Requires elimination of westbound bike lane



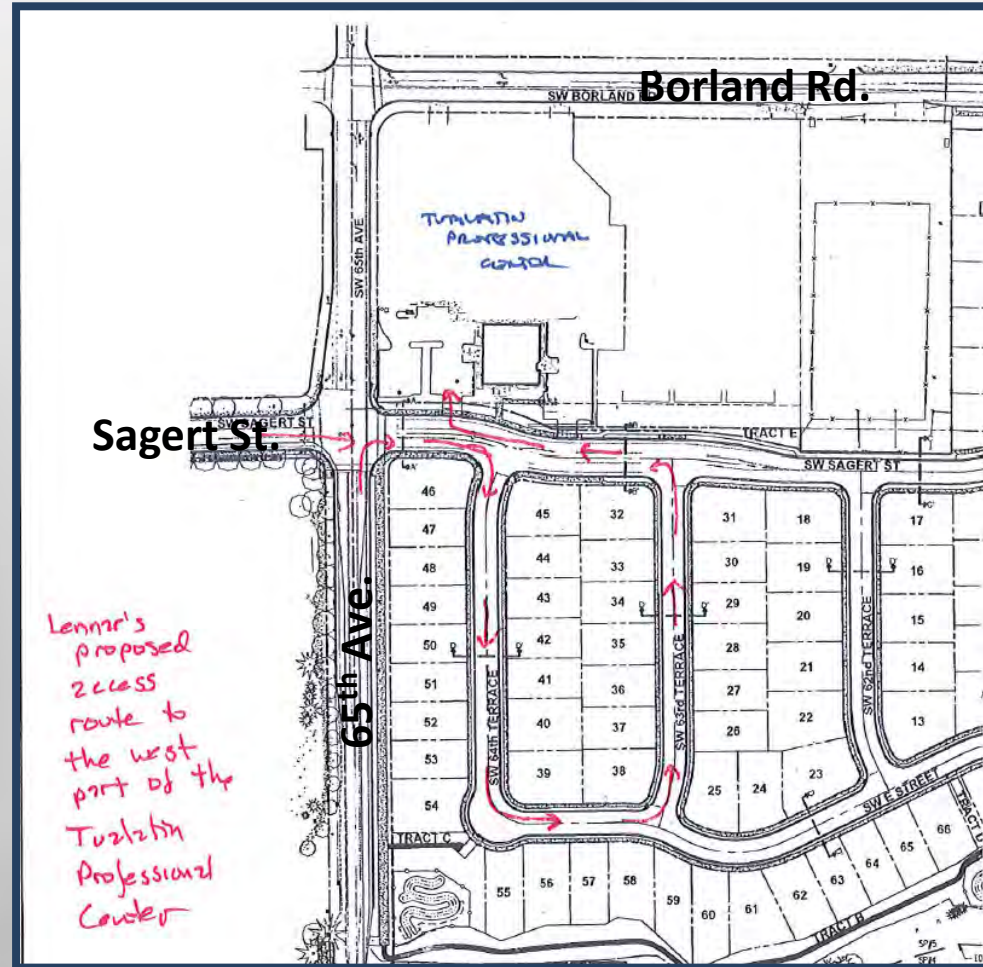
Sketch provided by TPC regarding requested change.



Summary of Appeal (Continued)

City of Tualatin

TPC submitted a sketch with their appeal showing how they believe traffic will access their west lot



Sketch provided by TPC regarding circulation and access.



City of Tualatin

Summary of Staff Report

Public comments:

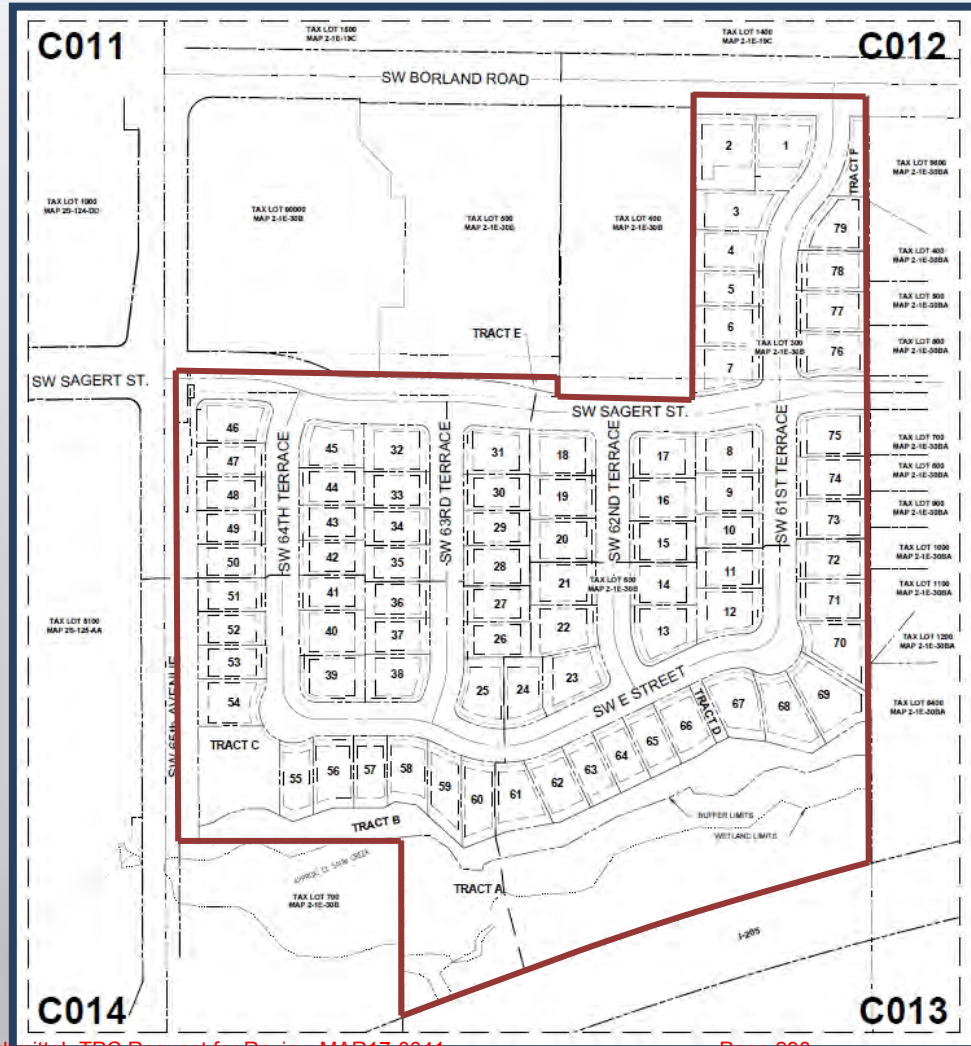
14-day Public comment period ended October 1st

8 comments received

Staff and Applicant responded to comments and incorporated into Decision where appropriate

3 neighborhood meetings, 2 individual meetings with TPC

TPC rejected solutions proposed by applicant





City of Tualatin

Summary of Staff Report (Continued)

TPC Background:

Commercial condominium developed in 1984

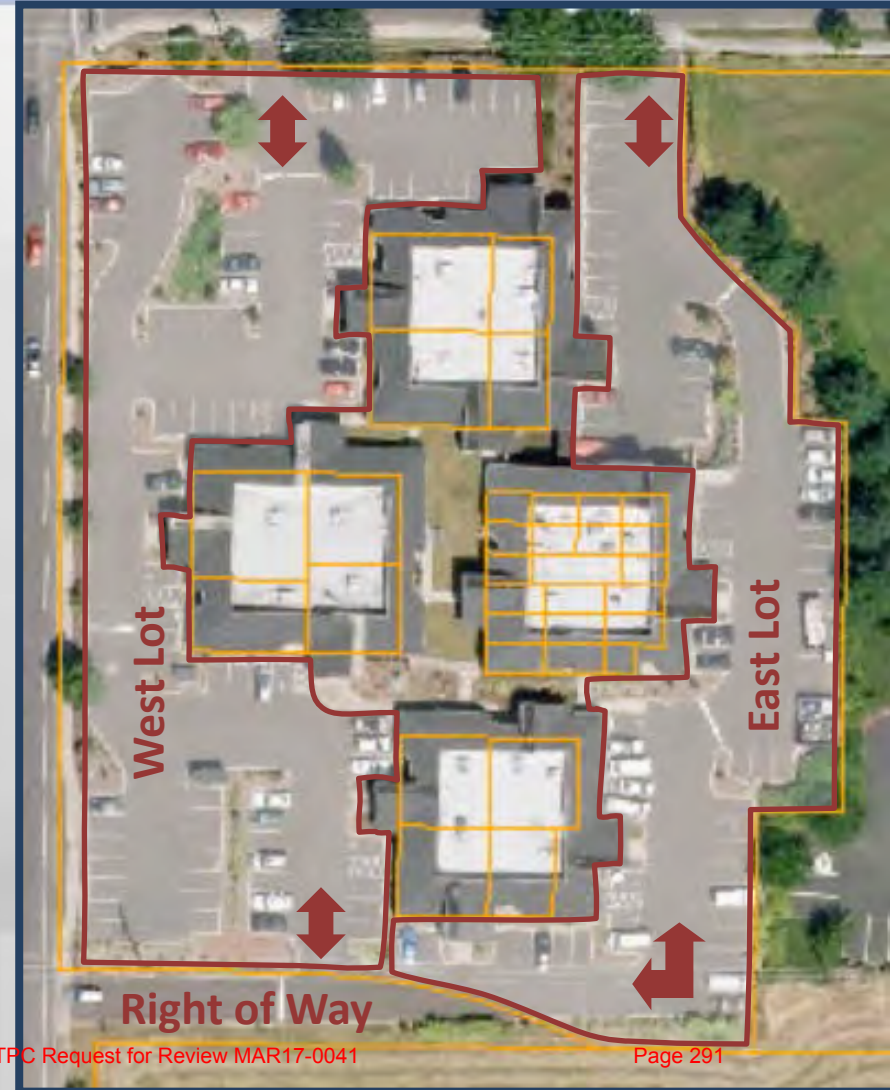
Private improvements in R/W

Agreement allowing improvements expired in 1989

Clear provisions to remove improvements when Sagert Street is extended



Access to TPC parking lots





Summary of Staff Report (Continued)

City of Tualatin

Sagert Alignment:

Meets requirements of
TDC Chapter 75

Western driveway is too
close to intersection
<150'

Raised median will
prohibit left turns at west
driveway

Maintains two south
accesses to TPC lots





Summary of Staff Report (Continued)

City of Tualatin

*Engineered version of
Appellant's request:*

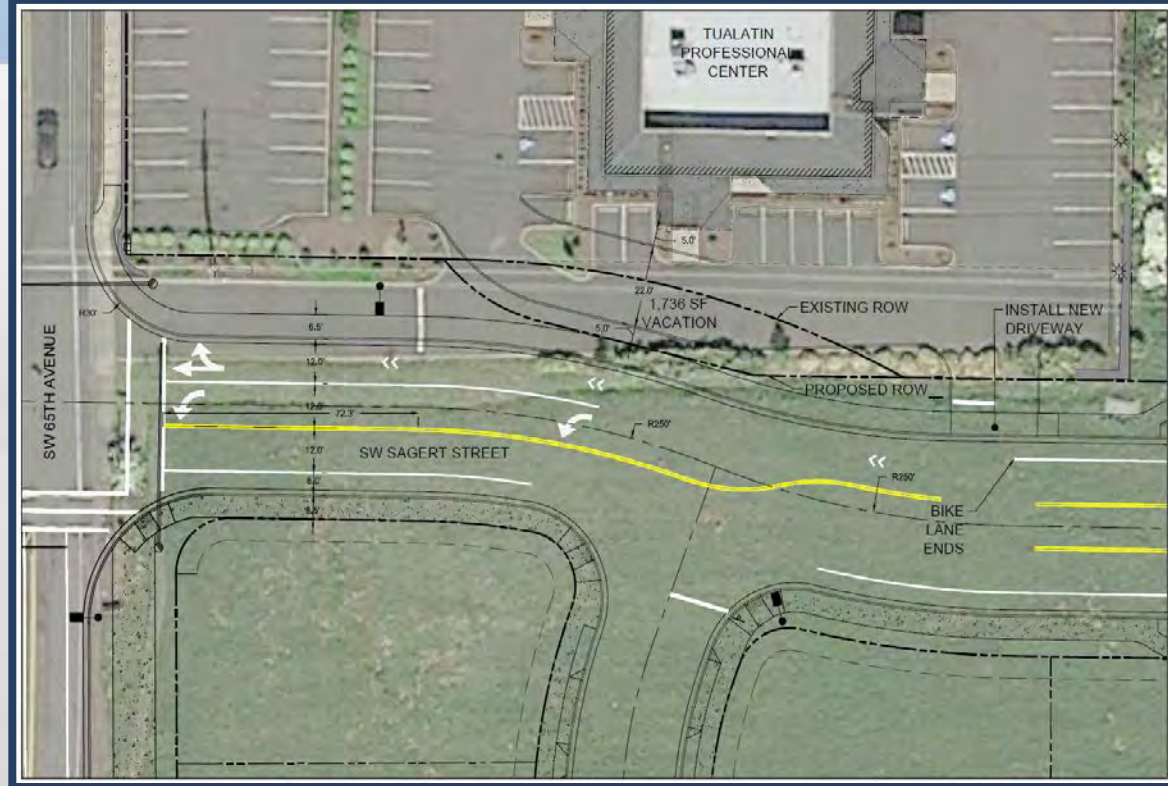
Prepared by Applicant's
engineer – 3J Consulting

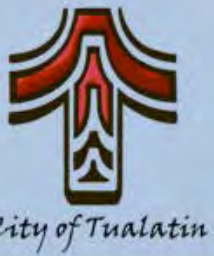
Provides circulation
between lots

Eliminates western
driveway

Requires elimination of
westbound bike lane

Not preferred by staff





Summary of Staff Report (Continued)

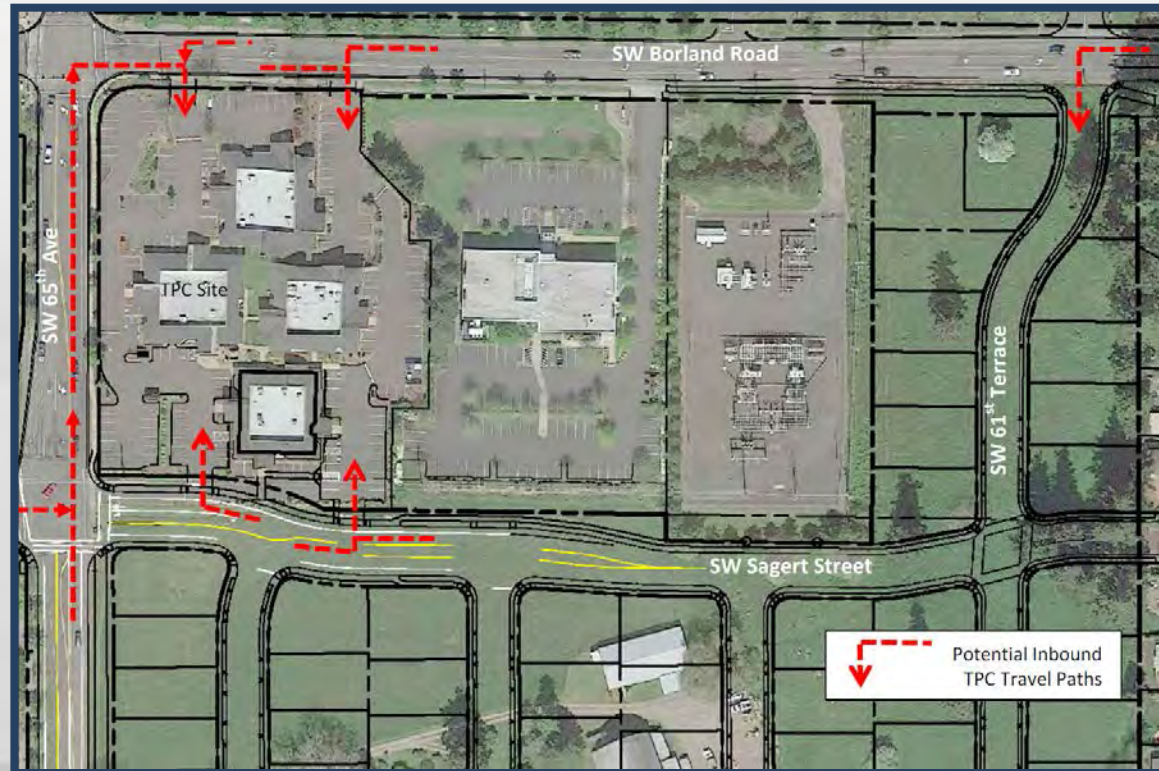
Circulation:

TPC traffic circulation path did not address two existing driveways on Borland Road

Applicant's traffic engineer prepared exhibit showing all accesses to site

Maintains access to TPC

Preserves public safety



Traffic circulation plan prepared by Applicant's traffic engineer, Kittelson Associates – Jan. 8, 2016



Summary of Staff Report (Continued)

City of Tualatin

Conclusion:

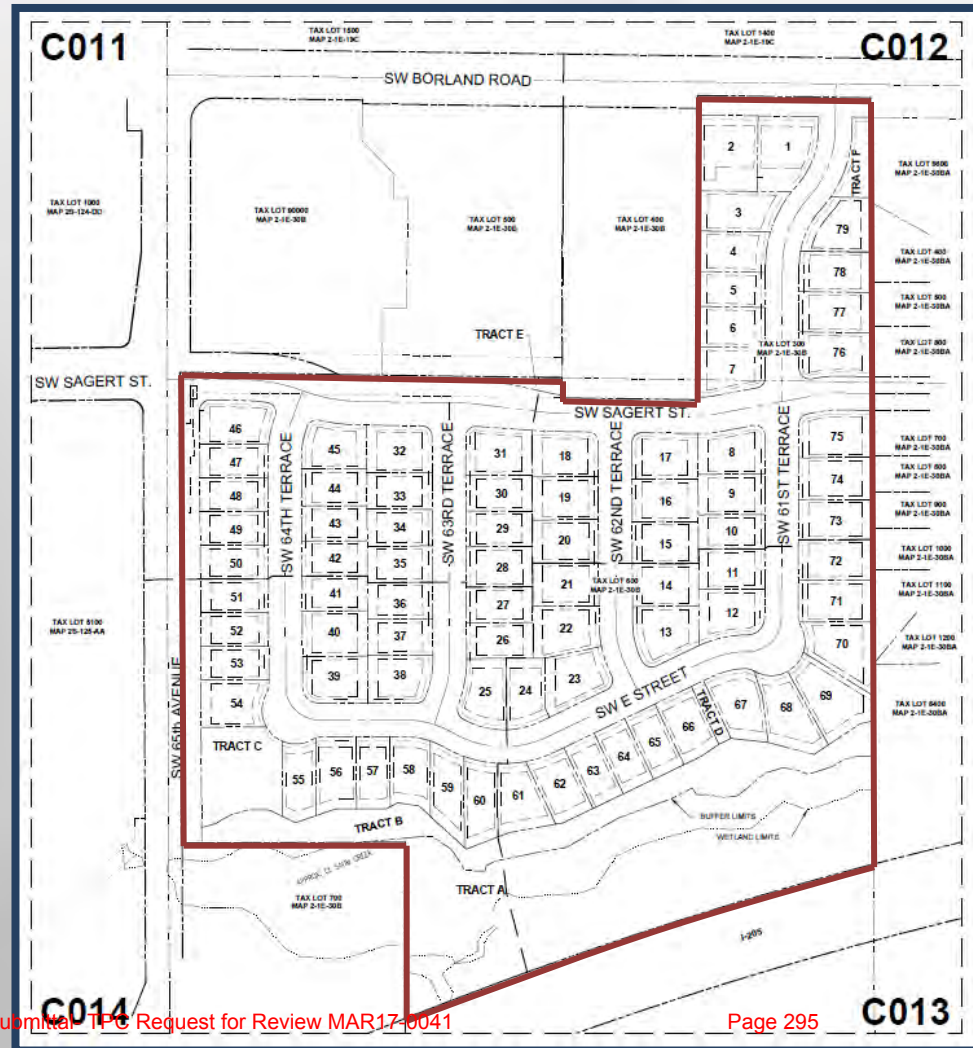
Proposed subdivision decision:

Provides safest alignment

Maintains access to TPC

Meets TDC 75 requirements

Does not significantly increase trip times to TPC





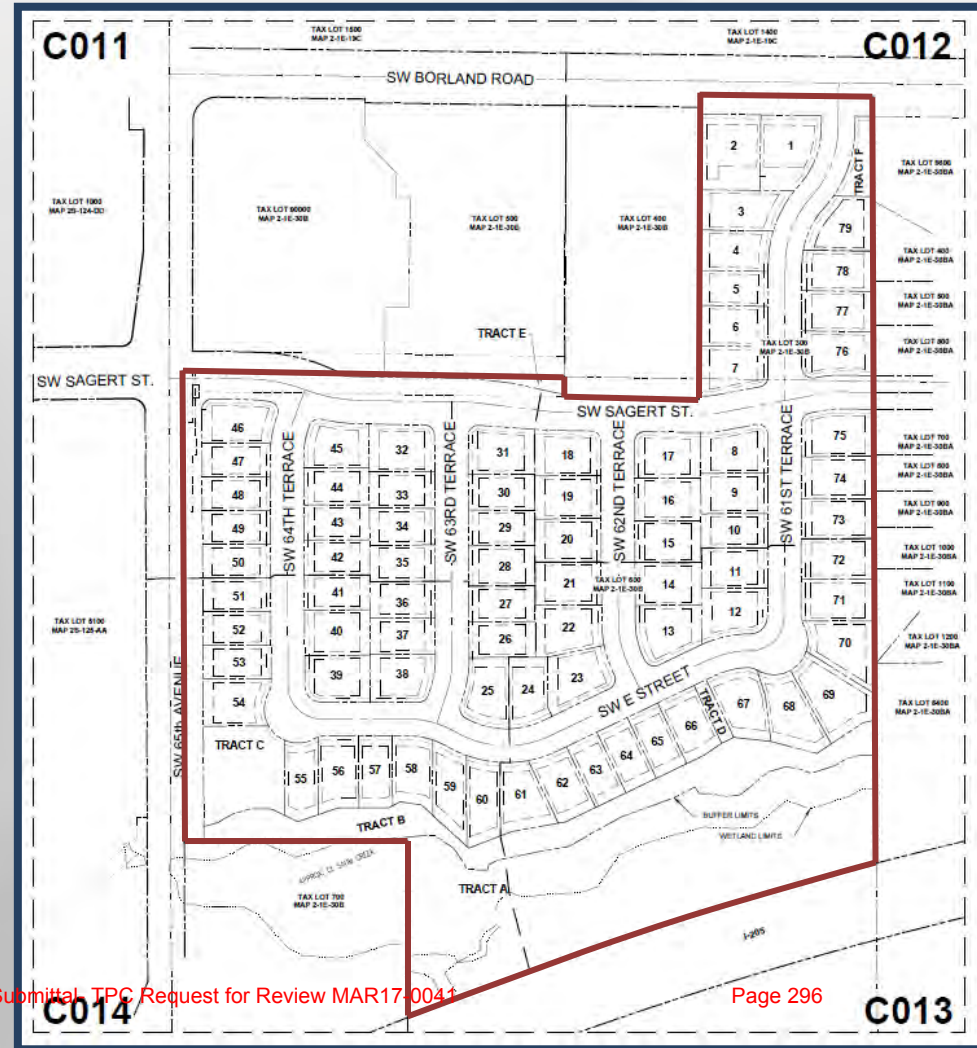
Options

City of Tualatin

Approve with the original conditions of approval

Approve with modified conditions of approval

Deny the application

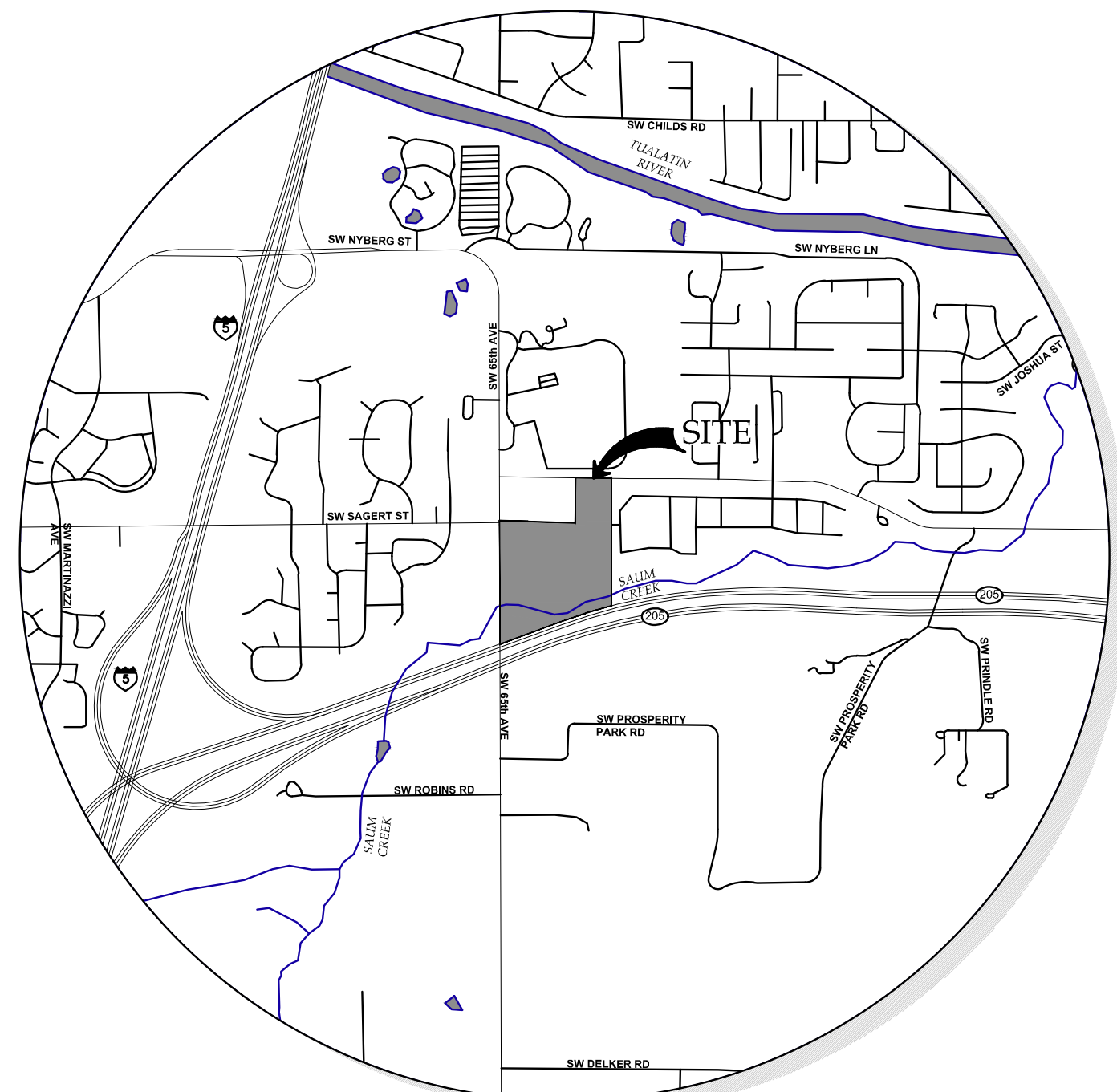


TYPE II LAND USE DOCUMENTS

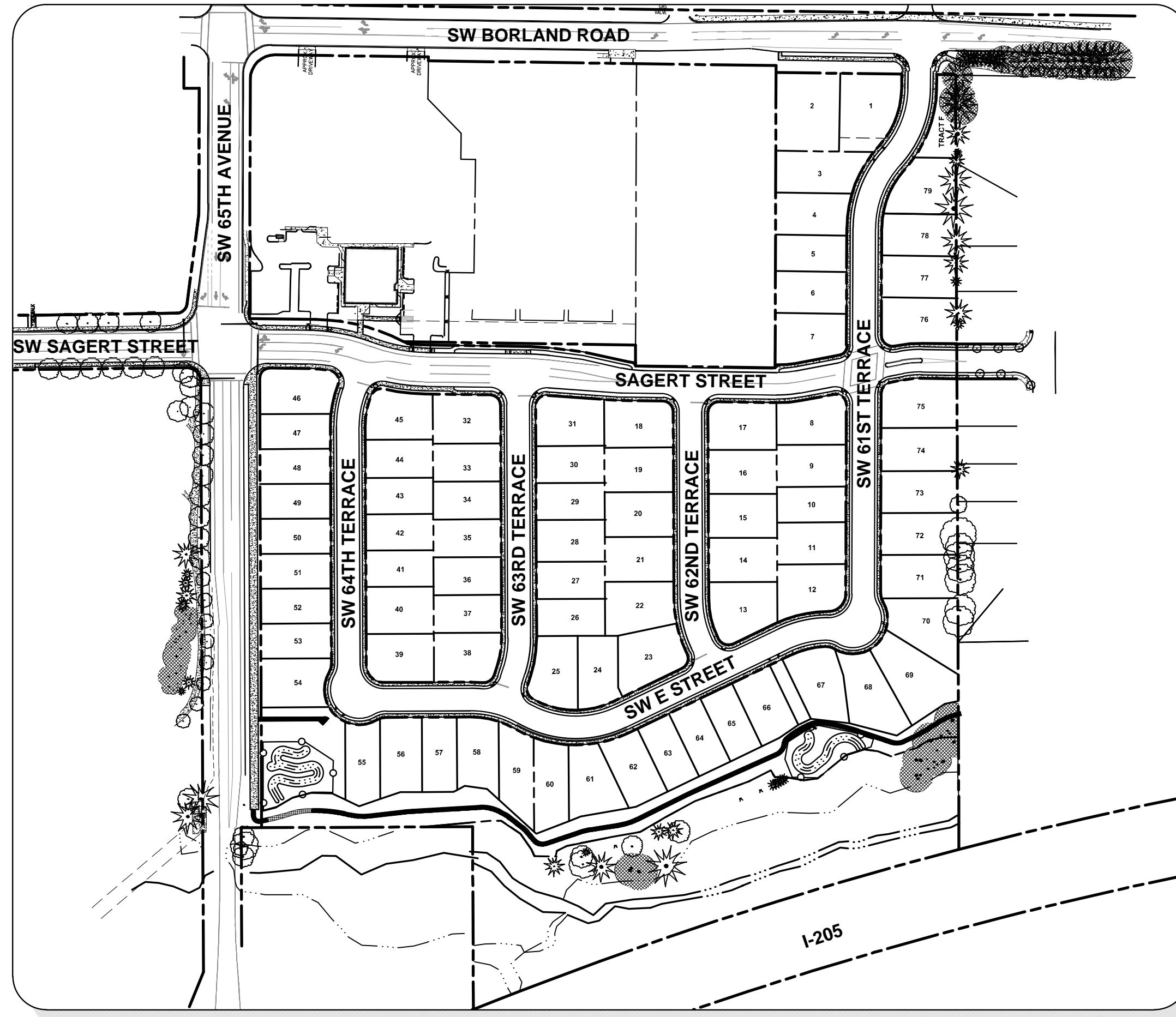
FOR

SAGERT FARM SUBDIVISION

PREPARED FOR
LENNAR NORTHWEST INC.



VICINITY MAP
NOT TO SCALE



SITE MAP
NOT TO SCALE

PARCEL 1, PARTITION PLAT NO. 2005-121
LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 4, T.2S., R.1E., W.M.
CLACKAMAS COUNTY, OREGON

SHEET LIST

CS	COVER SHEET
C010	OVERALL TENTATIVE PLAT
C011	TENTATIVE PLAT I
C012	TENTATIVE PLAT II
C013	TENTATIVE PLAT III
C014	TENTATIVE PLAT IV
C015	CIRCULATION PLAN
C100	OVERALL EXISTING CONDITIONS
C101	EXISTING CONDITIONS PLAN I
C102	EXISTING CONDITIONS PLAN II
C103	EXISTING CONDITIONS PLAN III
C104	EXISTING CONDITIONS PLAN IV
C105	TREE PROTECTION & REMOVAL I
C106	TREE PROTECTION & REMOVAL II
C107	TREE PROTECTION & REMOVAL III
C108	TREE PROTECTION AND REMOVAL IV
C109	TREE PROTECTION AND REMOVAL V
C111	DEMOLITION PLAN I
C112	DEMOLITION PLAN II
C113	DEMOLITION PLAN III
C114	DEMOLITION PLAN IV
C116	PHASE 1 EROSION CONTROL PLAN I
C117	PHASE 1 EROSION CONTROL PLAN II
C118	PHASE 1 EROSION CONTROL PLAN III
C119	PHASE 1 EROSION CONTROL PLAN IV
C121	PH 2 GRADING & ESC PLAN
C122	PH2 GRADING & ESC PLAN II
C123	PH2 GRADING & ESC PLAN III
C124	PH 2 GRADING & ESC PLAN IV
C200	OVERALL SITE PLAN
C201	OVERALL COMPOSITE UTILITY PLAN
C211	STREET & STORM PLAN I
C212	STREET & STORM PLAN II
C213	STREET & STORM PLAN III
C214	STREET & STORM PLAN IV
C220	BORLAND RD. IMPROVEMENT PLAN
C221	SAGERT ST. & 65th AVE. INTERSECTION PLAN
C222	65TH AVE. IMPROVEMENT PLAN I
C223	65TH AVE. IMPROVEMENT PLAN II
C230	ONSITE TYPICAL SECTIONS I
C231	ONSITE TYPICAL SECTIONS II
C251	ILLUMINATION PLAN I
C252	ILLUMINATION PLAN II
C253	ILLUMINATION PLAN III
C254	ILLUMINATION PLAN IV
C260	SAUM CREEK TRAIL PLAN
C401	SANITARY SEWER & WATER PLAN I
C402	SANITARY SEWER & WATER PLAN II
C403	SANITARY SEWER & WATER PLAN III
C404	SANITARY SEWER & WATER PLAN IV
L100	STREET TREE PLANTING PLAN
L101	STREET TREE PLANTING PLAN
L102	WATER QUALITY SWALE PLANTING PLAN
L103	PLANTING DETAILS & NOTES

PROJECT TEAM

OWNER/APPLICANT

LENNAR NORTHWEST INC.
11807 NE 99th STREET SUITE 1170
VANCOUVER, WA 98682
CONTACT: MIKE LOOMIS
PHONE: 306-258-7882
EMAIL: mike.loomis@lennar.com

PLANNING CONSULTANT

3J CONSULTING, INC.
5075 SW GRIFFITH DRIVE, SUITE 150
BEAVERTON, OR 97005
CONTACT: ANDREW TULL
PHONE: 503-946-9365
EMAIL: andrew.tull@3j-consulting.com

CIVIL ENGINEER

3J CONSULTING, INC.
5075 SW GRIFFITH DRIVE, SUITE 150
BEAVERTON, OR 97005
CONTACT: JOHN HOWORTH
PHONE: (503) 946-9365
EMAIL: john.howorth@3j-consulting.com

GEOTECHNICAL CONSULTANT

GEOPACIFIC ENGINEERING, INC.
14835 SW 72ND AVENUE
PORTLAND, OR 97224
CONTACT: JIM IMBRIE
PHONE: (503) 625-4455
EMAIL: jimbrie@geopacificeng.com

LAND SURVEYOR

COMPASS SURVEYING
4107 SE INTERNATIONAL WAY, SUITE 705
MILWAUKIE, OR 97222
CONTACT: DON DEVLAEMINCK
PHONE: 503-653-9093
EMAIL: dond@compass-engineering.com

LANDSCAPE ARCHITECT

MEARS DESIGN GROUP, LLC.
5075 SW GRIFFITH DRIVE, SUITE 150
BEAVERTON, OR 97005
CONTACT: TROY MEARS
PHONE: (971) 255-7474
EMAIL: troy@meardsdesigngroup.com

UTILITIES & SERVICES

STREET, STORM, SEWER

CITY OF TUALATIN
CONTACT: MIKE DARBY
PHONE: (503) 692-2000
EMAIL: mdarby@ci.tualatin.or.us

POWER

PGE
CONTACT: LORRAINE KATZ
PHONE: (503) 672-5484
EMAIL: loraine.katz@pgn.com

GAS

NORTHWEST NATURAL - ENGINEERING
CONTACT: BRIAN KELLEY
PHONE: (503) 220-2427
EMAIL: brian.kelley@nwnatural.com

FIRE

TUALATIN VALLEY FIRE & RESCUE

WATER

CITY OF TUALATIN
CONTACT: MICK WILSON
PHONE: (503) 691-3095
EMAIL:

TELECOMMUNICATIONS

CENTURY LINK - REGIONAL ENGINEER
CONTACT: KENNETH SCULLI
PHONE: (503) 242-0304
EMAIL: kenneth.sculli@centurylink.com

CENTURY LINK - REGIONAL MANAGER

CONTACT: JEREMY MORRIS
PHONE: (503) 293-4567
EMAIL: jeremy.morris@centurylink.com

POLICE, ROADS, PARKS

CITY OF TUALATIN

CABLE

COMCAST
CONTACT: KENNETH WILLS
PHONE: (503) 793-9981
EMAIL: kenneth_wills@cable.comcast.com

SCHOOLS

TIGARD - TUALATIN SCHOOL DISTRICT
PHONE: (503) 431-4000

SITE INFORMATION

SITE ADDRESS

21308 SW 65th AVENUE
TUALATIN, OR

JURISDICTION

CITY OF TUALATIN

ZONING

RL

TAX LOT(S)

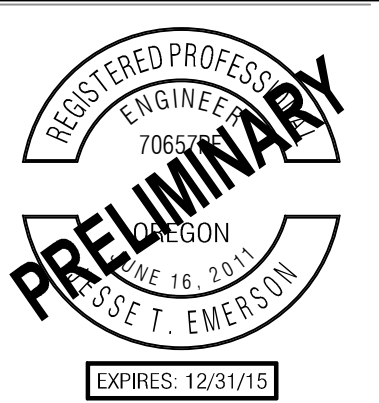
21E308 00300, 00600

FLOOD HAZARD

MAP NUMBER: 4102770004C
ZONE X (UNSHADED)

NOT FOR CONSTRUCTION

COVER SHEET
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E308 300 & 600
DESIGNED BY | JTE, JCP, CWK
CHECKED BY | JTE, JDH

SHEET TITLE
COVER SHEET

SHEET NUMBER

C000

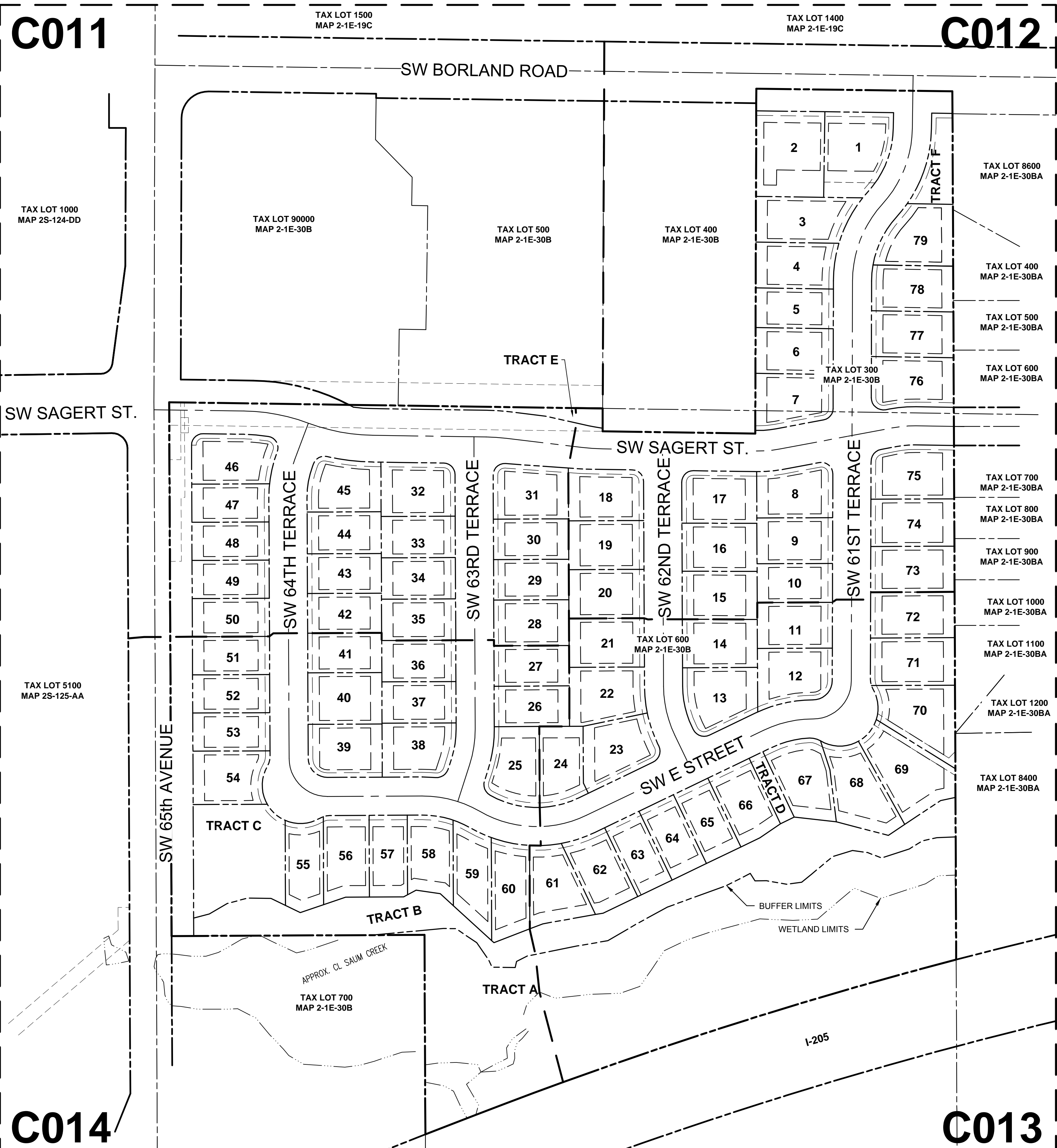
TYPE II LAND USE
REVISION SUMMARY
BY
DATE
8/11/15

C011

C012

C014

C013



LEGEND

- BOUNDARY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING CENTERLINE
- EXISTING LOT LINE
- SETBACK LINE
- LOT LINE
- RIGHT-OF-WAY
- ROAD CENTERLINE
- WETLAND BOUNDARY
- EASEMENT REMOVAL

SITE STATISTICS

SITE ADDRESS	20130 SW 65th AVE
TAX LOTS	21E030B 00600 21E030B 00300
JURISDICTION	CITY OF TUALATIN
LOT SITE AREA	00600 - 18.54 ACRES 00300 - 2.55 ACRES
GROSS SITE AREA	21.09 ACRES
PROPERTY ZONING	LOW DENSITY RESIDENTIAL
FLOOD HAZARD MAP NUMBER	4102770004C

SETBACKS:	STANDARD:
FRONT	15'
SIDE	5'
REAR	15'
STREET SIDE	10'
MAX. HEIGHT	35'

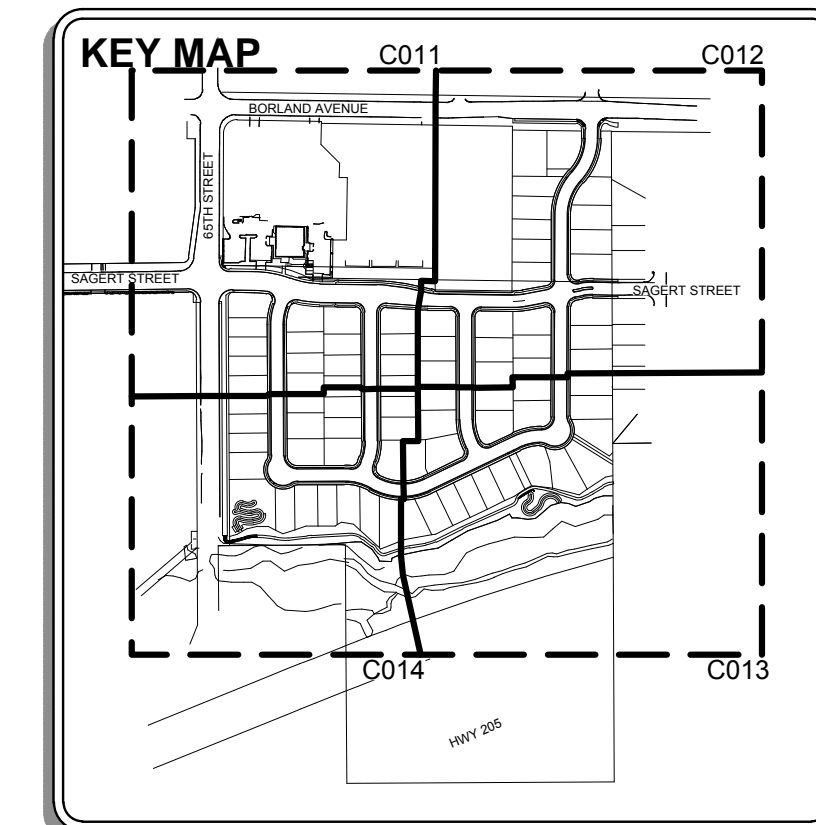
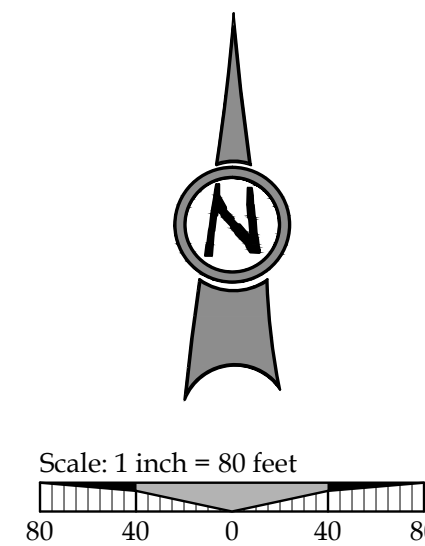
SUBDIVISION STATISTICS

RIGHT OF WAY DEDICATION	5.24 ACRES
MINIMUM ALLOWABLE EFFECTIVE LOT SIZE	5,000 SF
MINIMUM LOT DENSITY	5.3
MAXIMUM LOT DENSITY	7.5
PROPOSED LOT DENSITY	7.0

GENERAL NOTES

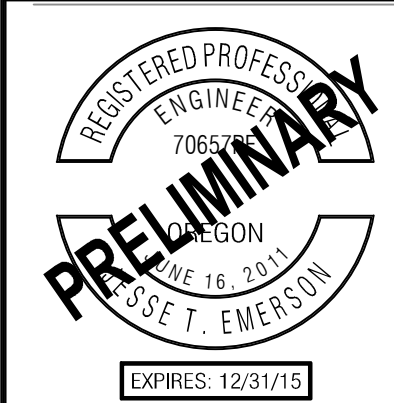
EASEMENT REMOVAL AREA = 6,000 SF

THE PURPOSE OF THIS TENTATIVE PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. SEE SHEETS C011-C014 FOR DETAIL.



TYPE II LAND USE
REVISION SUMMARY
BY
DATE

OVERALL TENTATIVE PLAT
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J CONSULTING, INC.
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-5365

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E030B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TENTATIVE PLAT
SHEET NUMBER
C010

TAX LOT 1500
MAP 2-1E-19C

SW BORLAND ROAD

TAX LOT 1000
MAP 2S-124-DD

SW 65TH AVENUE

TAX LOT 90000
MAP 2-1E-30B

TAX LOT 500
MAP 2-1E-30B

MATCHLINE - SEE SHEET C012

LEGEND

---	BOUNDARY LINE
- - - - -	EXISTING RIGHT-OF-WAY
---	EXISTING ROAD CENTERLINE
---	EXISTING LOT LINE
---	SETBACK LINE
---	LOT LINE
---	RIGHT-OF-WAY

SITE STATISTICS

SITE ADDRESS	20130 SW 65th AVE
TAX LOTS	21E030B 00600 21E030B 00300
JURISDICTION	CITY OF TUALATIN
LOT SITE AREA	00600 - 18.54 ACRES 00300 - 2.55 ACRES
GROSS SITE AREA	21.09 ACRES
PROPERTY ZONING	LOW DENSITY RESIDENTIAL
FLOOD HAZARD MAP NUMBER	4102770004C

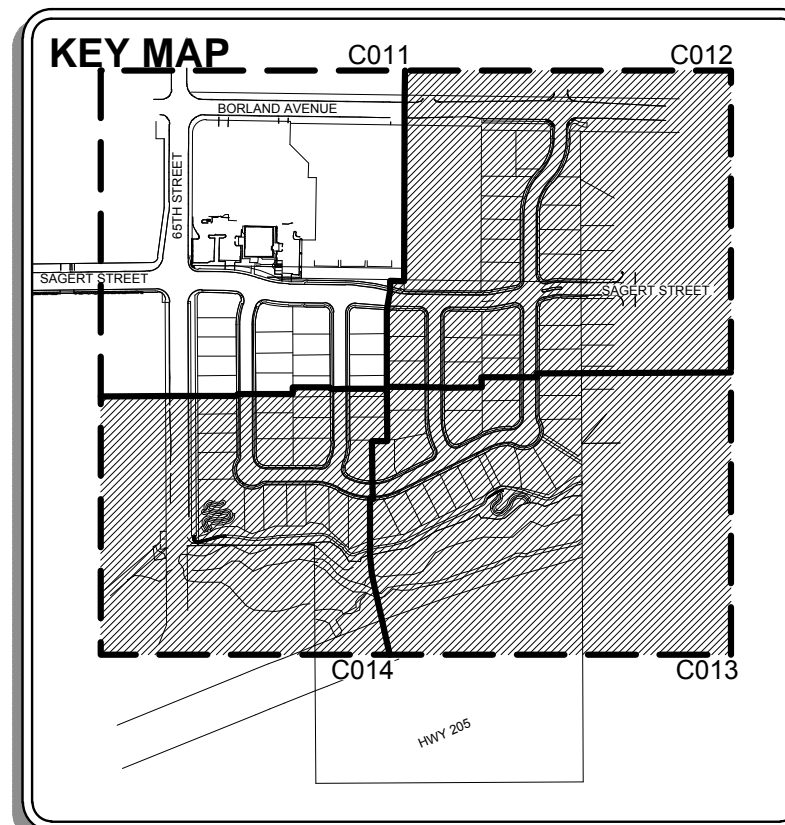
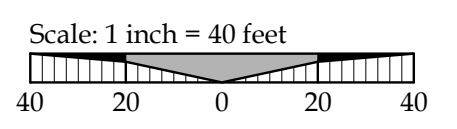
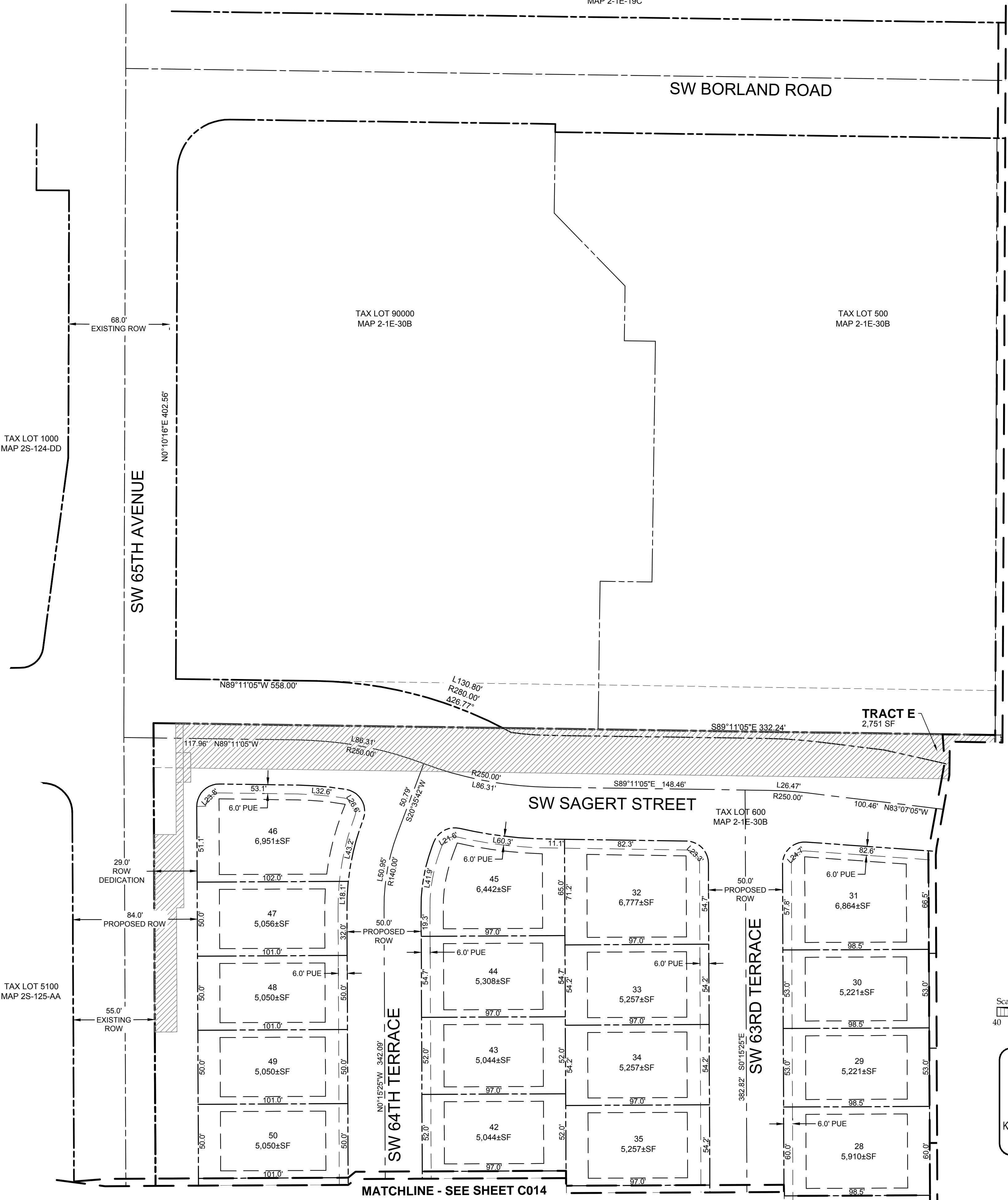
SUBDIVISION STATISTICS

RIGHT OF WAY DEDICATION	5.24 ACRES
MINIMUM ALLOWABLE EFFECTIVE LOT SIZE	5,000 SF
MINIMUM LOT DENSITY	5.3
MAXIMUM LOT DENSITY	7.5
PROPOSED LOT DENSITY	7.0

SETBACKS:

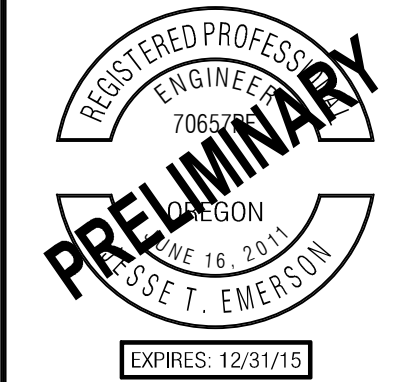
FRONT	15'
SIDE	5'
REAR	15'
STREET SIDE	10'
MAX. HEIGHT	35'

THE PURPOSE OF THIS TENTATIVE PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. SEE SHEET C001 FOR OVERALL TENTATIVE PLAT.



TYPE II LAND USE
REVISION SUMMARY
DATE
8/11/15

TENTATIVE PLAT I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON

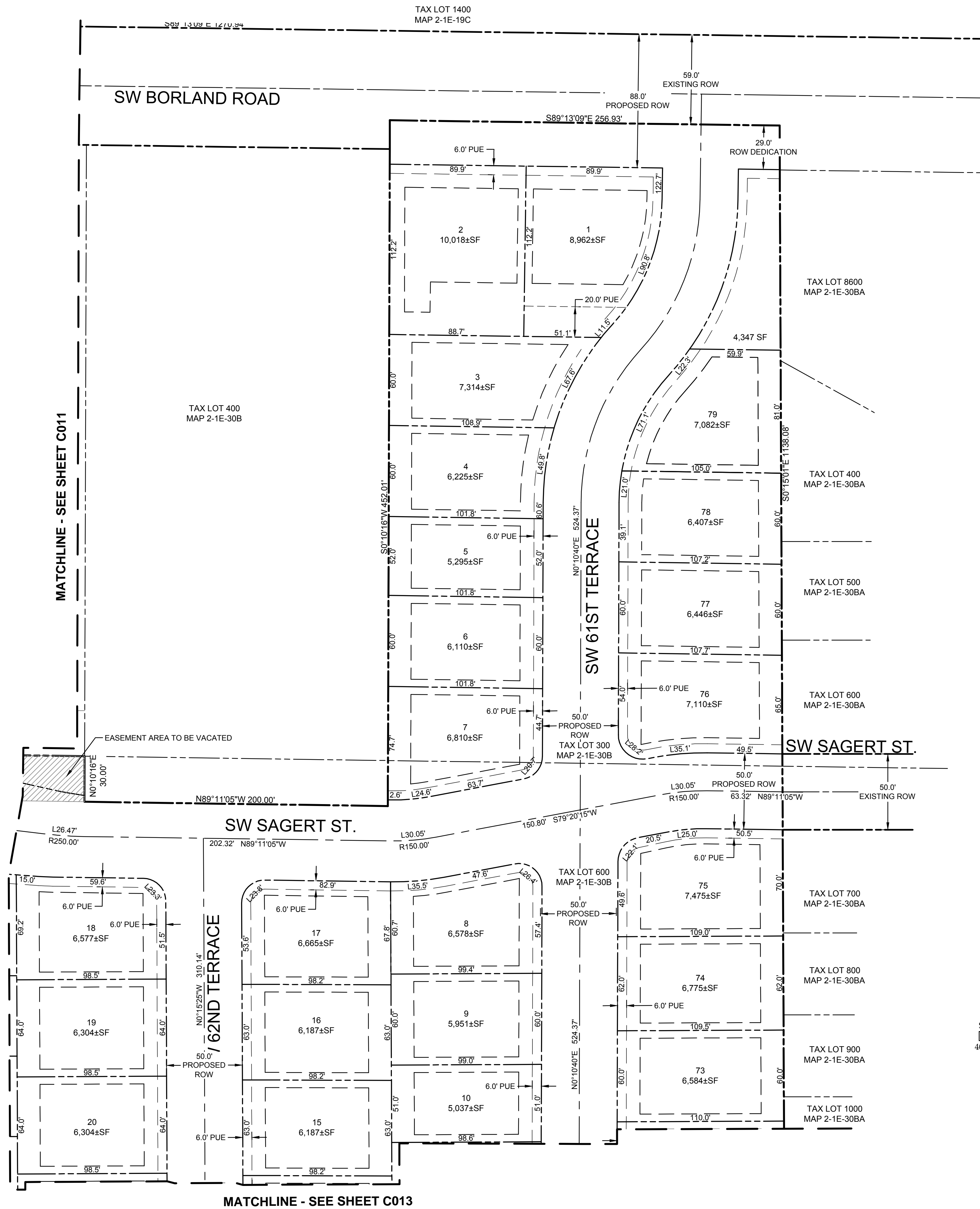


3J CONSULTING, INC
3J
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-8385

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 2S1E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TENTATIVE PLAT I

SHEET NUMBER
C011



LEGEND

- BOUNDARY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING ROAD CENTERLINE
- EXISTING LOT LINE
- SETBACK LINE
- LOT LINE
- RIGHT-OF-WAY
- WETLAND BOUNDARY

SITE STATISTICS

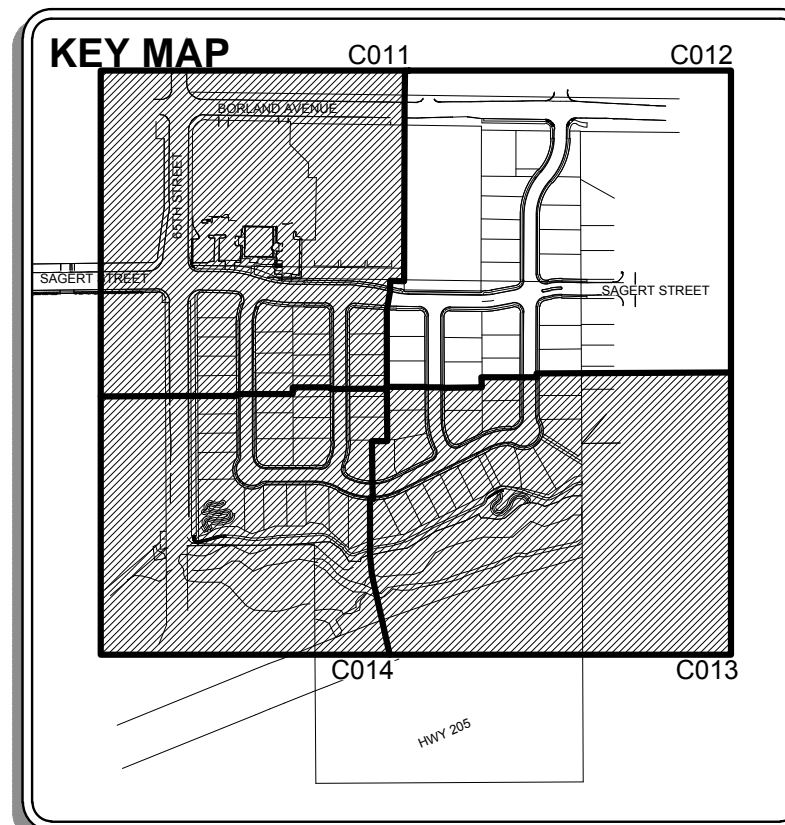
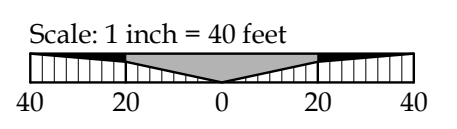
SITE ADDRESS	20130 SW 65th AVE
TAX LOTS	21E030B 00600 21E030B 00300
JURISDICTION	CITY OF TUALATIN
LOT SITE AREA	00600 - 18.54 ACRES 00300 - 2.55 ACRES
GROSS SITE AREA	21.09 ACRES
PROPERTY ZONING	LOW DENSITY RESIDENTIAL
FLOOD HAZARD MAP NUMBER	4102770004C

SUBDIVISION STATISTICS

RIGHT OF WAY DEDICATION	5.24 ACRES
MINIMUM ALLOWABLE EFFECTIVE LOT SIZE	5,000 SF
MINIMUM LOT DENSITY	5.3
MAXIMUM LOT DENSITY	7.5
PROPOSED LOT DENSITY	7.0

SETBACKS:	STANDARD:
FRONT	15'
SIDE	5'
REAR	15'
STREET SIDE	10'
MAX. HEIGHT	35'

THE PURPOSE OF THIS TENTATIVE PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. SEE SHEET C001 FOR OVERALL TENTATIVE PLAT.

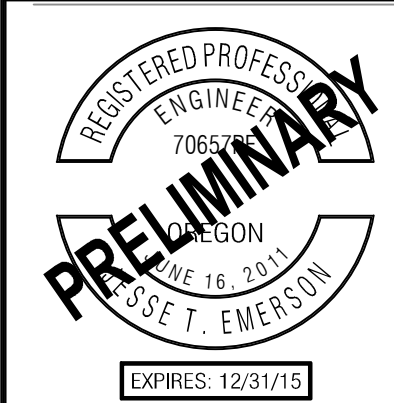


MATCHLINE - SEE SHEET C011

MATCHLINE - SEE SHEET C013

TYPE II LAND USE REVISION SUMMARY BY DATE
8/11/15

TENTATIVE PLAT II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



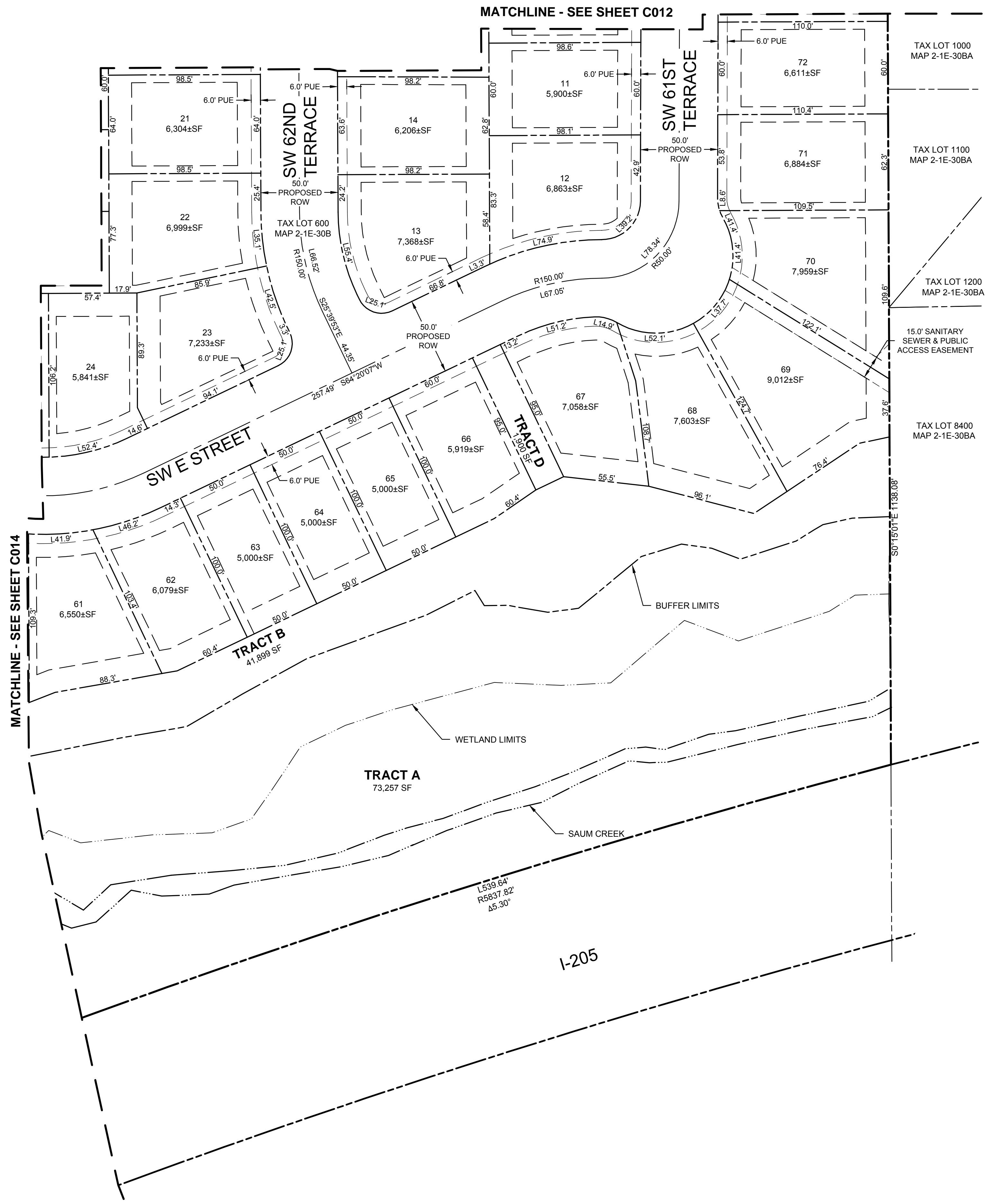
3J CONSULTING, INC.

CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING

5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5886

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E030B 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
TENTATIVE PLAT II
 SHEET NUMBER
C012



LEGEND

- BOUNDARY LINE
- - - EXISTING RIGHT-OF-WAY
- - - EXISTING ROAD CENTERLINE
- - - EXISTING LOT LINE
- - - SETBACK LINE
- - - LOT LINE
- - - RIGHT-OF-WAY
- - - WETLAND BOUNDARY

SITE STATISTICS

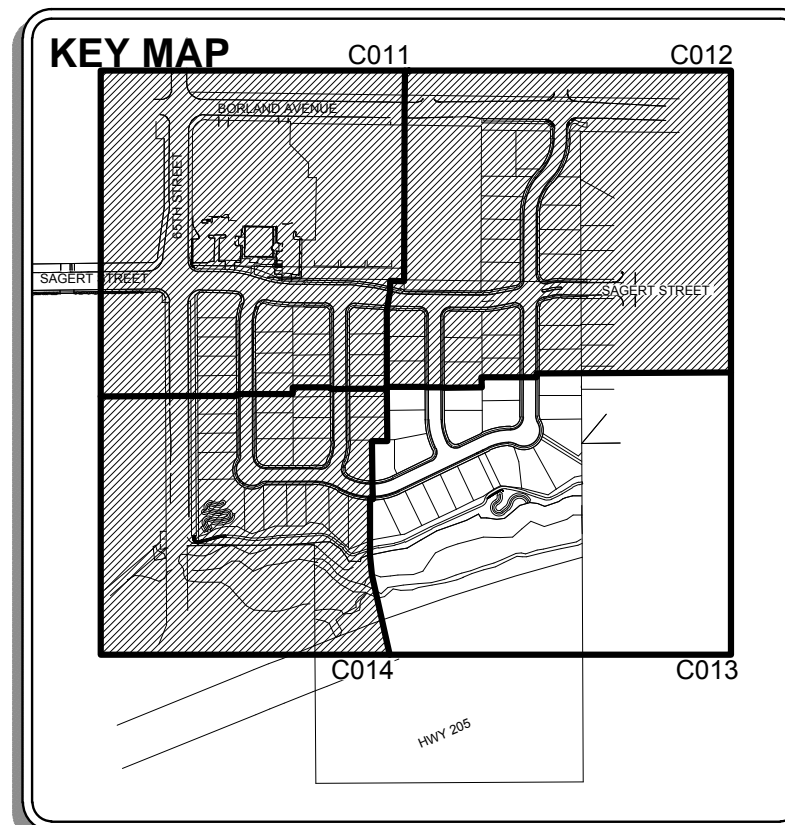
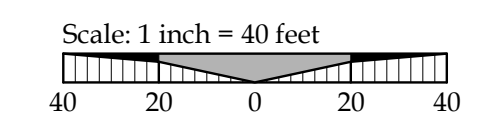
SITE ADDRESS	20130 SW 65th AVE
TAX LOTS	21E030B 00600 21E030B 00300
JURISDICTION	CITY OF TUALATIN
LOT SITE AREA	00600 - 18.54 ACRES 00300 - 2.55 ACRES
GROSS SITE AREA	21.09 ACRES
PROPERTY ZONING	LOW DENSITY RESIDENTIAL
FLOOD HAZARD MAP NUMBER	4102770004C

SUBDIVISION STATISTICS

RIGHT OF WAY DEDICATION	5.24 ACRES
MINIMUM ALLOWABLE EFFECTIVE LOT SIZE	5,000 SF
MINIMUM LOT DENSITY	5.3
MAXIMUM LOT DENSITY	7.5
PROPOSED LOT DENSITY	7.0

SETBACKS:	STANDARD:
FRONT	15'
SIDE	5'
REAR	15'
STREET SIDE	10'
MAX. HEIGHT	35'

THE PURPOSE OF THIS TENTATIVE PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. SEE SHEET C001 FOR OVERALL TENTATIVE PLAT.



TYPE II LAND USE

8/11/15

BY DATE

REVISION SUMMARY

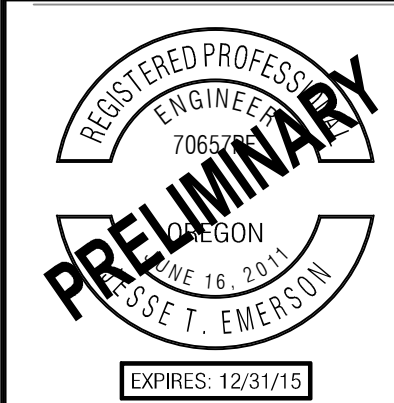
TENTATIVE PLAT III

SAGERT FARM SUBDIVISION

TYPE II LAND USE DOCUMENTS

LENNAR NORTHWEST, INC.

TUALATIN, OREGON



3J CONSULTING, INC

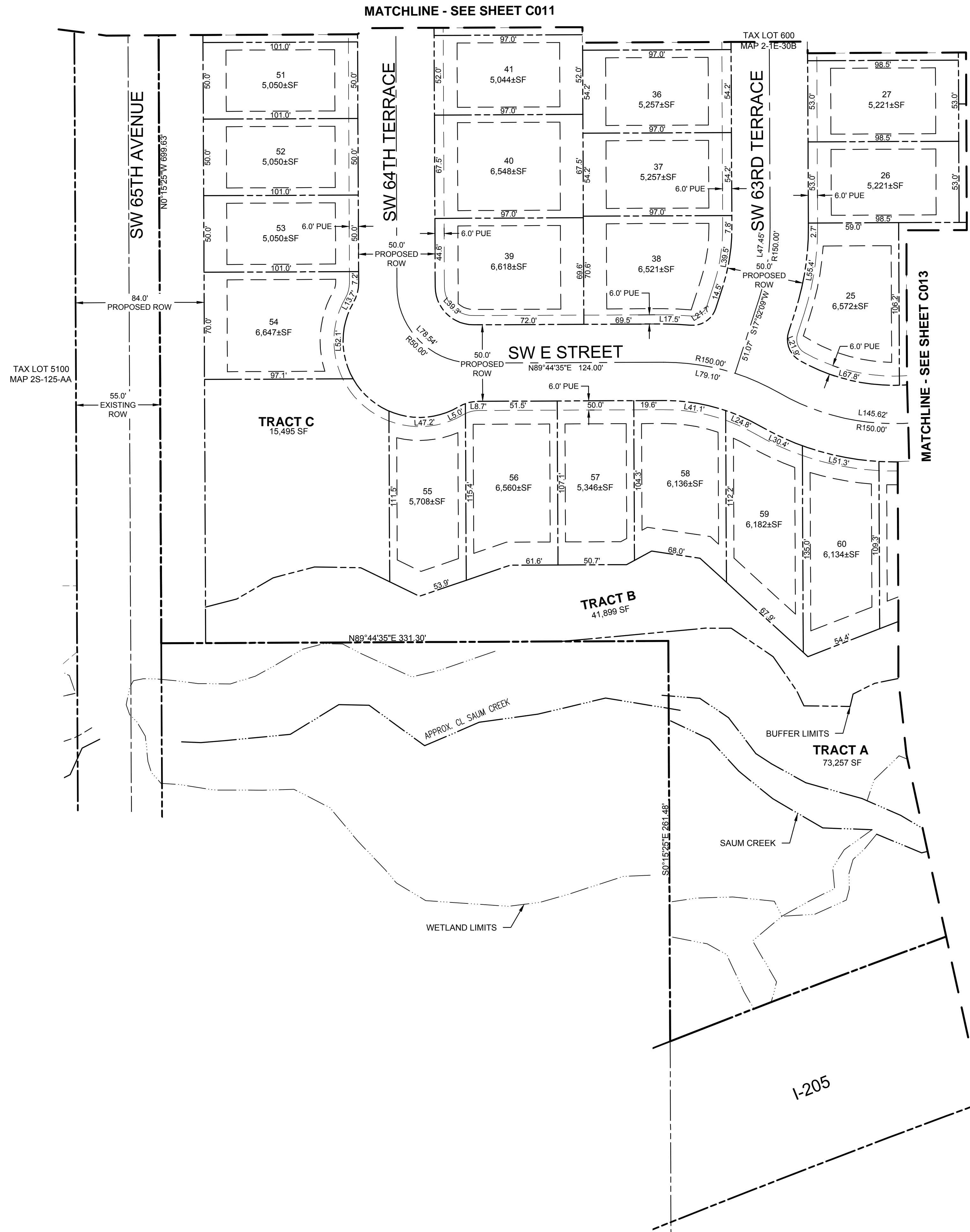
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING

5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-5365

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E030B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TENTATIVE PLAT III

SHEET NUMBER
C013



LEGEND

- BOUNDARY LINE
- - - EXISTING RIGHT-OF-WAY
- - - EXISTING ROAD CENTERLINE
- - - EXISTING LOT LINE
- - - SETBACK LINE
- - - LOT LINE
- - - RIGHT-OF-WAY
- - - WETLAND BOUNDARY

SITE STATISTICS

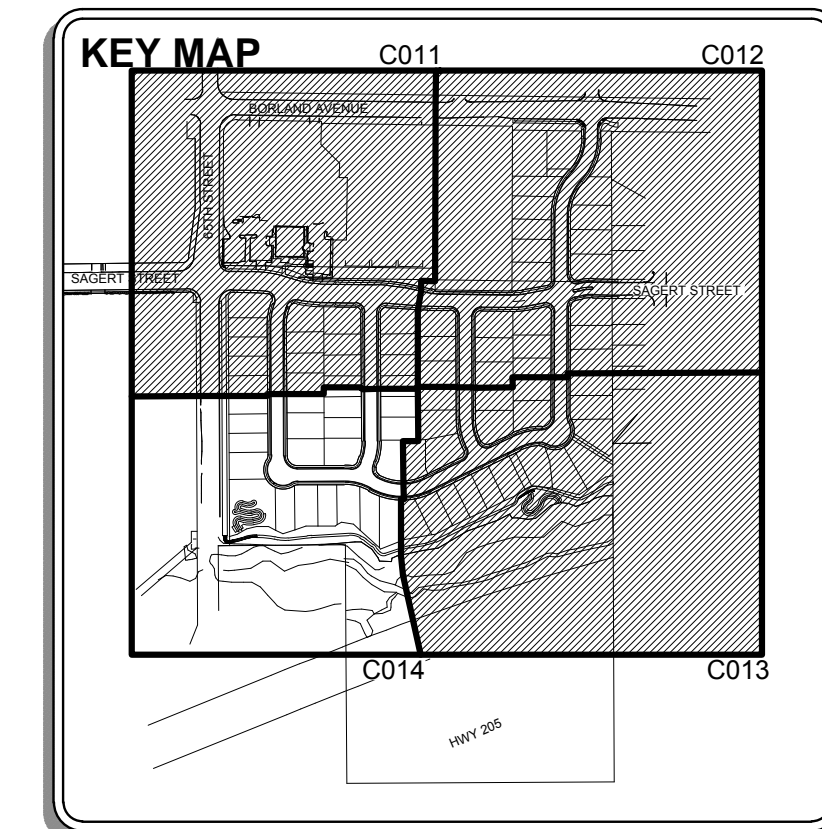
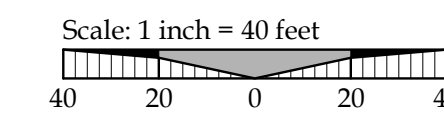
SITE ADDRESS	20130 SW 65th AVE
TAX LOTS	21E030B 00600 21E030B 00300
JURISDICTION	CITY OF TUALATIN
LOT SITE AREA	00600 - 18.54 ACRES 00300 - 2.55 ACRES
GROSS SITE AREA	21.09 ACRES
PROPERTY ZONING	LOW DENSITY RESIDENTIAL
FLOOD HAZARD MAP NUMBER	4102770004C

SUBDIVISION STATISTICS

RIGHT OF WAY DEDICATION	5.24 ACRES
MINIMUM ALLOWABLE EFFECTIVE LOT SIZE	5,000 SF
MINIMUM LOT DENSITY	5.3
MAXIMUM LOT DENSITY	7.5
PROPOSED LOT DENSITY	7.0

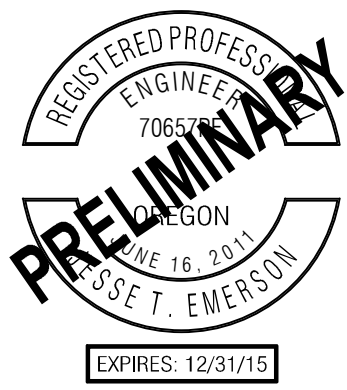
SETBACKS:	STANDARD:
FRONT	15'
SIDE	5'
REAR	15'
STREET SIDE	10'
MAX. HEIGHT	35'

THE PURPOSE OF THIS TENTATIVE PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. SEE SHEET C001 FOR OVERALL TENTATIVE PLAT.



TYPE II LAND USE
REVISION SUMMARY
BY DATE

TENTATIVE PLAT IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON

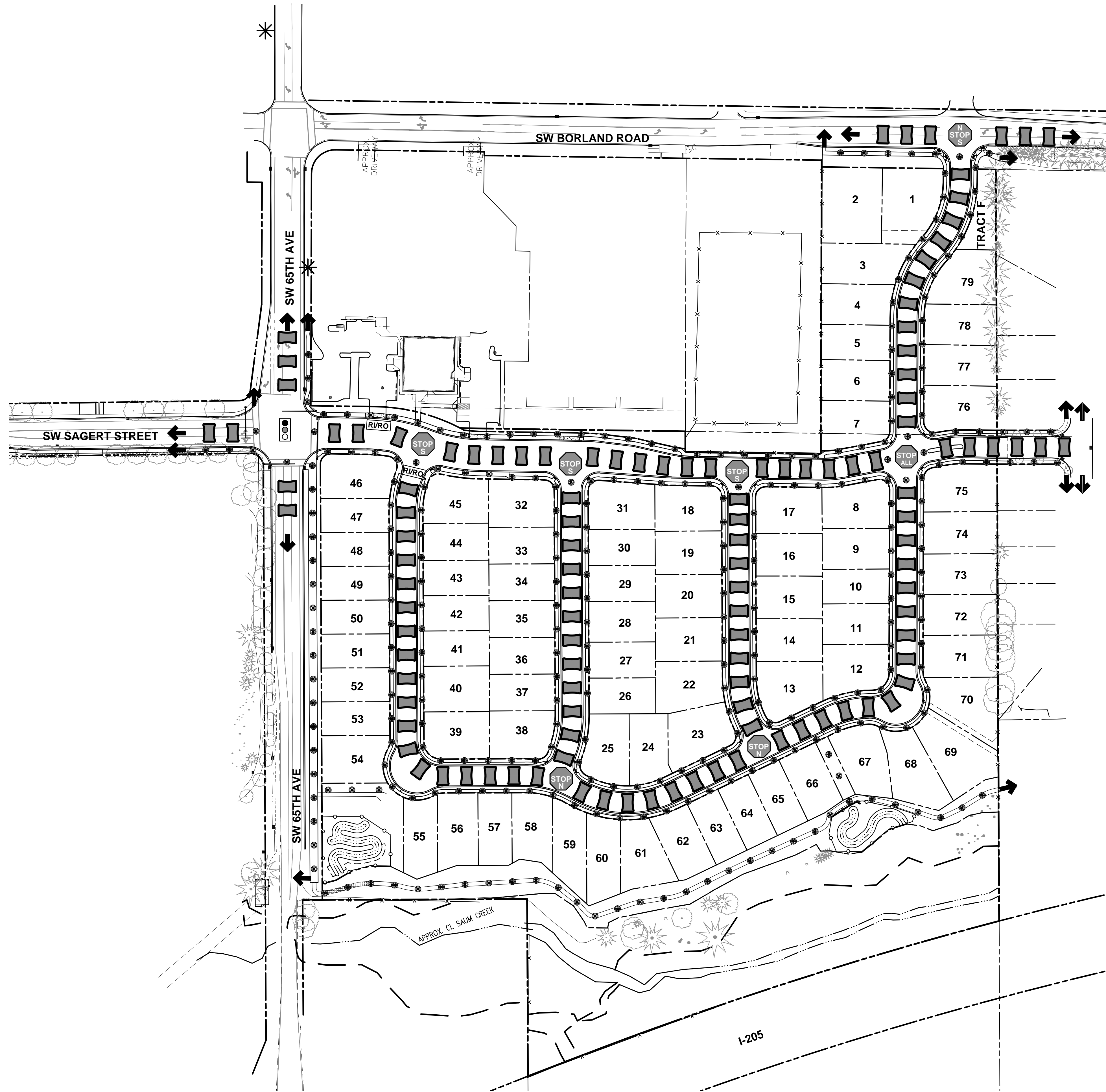


3J CONSULTING, INC
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-5365

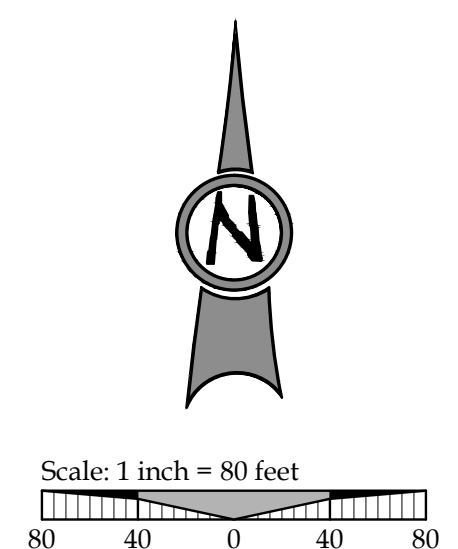
3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E030B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TENTATIVE PLAT IV
SHEET NUMBER

C014

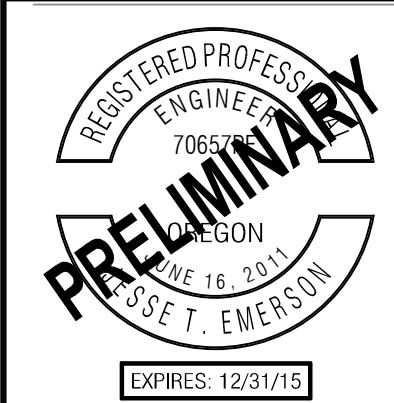


- LEGEND**
- BOUNDARY LINE
 - - - EXISTING RIGHT-OF-WAY
 - EXISTING CENTERLINE
 - - - EXISTING LOT LINE
 - LOT LINE
 - - - RIGHT-OF-WAY
 - ROAD CENTERLINE
 - AUTOMOTIVE CIRCULATION
 - PEDESTRIAN CIRCULATION
 - * TRANSIT STOP
 - RIRO RIGHT IN - RIGHT OUT CONTROL
 - STOP S STOP CONTROL - SOUTH
 - STOP N STOP CONTROL - NORTH
 - STOP ALL STOP CONTROL - ALL WAY
 - ↑ CIRCULATION CONTINUES TO EXISTING TRAFFIC SYSTEM
 - ◻ SIGNALIZED INTERSECTION



TYPE II LAND USE
REVISION SUMMARY
BY DATE

CIRCULATION PLAN
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON

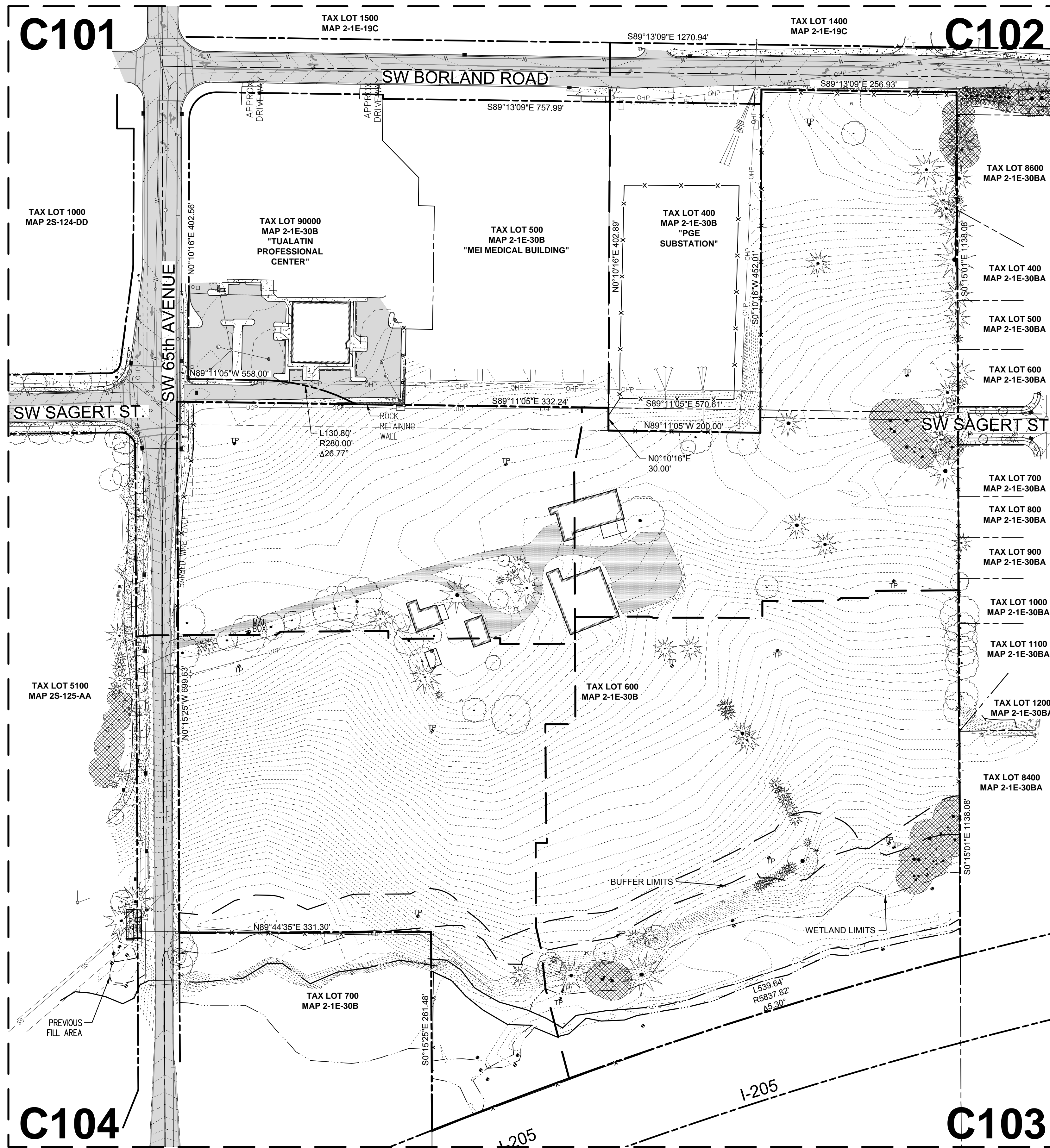


3J CONSULTING, INC
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-8385

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

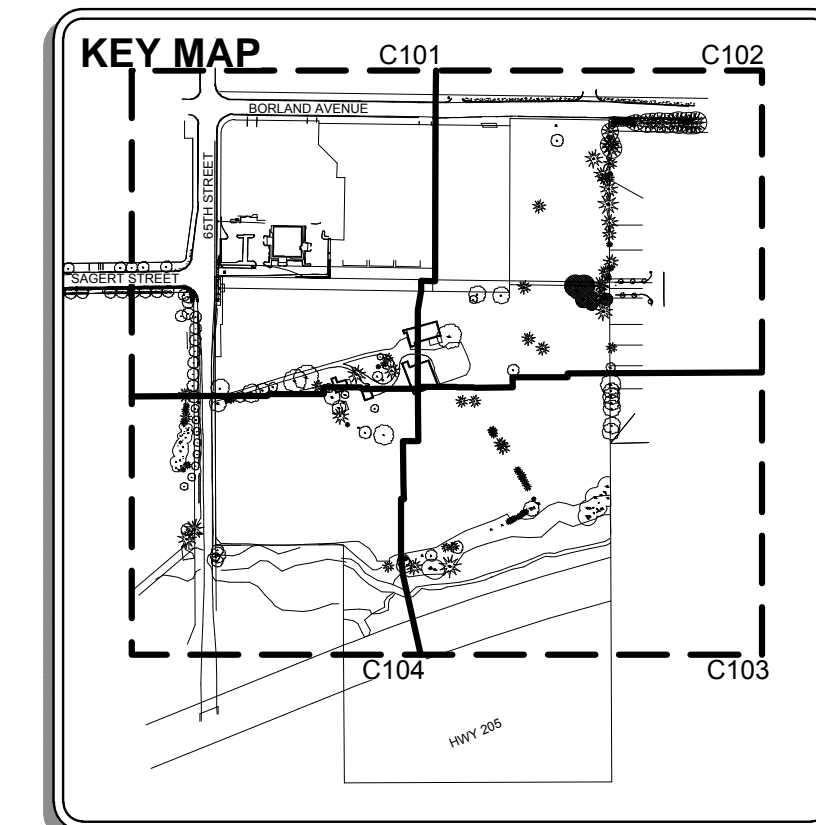
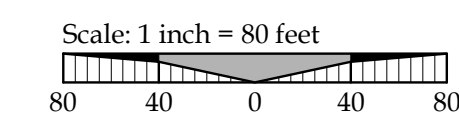
SHEET TITLE
CIRCULATION

SHEET NUMBER
C015



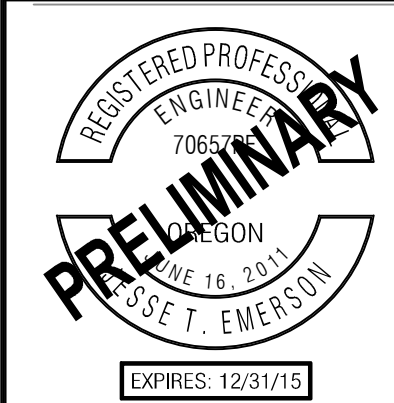
LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	TREE CANOPY		



TYPE II LAND USE
REVISION SUMMARY
BY
DATE

OVERALL EXISTING CONDITIONS
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
EXIST. COND.

SHEET NUMBER
C100

TAX LOT 1500
MAP 2-1E-19C

LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	TREE CANOPY		

MATCHLINE - SEE SHEET C102

EXISTING CONDITIONS PLAN

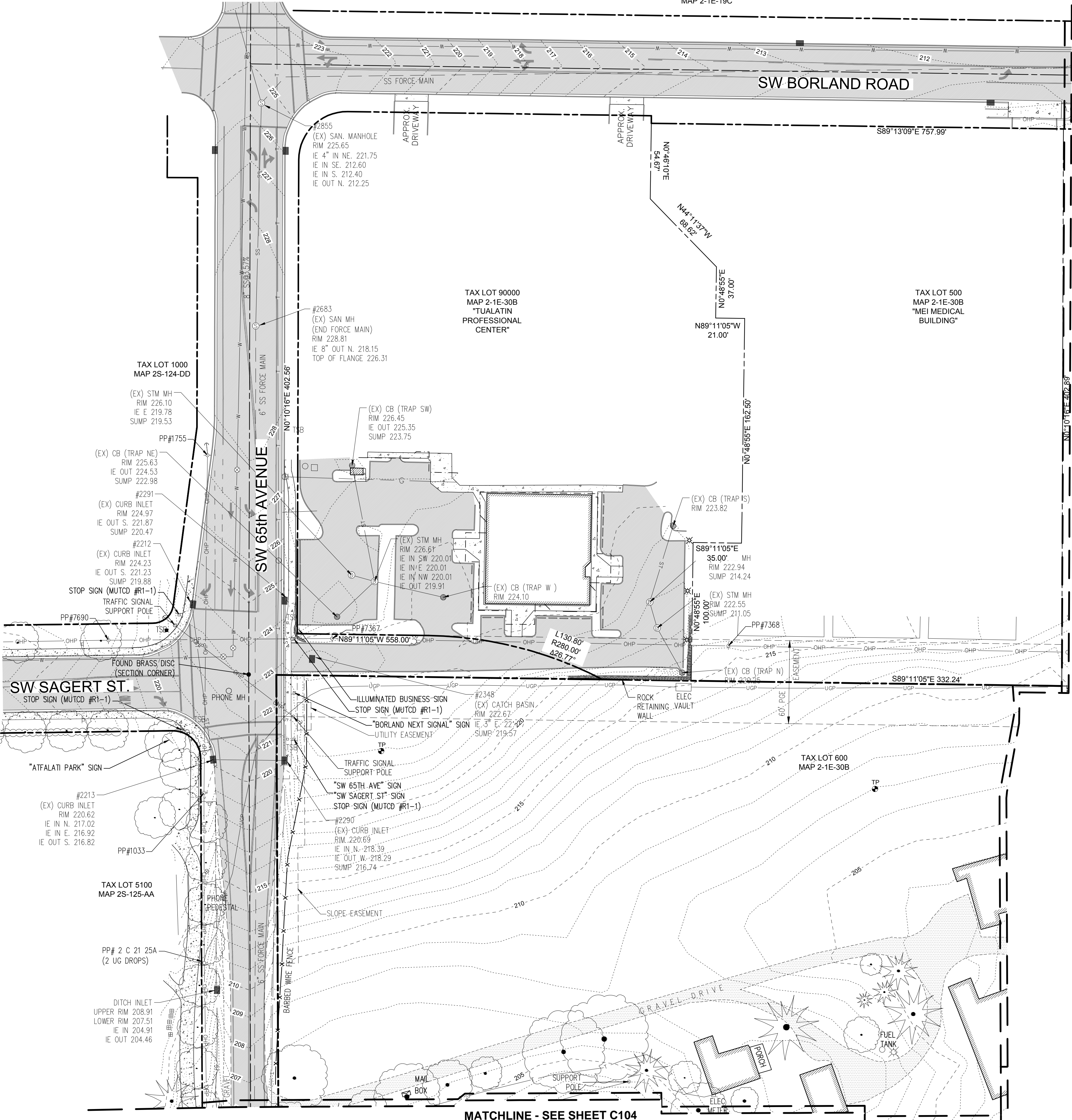
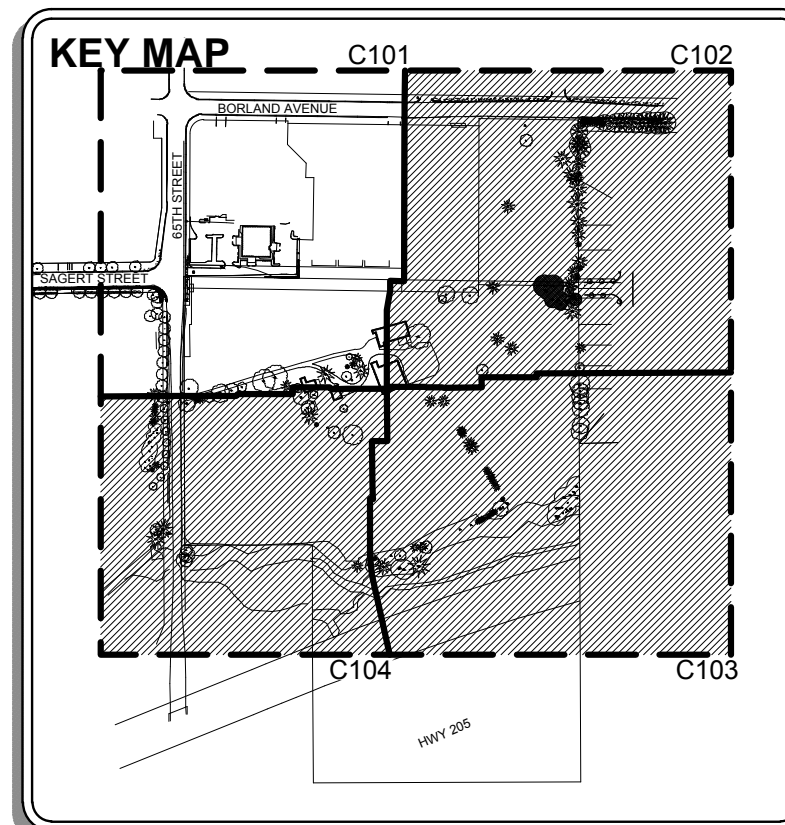
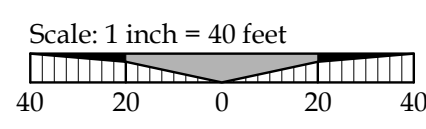
THIS PLAN IS INTENDED FOR USE AS AN EXISTING CONDITIONS PLAN SHOWING THE CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. INFORMATION SHOWN ON THIS PLAN WAS DEVELOPED FROM THE TOPOGRAPHIC SURVEY, AERIAL PHOTOS, AND SITE OBSERVATIONS BY THE ENGINEER. NOT ALL SURFACE FEATURES OR UTILITIES MAY BE SHOWN. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION TO DETERMINE WORK SPECIFIC DETAILS. TOPOGRAPHIC INFORMATION PROVIDED BY COMPASS LAND SURVEYING, DATED DEC. 2013.

ZONE X (UN-SHADED)

THE SITE IS LOCATED WITHIN ZONE X (UN-SHADED) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41005C 0255 D FEMA'S DEFINITION OF ZONE X (UN-SHADED) IS AN AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, FLOOD INSURANCE IS AVAILABLE TO ALL PROPERTY OWNERS AND RENTERS IN THESE ZONES.

SURVEYOR'S NOTE

- UTILITY INFORMATION SHOWN ON THIS MAP IS BASED UPON OBSERVED FEATURES, RECORD DATA AND TONE MARKS PROVIDED BY PUBLIC UTILITY LOCATION SERVICES. NO WARRANTIES ARE MADE REGARDING THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. INTERESTED PARTIES ARE HEREBY ADVISED THAT UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION OF ANY CRITICAL ITEMS.
- VERTICAL DATUM: NGVD '88.
- CONTOUR INTERVAL IS ONE FOOT.
- TOPOGRAPHIC FEATURES SHOWN ON THIS MAP WERE LOCATED USING STANDARD PRECISION TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF DATA FROM THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. THIRD PARTIES USING DATA FROM THIS MAP IN AN AUTOCAD FORMAT SHOULD VERIFY ANY ELEMENTS REQUIRING PRECISE LOCATIONS PRIOR TO COMMENCEMENT OF ANY CRITICAL DESIGN OR CONSTRUCTION. CONTACT COMPASS ENGINEERING FOR FURTHER INFORMATION. FURTHERMORE, COMPASS ENGINEERING WILL NOT BE RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN SPECIFICALLY STATED HEREIN. THIS STATEMENT IS AN OFFICIAL PART OF THIS MAP.



MATCHLINE - SEE SHEET C104

8/11/15
DATE
BY
REVISION SUMMARY
TYPE II LAND USE

EXISTING CONDITIONS PLAN I
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON

3J CONSULTING, INC

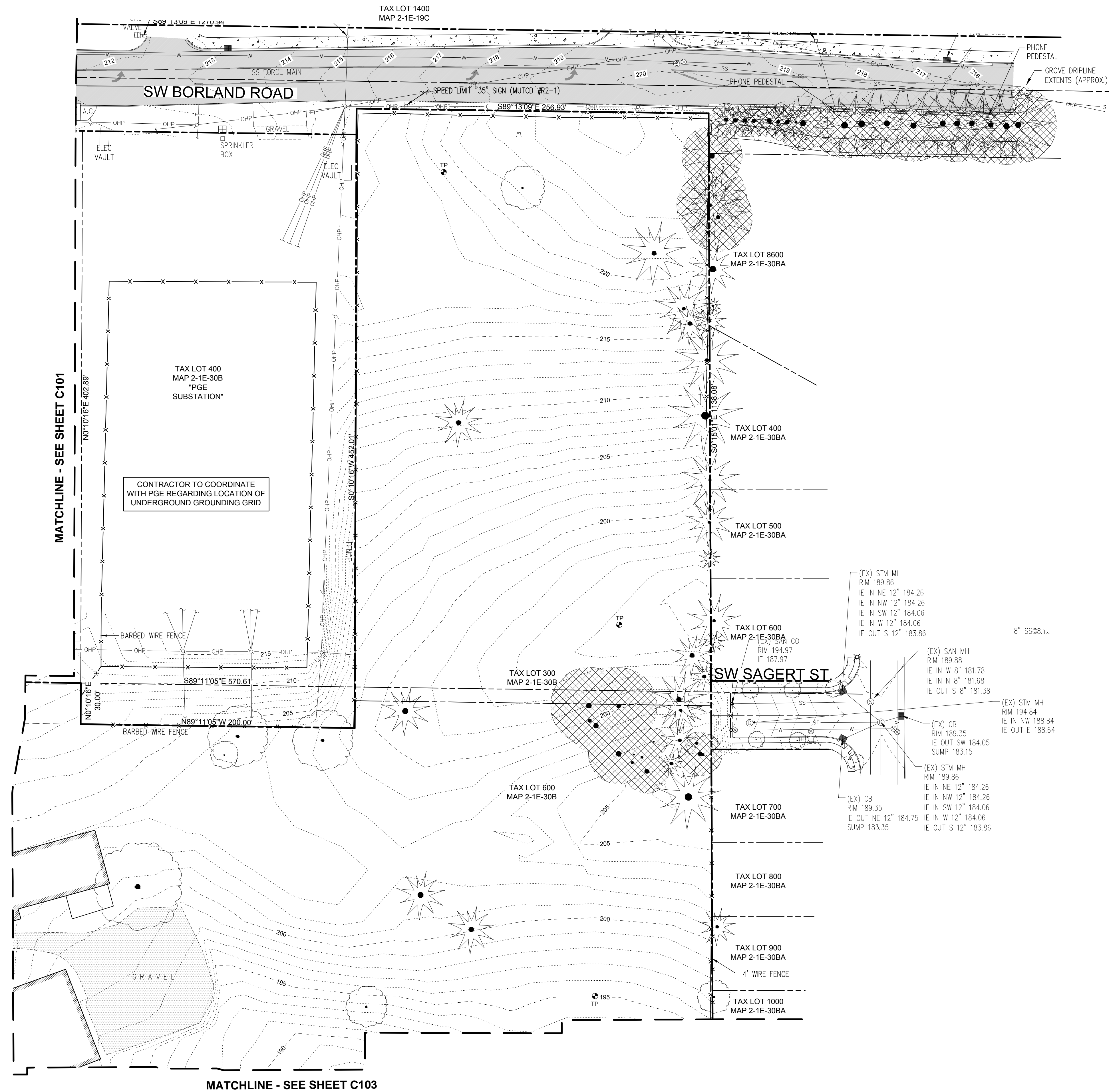
CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING

10445 SW CANYON ROAD SUITE 245 BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5886

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E30B 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
 EXIST. COND. I

SHEET NUMBER
C101



LEGEND			
[Symbol]	BOUNDARY LINE	[Symbol]	CURB
[Symbol]	RIGHT-OF-WAY	[Symbol]	ASPHALT
[Symbol]	LOT LINE	[Symbol]	CONCRETE
[Symbol]	CENTERLINE	[Symbol]	GRAVEL
[Symbol]	EASEMENT	[Symbol]	EXISTING TREES
[Symbol]	BUILDING	[Symbol]	EXISTING STUMP
[Symbol]	1 FT CONTOUR	[Symbol]	LIGHT POLE
[Symbol]	5 FT CONTOUR	[Symbol]	WATER VALVE
[Symbol]	SANITARY SEWER	[Symbol]	WATER METER
[Symbol]	SANITARY SEWER FORCEMAIN	[Symbol]	FIRE HYDRANT
[Symbol]	STORM SEWER	[Symbol]	SEWER MANHOLE
[Symbol]	WATER LINE	[Symbol]	CURB INLET
[Symbol]	GAS LINE	[Symbol]	GAS VALVE
[Symbol]	UNDERGROUND POWER	[Symbol]	PHONE PEDESTAL
[Symbol]	UNDERGROUND PHONE LINE	[Symbol]	SIGN
[Symbol]	OVERHEAD POWER	[Symbol]	TEST PIT
[Symbol]	OVERHEAD PHONE LINE	[Symbol]	UTILITY POLE
[Symbol]	BARBED WIRE FENCE	[Symbol]	TRAFFIC SIGNAL BOX
[Symbol]	CHAIN LINK FENCE		
[Symbol]	WETLAND		
[Symbol]	STREAM OR WETLAND BUFFER		
[Symbol]	EDGE OF BRUSH		
[Symbol]	TREE CANOPY		

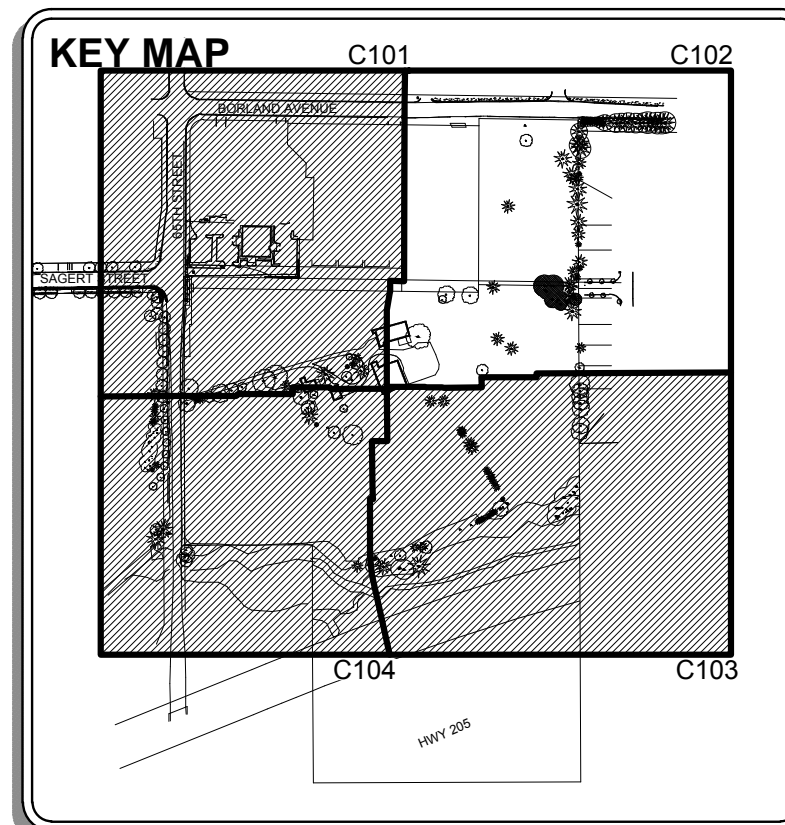
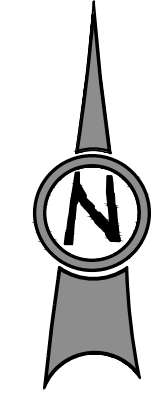
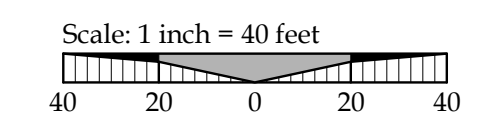
EXISTING CONDITIONS PLAN

THIS PLAN IS INTENDED FOR USE AS AN EXISTING CONDITIONS PLAN SHOWING THE CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. INFORMATION SHOWN ON THIS PLAN WAS DEVELOPED FROM THE TOPOGRAPHIC SURVEY, AERIAL PHOTOS, AND SITE OBSERVATIONS BY THE ENGINEER. NOT ALL SURFACE FEATURES OR UTILITIES MAY BE SHOWN. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION TO DETERMINE WORK SPECIFIC DETAILS. TOPOGRAPHIC INFORMATION PROVIDED BY COMPASS LAND SURVEYING, DATED DEC. 2013.

ZONE X (UN-SHADED)

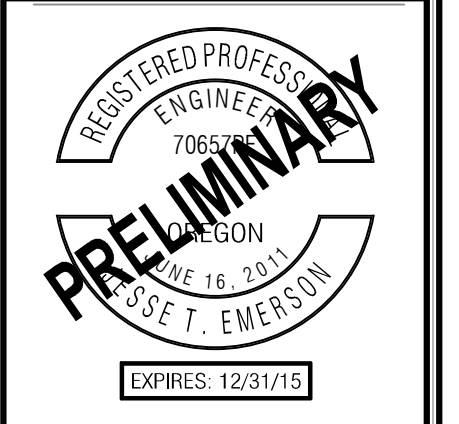
THE SITE IS LOCATED WITHIN ZONE X (UN-SHADED) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41005C 0255 D FEMA'S DEFINITION OF ZONE X (UN-SHADED) IS AN AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, FLOOD INSURANCE IS AVAILABLE TO ALL PROPERTY OWNERS AND RENTERS IN THESE ZONES.

- SURVEYOR'S NOTE**
- UTILITY INFORMATION SHOWN ON THIS MAP IS BASED UPON OBSERVED FEATURES, RECORD DATA AND TONE MARKS PROVIDED BY PUBLIC UTILITY LOCATION SERVICES. NO WARRANTIES ARE MADE REGARDING THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. INTERESTED PARTIES ARE HEREBY ADVISED THAT UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION OF ANY CRITICAL ITEMS.
 - VERTICAL DATUM: NGVD '88.
 - CONTOUR INTERVAL IS ONE FOOT.
 - TOPOGRAPHIC FEATURES SHOWN ON THIS MAP WERE LOCATED USING STANDARD PRECISION TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF DATA FROM THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. THIRD PARTIES USING DATA FROM THIS MAP IN AN AUTOCAD FORMAT SHOULD VERIFY ANY ELEMENTS REQUIRING PRECISE LOCATIONS PRIOR TO COMMENCEMENT OF ANY CRITICAL DESIGN OR CONSTRUCTION. CONTACT COMPASS ENGINEERING FOR FURTHER INFORMATION. FURTHERMORE, COMPASS ENGINEERING WILL NOT BE RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN SPECIFICALLY STATED HEREIN. THIS STATEMENT IS AN OFFICIAL PART OF THIS MAP.



8/11/15
BY DATE
REVISION SUMMARY

EXISTING CONDITIONS PLAN II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



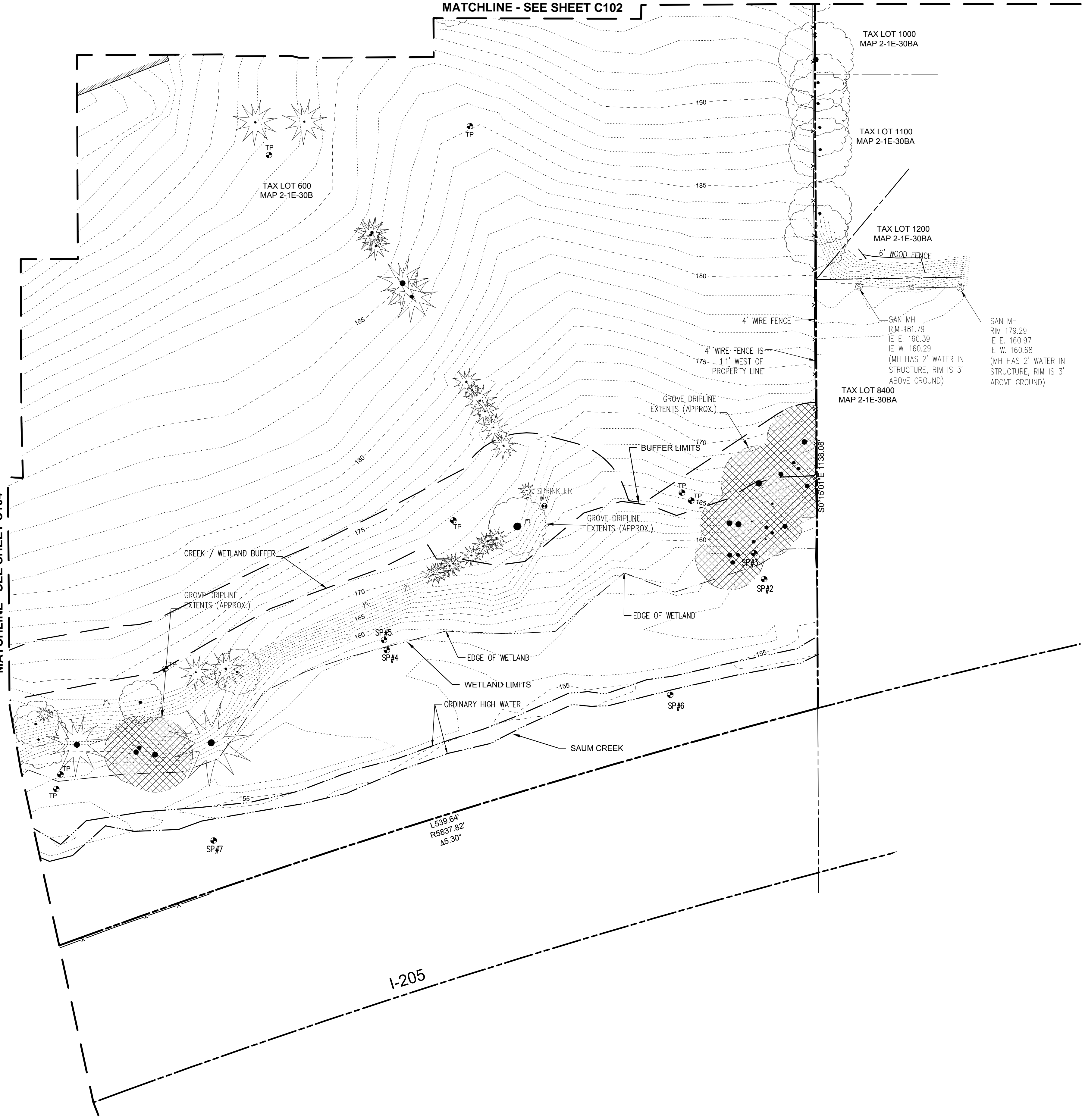
3J CONSULTING, INC.
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
10445 SW CANYON ROAD SUITE 245 BEAVERTON, OR 97005
PHONE & FAX: (503) 946-8385

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
EXIST. COND. II
SHEET NUMBER
C102

MATCHLINE - SEE SHEET C104

MATCHLINE - SEE SHEET C102



LEGEND

---	BOUNDARY LINE	---	CURB
---	RIGHT-OF-WAY	---	ASPHALT
---	LOT LINE	---	CONCRETE
---	CENTERLINE	---	GRAVEL
---	EASEMENT	---	EXISTING TREES
---	BUILDING	---	EXISTING STUMP
---	1 FT CONTOUR	---	LIGHT POLE
---	5 FT CONTOUR	---	WATER VALVE
SS---	SANITARY SEWER	---	WATER METER
SS---	SANITARY SEWER FORCEMAIN	---	FIRE HYDRANT
ST---	STORM SEWER	---	SEWER MANHOLE
W---	WATER LINE	---	CURB INLET
G---	GAS LINE	---	GAS VALVE
UGP---	UNDERGROUND POWER	---	PHONE PEDESTAL
T---	UNDERGROUND PHONE LINE	---	SIGN
OHP---	OVERHEAD POWER	---	TEST PIT
X---	BARBED WIRE FENCE	---	UTILITY POLE
---	CHAIN LINK FENCE	---	TRAFFIC SIGNAL BOX
---	WETLAND	---	
---	STREAM OR WETLAND BUFFER	---	
---	EDGE OF BRUSH	---	
---	TREE CANOPY	---	

EXISTING CONDITIONS PLAN

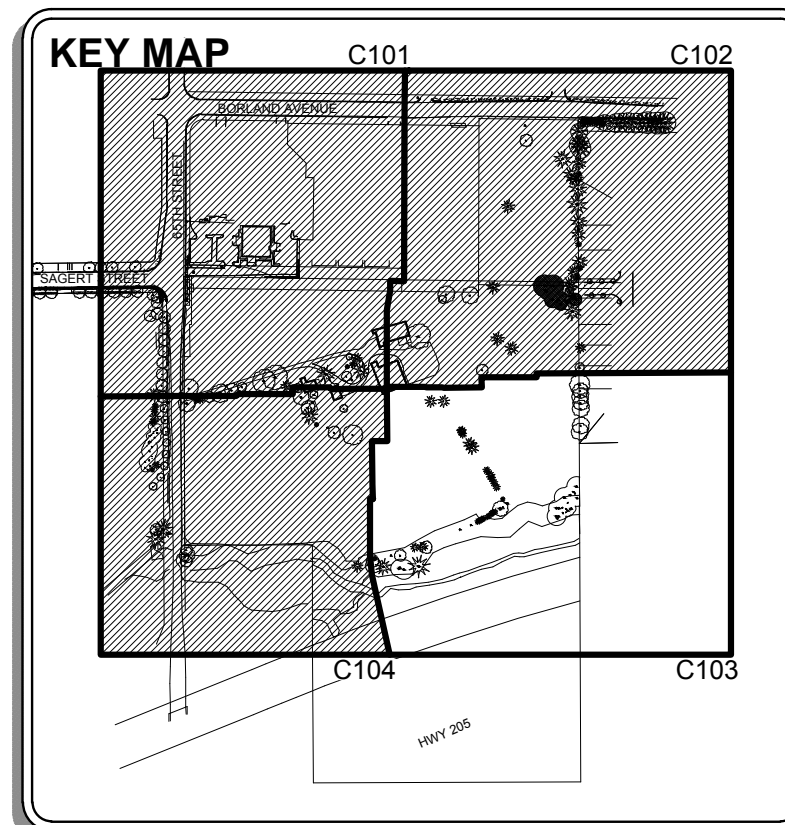
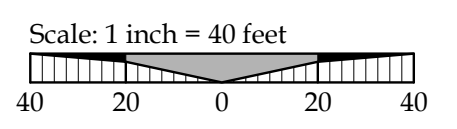
THIS PLAN IS INTENDED FOR USE AS AN EXISTING CONDITIONS PLAN SHOWING THE CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. INFORMATION SHOWN ON THIS PLAN WAS DEVELOPED FROM THE TOPOGRAPHIC SURVEY, AERIAL PHOTOS, AND SITE OBSERVATIONS BY THE ENGINEER. NOT ALL SURFACE FEATURES OR UTILITIES MAY BE SHOWN. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION TO DETERMINE WORK SPECIFIC DETAILS. TOPOGRAPHIC INFORMATION PROVIDED BY COMPASS LAND SURVEYING, DATED DEC. 2013.

ZONE X (UN-SHADED)

THE SITE IS LOCATED WITHIN ZONE X (UN-SHADED) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41005C 0255 D FEMA'S DEFINITION OF ZONE X (UN-SHADED) IS AN AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, FLOOD INSURANCE IS AVAILABLE TO ALL PROPERTY OWNERS AND RENTERS IN THESE ZONES.

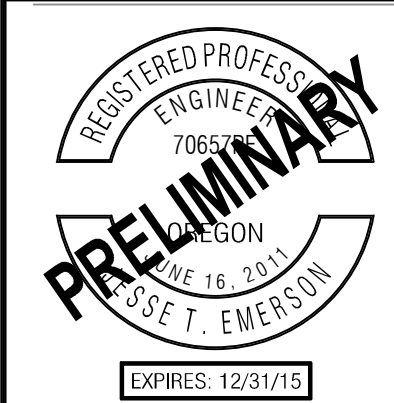
SURVEYOR'S NOTE

- UTILITY INFORMATION SHOWN ON THIS MAP IS BASED UPON OBSERVED FEATURES, RECORD DATA AND TONE MARKS PROVIDED BY PUBLIC UTILITY LOCATION SERVICES. NO WARRANTIES ARE MADE REGARDING THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. INTERESTED PARTIES ARE HEREBY ADVISED THAT UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION OF ANY CRITICAL ITEMS.
- VERTICAL DATUM: NGVD '88.
- CONTOUR INTERVAL IS ONE FOOT.
- TOPOGRAPHIC FEATURES SHOWN ON THIS MAP WERE LOCATED USING STANDARD PRECISION TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF DATA FROM THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. THIRD PARTIES USING DATA FROM THIS MAP IN AN AUTOCAD FORMAT SHOULD VERIFY ANY ELEMENTS REQUIRING PRECISE LOCATIONS PRIOR TO COMMENCEMENT OF ANY CRITICAL DESIGN OR CONSTRUCTION. CONTACT COMPASS ENGINEERING FOR FURTHER INFORMATION. FURTHERMORE, COMPASS ENGINEERING WILL NOT BE RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN SPECIFICALLY STATED HEREIN. THIS STATEMENT IS AN OFFICIAL PART OF THIS MAP.



8/11/15
BY DATE
REVISION SUMMARY

EXISTING CONDITIONS PLAN III
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



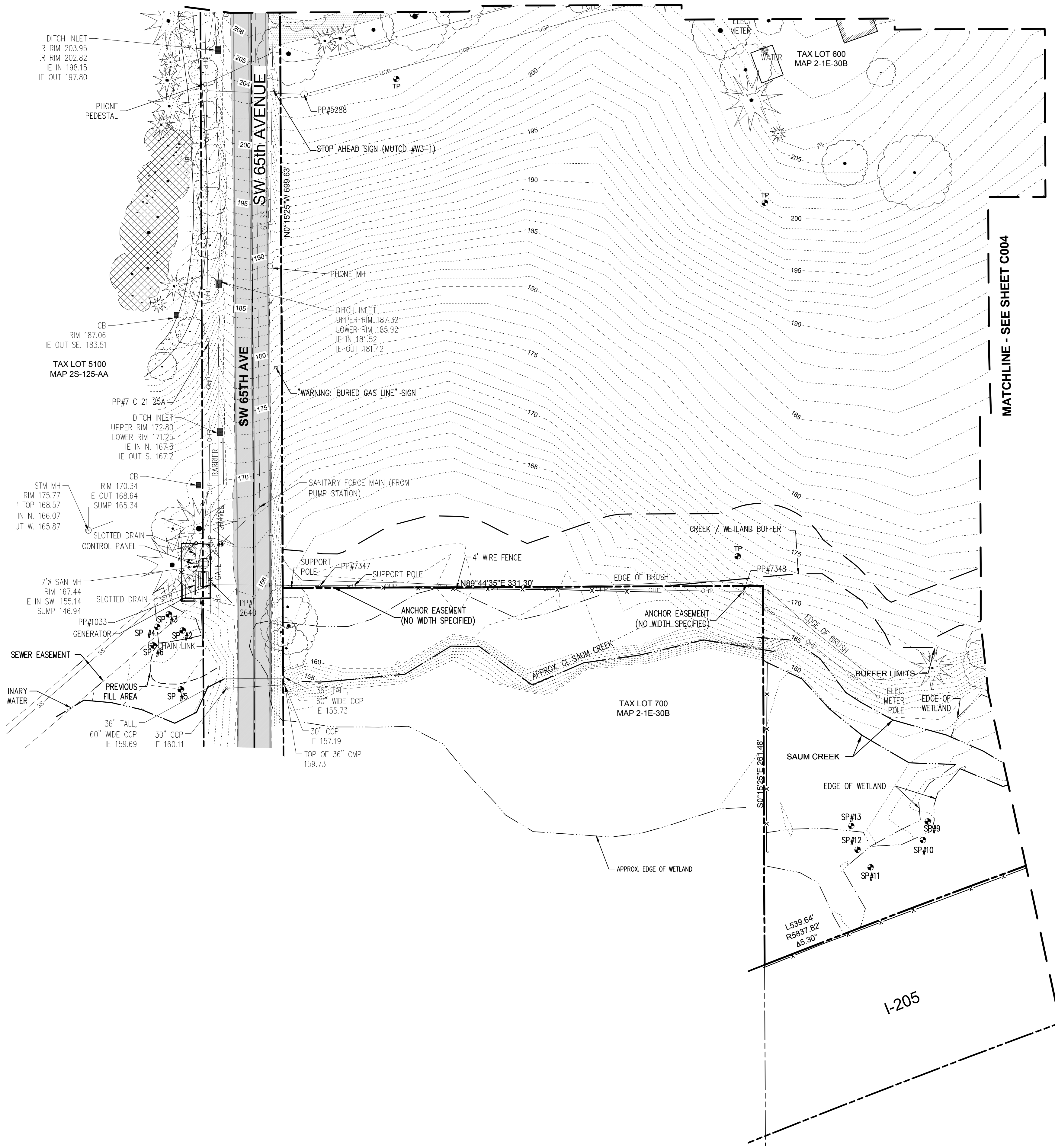
3J CONSULTING, INC
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
10445 SW CANYON ROAD SUITE 245 BEAVERTON, OR 97005
PHONE & FAX: (503) 946-6366

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
EXIST. COND. III

SHEET NUMBER
C103

MATCHLINE - SEE SHEET C002



LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	TREE CANOPY		

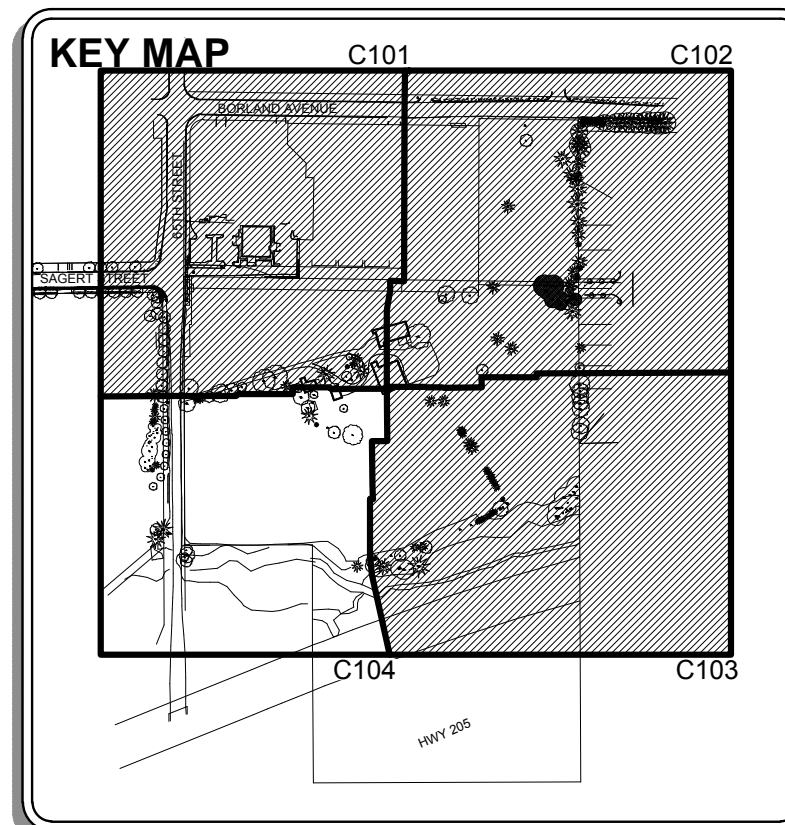
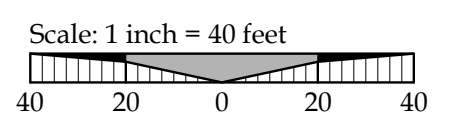
EXISTING CONDITIONS PLAN

THIS PLAN IS INTENDED FOR USE AS AN EXISTING CONDITIONS PLAN SHOWING THE CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. INFORMATION SHOWN ON THIS PLAN WAS DEVELOPED FROM THE TOPOGRAPHIC SURVEY, AERIAL PHOTOS, AND SITE OBSERVATIONS BY THE ENGINEER. NOT ALL SURFACE FEATURES OR UTILITIES MAY BE SHOWN. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION TO DETERMINE WORK SPECIFIC DETAILS. TOPOGRAPHIC INFORMATION PROVIDED BY COMPASS LAND SURVEYING, DATED DEC. 2013.

ZONE X (UN-SHADED) THE SITE IS LOCATED WITHIN ZONE X (UN-SHADED) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41005C 0255 D FEMA'S DEFINITION OF ZONE X (UN-SHADED) IS AN AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, FLOOD INSURANCE IS AVAILABLE TO ALL PROPERTY OWNERS AND RENTERS IN THESE ZONES.

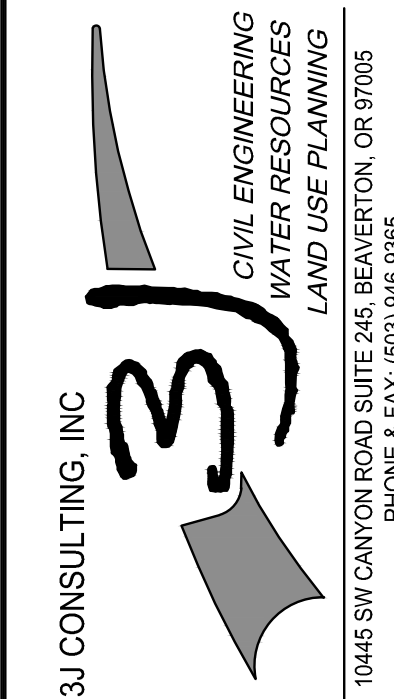
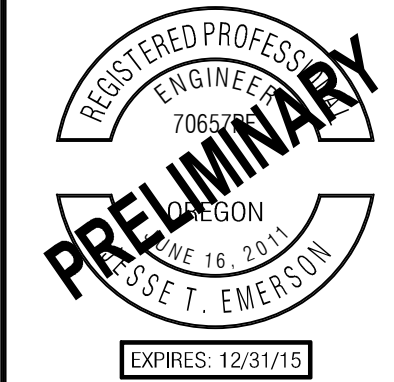
SURVEYOR'S NOTE

- UTILITY INFORMATION SHOWN ON THIS MAP IS BASED UPON OBSERVED FEATURES, RECORD DATA AND TONE MARKS PROVIDED BY PUBLIC UTILITY LOCATION SERVICES. NO WARRANTIES ARE MADE REGARDING THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. INTERESTED PARTIES ARE HEREBY ADVISED THAT UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION OF ANY CRITICAL ITEMS.
- VERTICAL DATUM: NGVD '88.
- CONTOUR INTERVAL IS ONE FOOT.
- TOPOGRAPHIC FEATURES SHOWN ON THIS MAP WERE LOCATED USING STANDARD PRECISION TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF DATA FROM THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. THIRD PARTIES USING DATA FROM THIS MAP IN AN AUTOCAD FORMAT SHOULD VERIFY ANY ELEMENTS REQUIRING PRECISE LOCATIONS PRIOR TO COMMENCEMENT OF ANY CRITICAL DESIGN OR CONSTRUCTION. CONTACT COMPASS ENGINEERING FOR FURTHER INFORMATION. FURTHERMORE, COMPASS ENGINEERING WILL NOT BE RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN SPECIFICALLY STATED HEREIN. THIS STATEMENT IS AN OFFICIAL PART OF THIS MAP.



8/11/15
BY DATE
REVISION SUMMARY

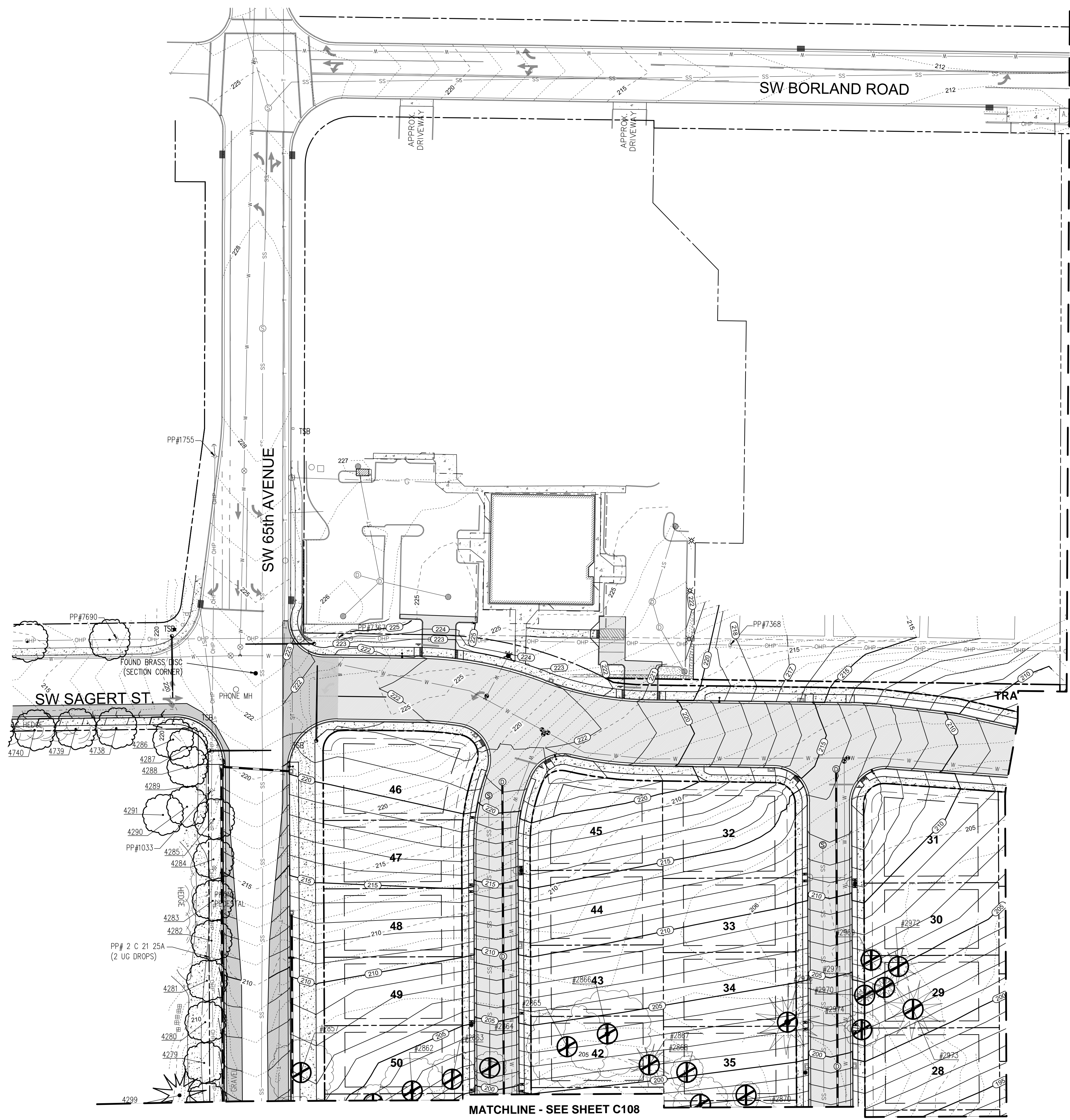
EXISTING CONDITIONS PLAN IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 2S1E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
EXIST. COND. IV

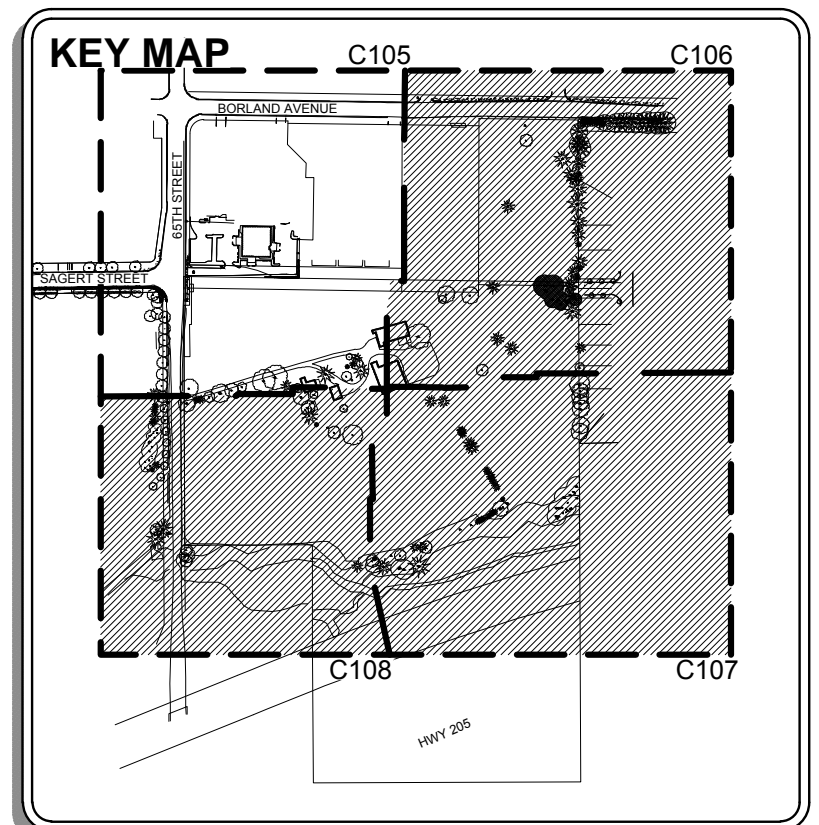
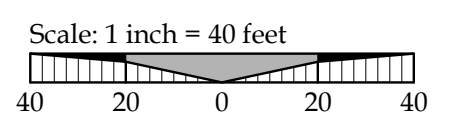
SHEET NUMBER
C104



MATCHLINE - SEE SHEET C106

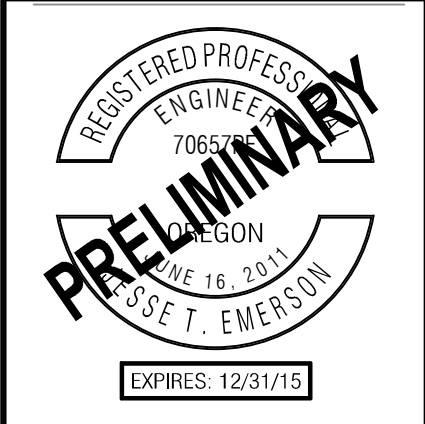
MATCHLINE - SEE SHEET C108

LEGEND	
	PROJECT BOUNDARY
	EXISTING RIGHT-OF-WAY LINE
	ADJACENT PROPERTY LOT LINE
	PROPOSED RIGHT OF WAY LINE
	PROPOSED PROPERTY LOT LINE
	PROPOSED LOT SETBACK LINE
	EXISTING 5 FOOT CONTOUR
	EXISTING 1 FOOT CONTOUR
	PROPOSED 5 FOOT CONTOUR
	PROPOSED 1 FOOT CONTOUR
	PROPOSED CURB
	GRAVEL TRAIL
	PROPOSED ASPHALT
	PROPOSED CONCRETE
	EXISTING TREE CANOPY
	BUILDING
	TREES
	TREE TAG NUMBER (SEE C109 FOR DATA)
	TREE PROTECTION FENCING
	TREE TO BE REMOVED



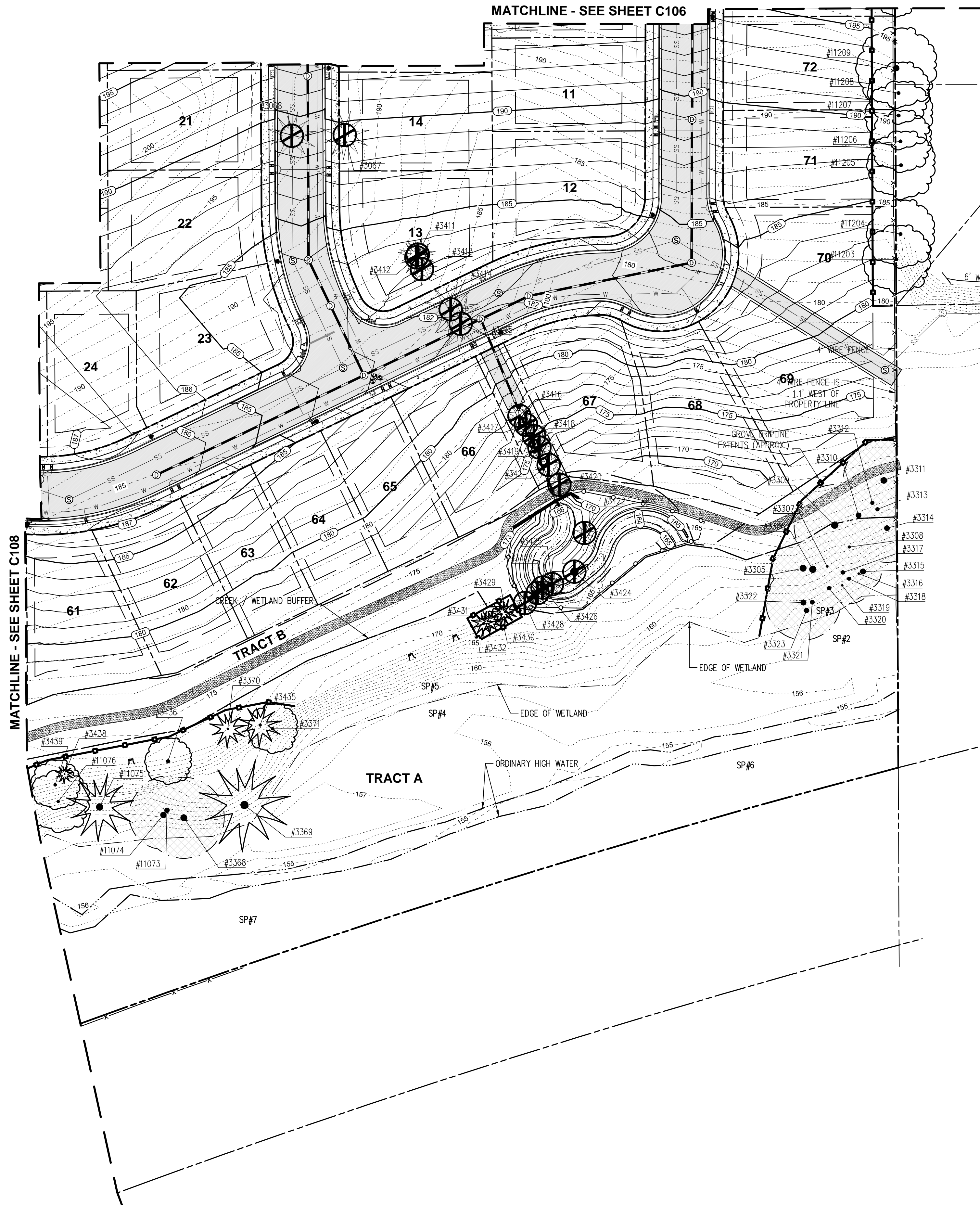
TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

TREE PROTECTION & REMOVAL I
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



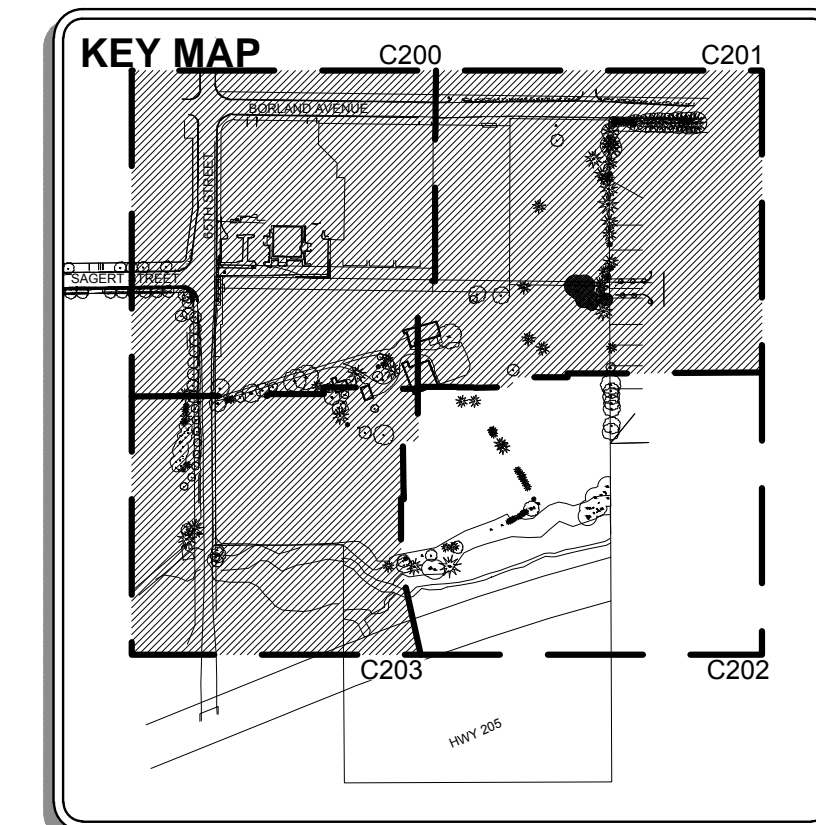
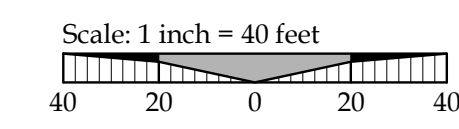
3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
TREE PROT./REM. I
 SHEET NUMBER
C105



LEGEND

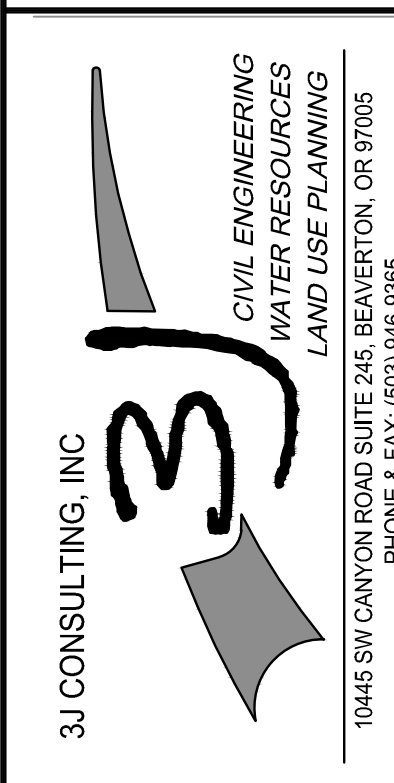
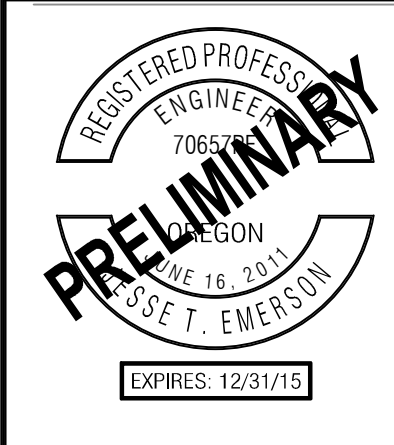
	PROJECT BOUNDARY
	EXISTING RIGHT-OF-WAY LINE
	ADJACENT PROPERTY LOT LINE
	PROPOSED RIGHT OF WAY LINE
	PROPOSED PROPERTY LOT LINE
	PROPOSED LOT SETBACK LINE
	EXISTING 5 FOOT CONTOUR
	EXISTING 1 FOOT CONTOUR
	PROPOSED 5 FOOT CONTOUR
	PROPOSED 1 FOOT CONTOUR
	PROPOSED CURB
	GRAVEL TRAIL
	PROPOSED ASPHALT
	PROPOSED CONCRETE
	EXISTING TREE CANOPY
	BUILDING
	TREES
	TREE TAG NUMBER (SEE C109 FOR DATA)
	TREE PROTECTION FENCING
	TREE TO BE REMOVED



TYPE II LAND USE

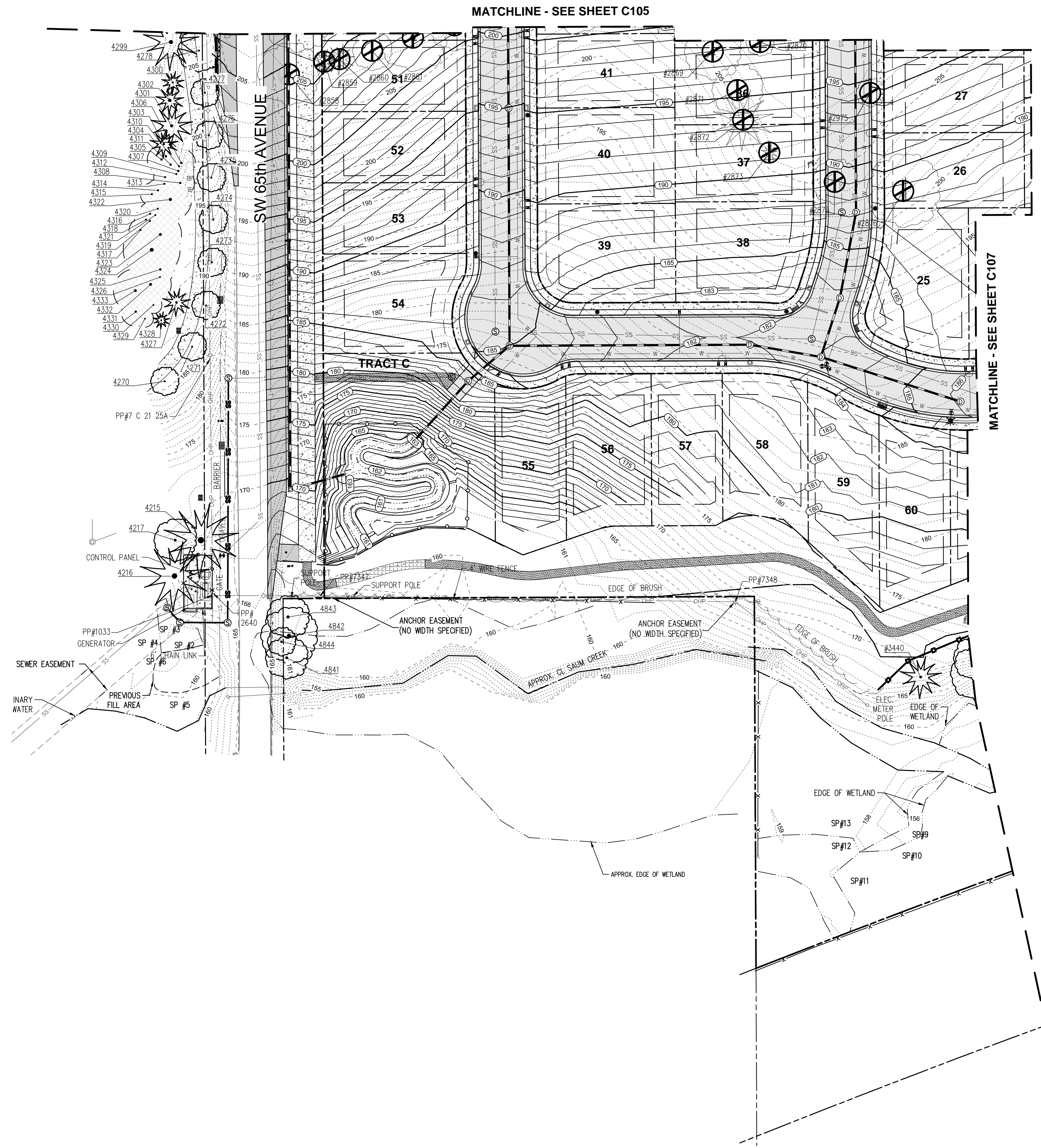
REVISION SUMMARY	DATE

TREE PROTECTION & REMOVAL III
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



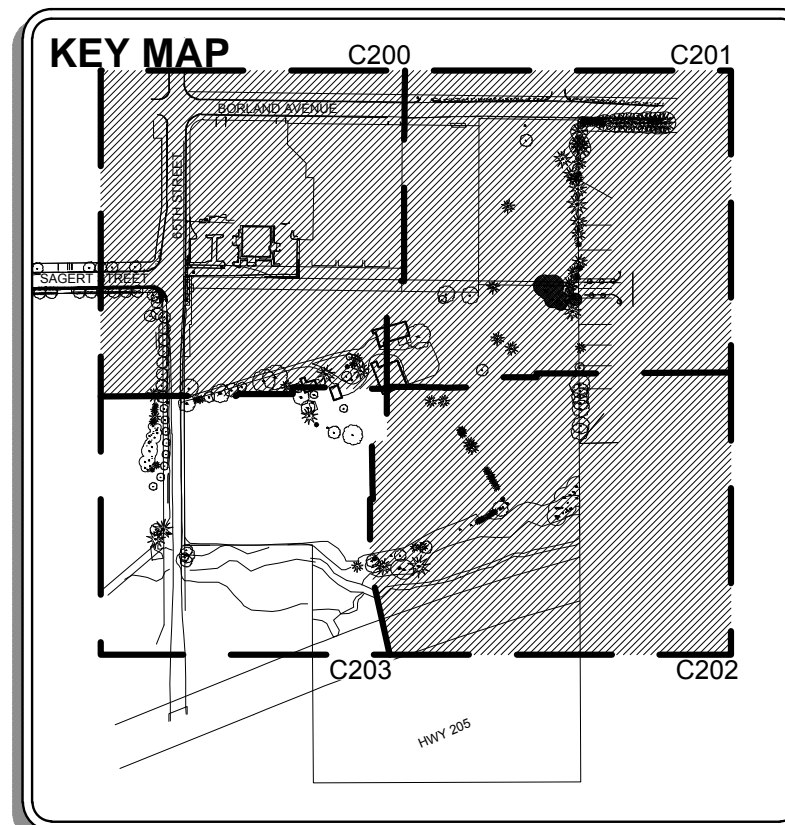
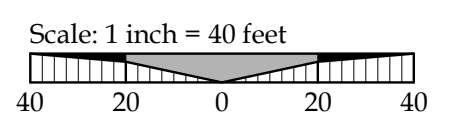
3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
TREE PROT./REM. III
 SHEET NUMBER
C107



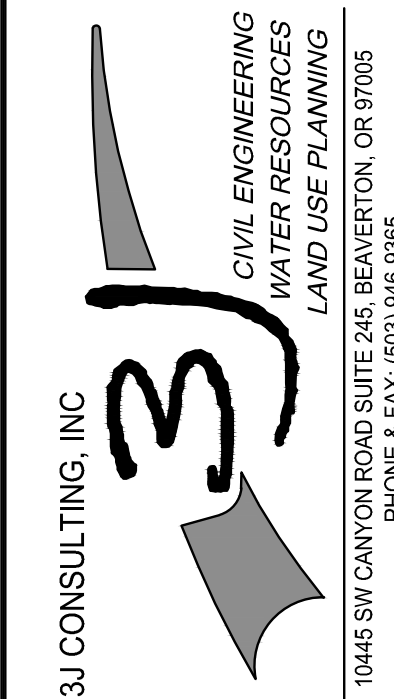
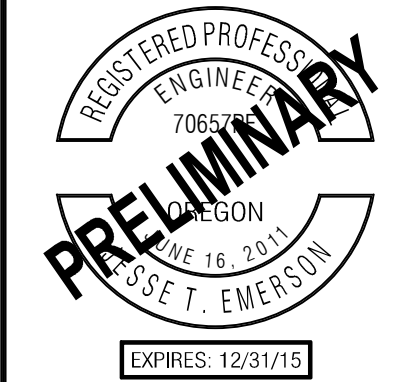
LEGEND

	PROJECT BOUNDARY
	EXISTING RIGHT-OF-WAY LINE
	ADJACENT PROPERTY LOT LINE
	PROPOSED RIGHT OF WAY LINE
	PROPOSED PROPERTY LOT LINE
	PROPOSED LOT SETBACK LINE
	EXISTING 5 FOOT CONTOUR
	PROPOSED 5 FOOT CONTOUR
	EXISTING 1 FOOT CONTOUR
	PROPOSED 1 FOOT CONTOUR
	PROPOSED CURB
	GRAVEL TRAIL
	PROPOSED ASPHALT
	PROPOSED CONCRETE
	EXISTING TREE CANOPY
	BUILDING
	TREES
	TREE TAG NUMBER (SEE C109 FOR DATA)
	TREE PROTECTION FENCING
	TREE TO BE REMOVED



TYPE II LAND USE
REVISION SUMMARY
BY DATE

TREE PROTECTION AND REMOVAL IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 2S1E30B 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
TREE PROT./REM. IV
 SHEET NUMBER
C108

TREE INVENTORY					
SURVEY POINT NUMBER	TREE SPECIES	NOMINAL CALIPER SIZE (INCHES)	DRIP RADIUS (FEET)	PROPOSED ACTION	REMOVE DUE TO CONDITION
2857	ENGLISH WALNUT	24	24	REMOVE	CONSTRUCTION
2858	ENGLISH WALNUT	34	22	REMOVE	CONSTRUCTION
2859	LARCH	16	9	REMOVE	CONSTRUCTION
2860	LARCH	21	11	REMOVE	CONSTRUCTION
2861	ENGLISH WALNUT	28	14	REMOVE	CONSTRUCTION
2862	ENGLISH WALNUT	40	24	REMOVE	CONSTRUCTION
2863	ENGLISH WALNUT	40	18	REMOVE	CONSTRUCTION
2864	DECIDUOUS	2x10	12	REMOVE	CONSTRUCTION
2865	ENGLISH WALNUT	34	30	REMOVE	CONSTRUCTION
2866	ENGLISH WALNUT	42	32	REMOVE	CONSTRUCTION
2867	PONDEROSA PINE	22	16	REMOVE	CONSTRUCTION
2868	DOGWOOD	8	12	REMOVE	CONSTRUCTION
2869	BLACK WALNUT	34	20	REMOVE	CONSTRUCTION
2870	FRUIT	24	10	REMOVE	CONSTRUCTION
2871	SAUCER MAGNOLIA	10,12	18	REMOVE	CONSTRUCTION
2872	DEODAR CEDAR	24	22	REMOVE	CONSTRUCTION
2873	FRUIT	6	6	REMOVE	CONSTRUCTION
2875	FILBERT	2x10	16	REMOVE	CONSTRUCTION
2876	FRUIT	3x18	26	REMOVE	CONSTRUCTION
2969	FRUIT	12	8	REMOVE	CONSTRUCTION
2970	JUNIPER	8	6	REMOVE	CONSTRUCTION
2971	JUNIPER	12	9	REMOVE	CONSTRUCTION
2972	LARCH	20	14	REMOVE	CONSTRUCTION
2973	PONDEROSA PINE	32	22	REMOVE	CONSTRUCTION
2974	JAPANESE MAPLE	14	13	REMOVE	CONSTRUCTION
2975	AMERICAN HOLLY	3x8	10	REMOVE	CONSTRUCTION
2976	DOUGLAS FIR	52	24	REMOVE	CONSTRUCTION
3040	ENGLISH WALNUT	42	32	REMOVE	CONSTRUCTION
3064	DOUGLAS FIR	48	18	REMOVE	CONSTRUCTION
3065	DOUGLAS FIR	42	18	REMOVE	CONSTRUCTION
3066	FRUIT	18	15	REMOVE	CONSTRUCTION
3067	DOUGLAS FIR	14	16	REMOVE	CONSTRUCTION
3068	DOUGLAS FIR	16	16	REMOVE	CONSTRUCTION
3074	CHESTNUT	22	22	REMOVE	CONSTRUCTION
3075	CHESTNUT	25	22	REMOVE	CONSTRUCTION
3076	ENGLISH HAWTHORN	8	10	REMOVE	CONSTRUCTION
3085	DOUGLAS FIR	50	18	REMOVE	CONSTRUCTION
3305	DOUGLAS FIR	44	20	RETAIN	N/A
3306	DOUGLAS FIR	46	20	RETAIN	N/A
3307	DOUGLAS FIR	10	8	RETAIN	N/A
3308	DOUGLAS FIR	16	8	RETAIN	N/A
3309	DOUGLAS FIR	48	26	RETAIN	N/A
3310	DOUGLAS FIR	36	24	RETAIN	N/A
3311	DOUGLAS FIR	42	26	RETAIN	N/A
3312	DOUGLAS FIR	24	16	RETAIN	N/A
3313	DOUGLAS FIR	24	8	RETAIN	N/A
3314	DOUGLAS FIR	36	22	RETAIN	N/A
3315	DOUGLAS FIR	38	12	RETAIN	N/A
3316	DOUGLAS FIR	10	6	RETAIN	N/A
3317	DOUGLAS FIR	26	6	RETAIN CREATE SNAG	N/A
3318	DOUGLAS FIR	24	16	RETAIN	N/A
3319	DOUGLAS FIR	10	8	RETAIN	N/A
3320	DOUGLAS FIR	26	14	RETAIN	N/A
3321	DOUGLAS FIR	28	10	RETAIN CREATE SNAG	N/A
3322	DOUGLAS FIR	38	24	RETAIN	N/A
3323	DOUGLAS FIR	32	6	RETAIN CREATE SNAG	N/A
3368	DOUGLAS FIR	44	26	RETAIN	N/A
3369	DOUGLAS FIR	54	30	RETAIN	N/A
3370	DOUGLAS FIR	10	12	RETAIN	N/A
3371	FRUIT	18	16	REMOVE	CONSTRUCTION
3411	FIR	20	12	REMOVE	CONSTRUCTION
3412	FIR	20	12	REMOVE	CONSTRUCTION
3413	FIR	18	10	REMOVE	CONSTRUCTION
3414	GIANT SEQUOIA	44	18	REMOVE	CONSTRUCTION
3415	DOUGLAS FIR	28	18	REMOVE	CONSTRUCTION
3416	FIR	16	10	REMOVE	CONSTRUCTION
3417	FIR	8	6	REMOVE	CONSTRUCTION
3418	FIR	14	12	REMOVE	CONSTRUCTION
3419	FIR	12	10	REMOVE	CONSTRUCTION
3420	FIR	10	10	REMOVE	CONSTRUCTION
3421	DOUGLAS FIR	10	12	REMOVE	CONSTRUCTION
3422	FIR	8	6	REMOVE	CONSTRUCTION
3423	PORT-ORFORD-CEDAR	14	0	REMOVE	CONSTRUCTION

3424	CHESTNUT	3x20	20	REMOVE	CONSTRUCTION
3425	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3426	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3427	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3428	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3429	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3430	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3431	FIR	6	8	RETAIN	N/A
3432	PORT-ORFORD-CEDAR	12	8	RETAIN	N/A
3435	DOUGLAS FIR	15	14	RETAIN	N/A
3437	FRUIT	22	14	REMOVE	CONSTRUCTION
3438	DOUGLAS FIR	5	6	REMOVE	CONSTRUCTION
3439	FRUIT	18	16	REMOVE	CONSTRUCTION
3440	DOUGLAS FIR	14	15	RETAIN	N/A
3606	FLOWERING PEAR	4	6	PROTECT	N/A
3607	FLOWERING PEAR	4	6	PROTECT	N/A
3608	FLOWERING PEAR	4	6	PROTECT	N/A
3609	FLOWERING PEAR	4	6	PROTECT	N/A
3610	FLOWERING PEAR	4	6	PROTECT	N/A
3611	FLOWERING PEAR	4	6	PROTECT	N/A
10430	GIANT SEQUOIA	32	12	PROTECT	N/A
10431	GIANT SEQUOIA	34	12	PROTECT	N/A
10432	GIANT SEQUOIA	32	12	PROTECT	N/A
10433	GIANT SEQUOIA	32	12	PROTECT	N/A
10434	GIANT SEQUOIA	36	12	PROTECT	N/A
10435	GIANT SEQUOIA	30	12	PROTECT	N/A
10436	GIANT SEQUOIA	38	15	PROTECT	N/A
10437	GIANT SEQUOIA	20	12	PROTECT	N/A
10438	GIANT SEQUOIA	46	20	PROTECT	N/A
10439	GIANT SEQUOIA	54	24	PROTECT	N/A
10440	GIANT SEQUOIA	54	24	PROTECT	N/A
10441	GIANT SEQUOIA	48	26	PROTECT	N/A
10442	GIANT SEQUOIA	48	26	PROTECT	N/A
10443	GIANT SEQUOIA	46	26	PROTECT	N/A
10444	GIANT SEQUOIA	46	28	PROTECT	N/A
10445	GIANT SEQUOIA	44	26	PROTECT	N/A
10446	GIANT SEQUOIA	42	28	PROTECT	N/A
10447	GIANT SEQUOIA	50	28	PROTECT	N/A
10448	GIANT SEQUOIA	50	28	PROTECT	N/A
10969	ENGLISH HAWTHORNE	14	16	REMOVE	CONSTRUCTION
10971	DOUGLAS FIR	42	22	PROTECT	N/A
10972	DOUGLAS FIR	30	24	PROTECT	N/A
10973	DOUGLAS FIR	14	22	PROTECT	N/A
10974	DOUGLAS FIR	30	25	PROTECT	N/A
10975	GIANT SEQUOIA	54	18	PROTECT	N/A
10976	DOUGLAS FIR	38	24	REMOVE	CONSTRUCTION
10977	DOUGLAS FIR	28	22	REMOVE	CONSTRUCTION
10978	DOUGLAS FIR	34	16	REMOVE	CONSTRUCTION
10979	REDWOOD	10	12	PROTECT	N/A
10980	DOUGLAS FIR	18	6	PROTECT	N/A
10981	DOUGLAS FIR	30	24	RETAIN	N/A
10982	REDWOOD	66	28	RETAIN	N/A
10989	DOUGLAS FIR	38	18	REMOVE	CONSTRUCTION
11073	DOUGLAS FIR	32	22	RETAIN	N/A
11074	DOUGLAS FIR	40	22	RETAIN	N/A
11075	DOUGLAS FIR	46	22	RETAIN	N/A
11076	OREGON ASH	16	20	RETAIN	N/A
11181	DOUGLAS FIR	60	24	REMOVE	CONSTRUCTION
11182	DOUGLAS FIR	34	16	REMOVE	CONSTRUCTION
11183	DOUGLAS FIR	20	10	REMOVE	CONSTRUCTION
11184	DOUGLAS FIR	22	8	REMOVE	CONSTRUCTION
11185	DOUGLAS FIR	28	14	REMOVE	CONSTRUCTION
11186	DOUGLAS FIR	28	8	REMOVE	CONSTRUCTION
11187	DOUGLAS FIR	36	16	REMOVE	CONSTRUCTION
11188	DOUGLAS FIR	22	14	REMOVE	CONSTRUCTION
11189	DOUGLAS FIR	18	10	REMOVE	CONSTRUCTION
11190	DOUGLAS FIR	14	8	REMOVE	CONSTRUCTION
11191	DOUGLAS FIR	44	22	REMOVE	CONSTRUCTION / HAZARD
11192	DOUGLAS FIR	42	20	REMOVE	CONSTRUCTION
11193	DOUGLAS FIR	30	14	REMOVE	CONSTRUCTION
11194	DOUGLAS FIR	44	28	REMOVE	CONSTRUCTION
11195	DOUGLAS FIR	36	28	REMOVE	CONSTRUCTION
11203	DECIDUOUS	20	22	PROTECT	N/A
11204	DECIDUOUS	20	22	PROTECT	N/A
11205	DECIDUOUS	20	22	PROTECT	N/A
11206	DECIDUOUS	20	20	PROTECT	N/A
11207	DECIDUOUS	20	22	PROTECT	N/A
11208	DECIDUOUS	20	20	PROTECT	N/A
11209	DECIDUOUS	40	26	PROTECT	N/A

11210	DECIDUOUS	18	12	PROTECT	N/A
11211	PORT-ORFORD-CEDAR	24	14	PROTECT	N/A
11224	DOUGLAS FIR	12	10	REMOVE	CONSTRUCTION
11225	DOUGLAS FIR	22	16	REMOVE	CONSTRUCTION
11226	DOUGLAS FIR	40	22	REMOVE	CONSTRUCTION
11227	DOUGLAS FIR	30	10	REMOVE	CONSTRUCTION
11228	DOUGLAS FIR	38	16	REMOVE	CONSTRUCTION
11229	DOUGLAS FIR	24	20	PROTECT	N/A
11230	DOUGLAS FIR	7	8	PROTECT	N/A
11231	AMERICAN HOLLY	12	8	RETAIN	N/A
11232	WESTERN RED CEDAR	20	18	RETAIN	N/A
11233	WESTERN RED CEDAR	20	22	RETAIN	N/A

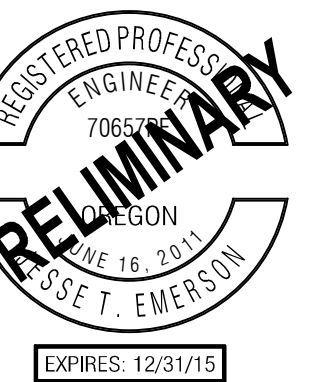
TYPE II LAND USE REVISION SUMMARY

DATE

BY

8/17/15

TREE INVENTORY
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E308 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TREE PROT./REM. V

SHEET NUMBER
C109

TAX LOT 1500
MAP 2-1E-19C

SW BORLAND ROAD

TAX LOT 90000
MAP 2-1E-30B

TAX LOT 500
MAP 2-1E-30B

TAX LOT 500
MAP 2-1E-30B

TAX LOT 600
MAP 2-1E-30B

TAX LOT 600
MAP 2-1E-30B

TAX LOT 600
MAP 2-1E-30B

TAX LOT 1000
MAP 2S-124-DD

TAX LOT 5100
MAP 2S-125-AA

TUALATIN PROFESSIONAL CENTER
CONDOMINIUM STAGE 1*

LEGEND

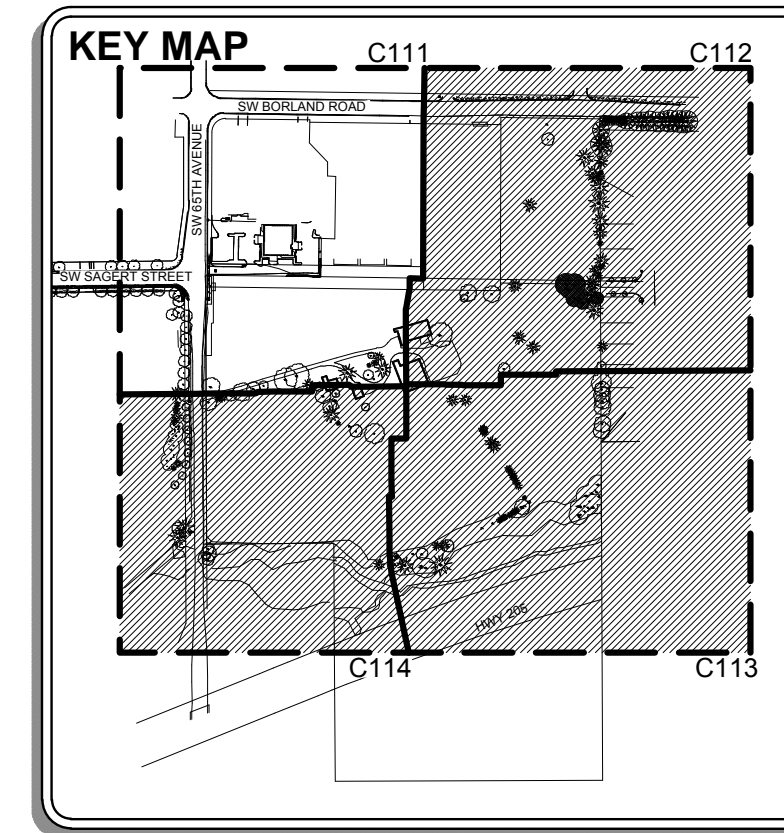
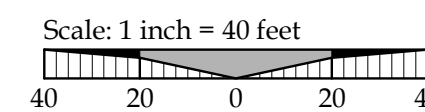
	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	REMOVAL LIMITS		
	PAVEMENT SAW-CUT LINE		
	PAVEMENT REMOVAL LIMITS		

DEMOLITION & SITE PREPARATION KEY NOTES

1	SAW-CUT ASPHALT TO FULL DEPTH, REMOVE EXISTING PAVEMENT AND CURB AND DISPOSE OFF-SITE. ALL WORK WITHIN RIGHT OF WAY TO FOLLOW APPROVED TRAFFIC MANAGEMENT PLAN. CITY OF TUALATIN TO APPROVE ALL SAW-CUT LIMITS PRIOR TO CUTTING WITHIN RIGHT OF WAY.
2	REMOVE AND RELOCATE EXISTING FIRE HYDRANT ASSEMBLY. SEE WATER PLANS FOR NEW LOCATION.
3	CONTRACTOR TO REMOVE SIGN(S) AND POST(S) AND DISPOSE OF OFF-SITE.
4	REMOVE EXISTING FENCE AND DISPOSE OFF-SITE.
5	EXISTING GRAVEL TO BE USED AS CONSTRUCTION STAGING AREA. SEE SHEET C116.
6	EXISTING BUILDING AND FOUNDATION TO BE DEMOLISHED. DEBRIS AND REFUSE TO BE DISPOSED OF OFF-SITE AT AN APPROVED LOCATION.
7	EXISTING ELECTRICAL VAULT TO BE DISCONNECTED AND RETURNED TO PGE.
8	REMOVE EXISTING STORM STRUCTURE AND DISPOSE OF OFF-SITE.
9	EXISTING CATCH BASIN AND PIPE TO BE REMOVED UP TO PROPERTY LIMITS. DEBRIS AND REFUSE TO BE DISPOSED OF OFF-SITE.
10	DECOMMISSION EXISTING FUEL TANK AND DISPOSE OF OFF-SITE.
11	EXISTING ELECTRICAL LINE TO BE DISCONNECTED AND REMOVED. ABANDON LINE IN PLACE WITHIN SW 65th AVENUE. COORDINATE WITH PGE.
12	TELEPHONE LINE TO BE DISCONNECTED. DISPOSE OF OFF-SITE.
13	REMOVE EXISTING WALL AND DISPOSE OF OFF-SITE.
14	EXISTING POWER METER TO BE DISCONNECTED AND RETURNED TO PGE. CAP SERVICE LINES AND REMOVE ALL CONDUITS AND WIRING WITHIN PROPERTY.

**** TREE REMOVAL NOTICE ****

ALL TREE INVENTORY, PROTECTION AND REMOVAL IS SUBJECT TO THE REQUIREMENTS AND RECOMMENDATIONS OF THE PROJECT ARBORIST AND THE CITY OF TUALATIN. SEE TREE PROTECTION AND REMOVAL PLANS C105-C109.

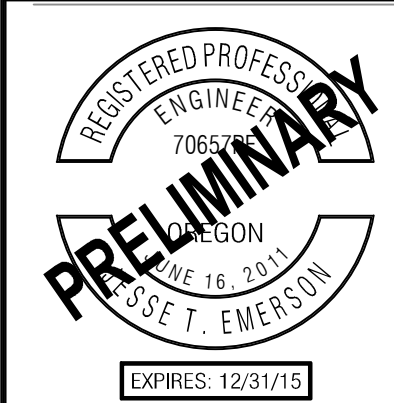


MATCHLINE - SEE SHEET C112

MATCHLINE - SEE SHEET C114

TYPE II LAND USE
REVISION SUMMARY
BY DATE

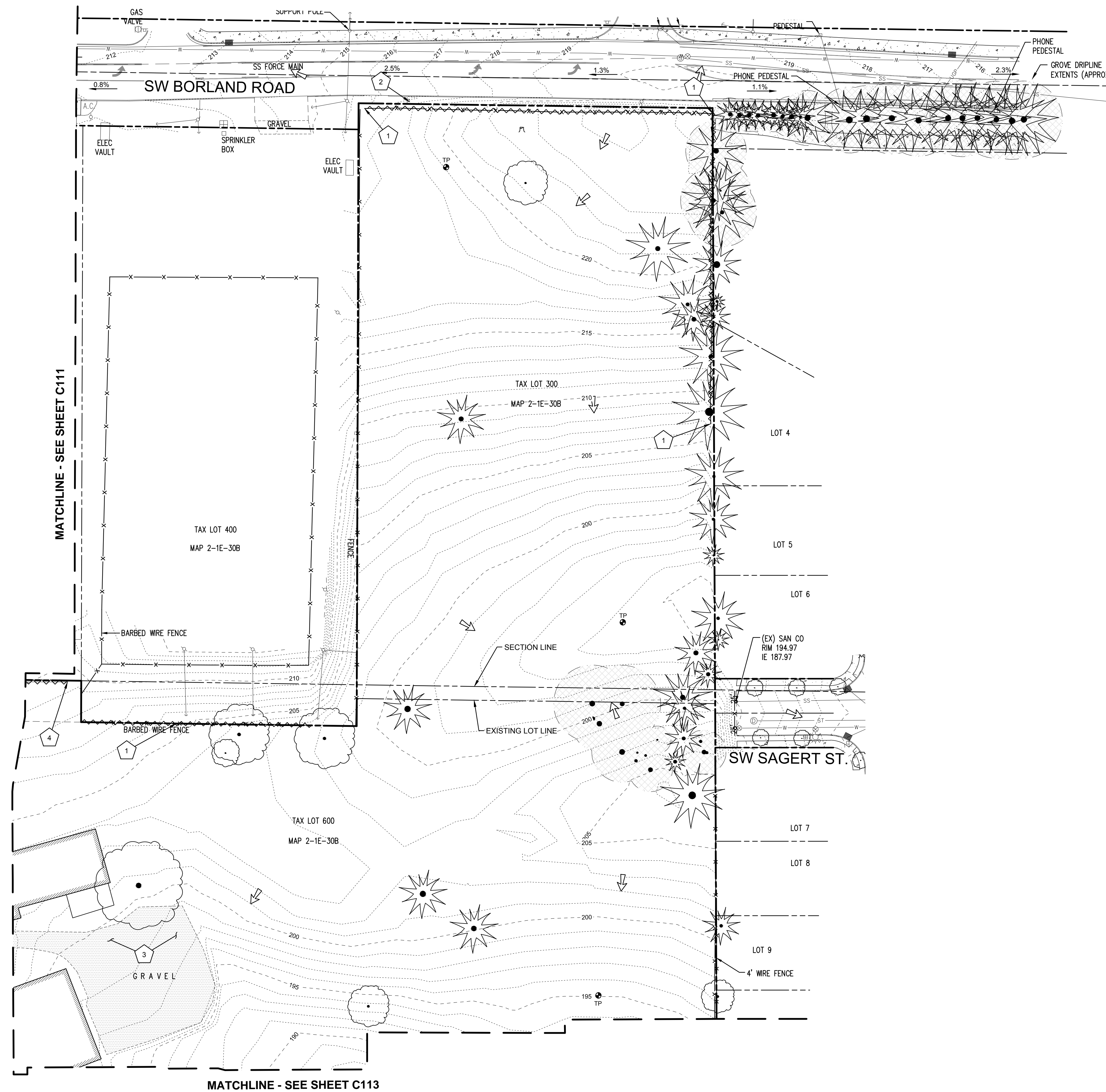
DEMOLITION PLAN I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J CONSULTING, INC.
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
10445 SW CANYON ROAD SUITE 245, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-8386

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B.300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
DEMO. PLAN I
SHEET NUMBER
C111

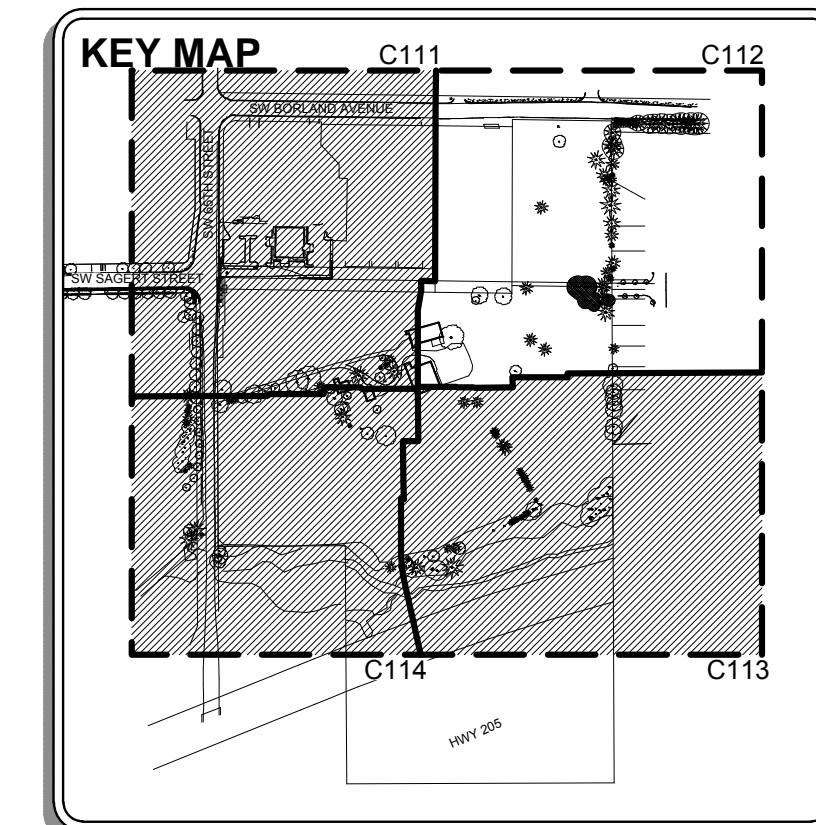
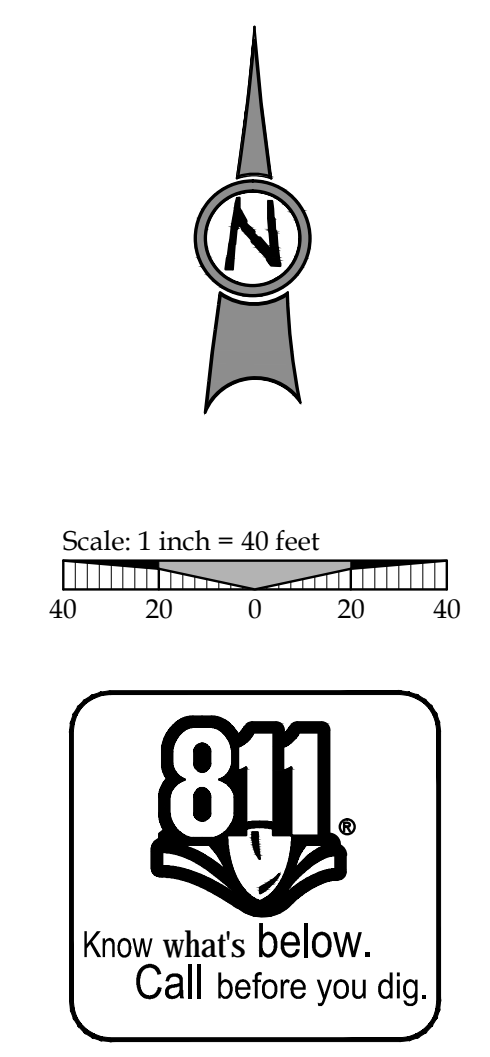


LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	REMOVAL LIMITS		
	TREE CANOPY		

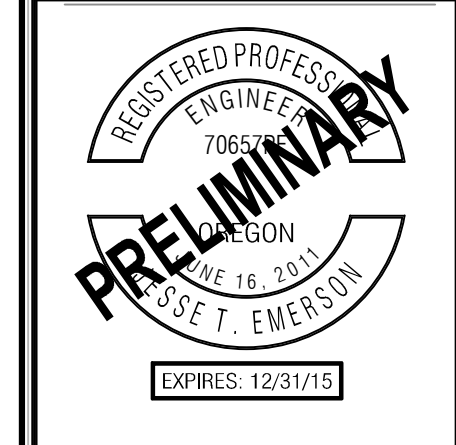
DEMOLITION & SITE PREPARATION KEY NOTES

1	REMOVE EXISTING FENCE. DISPOSE OF OFF-SITE.
2	CONTRACTOR TO REMOVE SIGN(S) AND POST(S) AND DISPOSE OF OFF-SITE.
3	EXISTING GRAVEL TO BE USED AS CONSTRUCTION STAGING AREA. SEE SHEET C117.
4	EXISTING ELECTRICAL LINE TO BE DISCONNECTED AND REMOVED. DISPOSE OF OFF-SITE.



8/11/15
 TYPE II LAND USE
 REVISION SUMMARY
 BY DATE

DEMOLITION PLAN II
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON

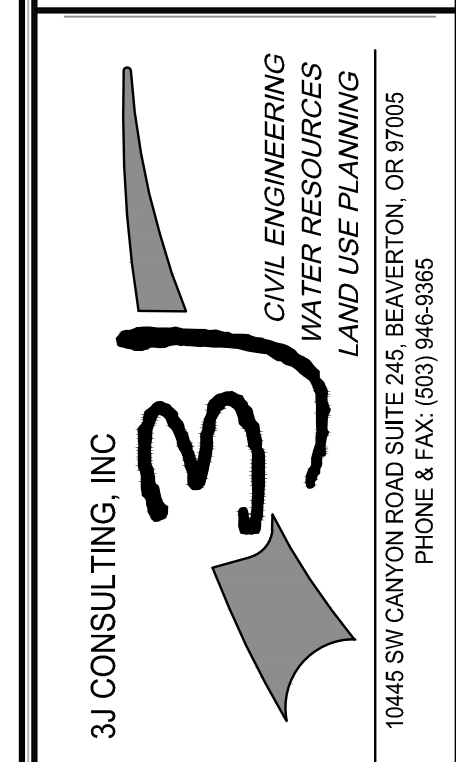
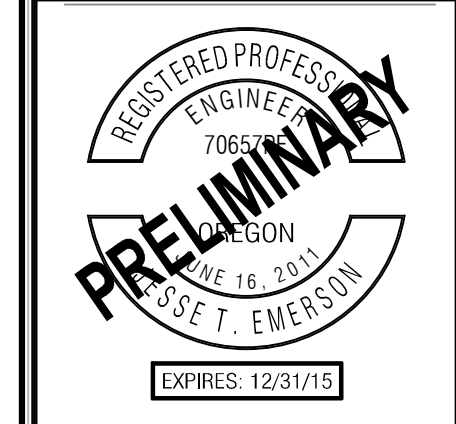


3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 10445 SW CANYON ROAD, SUITE 245, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5365

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
DEMO. PLAN II
 SHEET NUMBER
C112

DEMOLITION PLAN III
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E30B 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

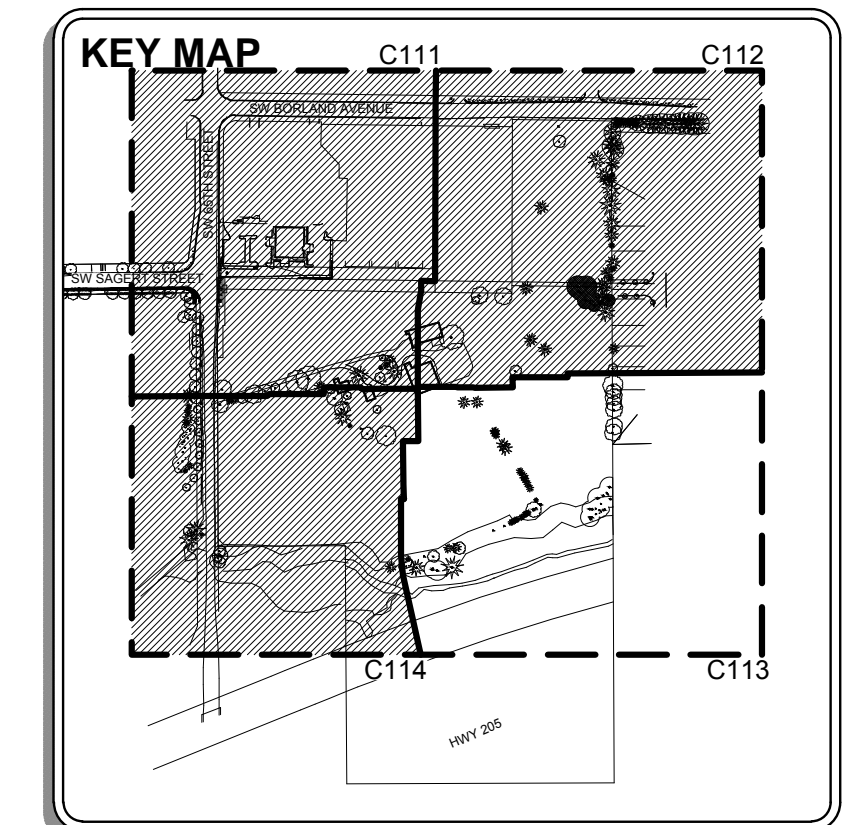
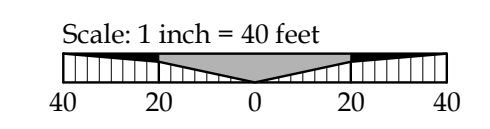
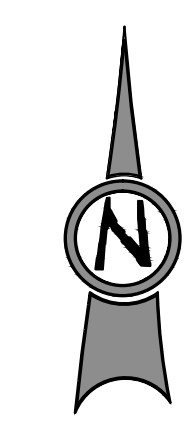
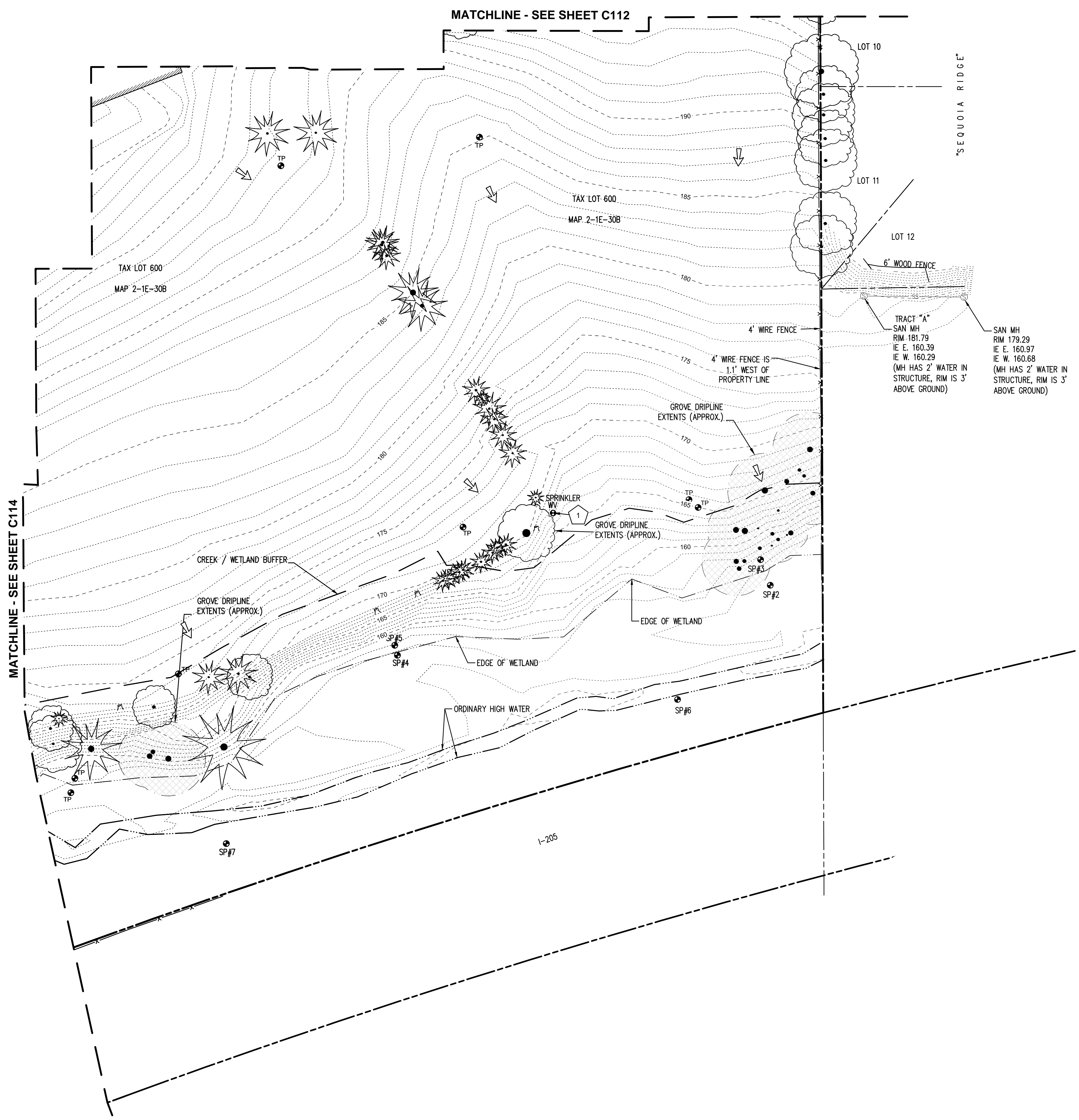
SHEET TITLE
DEMO. PLAN III
 SHEET NUMBER
C113

LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCE MAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	TREE CANOPY		

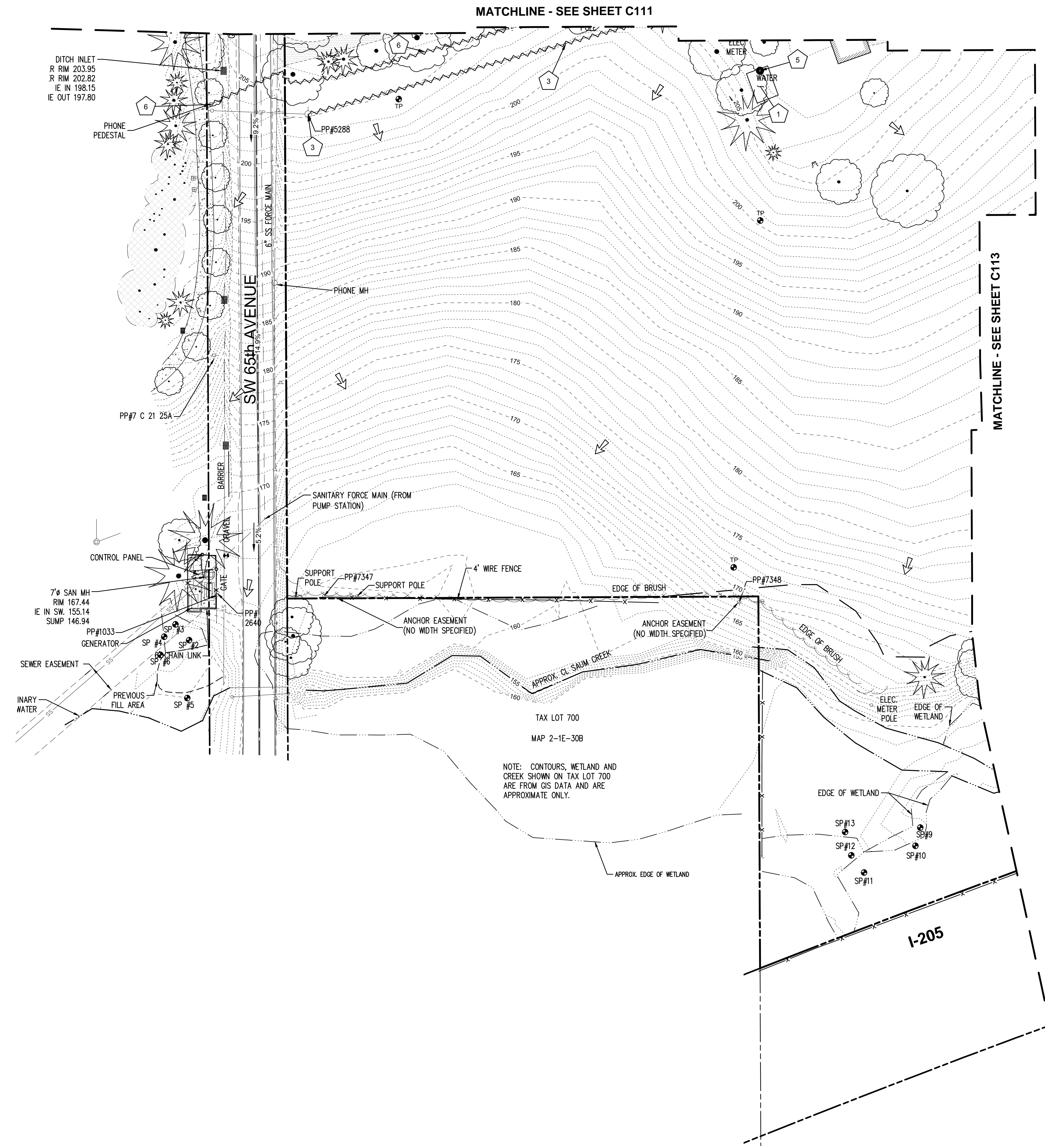
DEMOLITION & SITE PREPARATION KEY NOTES

	EXISTING IRRIGATION LINE AND VALVE TO BE REMOVED AND DISPOSED OFF-SITE.
--	---



MATCHLINE - SEE SHEET C114

MATCHLINE - SEE SHEET C112

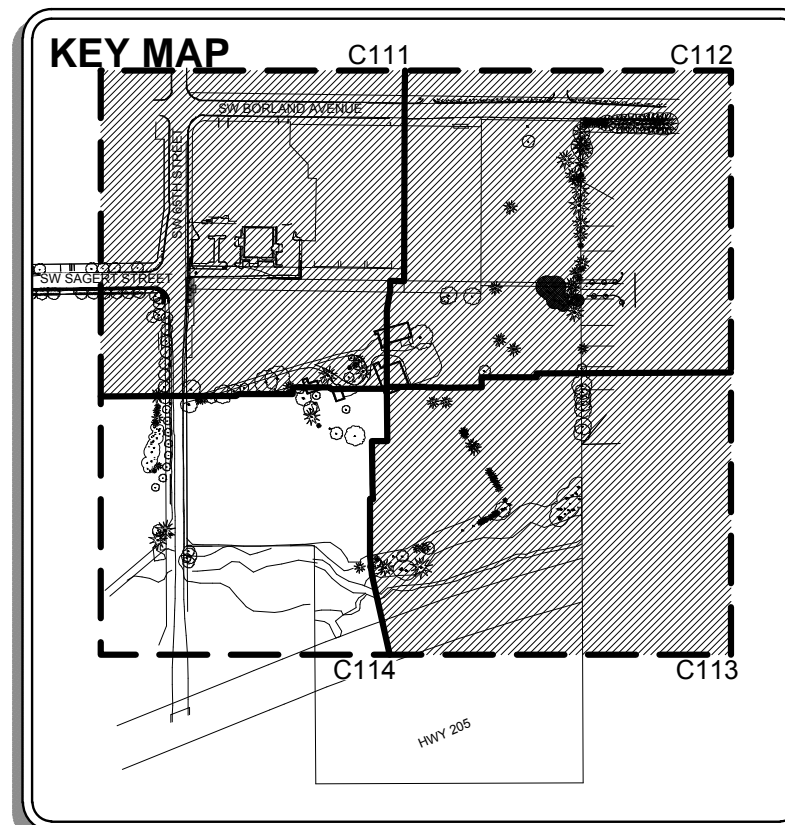
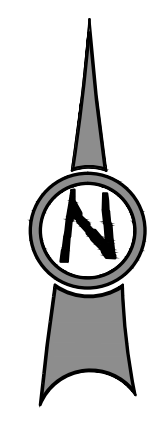
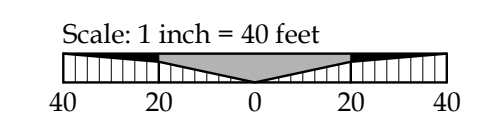


LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	REMOVAL LIMITS		
	TREE CANOPY		

DEMOLITION & SITE PREPARATION KEY NOTES

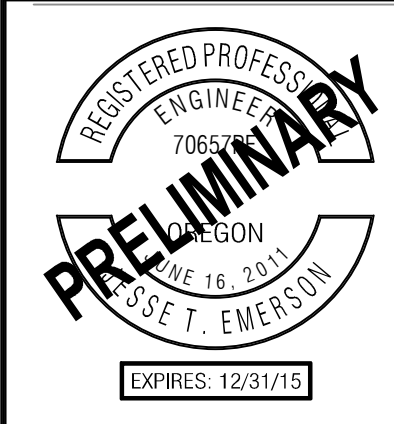
1	EXISTING BUILDING AND FOUNDATION TO BE DEMOLISHED. DEBRIS AND REFUSE TO BE DISPOSED OFF-SITE AT AN APPROVED LOCATION.
2	NOT USED.
3	CONTRACTOR TO COORDINATE WITH PGE TO REMOVE EXISTING UTILITY POLE.
4	NOT USED.
5	EXISTING WATER WELL AND PUMP HOUSE TO BE DECOMMISSIONED PER OAR 690-220-0030.
6	TELEPHONE LINE TO BE DISCONNECTED AND REMOVED. DISPOSE OF OFF-SITE.
7	UNDERGROUND POWER TO BE DISCONNECTED AND REMOVED. DISPOSE OF OFF-SITE. COORDINATE WITH PGE.



TYPE II LAND USE

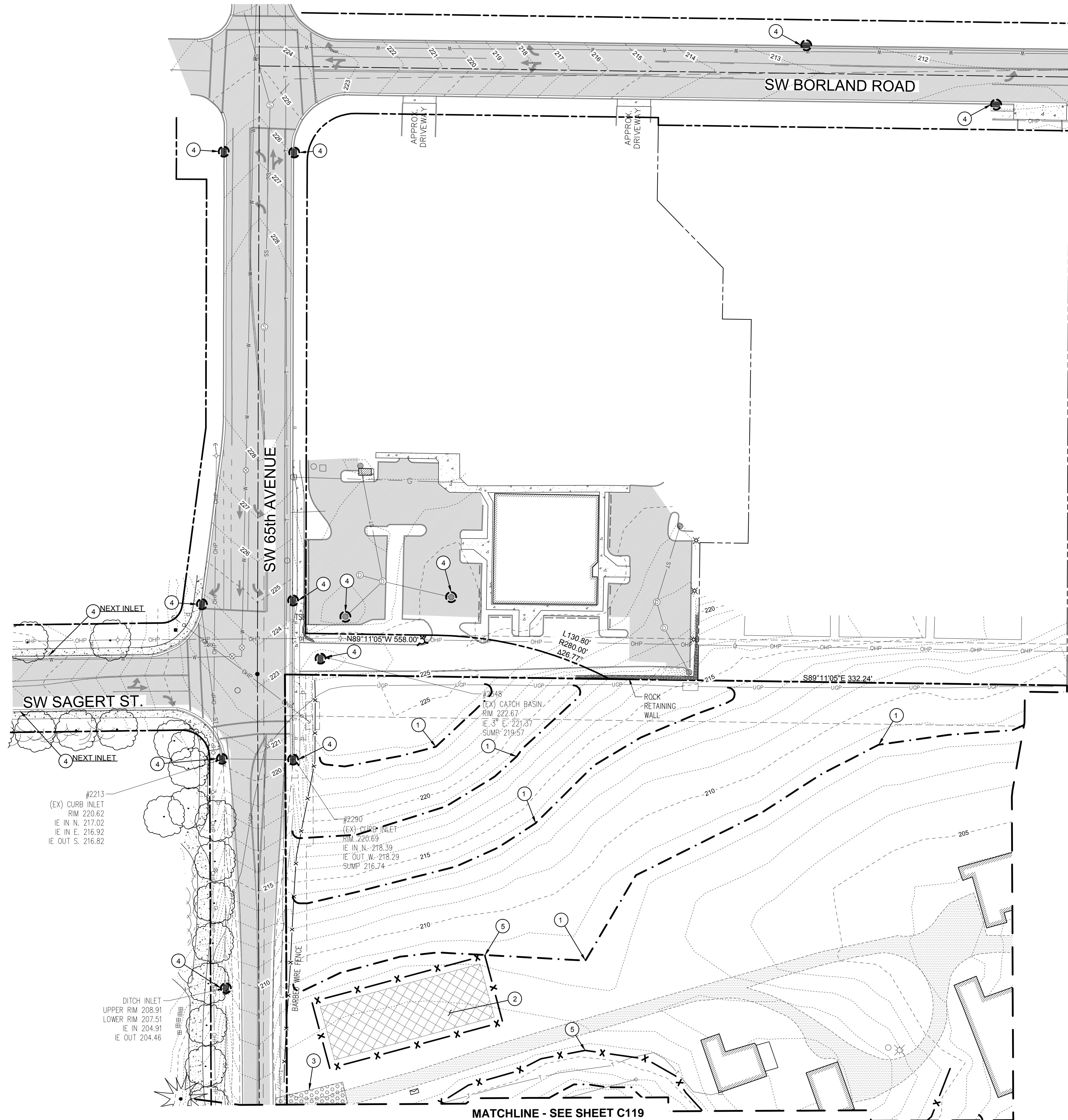
8/11/15	DATE
	BY
	REVISION SUMMARY

DEMOLITION PLAN IV
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
DEMO. PLAN IV
 SHEET NUMBER
C114



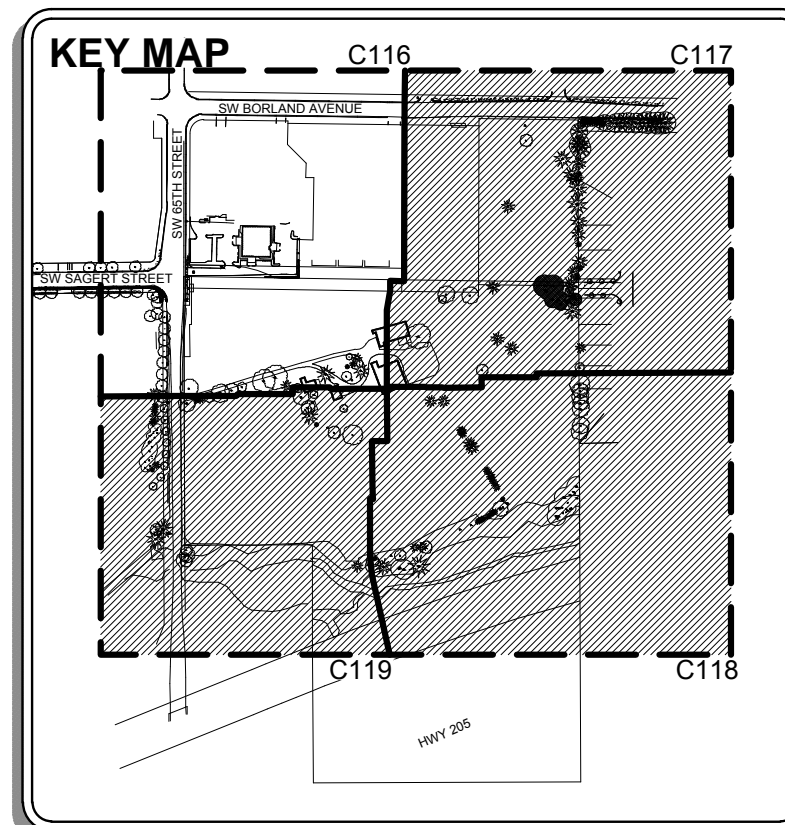
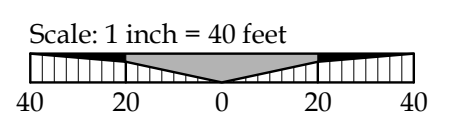
MATCHLINE - SEE SHEET C117

LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	PROPOSED STRAW WATTLE		
	PROPOSED SILT FENCING		
	PROPOSED TREE PROTECTING FENCING		
	PROPOSED CONSTRUCTION ENTRANCE		
	PROPOSED INLET PROTECTION		
	PROPOSED BIO BAG CHECK DAM		

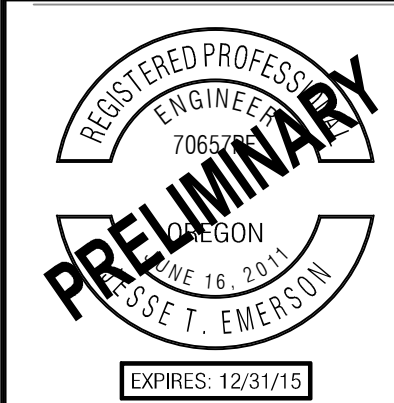
EROSION CONTROL KEY NOTES

- 1 INSTALL STRAW WATTLE AS NEEDED FOR CONSTRUCTION PHASING. MAINTAIN EXISTING VEGETATION AS LONG AS POSSIBLE.
- 2 TEMPORARY SOIL / WASTE STOCKPILE LOCATION. COVER WITH PLASTIC SHEETING AT THE END OF WORK DAY AS REQUIRED.
- 3 CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE.
- 4 INSTALL INLET PROTECTION.
- 5 PLACE SILT FENCING AT LIMITS OF GRADING AND CONSTRUCTION WHERE SHOWN.



TYPE II LAND USE
REVISION SUMMARY
BY DATE

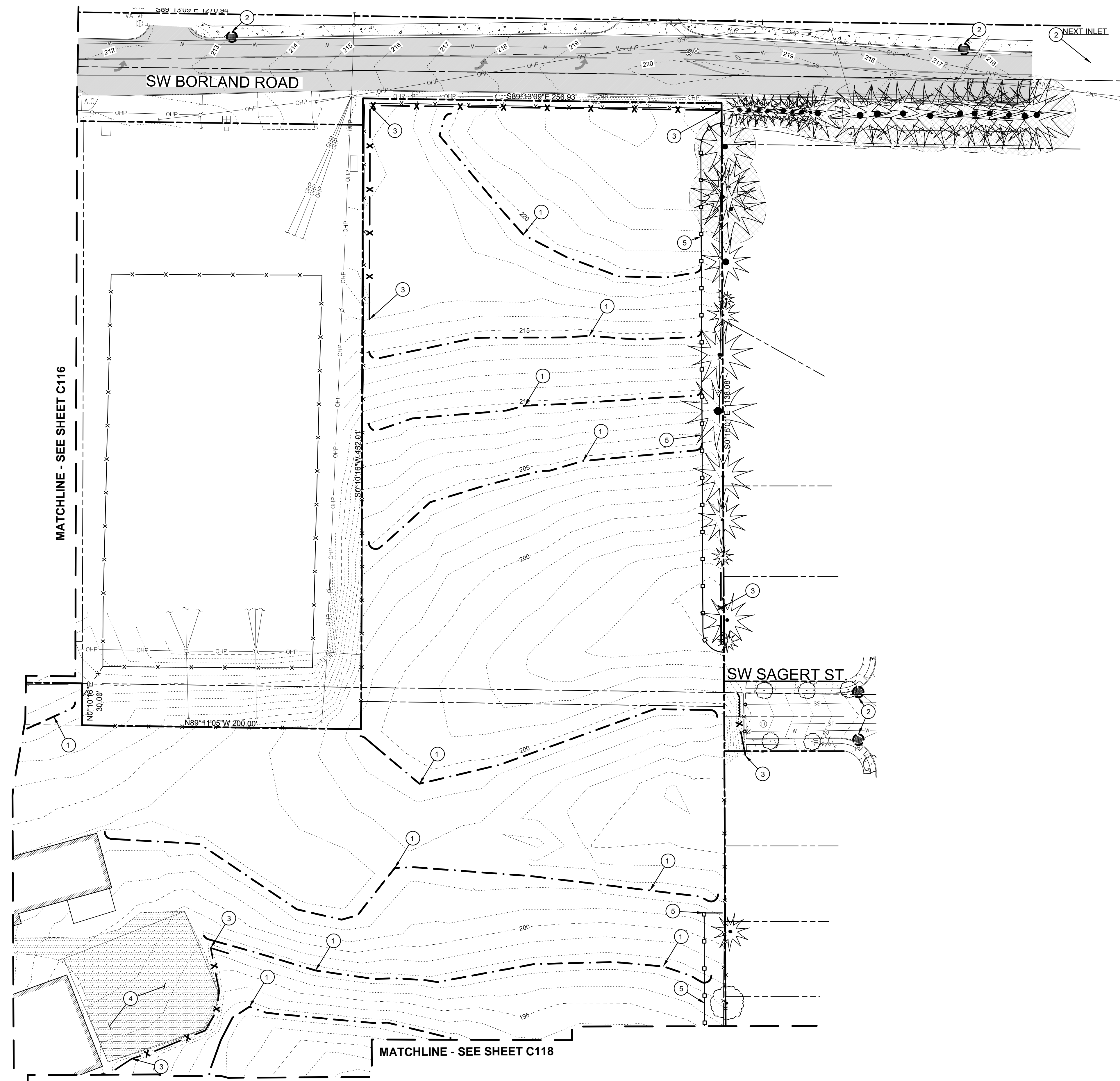
PHASE 1 EROSION CONTROL PLAN I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E308.300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
ESCP I

SHEET NUMBER
C116

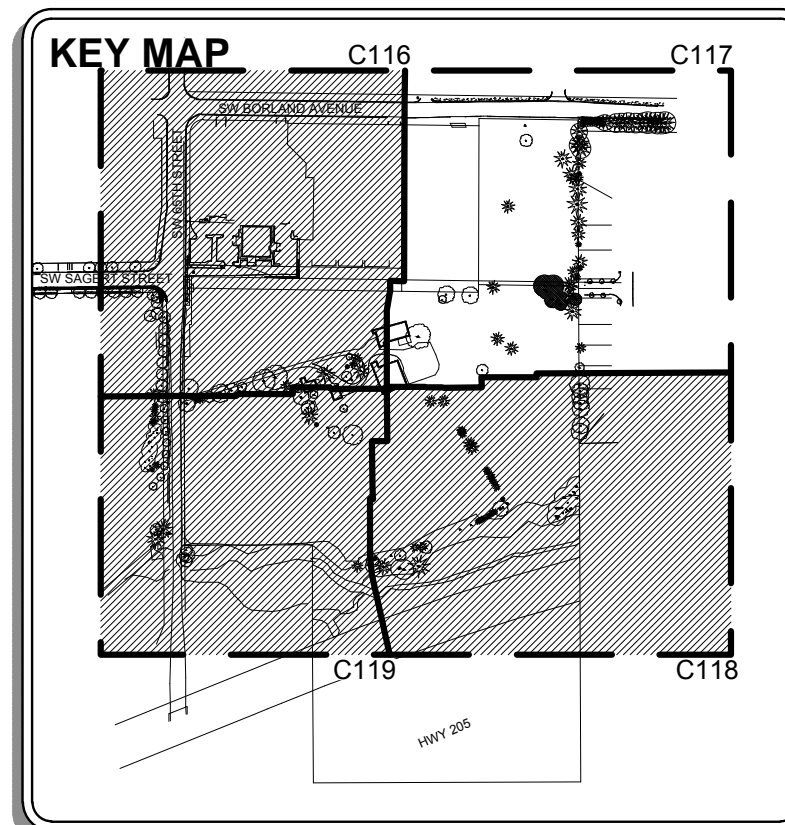
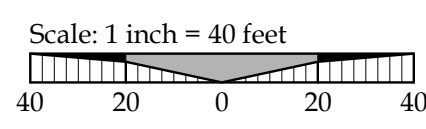


LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	BUILDING		EXISTING TREES
	1 FT CONTOUR		EXISTING STUMP
	5 FT CONTOUR		LIGHT POLE
	SANITARY SEWER		WATER VALVE
	STORM SEWER		WATER METER
	WATER LINE		FIRE HYDRANT
	UNDERGROUND POWER		SEWER MANHOLE
	OVERHEAD POWER		CURB INLET
	BARBED WIRE FENCE		GAS VALVE
	PROPOSED STRAW WATTLE		PHONE PEDESTAL
	PROPOSED SILT FENCING		SIGN
	PROPOSED TREE PROTECTING FENCING		TEST PIT
	PROPOSED INLET PROTECTION		UTILITY POLE
	PROPOSED BIO BAG CHECK DAM		

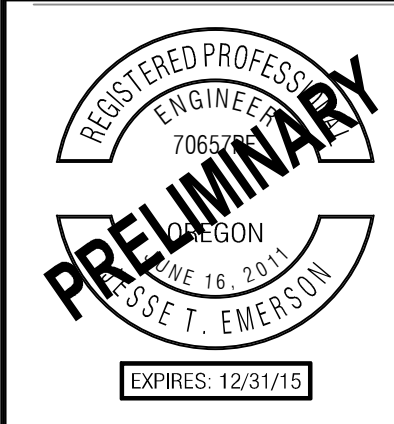
EROSION CONTROL KEY NOTES

1	INSTALL STRAW WATTLE. AS NEEDED FOR CONSTRUCTION PHASING. MAINTAIN EXISTING VEGETATION AS LONG AS POSSIBLE.
2	INSTALL INLET PROTECTION.
3	PLACE SILT FENCING AT LIMITS OF GRADING AND CONSTRUCTION WHERE SHOWN.
4	CONSTRUCT CONSTRUCTION STAGING AREA.
5	INSTALL TREE PROTECTION FENCING AT LIMITS SHOWN.



TYPE II LAND USE
 REVISION SUMMARY
 BY DATE

PHASE 1 EROSION CONTROL PLAN II
 SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



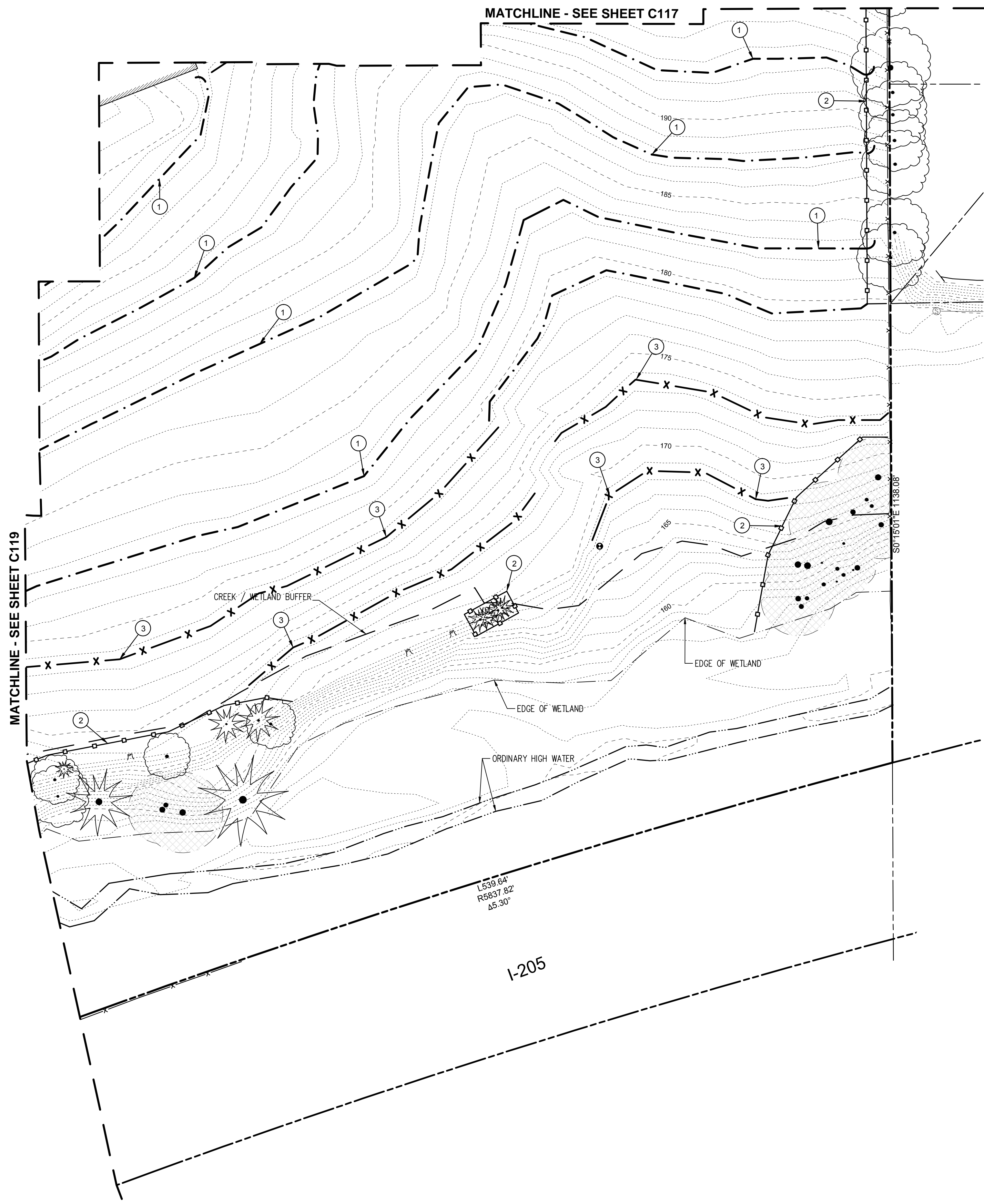
3J CONSULTING, INC.

 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 10445 SW CANYON ROAD, SUITE 245, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5365

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E308.300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
 ESCP II

SHEET NUMBER
C117

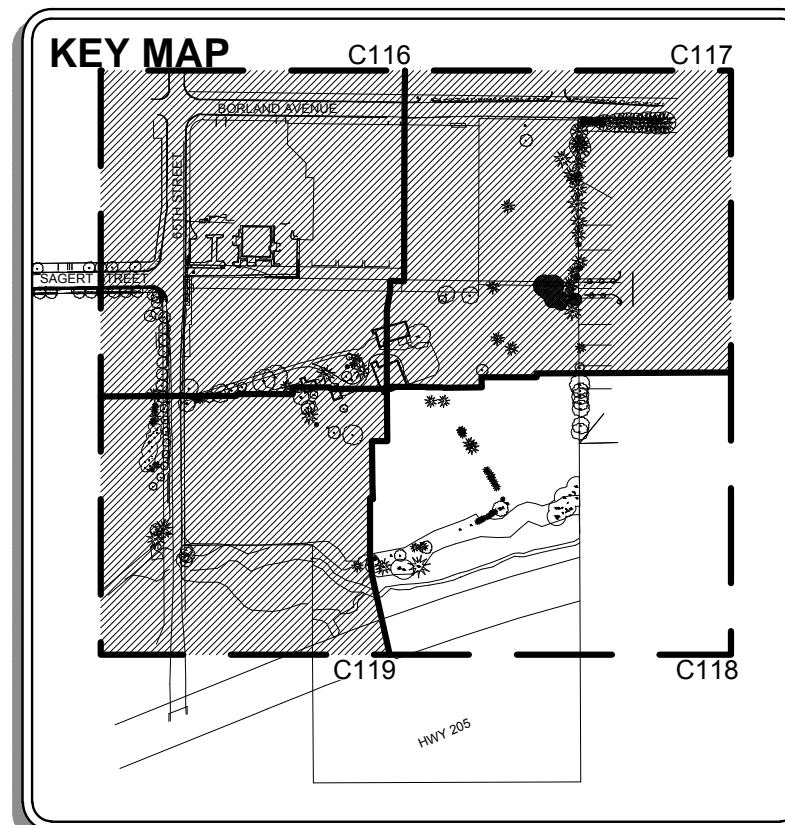
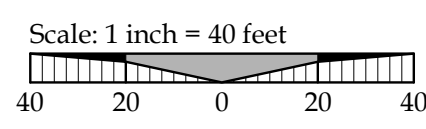


LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	PROPOSED STRAW WATTLE		
	PROPOSED SILT FENCING		
	PROPOSED TREE PROTECTING FENCING		
	PROPOSED INLET PROTECTION		
	PROPOSED BIO BAG CHECK DAM		

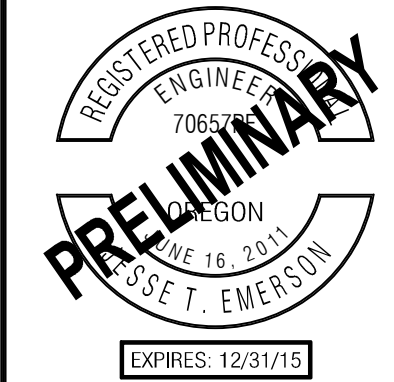
EROSION CONTROL KEY NOTES

①	INSTALL STRAW WATTLE AS NEEDED FOR CONSTRUCTION PHASING. MAINTAIN EXISTING VEGETATION AS LONG AS POSSIBLE.
②	INSTALL TREE PROTECTION FENCING AS SHOWN.
③	PLACE SILT FENCING AT LIMITS OF GRADING AND CONSTRUCTION WHERE SHOWN.



TYPE II LAND USE
REVISION SUMMARY
8/11/15
BY DATE

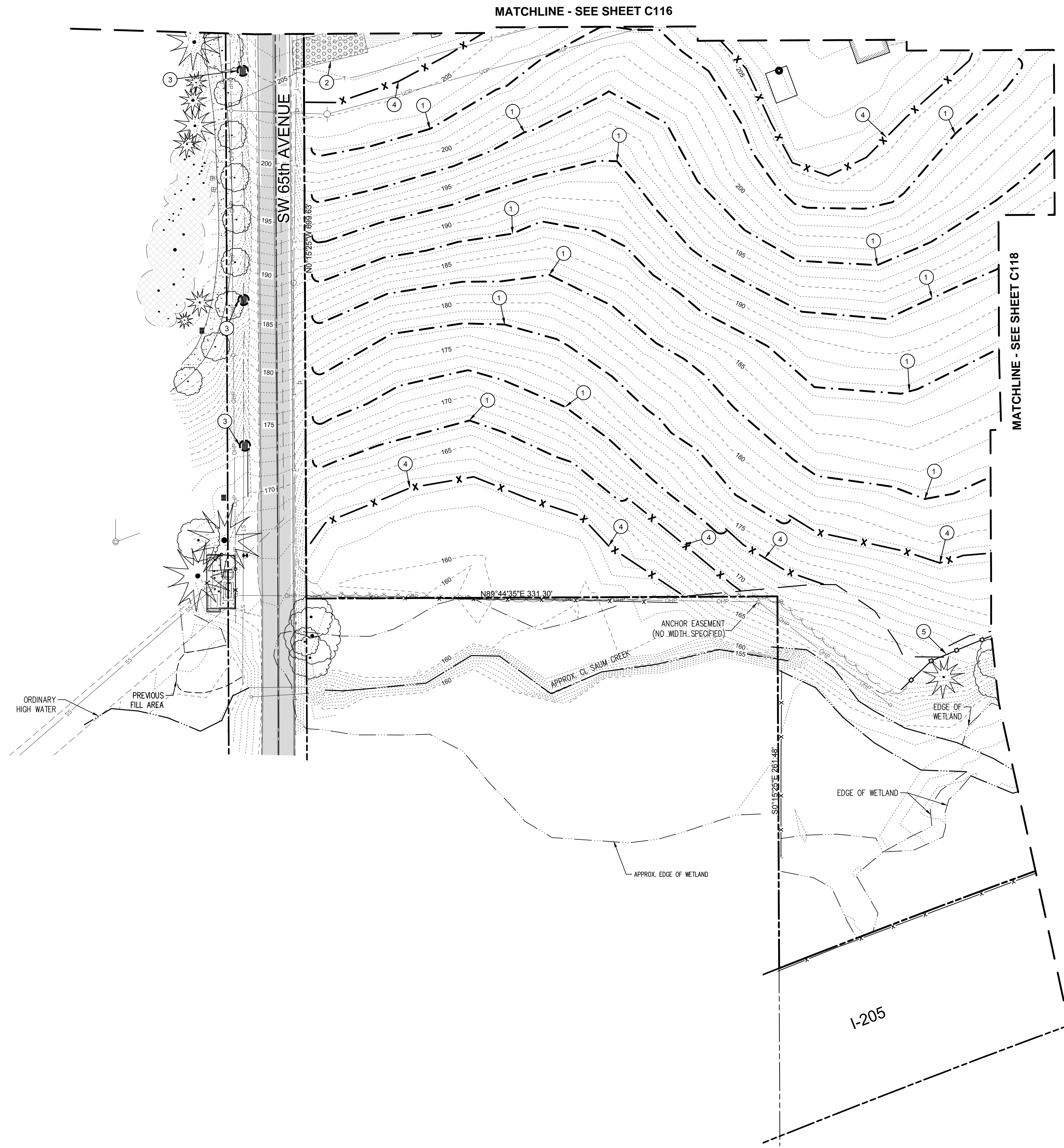
PHASE 1 EROSION CONTROL PLAN III
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E308 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
ESCP III

SHEET NUMBER
C118

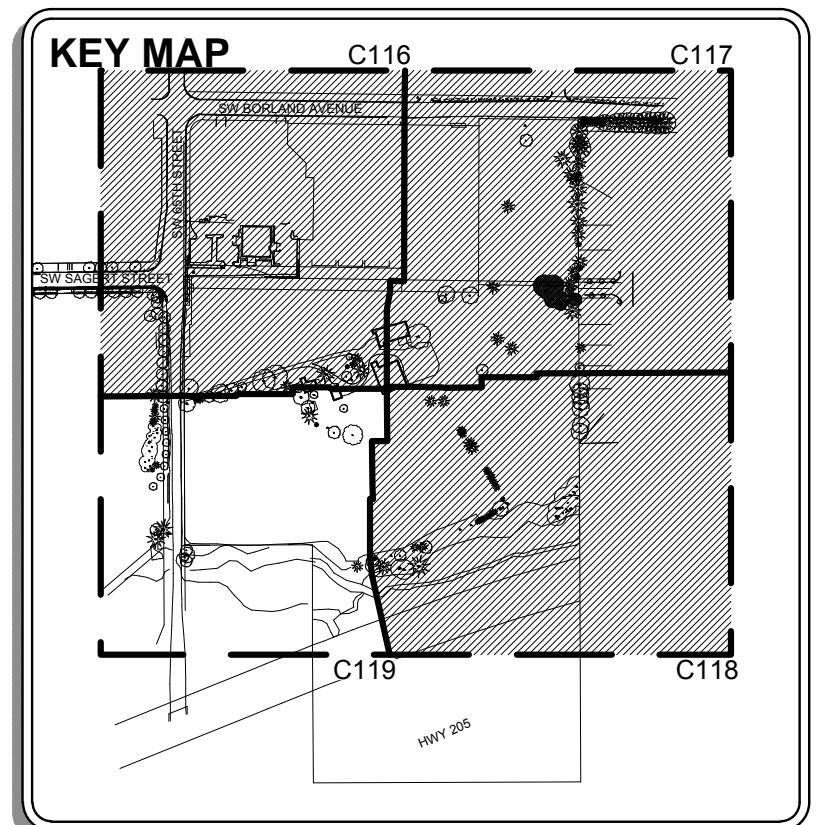
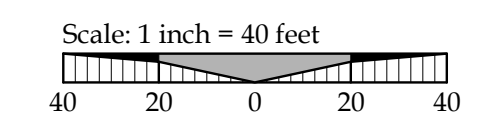


LEGEND

	BOUNDARY LINE		CURB
	RIGHT-OF-WAY		ASPHALT
	LOT LINE		CONCRETE
	CENTERLINE		GRAVEL
	EASEMENT		EXISTING TREES
	BUILDING		EXISTING STUMP
	1 FT CONTOUR		LIGHT POLE
	5 FT CONTOUR		WATER VALVE
	SANITARY SEWER		WATER METER
	SANITARY SEWER FORCEMAIN		FIRE HYDRANT
	STORM SEWER		SEWER MANHOLE
	WATER LINE		CURB INLET
	GAS LINE		GAS VALVE
	UNDERGROUND POWER		PHONE PEDESTAL
	UNDERGROUND PHONE LINE		SIGN
	OVERHEAD POWER		TEST PIT
	BARBED WIRE FENCE		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		
	STREAM OR WETLAND BUFFER		
	EDGE OF BRUSH		
	PROPOSED STRAW WATTLE		
	PROPOSED SILT FENCING		
	REMOVAL LIMITS		
	PROPOSED TREE PROTECTING FENCING		
	PROPOSED INLET PROTECTION		
	PROPOSED BIO BAG CHECK DAM		

EROSION CONTROL KEY NOTES

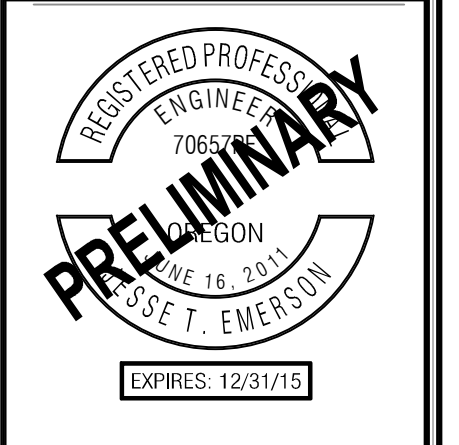
1	INSTALL STRAW WATTLE AS NEEDED FOR CONSTRUCTION PHASING. MAINTAIN EXISTING VEGETATION AS LONG AS POSSIBLE.
2	INSTALL STABILIZED CONSTRUCTION ENTRANCE.
3	INSTALL INLET PROTECTION.
4	PLACE SILT FENCING AT LIMITS OF GRADING AND CONSTRUCTION WHERE SHOWN.
5	INSTALL TREE PROTECTION FENCING AS-SHOWN.



TYPE II LAND USE

8/11/15	DATE
	BY
	REVISION SUMMARY

PHASE 1 EROSION CONTROL PLAN IV
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON

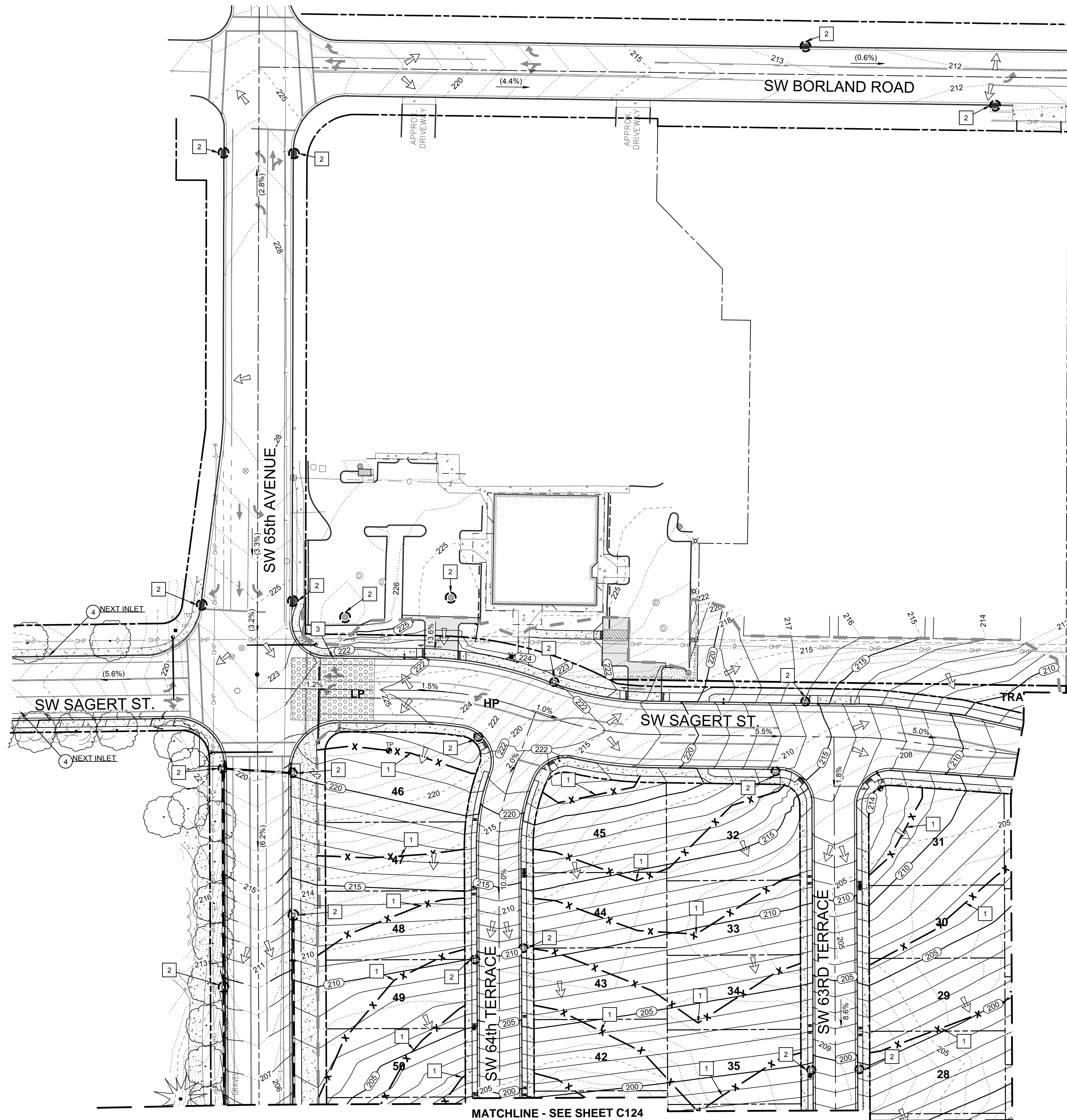


3J CONSULTING, INC

 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 10445 SW CANYON ROAD SUITE 245 BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5365

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
ESCP IV
 SHEET NUMBER
C119



LEGEND

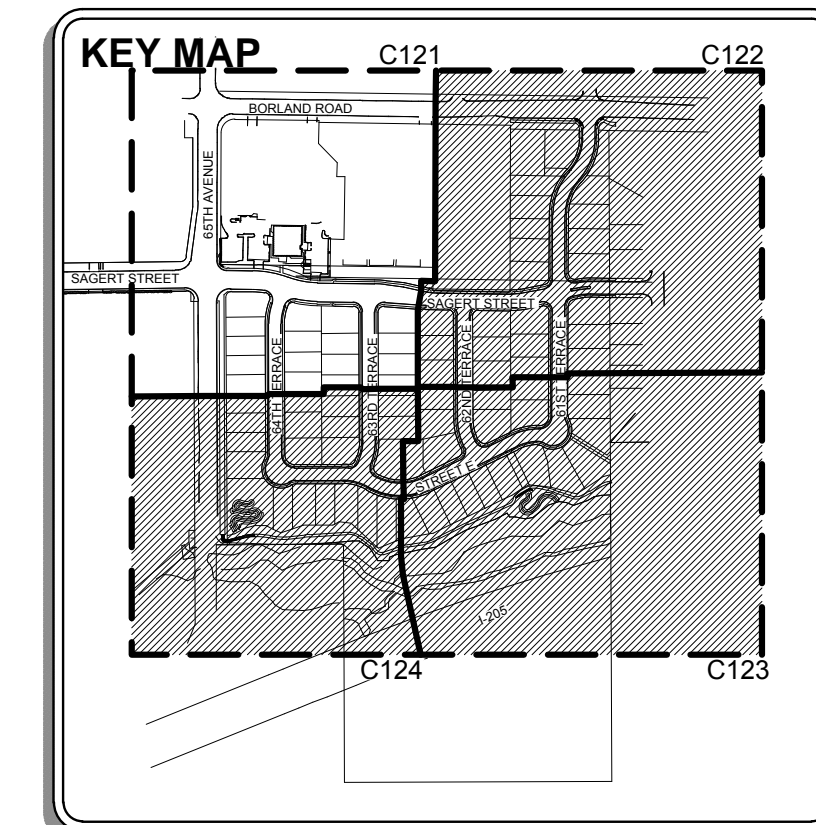
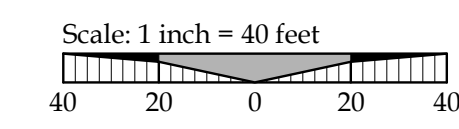
- PROJECT BOUNDARY LINE
- RIGHT OF WAY LINE
- PROPOSED PROPERTY LINE
- ROADWAY CENTER LINE
- ADJACENT PROPERTY BOUNDARY
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EASEMENT LINE
- PROPOSED RETAINING WALL
- STRAW WATTLE
- SILT FENCE
- TREE PROTECTION FENCING
- LIMITS OF DISTURBANCE
- CONSTRUCTION ENTRANCE
- INLET PROTECTION
- EROSION CONTROL: BIO BAG
- SURFACE RUNOFF FLOW ARROW
- SPOT GRADE, XX TYPE AS NOTED
- SURFACE GRADE, EXISTING
- SURFACE GRADE, PROPOSED

GRADING KEY NOTES

- 1 INSTALL SILT FENCE FOR EROSION AND SEDIMENT CONTROL PER CITY STD. PLACE FENCE SECTIONS AT LEVEL ELEVATIONS (AS SHOWN), OVER-LAP ADJACENT SECTIONS. EXTEND FENCING BEYOND ANTICIPATED GRADING LIMITS. MODIFY LOCATIONS AS NEEDED TO COMPLETE WORK.
- 2 PROVIDE INLET PROTECTION FOR SEDIMENT TRANSPORT CONTROL PER CITY STD DRAWINGS. MAINTAIN / REPLACE PROTECTION MEASURES AS NEEDED, OR AS DIRECTED BY EROSION CONTROL INSPECTOR.
- 3 CONSTRUCT / MAINTAIN STABILIZED CONSTRUCTION ENTRANCE PER CITY STD. DRAWINGS.

SITE GRADING INFORMATION

CUT (TO FINISH GRADE)	42,520 CUBIC YARDS
FILL (TO FINISH GRADE)	35,217 CUBIC YARDS
NET BALANCE	7,303 CUBIC YARDS
MAXIMUM CUT DEPTH	14 FEET
MAXIMUM FILL DEPTH	14 FEET
MAXIMUM PROPOSED SLOPE	2:1
TOTAL AREA OF DISTURBANCE	701,100 SQUARE FEET

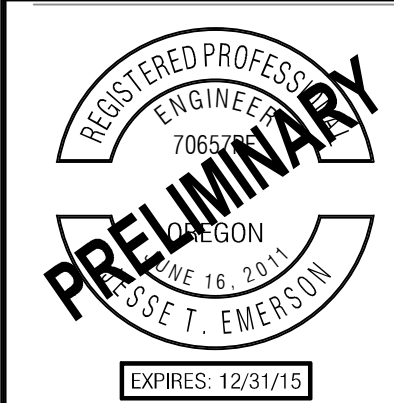


MATCHLINE - SEE SHEET C122

MATCHLINE - SEE SHEET C124

TYPE II LAND USE
REVISION SUMMARY
BY DATE
8/11/15

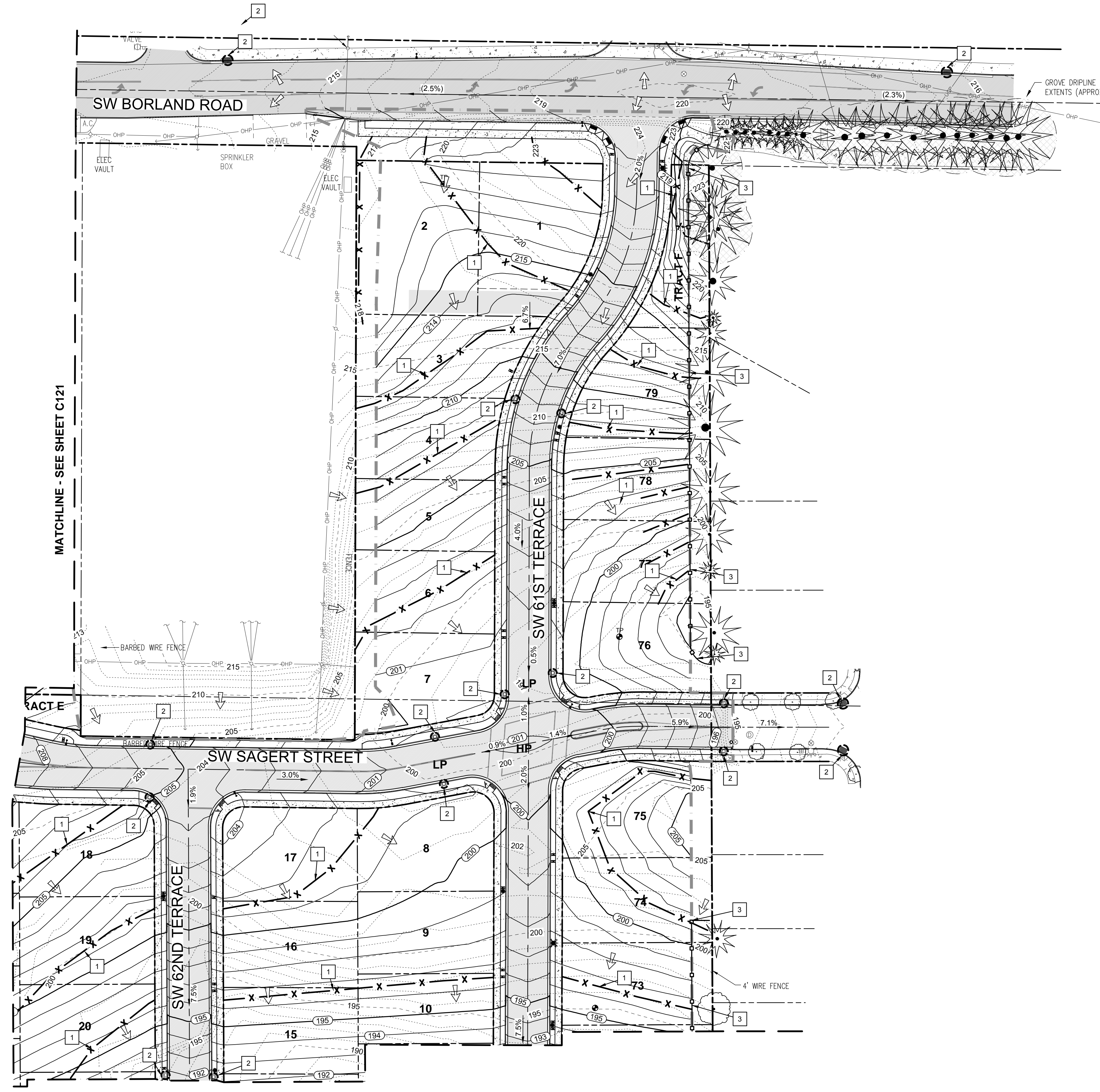
PH.2 GRADING & ESC PLAN
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
PH2 GRADE & ESCP
SHEET NUMBER

C121

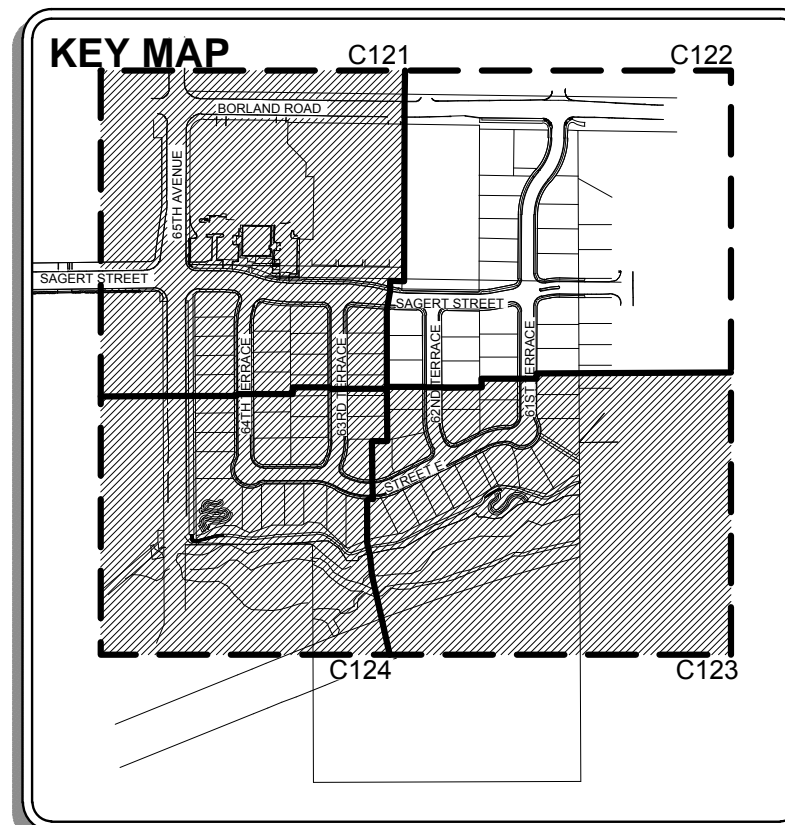
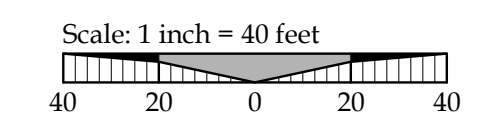


LEGEND

	PROJECT BOUNDARY LINE
	RIGHT OF WAY LINE
	PROPOSED PROPERTY LINE
	ROADWAY CENTER LINE
	ADJACENT PROPERTY BOUNDARY
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	EASEMENT LINE
	PROPOSED RETAINING WALL
	STRAW WATTLE
	SILT FENCE
	TREE PROTECTION FENCING
	LIMITS OF DISTURBANCE
	CONSTRUCTION ENTRANCE
	INLET PROTECTION
	EROSION CONTROL: BIO BAG
	SURFACE RUNOFF FLOW ARROW
	SPOT GRADE, XX TYPE AS NOTED
	SURFACE GRADE, EXISTING
	SURFACE GRADE, PROPOSED
	TREE CANOPY

GRADING KEY NOTES

- 1 INSTALL SILT FENCE FOR EROSION AND SEDIMENT CONTROL PER CITY STD. PLACE FENCE SECTIONS AT LEVEL ELEVATIONS (AS SHOWN), OVER-LAP ADJACENT SECTIONS. EXTEND FENCING BEYOND ANTICIPATED GRADING LIMITS.
- 2 PROVIDE INLET PROTECTION FOR SEDIMENT TRANSPORT CONTROL PER CITY STD DRAWINGS. MAINTAIN / REPLACE PROTECTION MEASURES AS NEEDED, OR AS DIRECTED BY EROSION CONTROL INSPECTOR.
- 3 MAINTAIN TREE PROTECTION FENCING THROUGHOUT CONSTRUCTION ACTIVITIES. SEE TREE PRESERVATION PLANS FOR ADDITIONAL INFORMATION.

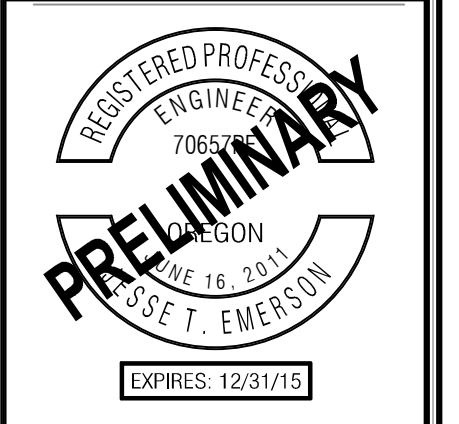


MATCHLINE - SEE SHEET C121

MATCHLINE - SEE SHEET C123

TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

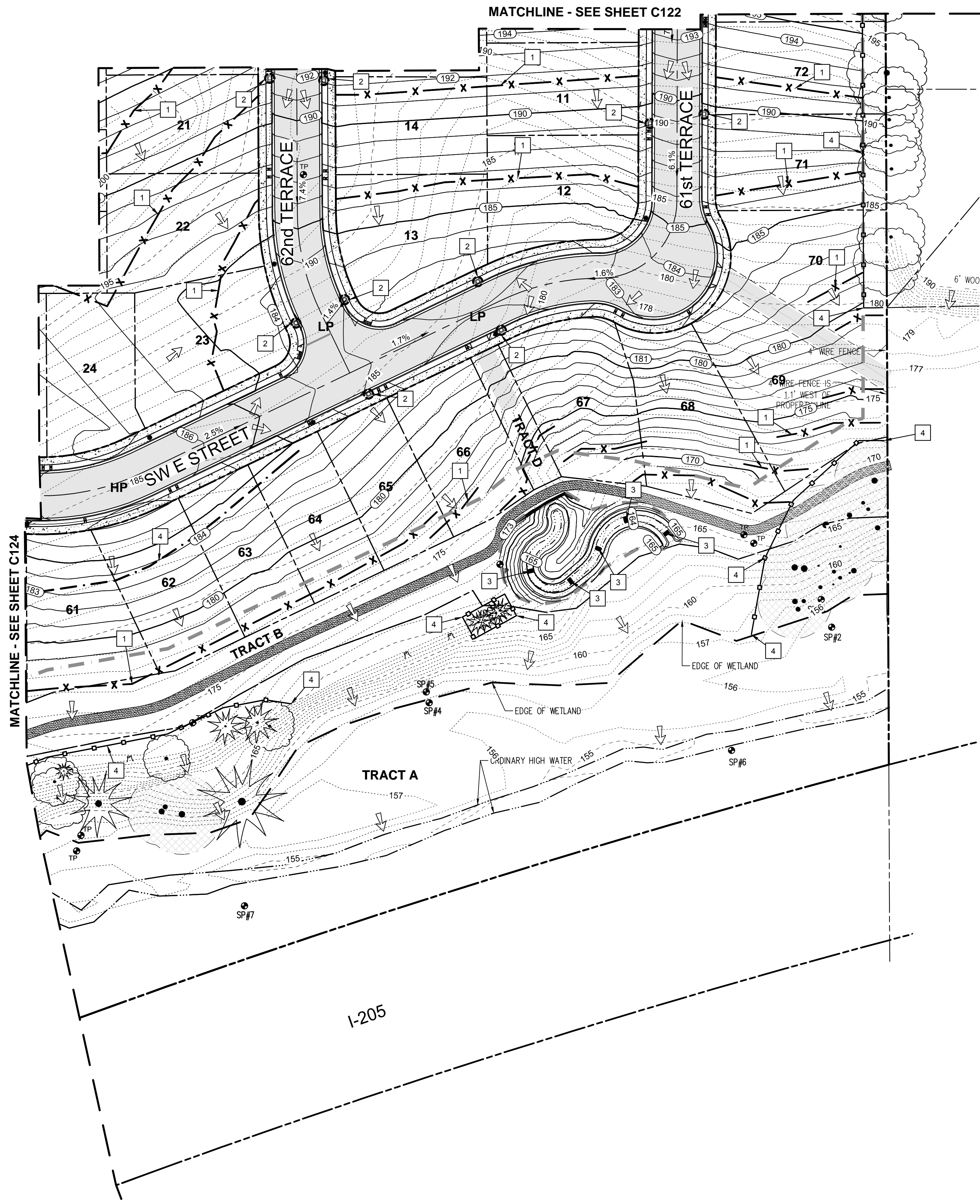
PH2 GRADING & ESC PLAN II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5365

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
PH2 GRADE & ESC
 SHEET NUMBER
C122

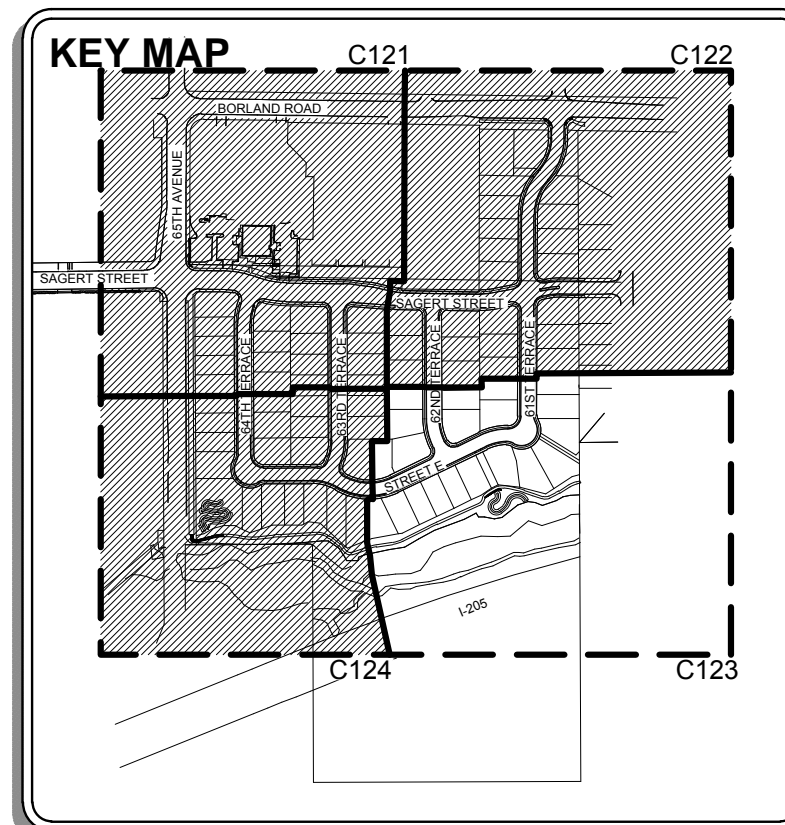
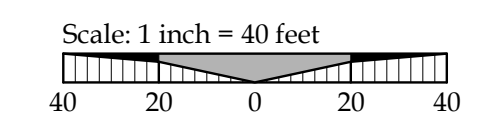


LEGEND

- PROJECT BOUNDARY LINE
- RIGHT OF WAY LINE
- PROPOSED PROPERTY LINE
- ROADWAY CENTER LINE
- ADJACENT PROPERTY BOUNDARY
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EASEMENT LINE
- PROPOSED RETAINING WALL
- STRAW WATTLE
- SILT FENCE
- TREE PROTECTION FENCING
- LIMITS OF DISTURBANCE
- CONSTRUCTION ENTRANCE
- INLET PROTECTION
- EROSION CONTROL: BIO BAG
- SURFACE RUNOFF FLOW ARROW
- SPOT GRADE, XX TYPE AS NOTED
- SURFACE GRADE, EXISTING
- SURFACE GRADE, PROPOSED
- TREE CANOPY

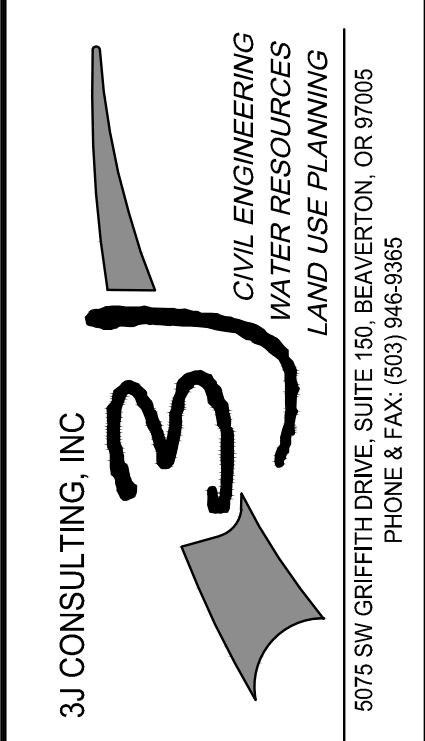
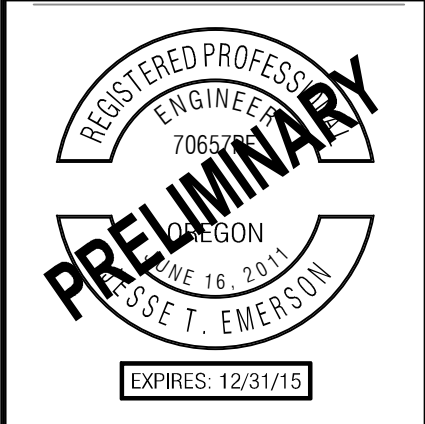
GRADING KEY NOTES

1. INSTALL SILT FENCE FOR EROSION AND SEDIMENT CONTROL PER CITY STD. PLACE FENCE SECTIONS AT LEVEL ELEVATIONS (AS SHOWN), OVER-LAP ADJACENT SECTIONS. EXTEND FENCING BEYOND ANTICIPATED GRADING LIMITS.
2. PROVIDE INLET PROTECTION FOR SEDIMENT TRANSPORT CONTROL PER CITY STD DRAWINGS. MAINTAIN / REPLACE PROTECTION MEASURES AS NEEDED, OR AS DIRECTED BY EROSION CONTROL INSPECTOR.
3. MAINTAIN / INSTALL BIO-BAG CHECK DAMS ADJACENT TO AND DOWNSTREAM OF PROJECT CONSTRUCTION ACTIVITIES PER CITY STD. DRAWINGS. REPLACE AND REBUILD AS NEEDED, OR AS DIRECTED BY EROSION CONTROL INSPECTOR.
4. MAINTAIN TREE PROTECTION FENCING THROUGHOUT CONSTRUCTION ACTIVITIES. SEE TREE PRESERVATION PLANS FOR ADDITIONAL INFORMATION.



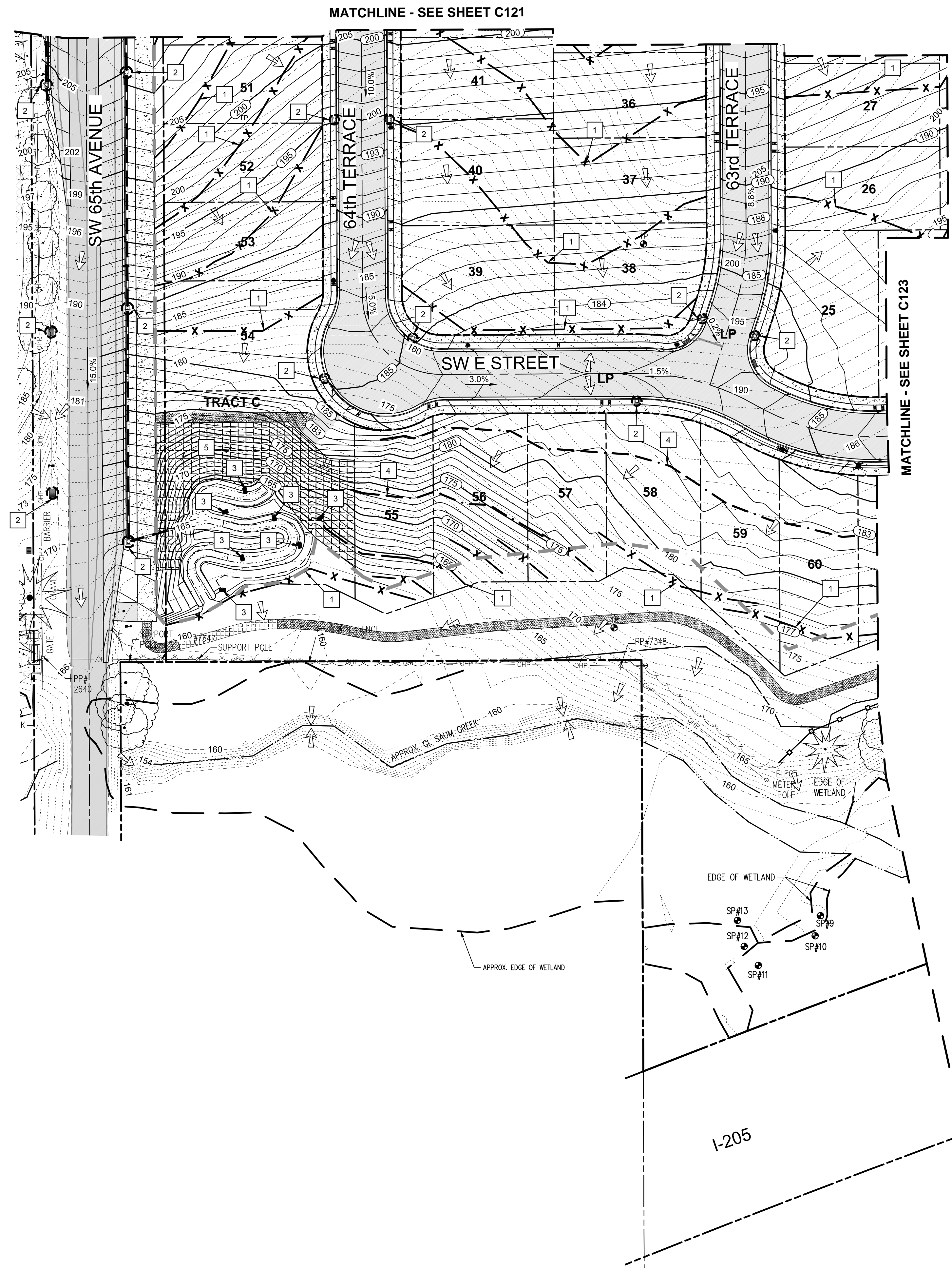
TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

PH2 GRADING & ESC PLAN III
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
PH2 GRADE & ESC
 SHEET NUMBER
C123

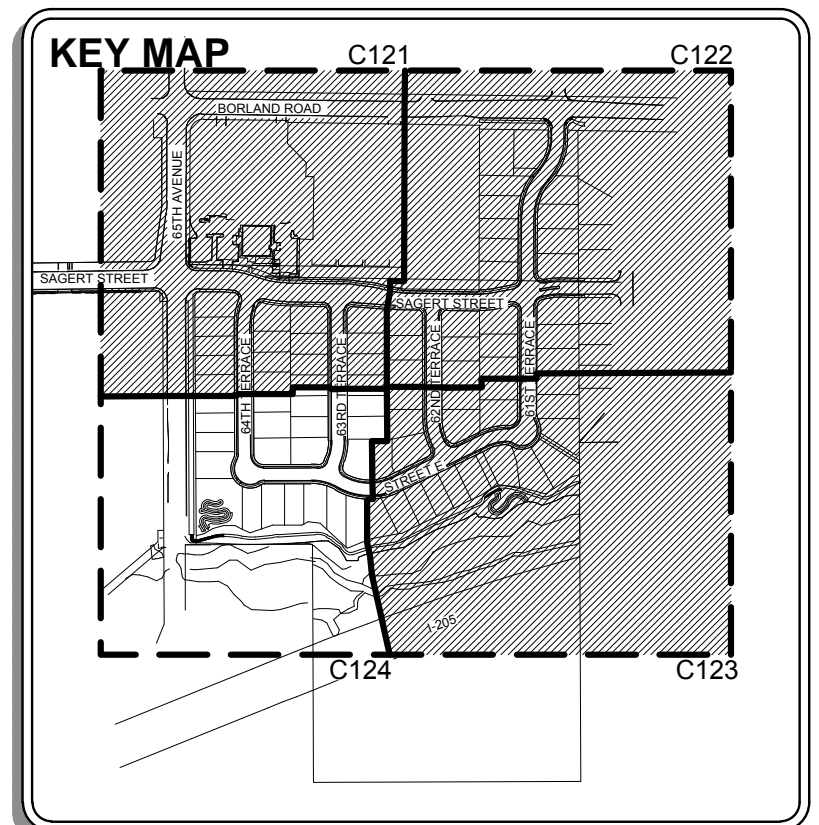
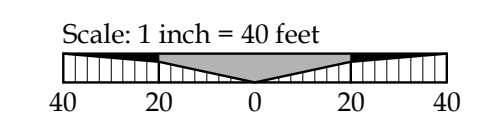


LEGEND

	PROJECT BOUNDARY LINE
	RIGHT OF WAY LINE
	PROPOSED PROPERTY LINE
	ROADWAY CENTER LINE
	ADJACENT PROPERTY BOUNDARY
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	EASEMENT LINE
	PROPOSED RETAINING WALL
	STRAW WATTLE
	SILT FENCE
	TREE PROTECTION FENCING
	LIMITS OF DISTURBANCE
	CONSTRUCTION ENTRANCE
	INLET PROTECTION
	EROSION CONTROL: BIO BAG
	SURFACE RUNOFF FLOW ARROW
	SLOPE MATTING
	SURFACE GRADE, EXISTING
	SURFACE GRADE, PROPOSED

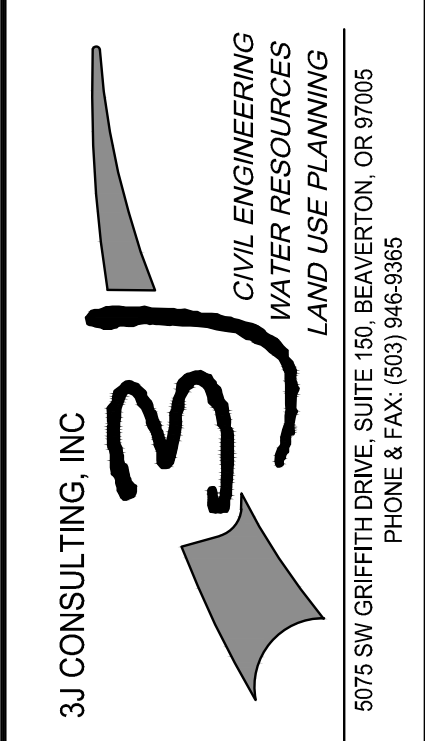
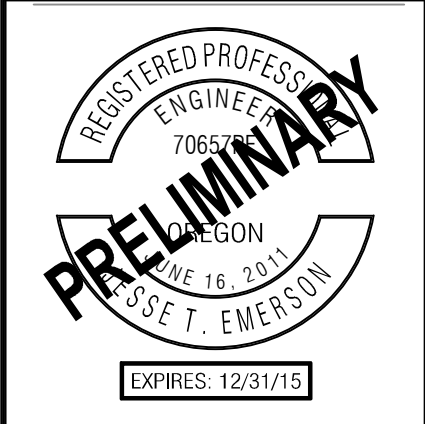
GRADING KEY NOTES

- 1 INSTALL SILT FENCE FOR EROSION AND SEDIMENT CONTROL PER CITY STD. PLACE FENCE SECTIONS AT LEVEL ELEVATIONS (AS SHOWN), OVER-LAP ADJACENT SECTIONS. EXTEND FENCING BEYOND ANTICIPATED GRADING LIMITS.
- 2 PROVIDE INLET PROTECTION FOR SEDIMENT TRANSPORT CONTROL PER CITY STD DRAWINGS. MAINTAIN / REPLACE PROTECTION MEASURES AS NEEDED, OR AS DIRECTED BY EROSION CONTROL INSPECTOR.
- 3 MAINTAIN / INSTALL BIO-BAG CHECK DAMS ADJACENT TO AND DOWNSTREAM OF PROJECT CONSTRUCTION ACTIVITIES PER CITY STD. DRAWINGS. REPLACE AND REBUILD AS NEEDED, OR AS DIRECTED BY EROSION CONTROL INSPECTOR.
- 4 MAINTAIN / INSTALL EROSION CONTROL STRAW WATTLES.
- 5 MAINTAIN / INSTALL EROSION CONTROL SLOPE MATTING.



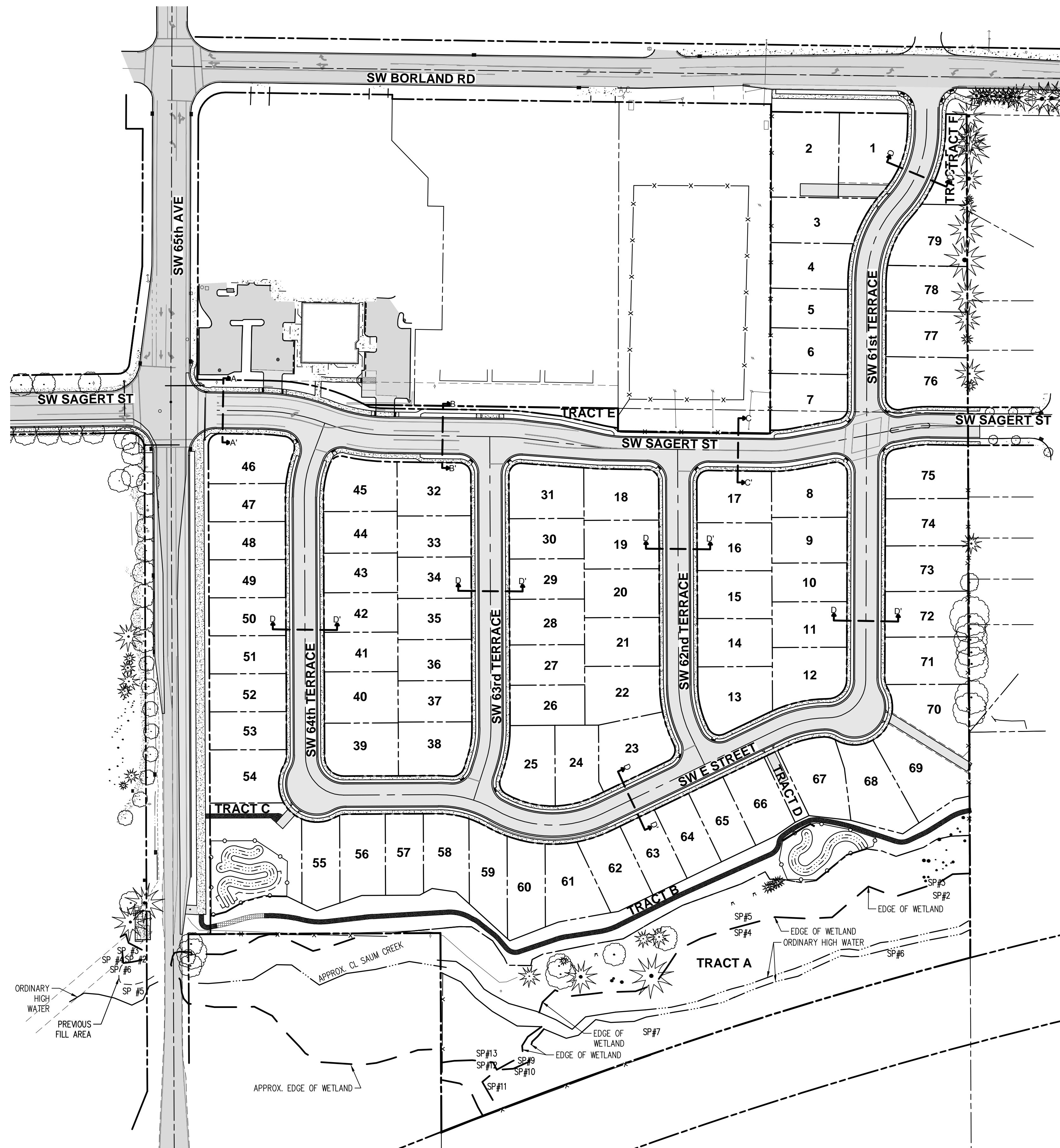
TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

PH 2 GRADING & ESC PLAN IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



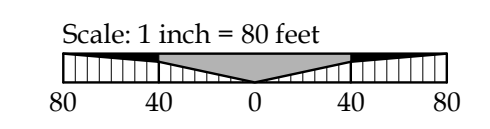
3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
PH2 GRADE & EC
 SHEET NUMBER
C124



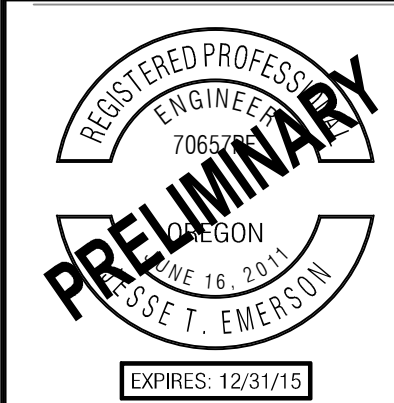
LEGEND

	BOUNDARY LINE
	RIGHT-OF-WAY
	PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	ROAD CENTERLINE
	EDGE OF WETLAND
	BOTTOM OF SWALE
	PROPERTY BUFFER
	EXISTING FENCE
	EXISTING ASPHALT
	PROPOSED ASPHALT
	EXISTING CONCRETE
	PROPOSED CONCRETE
	TYPICAL ROADWAY SECTION, SEE SHEET C230
	TYPICAL ROADWAY SECTION, SEE SHEET C230
	TYPICAL ROADWAY SECTION, SEE SHEET C231
	TYPICAL ROADWAY SECTION, SEE SHEET C231



TYPE II LAND USE REVISION SUMMARY BY DATE

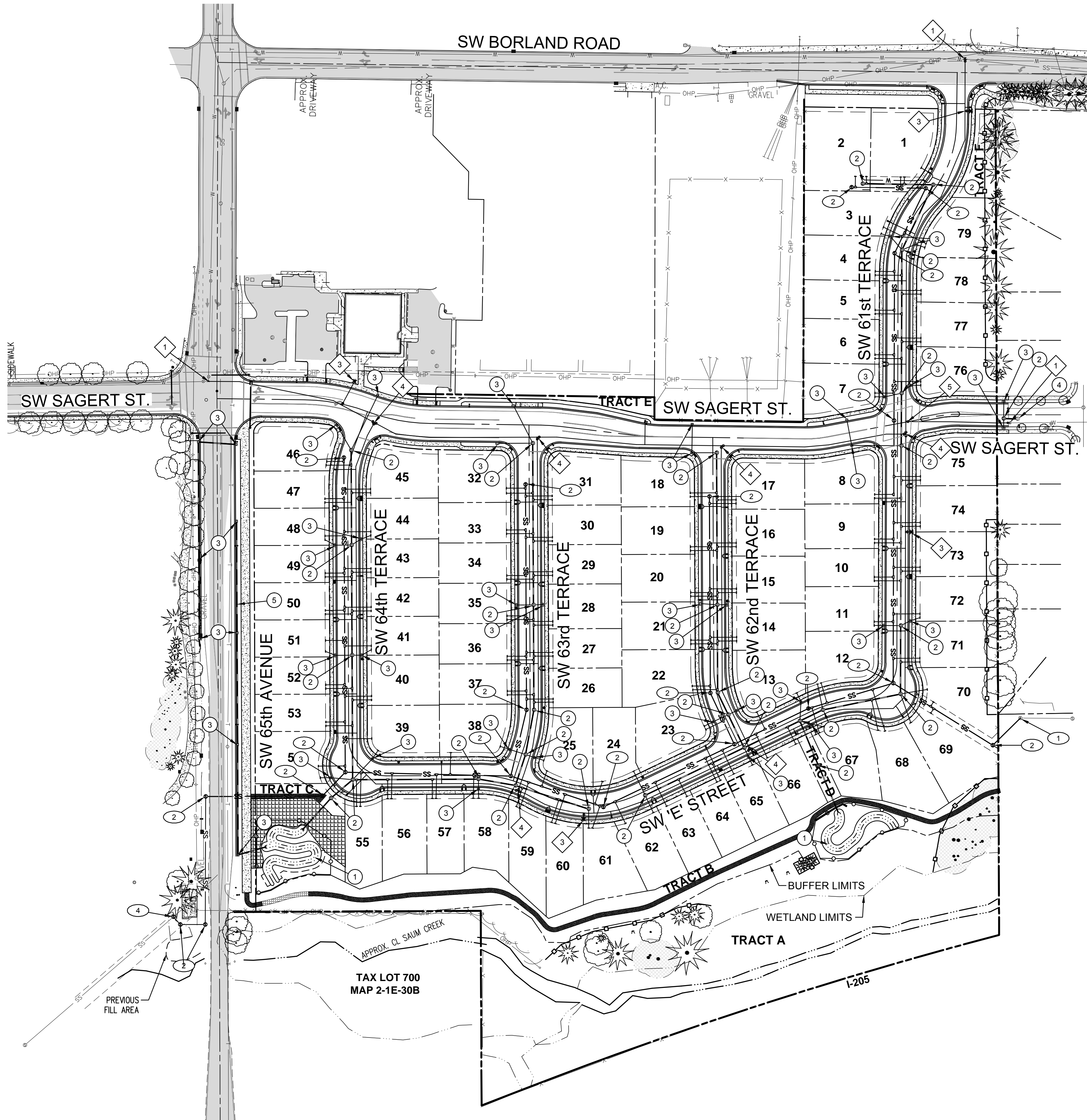
OVERALL SITE PLAN
SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5365

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E308 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
SITE PLAN
 SHEET NUMBER
C200



LEGEND

	BOUNDARY LINE		EXISTING CURB
	RIGHT-OF-WAY		EXISTING ASPHALT
	CENTERLINE		EXISTING CONCRETE
	PROPOSED LOT LINE		EXISTING TREES
	PROPOSED EASEMENT		EXISTING LIGHT POLE
	EXISTING SANITARY SEWER		EXISTING WATER VALVE
	EXISTING STORM SEWER		EXISTING WATER METER
	EXISTING WATER LINE		EXISTING FIRE HYDRANT
	EXISTING GAS LINE		EXISTING SEWER MANHOLE
	EXISTING UNDERGROUND POWER		EXISTING CURB INLET
	EXISTING OVERHEAD POWER		EXISTING GAS VALVE
	EXISTING BARBED WIRE FENCE		EXISTING PHONE PEDESTAL
	EXISTING CHAIN LINK FENCE		EXISTING SIGN
	WETLAND		EXISTING UTILITY POLE
	STREAM OR WETLAND BUFFER		EXISTING TRAFFIC SIGNAL BOX
	EDGE OF BRUSH		PROPOSED FIRE HYDRANT
	PROPOSED SANITARY SEWER		PROPOSED SEWER MANHOLE
	PROPOSED WATER		PROPOSED STORM MANHOLE
	PROPOSED STORMWATER SEWER		
	PROPOSED TREE PROTECTION FENCING		

STORM SEWER CONSTRUCTION NOTES

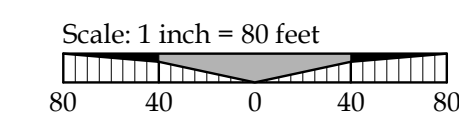
- ① CONSTRUCT VEGETATED SWALES FOR STORM CONVEYANCE.
- ② CONSTRUCT STANDARD 48" STORM SEWER MANHOLE.
- ③ CONSTRUCT CURB INLET WITH 10" STORM LATERAL.
- ④ CONNECT TO EXISTING STORM MANHOLE.
- ⑤ NOT USED

SANITARY SEWER CONSTRUCTION NOTES

- ① CONNECT TO EXISTING SANITARY SEWER MANHOLE.
- ② CONSTRUCT STANDARD 48" SANITARY SEWER MANHOLE.
- ③ NOT USED
- ④ CONSTRUCT 48" SANITARY SEWER MANHOLE OVER EXISTING SANITARY MAIN.

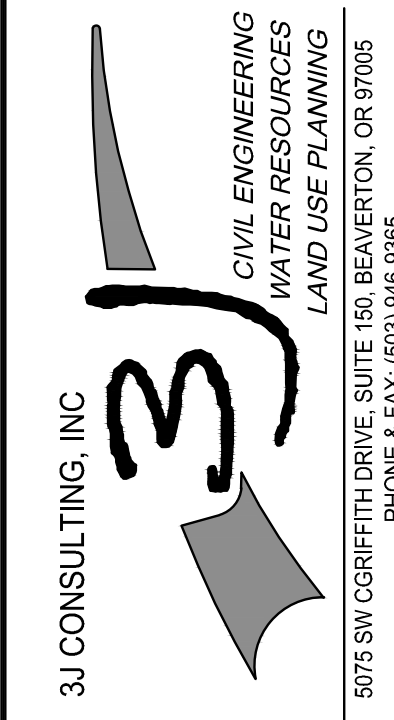
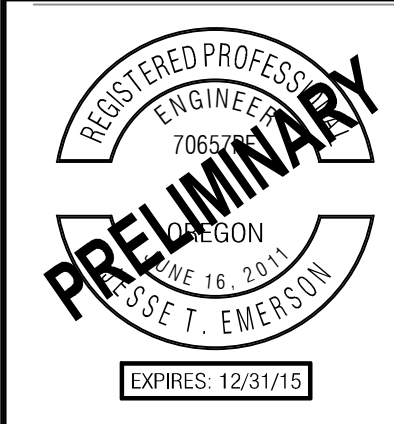
WATER CONSTRUCTION NOTES

- ◇1 CONNECT TO EXISTING WATER MAIN.
- ◇2 NOT USED
- ◇3 INSTALL FIRE HYDRANT ASSEMBLY, STUB, TEE, AND GATE VALVE PER CITY OF TUALATIN STANDARDS.
- ◇4 INSTALL WATER MAIN TEE AND THREE (3) GATE VALVES PER CITY OF TUALATIN STANDARDS.
- ◇5 INSTALL WATER MAIN TEE AND ONE (1) GATE VALVE PER CITY OF TUALATIN STANDARDS.



8/11/15
BY DATE
REVISION SUMMARY

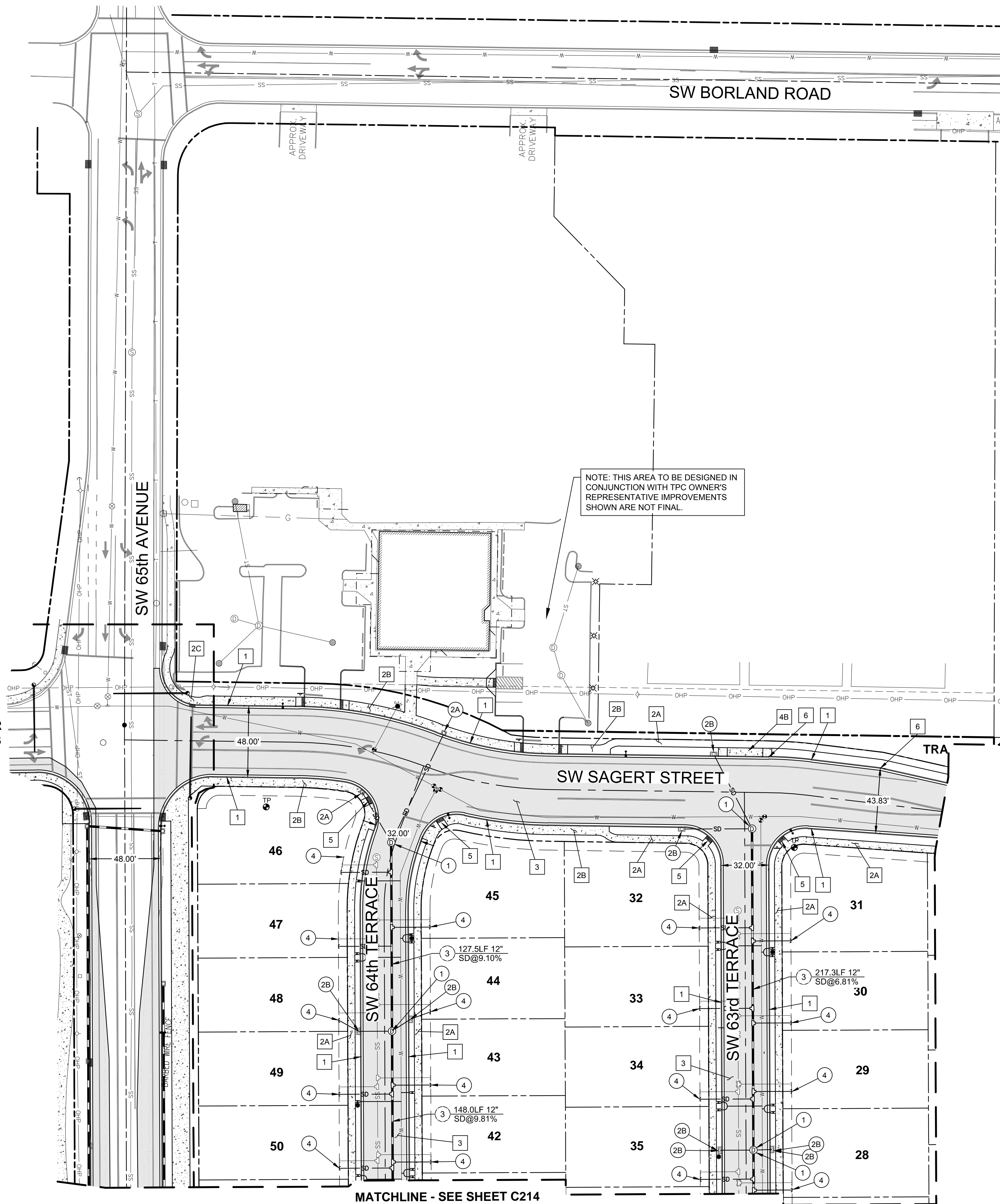
OVERALL COMPOSITE UTILITY PLAN
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
UTILITY PLAN

SHEET NUMBER
C201



NOTE: THIS AREA TO BE DESIGNED IN CONJUNCTION WITH TPC OWNER'S REPRESENTATIVE IMPROVEMENTS SHOWN ARE NOT FINAL.

SEE OFFSITE PLANS FOR STREET IMPROVEMENTS

MATCHLINE - SEE SHEET C212

LEGEND

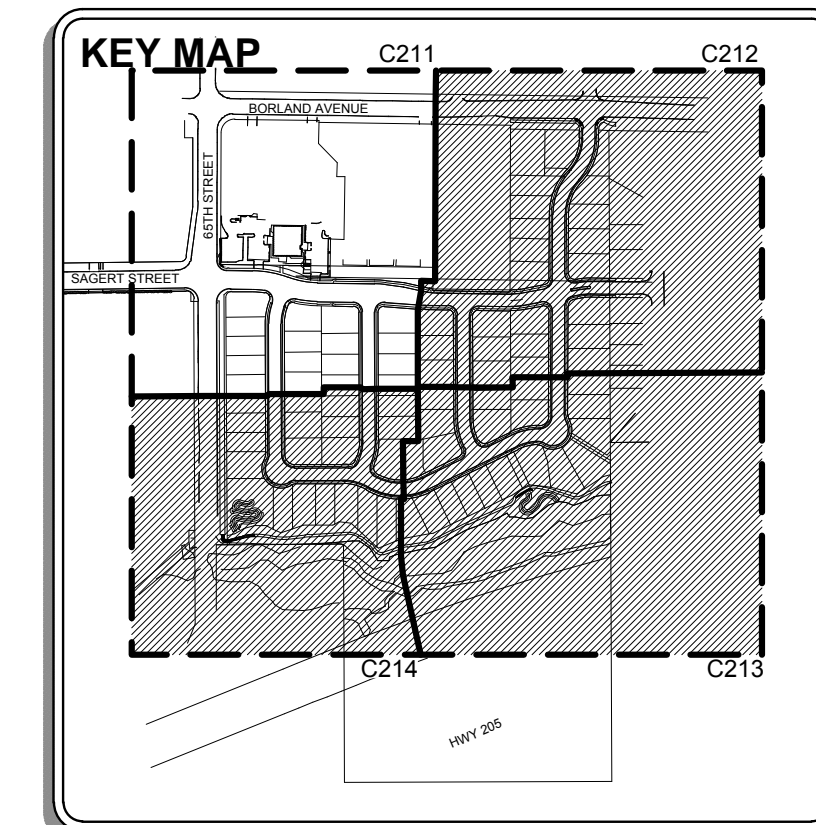
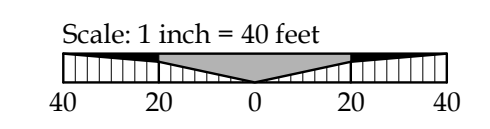
	BOUNDARY LINE		EXISTING TREES
	RIGHT-OF-WAY		EXISTING STUMP
	CENTERLINE		LIGHT POLE
	LOT LINE		WATER VALVE
	EASEMENT		WATER METER
	BUILDING SETBACK		FIRE HYDRANT
	SANITARY SEWER MAIN		SANITARY MANHOLE
	SANITARY SEWER FORCE MAIN		STORM MANHOLE
	SANITARY SEWER LATERAL & STUB		30" CURB INLET
	STORM SEWER MAIN		48" CURB INLET
	STORM SEWER LATERAL		GAS VALVE
	WATER LINE		PHONE PEDESTAL
	GAS LINE		SIGN
	UNDERGROUND TELEPHONE LINE		TEST PIT
	OVERHEAD POWER		UTILITY POLE
	BARBED WIRE FENCE		TRAFFIC SIGNAL BOX
	CHAIN LINK FENCE		STREET LIGHT
	WETLAND		
	STREAM OR WETLAND BUFFER		
	CURB		
	EXISTING ASPHALT		
	PROPOSED ASPHALT		
	EXISTING CONCRETE		
	PROPOSED CONCRETE		
	GRAVEL		

STREET CONSTRUCTION NOTES

- 1 CONSTRUCT STANDARD CURB AND GUTTER.
- 2A CONSTRUCT FIVE FOOT WIDE DETACHED SIDEWALK.
- 2B CONSTRUCT SIX FOOT WIDE CURB TIGHT SIDEWALK.
- 2C CONSTRUCT FIVE FOOT WIDE CURB TIGHT SIDEWALK.
- 3 CONSTRUCT ASPHALT PAVING.
- 4A CONSTRUCT COMMERCIAL DRIVEWAY APPROACH W/CURBSIDE WALK RAMPS.
- 4B CONSTRUCT COMMERCIAL DRIVEWAY
- 5 CONSTRUCT CURB RAMP.
- 6 WIDENING TRANSITION POINT. SEE SHEET C200 FOR DETAILS.

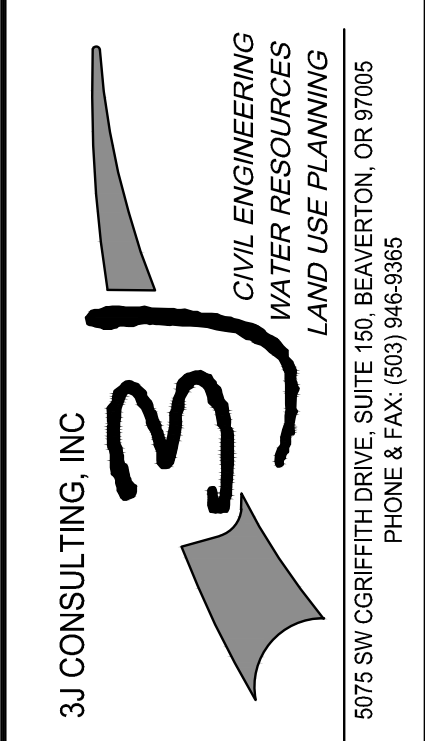
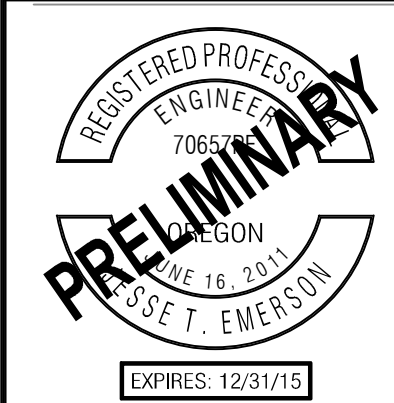
STORM CONSTRUCTION NOTES

- 1 CONSTRUCT 48" STORM MANHOLE.
- 2A CONSTRUCT 30" CURB INLET WITH 10" STORM LINE.
- 2B CONSTRUCT 48" CURB INLET WITH 10" STORM LINE.
- 3 CONSTRUCT STORM MAIN LINE.
- 4 CONSTRUCT PRIVATE STORM DRAIN LATERAL CONNECTION FOR INDIVIDUAL LOT SERVICE.



8/11/15
BY DATE
REVISION SUMMARY

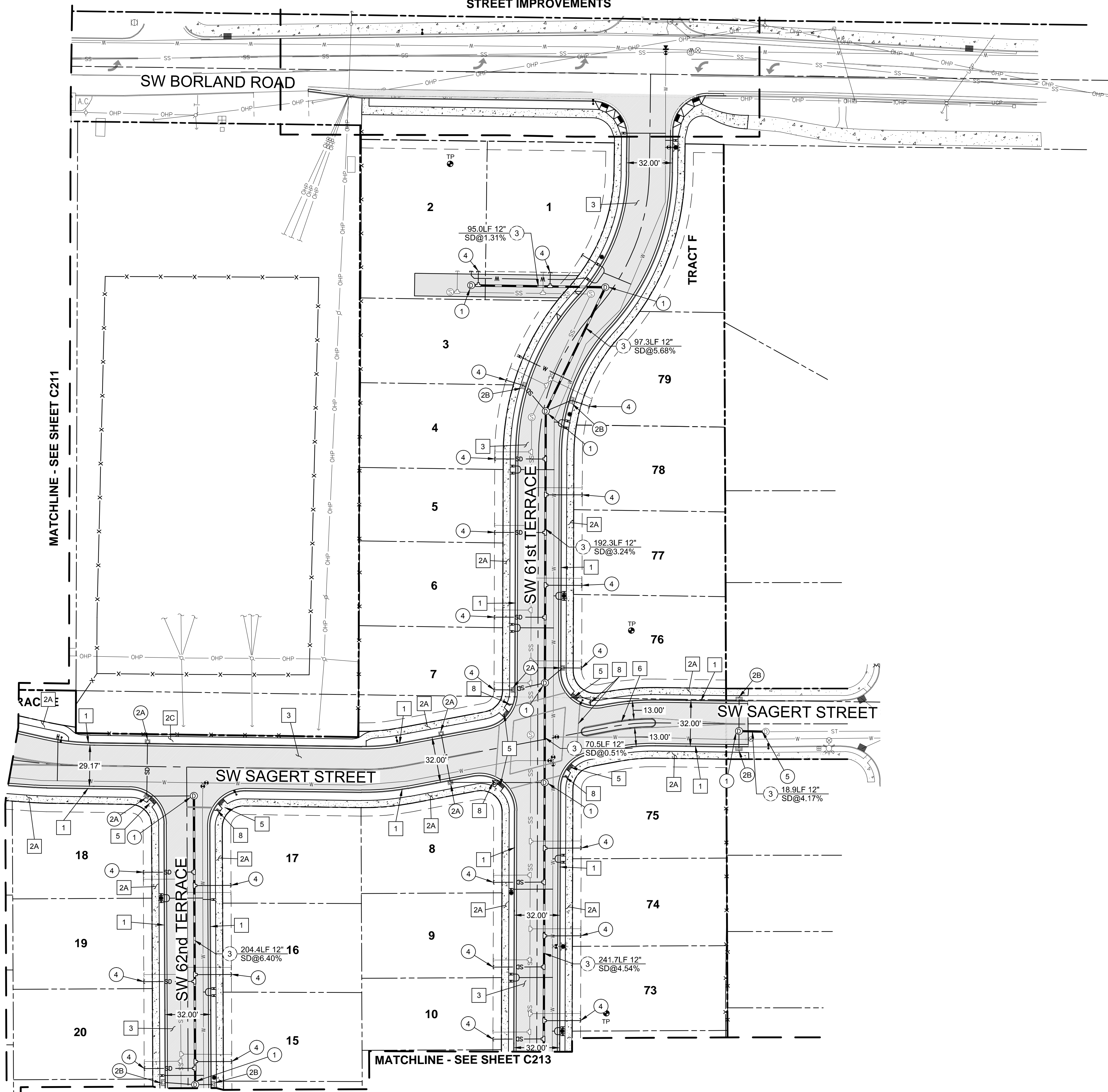
STREET & STORM PLAN I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E30B 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
STREET & STORM I
 SHEET NUMBER
C211

SEE OFFSITE PLANS FOR STREET IMPROVEMENTS



LEGEND

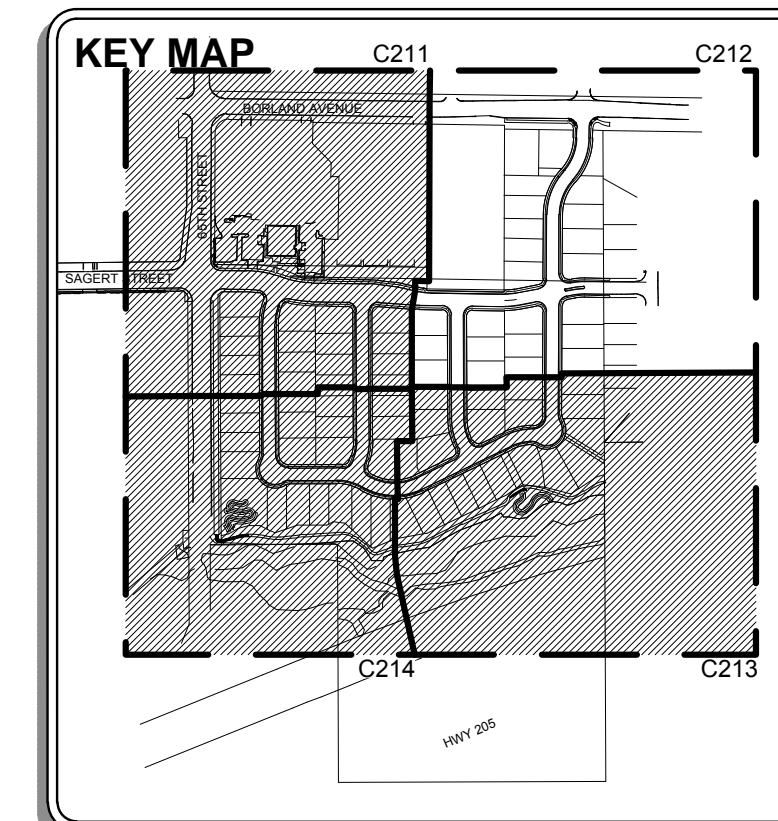
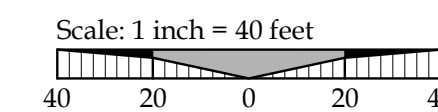
	BOUNDARY LINE		EXISTING TREES
	RIGHT-OF-WAY		EXISTING STUMP
	CENTERLINE		LIGHT POLE
	LOT LINE		WATER VALVE
	EASEMENT		WATER METER
	BUILDING SETBACK		FIRE HYDRANT
	SANITARY SEWER MAIN		SANITARY MANHOLE
	SANITARY SEWER FORCE MAIN		STORM MANHOLE
	SANITARY SEWER LATERAL & STUB		
	STORM SEWER MAIN		
	STORM SEWER LATERAL		GAS VALVE
	WATER LINE		PHONE PEDESTAL
	GAS LINE		SIGN
	UNDERGROUND TELEPHONE LINE		TEST PIT
	OVERHEAD POWER		UTILITY POLE
	CHAIN LINK FENCE		TRAFFIC SIGNAL BOX
	WETLAND		STREET LIGHT
	STREAM OR WETLAND BUFFER		
	CURB		
	EXISTING ASPHALT		
	PROPOSED ASPHALT		
	EXISTING CONCRETE		
	PROPOSED CONCRETE		
	GRAVEL		

STREET CONSTRUCTION NOTES

- 1 CONSTRUCT STANDARD CURB AND GUTTER.
- 2A CONSTRUCT FIVE FOOT WIDE DETACHED SIDEWALK.
- 2B CONSTRUCT SIX FOOT WIDE CURB TIGHT SIDEWALK.
- 2C CONSTRUCT FIVE FOOT WIDE CURB TIGHT SIDEWALK.
- 3 CONSTRUCT ASPHALT SECTION.
- 4A CONSTRUCT STANDARD DRIVEWAY.
- 4B CONSTRUCT COMMERCIAL DRIVEWAY.
- 5 CONSTRUCT CURB RAMP.
- 6 CONSTRUCT 6FT WIDE PLANTED MEDIAN.
- 7 INSTALL STOP SIGN AND STOP BAR.
- 8 INSTALL STOP SIGN AND CROSSWALK.

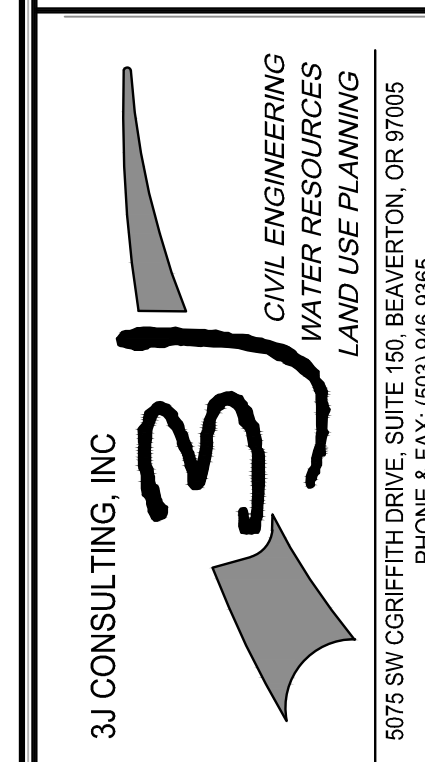
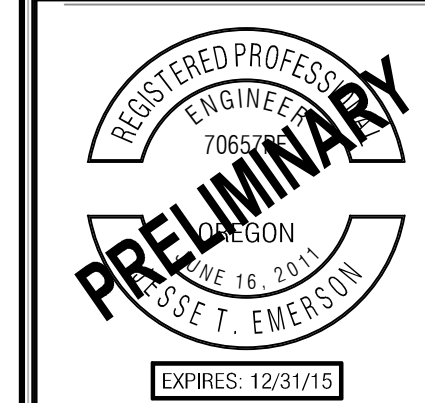
STORM CONSTRUCTION NOTES

- 1 CONSTRUCT 48" STORM MANHOLE.
- 2A CONSTRUCT 30" CURB INLET WITH 10" STORM LINE.
- 2B CONSTRUCT 48" CURB INLET WITH 10" STORM LINE.
- 3 CONSTRUCT STORM MAIN LINE.
- 4 CONSTRUCT PRIVATE STORM DRAIN LATERAL CONNECTION FOR INDIVIDUAL LOT SERVICE.
- 5 CONNECT STORM MAIN LINE TO EXISTING MANHOLE.



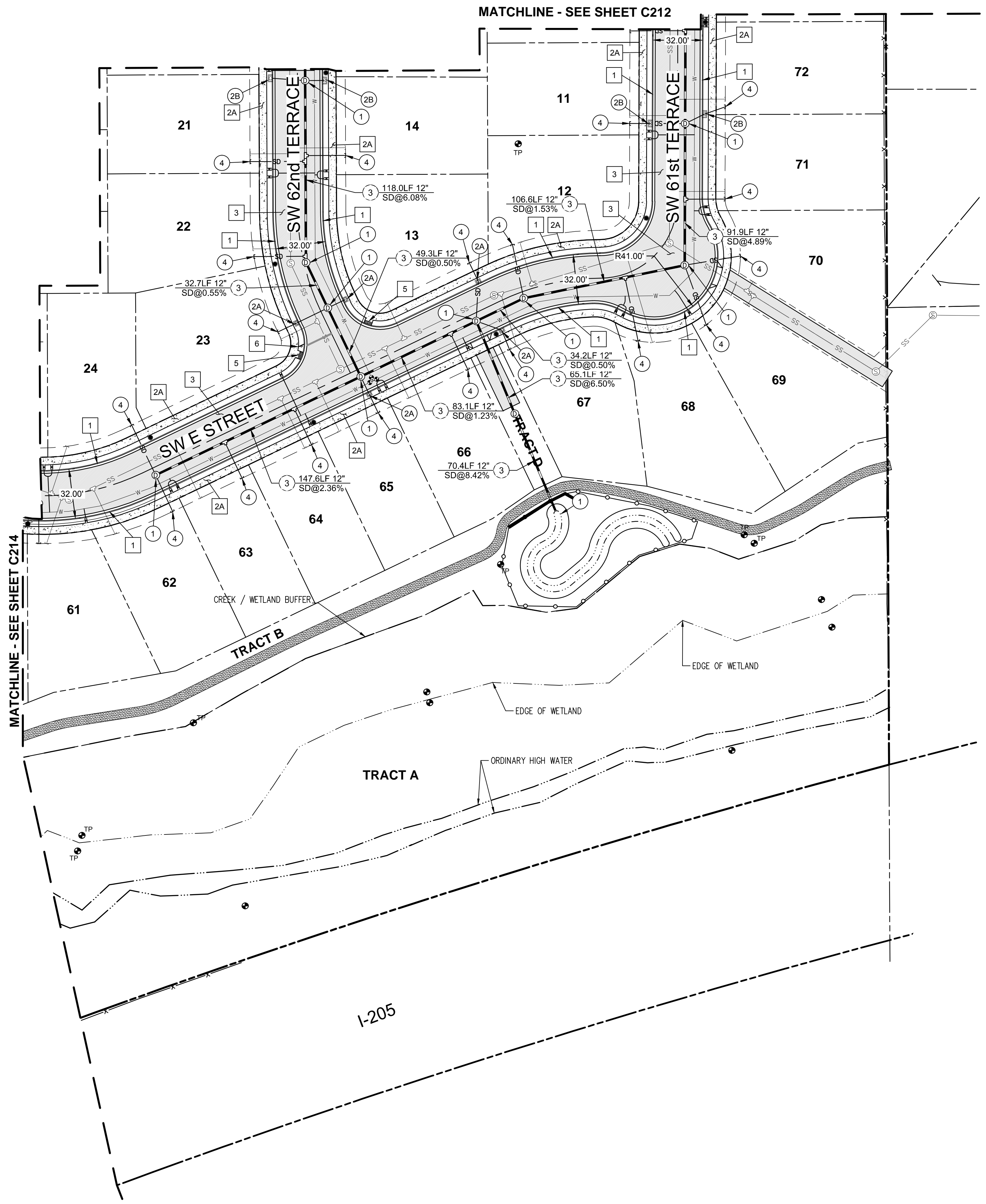
8/11/15
BY DATE
REVISION SUMMARY

STREET & STORM PLAN II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E308 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
STREET & STORM II
SHEET NUMBER
C212

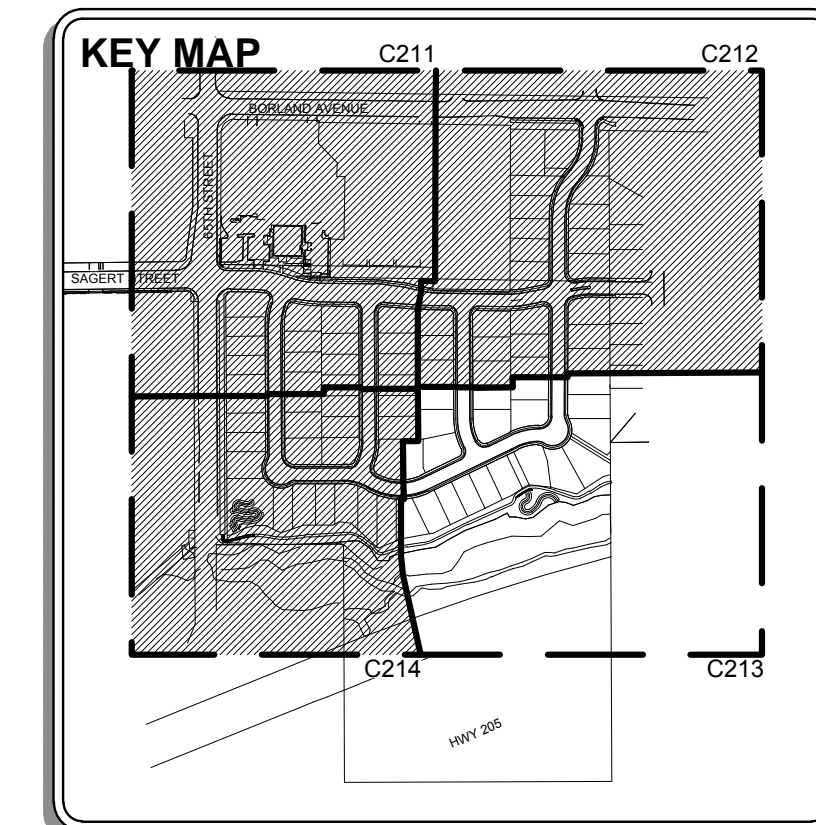
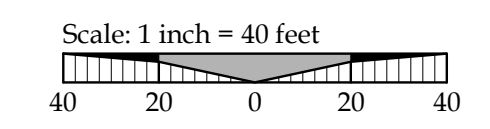


LEGEND

	BOUNDARY LINE		EXISTING TREES
	RIGHT-OF-WAY		EXISTING STUMP
	CENTERLINE		LIGHT POLE
	LOT LINE		WATER VALVE
	EASEMENT		WATER METER
	BUILDING SETBACK		FIRE HYDRANT
	SANITARY SEWER MAIN		SANITARY MANHOLE
	SANITARY SEWER FORCE MAIN		STORM MANHOLE
	SANITARY SEWER LATERAL & STUB		30" CURB INLET
	STORM SEWER MAIN		48" CURB INLET
	STORM SEWER LATERAL		GAS VALVE
	WATER LINE		PHONE PEDESTAL
	GAS LINE		SIGN
	UNDERGROUND TELEPHONE LINE		TEST PIT
	OVERHEAD POWER		UTILITY POLE
	BARBED WIRE FENCE		TRAFFIC SIGNAL BOX
	CHAIN LINK FENCE		STREET LIGHT
	WETLAND		
	STREAM OR WETLAND BUFFER		
	CURB		
	EXISTING ASPHALT		
	PROPOSED ASPHALT		
	EXISTING CONCRETE		
	PROPOSED CONCRETE		
	GRAVEL		

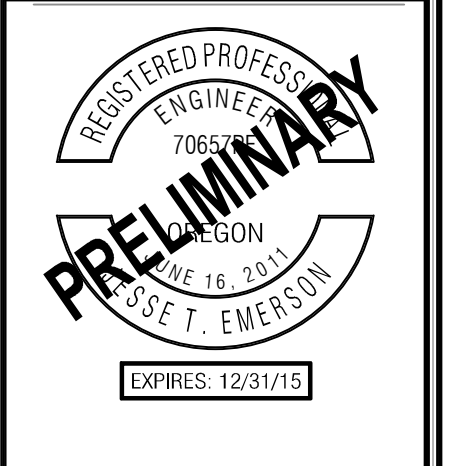
- ### STREET CONSTRUCTION NOTES
- 1 CONSTRUCT STANDARD CURB AND GUTTER.
 - 2A CONSTRUCT FIVE FOOT WIDE DETACHED SIDEWALK.
 - 2B CONSTRUCT SIX FOOT WIDE CURB TIGHT SIDEWALK.
 - 2C CONSTRUCT FIVE FOOT WIDE CURB TIGHT SIDEWALK.
 - 3 CONSTRUCT ASPHALT SECTION.
 - 4A CONSTRUCT STANDARD DRIVEWAY.
 - 4B CONSTRUCT COMMERCIAL DRIVEWAY.
 - 5 CONSTRUCT CURB RAMP.
 - 6 INSTALL STOP SIGN AND STOP BAR.

- ### STORM CONSTRUCTION NOTES
- 1 CONSTRUCT 48" STORM MANHOLE.
 - 2A CONSTRUCT 30" CURB INLET WITH 10" STORM LINE.
 - 2B CONSTRUCT 48" CURB INLET WITH 10" STORM LINE.
 - 3 CONSTRUCT STORM MAIN LINE.
 - 4 CONSTRUCT PRIVATE STORM DRAIN LATERAL CONNECTION FOR INDIVIDUAL LOT SERVICE.
 - 5 CONNECT STORM MAIN LINE TO EXISTING MANHOLE.



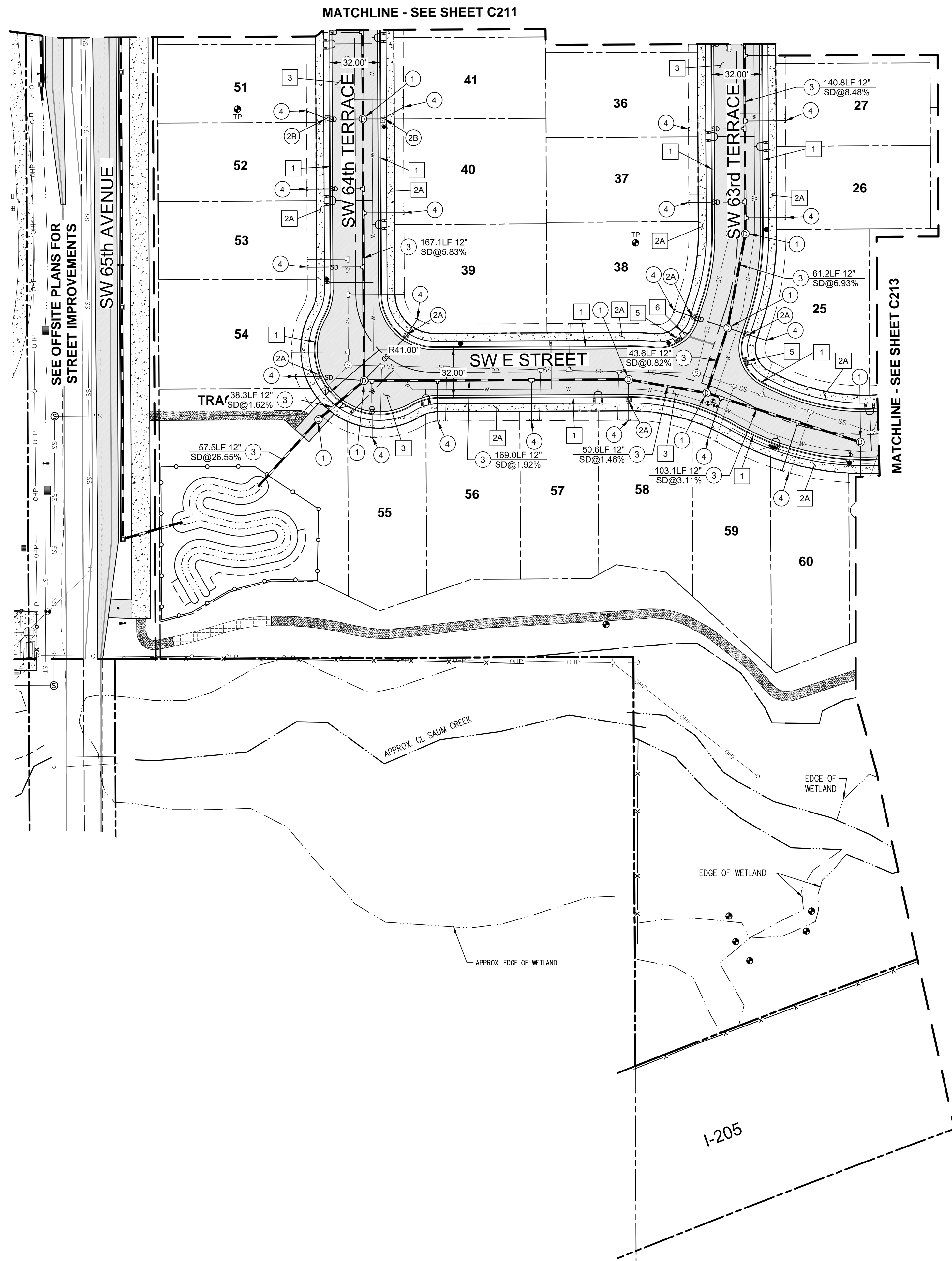
8/17/15	DATE
BY	REVISION SUMMARY
TYPE II LAND USE	

STREET & STORM PLAN III
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 8075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5885

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH
SHEET TITLE	STREET & STORM III
SHEET NUMBER	C213



LEGEND

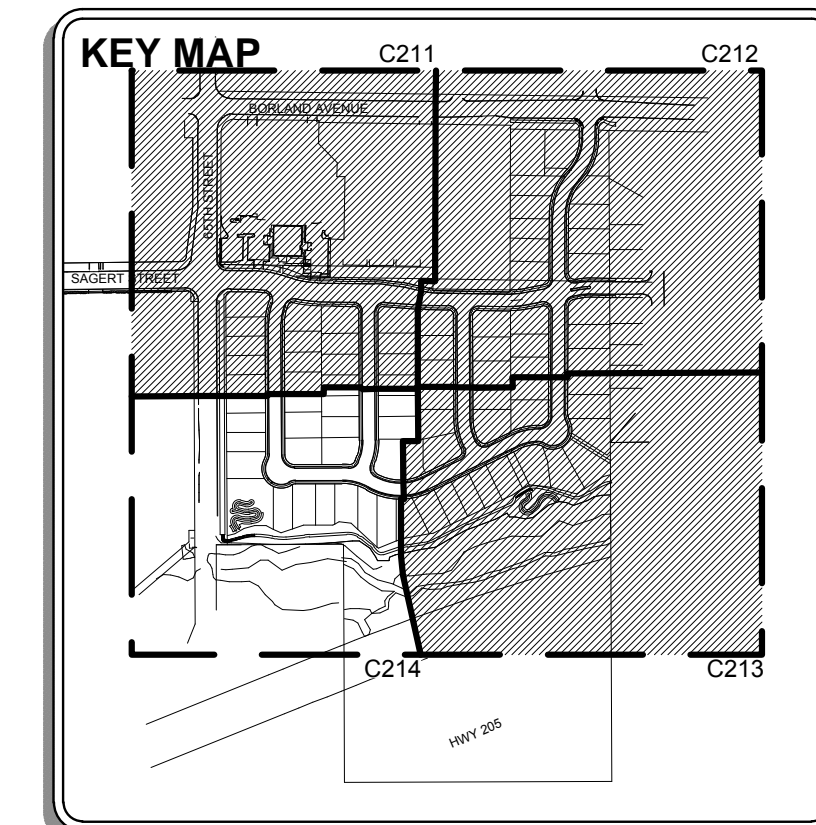
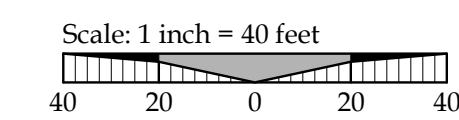
	BOUNDARY LINE		EXISTING TREES
	RIGHT-OF-WAY		EXISTING STUMP
	CENTERLINE		LIGHT POLE
	LOT LINE		WATER VALVE
	EASEMENT		WATER METER
	BUILDING SETBACK		FIRE HYDRANT
	SANITARY SEWER MAIN		SANITARY MANHOLE
	SANITARY SEWER FORCE MAIN		STORM MANHOLE
	SANITARY SEWER LATERAL & STUB		30" CURB INLET
	STORM SEWER MAIN		48" CURB INLET
	STORM SEWER LATERAL		GAS VALVE
	WATER LINE		PHONE PEDESTAL
	GAS LINE		SIGN
	UNDERGROUND TELEPHONE LINE		TEST PIT
	OVERHEAD POWER		UTILITY POLE
	BARBED WIRE FENCE		TRAFFIC SIGNAL BOX
	CHAIN LINK FENCE		STREET LIGHT
	WETLAND		
	STREAM OR WETLAND BUFFER		
	CURB		
	EXISTING ASPHALT		
	PROPOSED ASPHALT		
	EXISTING CONCRETE		
	PROPOSED CONCRETE		
	GRAVEL		

STREET CONSTRUCTION NOTES

- 1 CONSTRUCT STANDARD CURB AND GUTTER.
- 2A CONSTRUCT FIVE FOOT WIDE DETACHED SIDEWALK.
- 2B CONSTRUCT SIX FOOT WIDE CURB TIGHT SIDEWALK.
- 2C CONSTRUCT FIVE FOOT WIDE CURB TIGHT SIDEWALK.
- 3 CONSTRUCT ASPHALT SECTION.
- 4A CONSTRUCT STANDARD DRIVEWAY.
- 4B CONSTRUCT COMMERCIAL DRIVEWAY.
- 5 CONSTRUCT CURB RAMP.
- 6 INSTALL STOP SIGN AND STOP BAR.

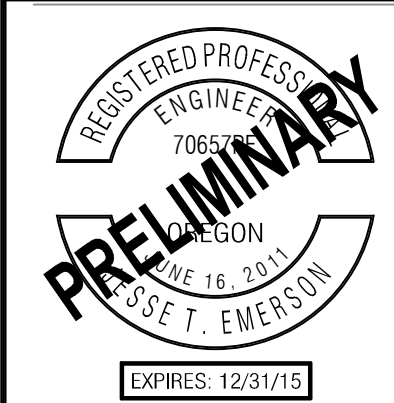
STORM CONSTRUCTION NOTES

- 1 CONSTRUCT 48" STORM MANHOLE.
- 2A CONSTRUCT 30" CURB INLET WITH 10" STORM LINE.
- 2B CONSTRUCT 48" CURB INLET WITH 10" STORM LINE.
- 3 CONSTRUCT STORM MAIN LINE.
- 4 CONSTRUCT PRIVATE STORM DRAIN LATERAL CONNECTION FOR INDIVIDUAL LOT SERVICE. EXTEND SERVICE LATERAL 3' BEYOND PUE.
- 5 CONNECT STORM MAIN LINE TO EXISTING MANHOLE.



8/11/15
BY DATE
REVISION SUMMARY

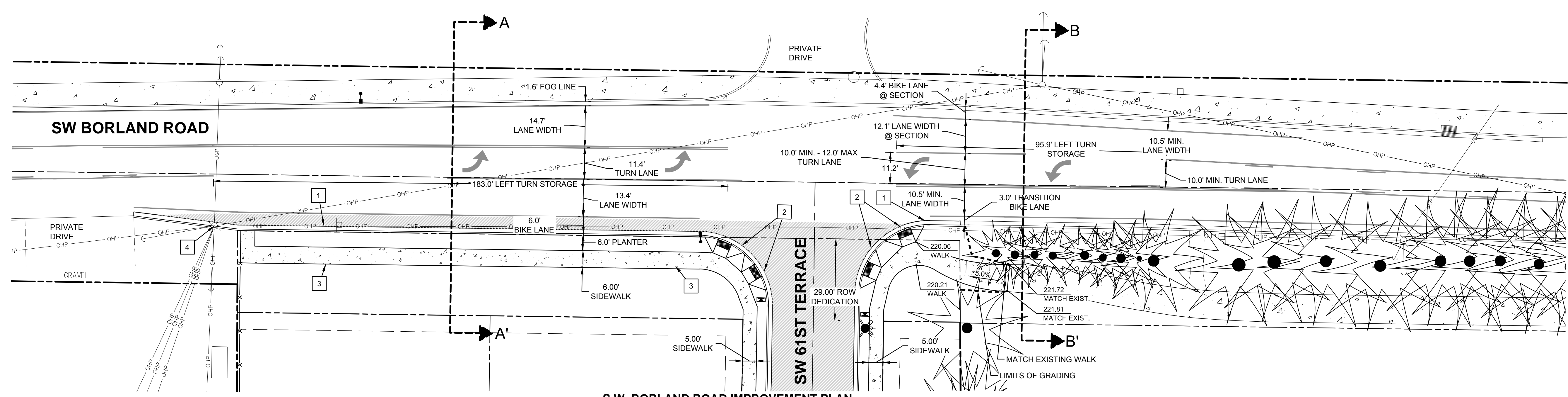
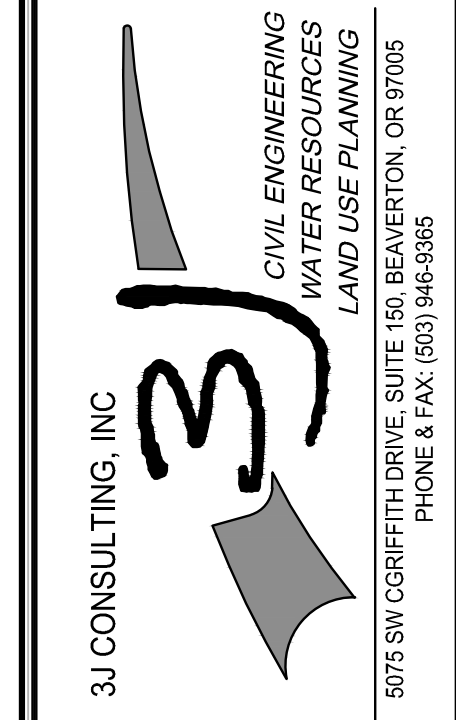
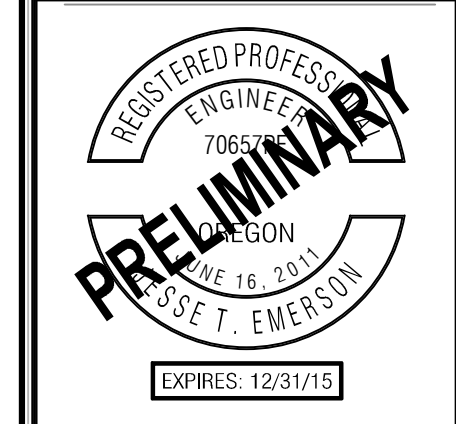
STREET & STORM PLAN IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



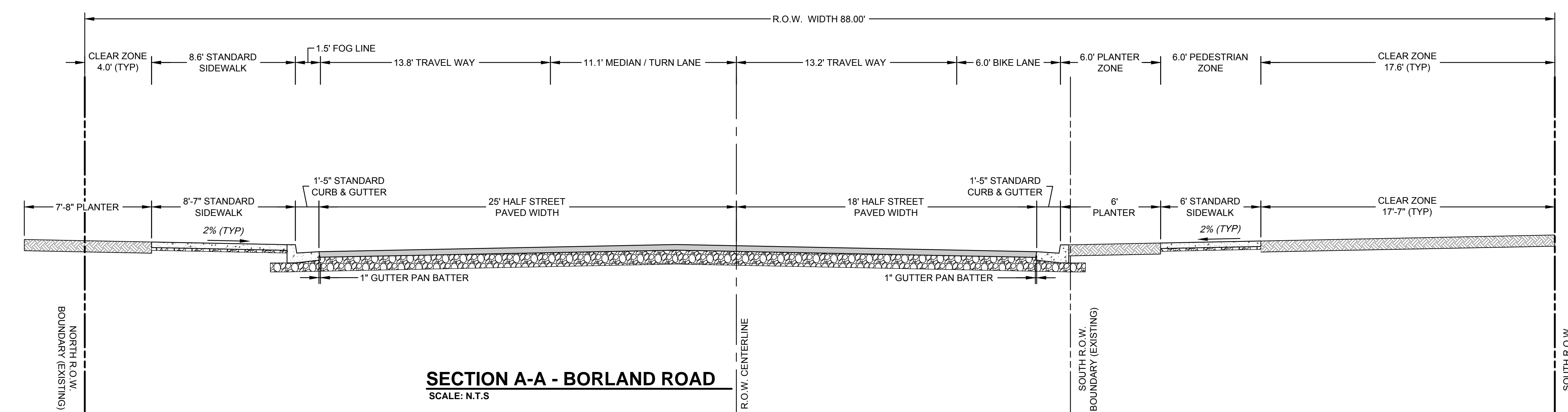
3J CONSULTING, INC
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
8075 SW CROFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-5886

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

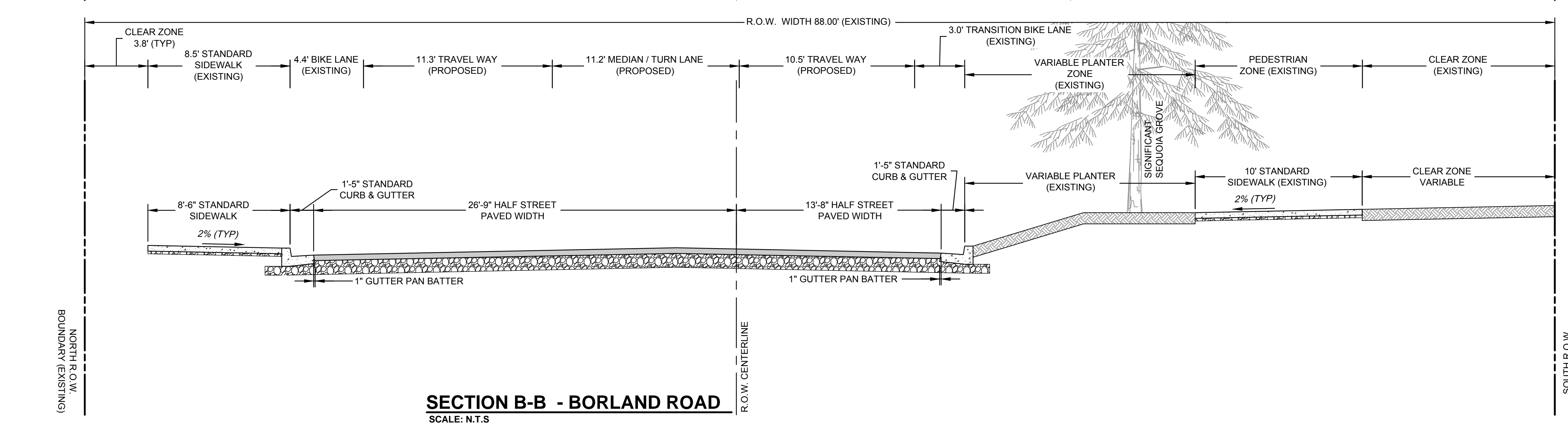
SHEET TITLE
STREET & STORM IV
SHEET NUMBER
C214



S.W. BORLAND ROAD IMPROVEMENT PLAN



SECTION A-A - BORLAND ROAD
 SCALE: N.T.S.

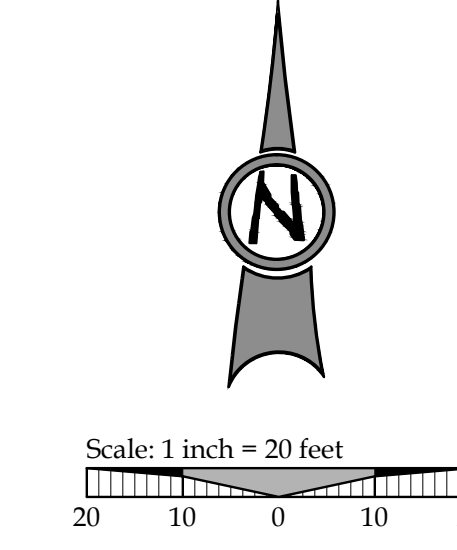


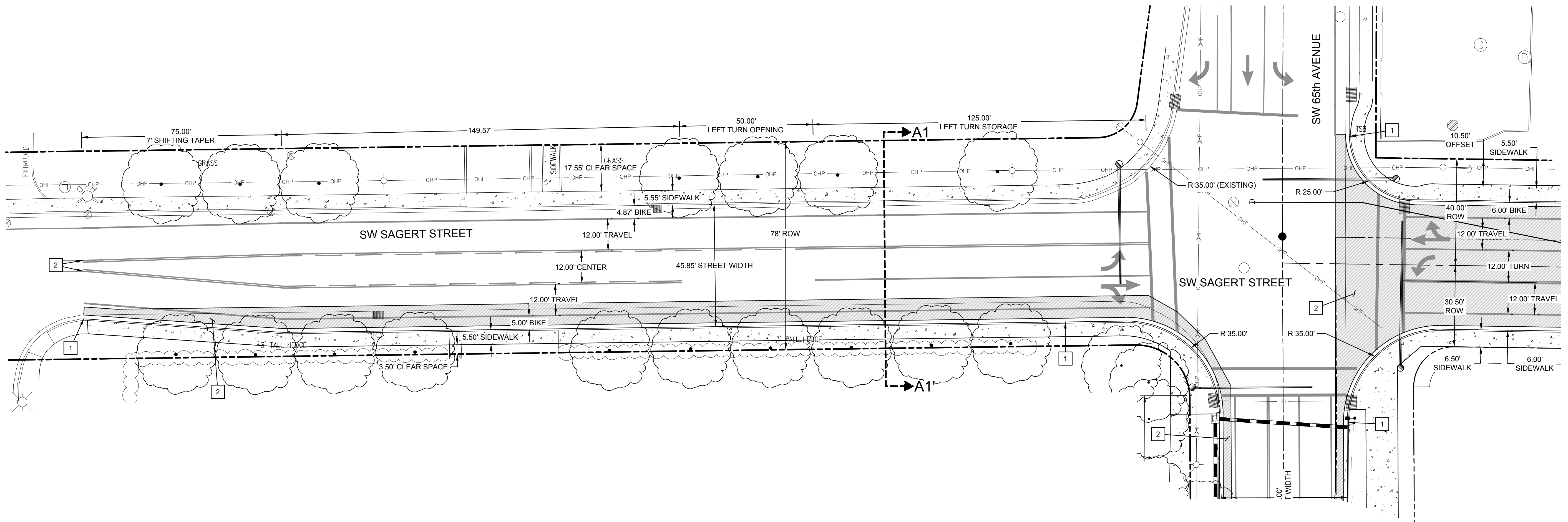
SECTION B-B - BORLAND ROAD
 SCALE: N.T.S.

LEGEND

	BOUNDARY LINE
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	EXISTING CENTERLINE
	PROPOSED CENTERLINE
	LOT LINE
	EXISTING EASEMENT
	PROPOSED EASEMENT
	EXISTING OVERHEAD POWER
	EXISTING BARBED WIRE FENCE
	EXISTING CURB
	PROPOSED CURB AND GUTTER
	EXISTING STORM LINE
	EXISTING CURBING
	DRIP LINE
	EXISTING ASPHALT
	CONCRETE
	EXISTING TREE CLUSTER
	PROPOSED ASPHALT
	WATER VALVE
	PROPOSED FIRE HYDRANT
	EXISTING SEWER MANHOLE
	EXISTING GAS VALVE
	EXISTING PHONE PEDESTAL
	EXISTING UTILITY POLE WITH GUY WIRE
	PROPOSED STREET LIGHT

- CONSTRUCTION KEY NOTES**
- 1 CONSTRUCT STANDARD CURB AND GUTTER PER CITY OF TUALATIN STANDARD DETAIL.
 - 2 CONSTRUCT CURB RAMP PER CITY OF TUALATIN STANDARD DETAIL.
 - 3 CONSTRUCT 6' SIDEWALK PER CITY OF TUALATIN STANDARD DETAIL.
 - 4 PGE TO RELOCATE ELECTRICAL POLE.

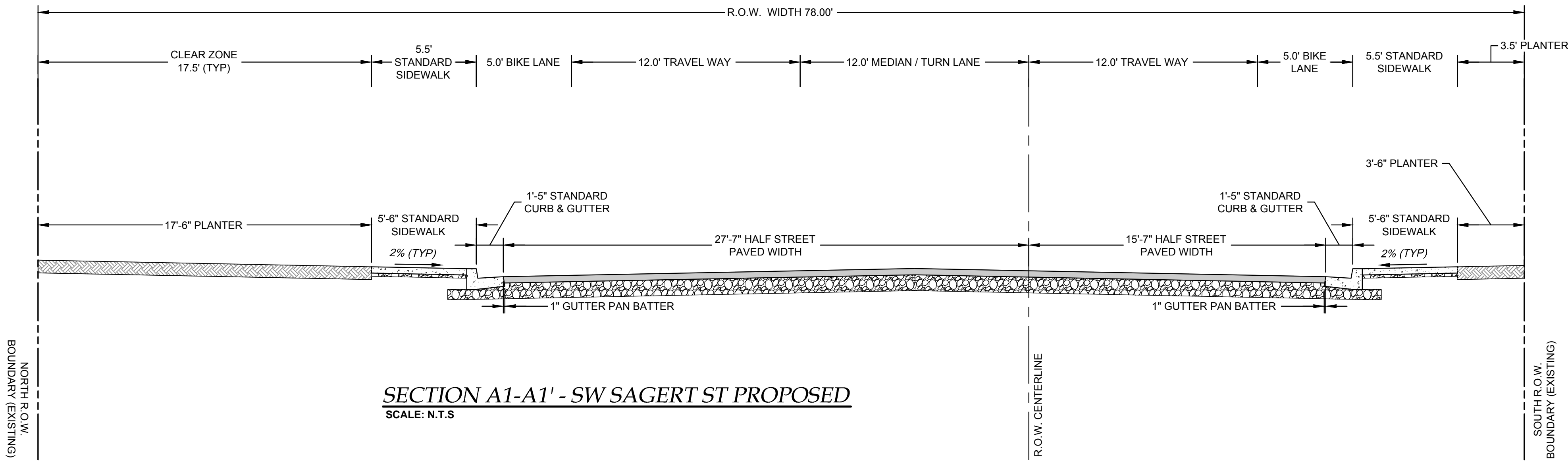




LEGEND

	BOUNDARY LINE		EXISTING ASPHALT
	EXISTING RIGHT-OF-WAY		CONCRETE
	PROPOSED RIGHT-OF-WAY		EXISTING TREE CLUSTER
	EXISTING CENTERLINE		PROPOSED ASPHALT
	PROPOSED CENTERLINE		WATER VALVE
	LOT LINE		PROPOSED FIRE HYDRANT
	EXISTING EASEMENT		EXISTING SEWER MANHOLE
	PROPOSED EASEMENT		EXISTING GAS VALVE
	EXISTING OVERHEAD POWER		EXISTING PHONE PEDESTAL
	EXISTING BARBED WIRE FENCE		EXISTING UTILITY POLE WITH GUY WIRE
	EXISTING CURB AND GUTTER		PROPOSED STREET LIGHT
	PROPOSED STORM LINE		
	EXISTING CLUSTER		
	DRIP LINE		

- CONSTRUCTION KEY NOTES**
- 1 CONSTRUCT STANDARD CURB AND GUTTER PER CITY OF TUALATIN STANDARD DETAIL (TYP).
 - 2 CONSTRUCT ASPHALT WIDENING PER CITY OF TUALATIN STANDARD DETAIL.

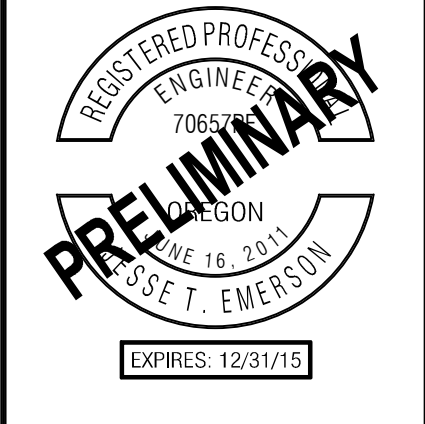


SECTION A1-A1' - SW SAGERT ST PROPOSED
SCALE: N.T.S

Scale: 1 inch = 20 feet

TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

SAGERT ST. & 65TH AVE. INTERSECTION PLAN
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON

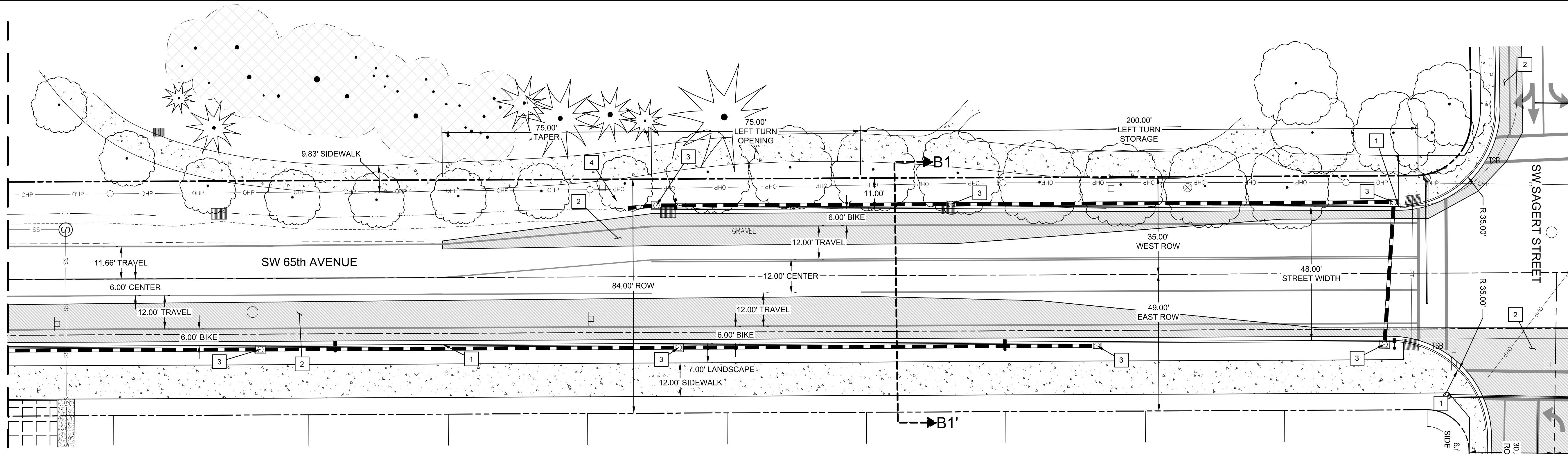


3J CONSULTING, INC.

 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 3075 SW CARRIFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-6886

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH
SHEET TITLE	SAGERT & 65TH
SHEET NUMBER	C221

MATCHLINE - SEE SHEET C223

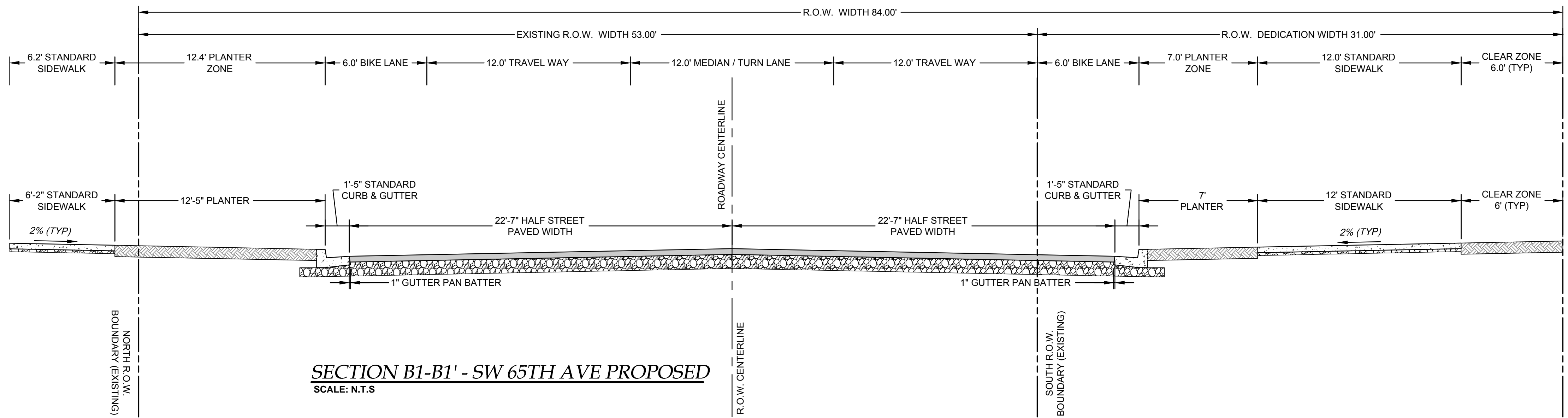


LEGEND

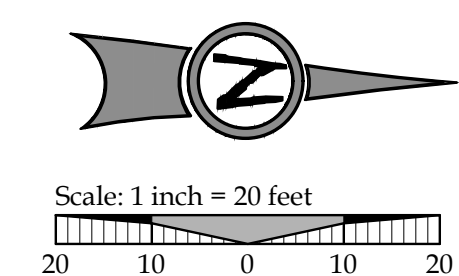
	BOUNDARY LINE		EXISTING ASPHALT
	EXISTING RIGHT-OF-WAY		PROPOSED ASPHALT
	PROPOSED RIGHT-OF-WAY		CONCRETE
	EXISTING CENTERLINE		EXISTING TREE CLUSTER
	PROPOSED CENTERLINE		EXISTING CLUSTER
	LOT LINE		WATER VALVE
	EXISTING EASEMENT		PROPOSED FIRE HYDRANT
	PROPOSED EASEMENT		EXISTING SEWER MANHOLE
	EXISTING GRAVEL EDGE		PROPOSED SEWER MANHOLE
	EXISTING OVERHEAD POWER		EXISTING GAS VALVE
	EXISTING BARBED WIRE FENCE		EXISTING PHONE PEDESTAL
	EXISTING DITCH CENTERLINE		EXISTING UTILITY POLE WITH GUY WIRE
	EXISTING CURB		PROPOSED STREET LIGHT
	PROPOSED CURB AND GUTTER		
	PROPOSED STORM LINE		

CONSTRUCTION KEY NOTES

- 1 CONSTRUCT STANDARD CURB AND GUTTER PER CITY OF TUALATIN STANDARD DETAIL.
- 2 CONSTRUCT ASPHALT WIDENING PER CITY OF TUALATIN STANDARD DETAIL.
- 3 CONSTRUCT CURB INLET WITH 10" STORM LINE.
- 4 CONSTRUCT RIP-RAP OUTFALL.

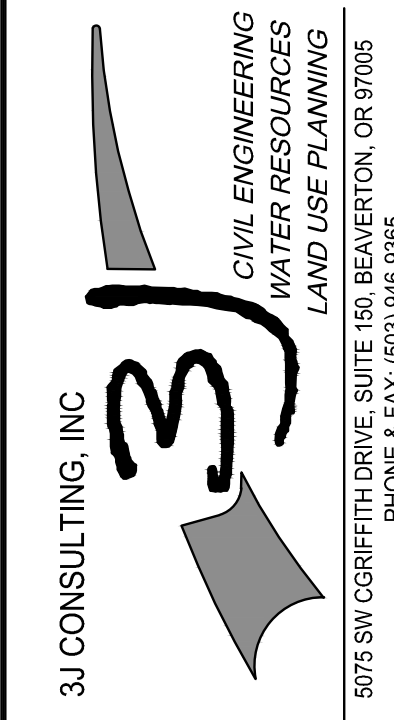
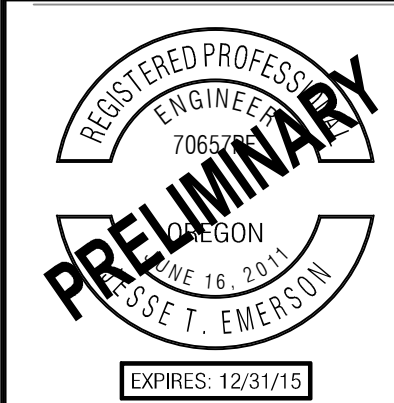


SECTION B1-B1' - SW 65TH AVE PROPOSED
SCALE: N.T.S

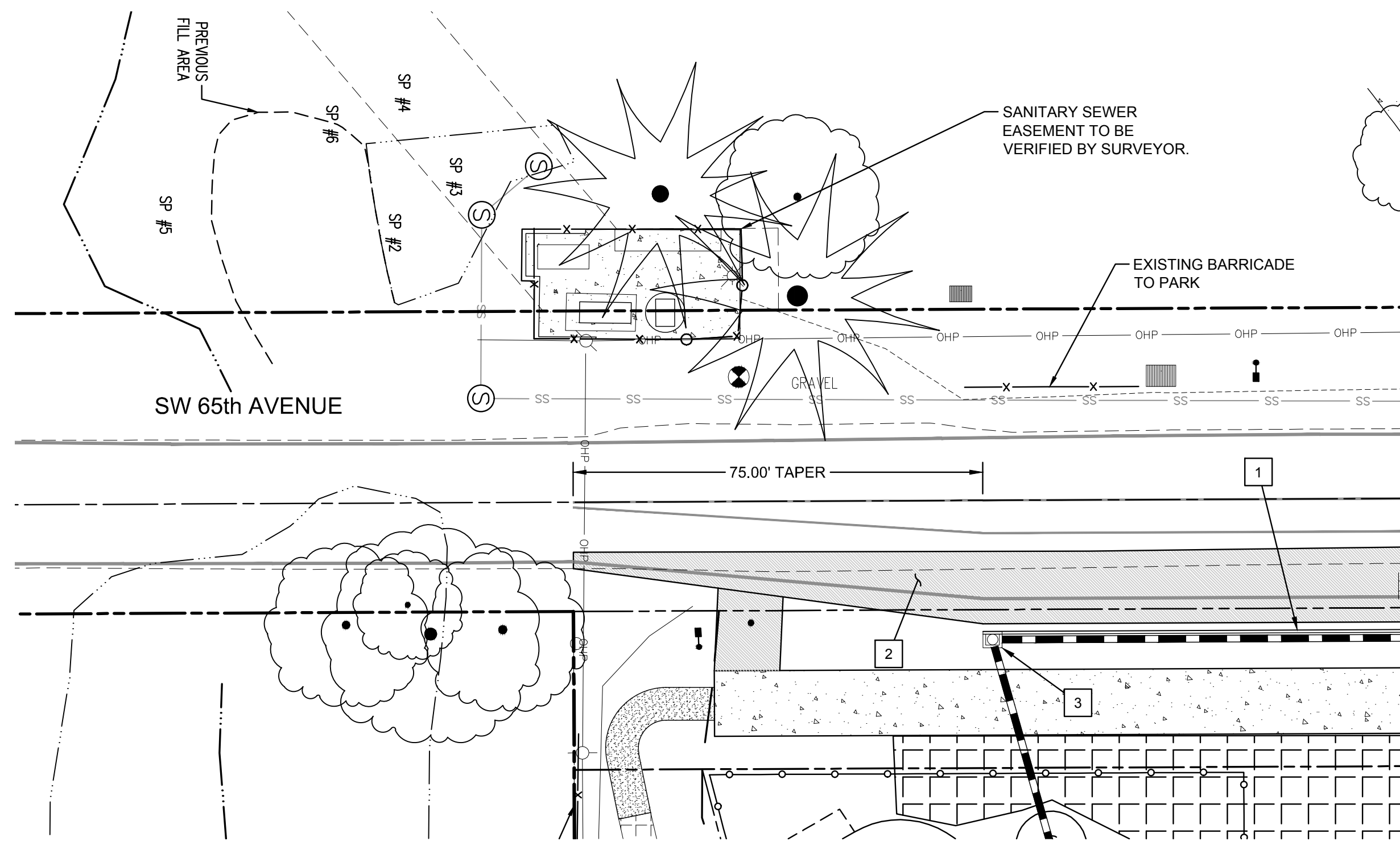


TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

65TH AVE. IMPROVEMENT PLAN I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH
SHEET TITLE	65TH AVE. IMP. I
SHEET NUMBER	C222

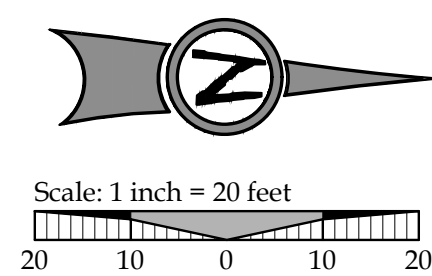


LEGEND

---	BOUNDARY LINE	[Pattern]	EXISTING ASPHALT
---	EXISTING RIGHT-OF-WAY	[Pattern]	PROPOSED ASPHALT
---	PROPOSED RIGHT-OF-WAY	[Pattern]	CONCRETE
---	EXISTING CENTERLINE	[Pattern]	EXISTING TREE CLUSTER
---	PROPOSED CENTERLINE	[Pattern]	EXISTING CLUSTER DRIP LINE
---	LOT LINE	[Pattern]	WATER VALVE
---	EXISTING EASEMENT	[Symbol]	PROPOSED FIRE HYDRANT
---	PROPOSED EASEMENT	[Symbol]	EXISTING SEWER MANHOLE
---	EXISTING OVERHEAD POWER	[Symbol]	PROPOSED SEWER MANHOLE
---	EXISTING BARBED WIRE FENCE	[Symbol]	EXISTING GAS VALVE
---	EXISTING CURB	[Symbol]	EXISTING PHONE PEDESTAL
---	PROPOSED CURB AND GUTTER	[Symbol]	EXISTING UTILITY POLE WITH GUY WIRE
---	PROPOSED STORM LINE	[Symbol]	PROPOSED STREET LIGHT

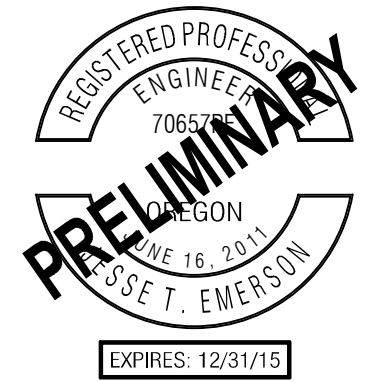
CONSTRUCTION KEY NOTES

- 1 CONSTRUCT STANDARD CURB AND GUTTER PER CITY OF TUALATIN STANDARD DETAIL.
- 2 CONSTRUCT ASPHALT WIDENING PER CITY OF TUALATIN STANDARD DETAIL.
- 3 CONSTRUCT CURB INLET WITH 10" LINE



TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

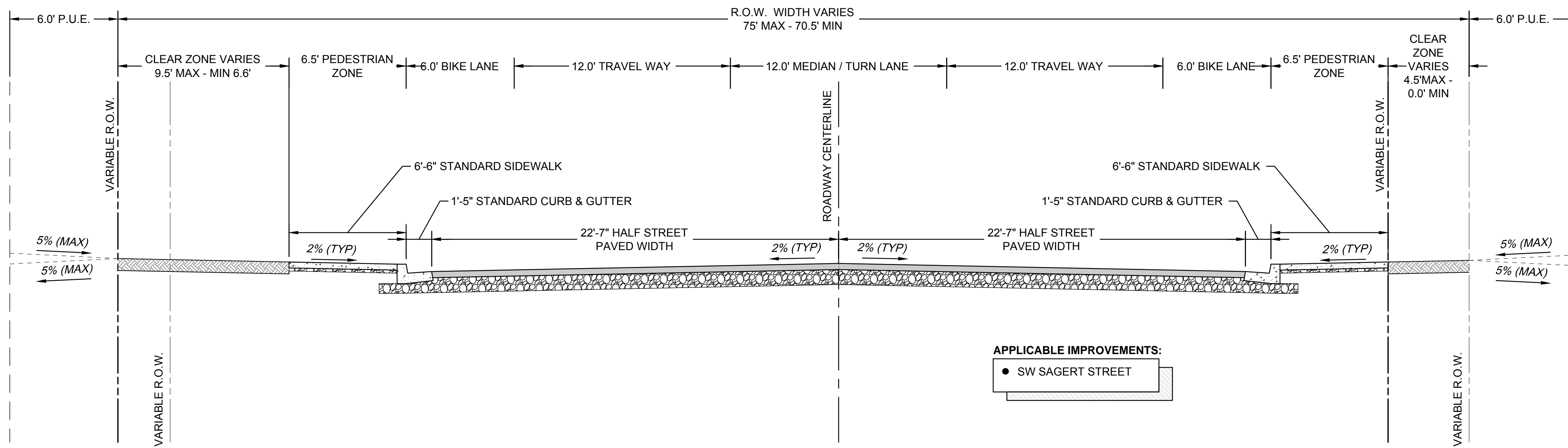
65TH AVE. IMPROVEMENT PLAN II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 8075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-8885

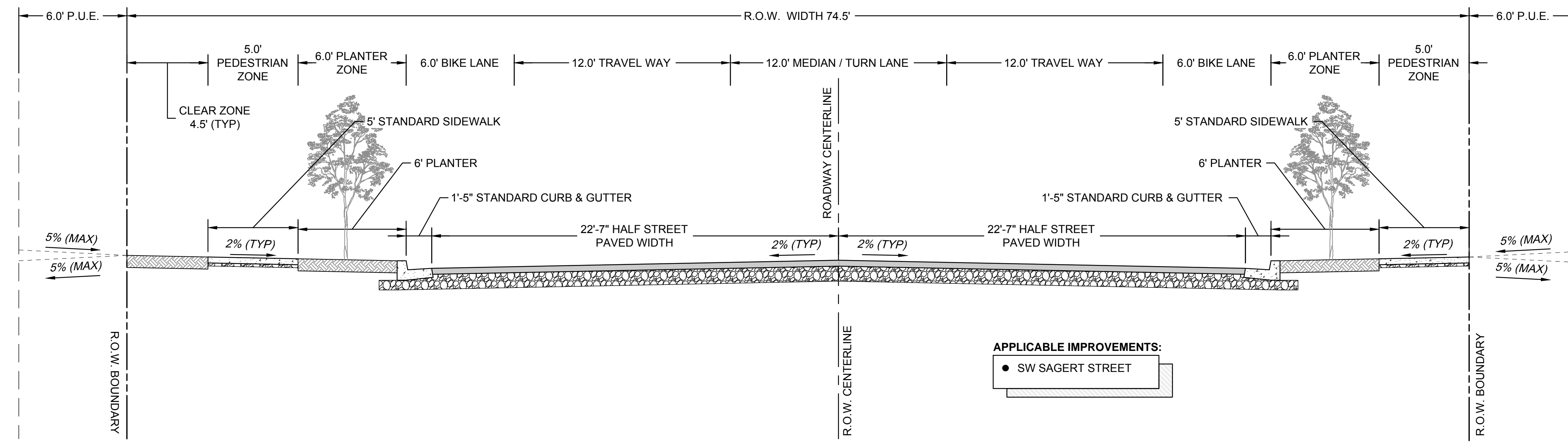
3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
65TH ST. IMP. II
 SHEET NUMBER
C223



SECTION A-A: MINOR ARTERIAL SECTION W/ CURB TIGHT SIDEWALK

N.T.S.

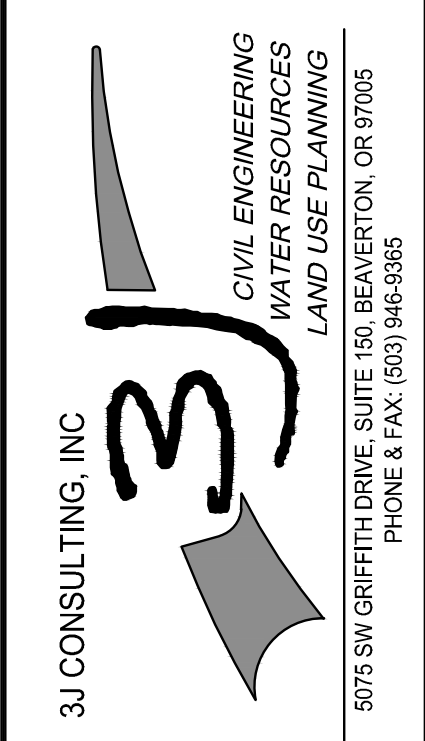
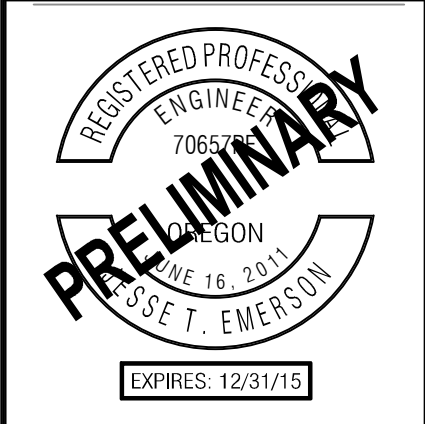


SECTION B-B: MINOR ARTERIAL SECTION

N.T.S.

TYPE II LAND USE
REVISION SUMMARY
BY DATE
8/11/15

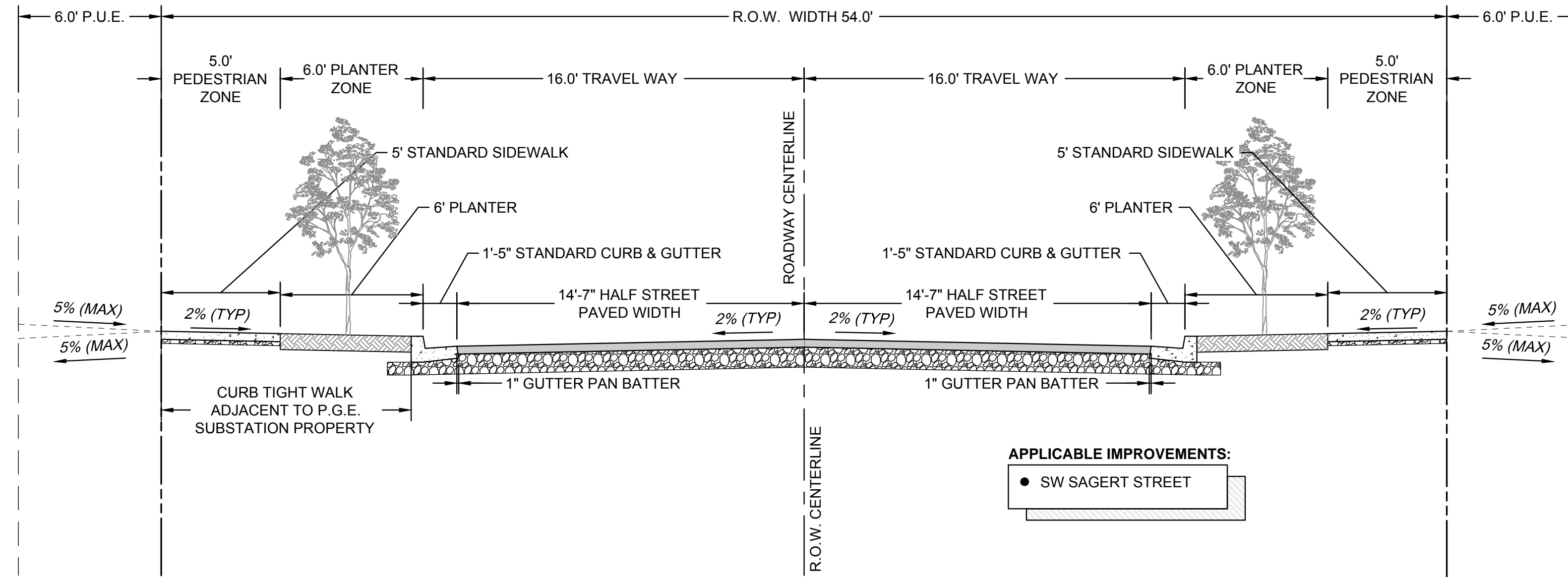
ONSITE TYPICAL SECTIONS I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

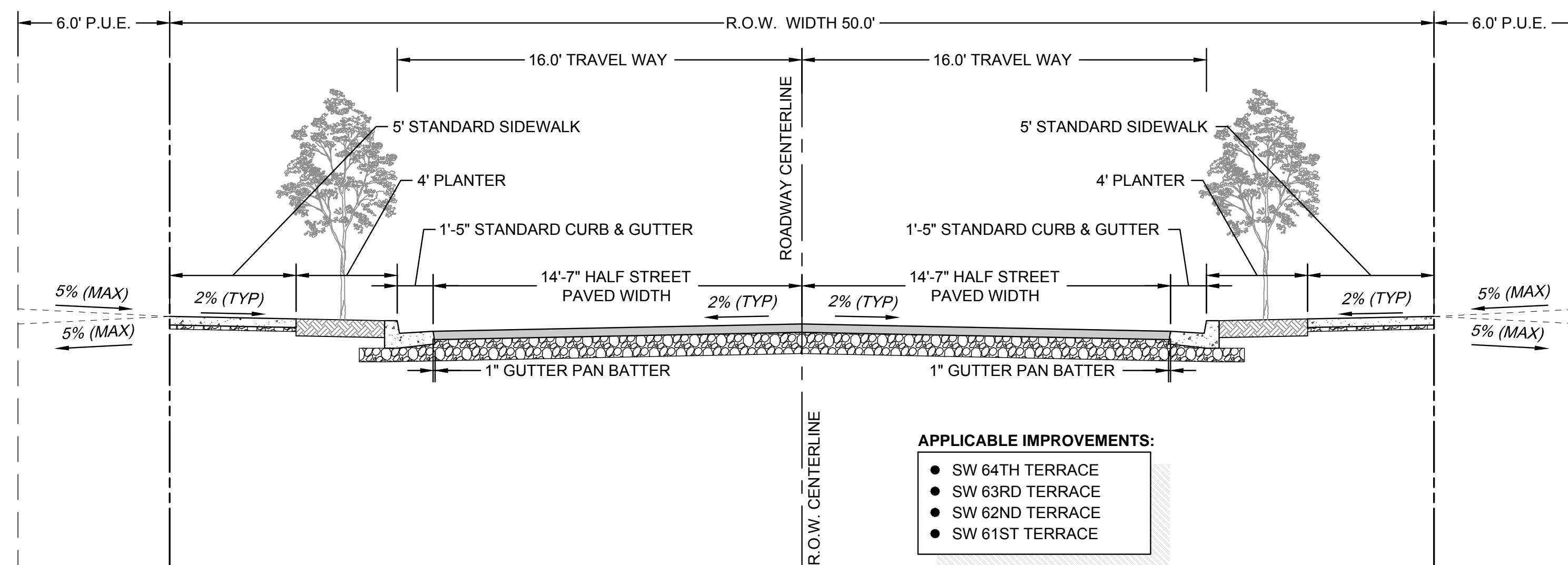
SHEET TITLE
TYP. SECTIONS I

SHEET NUMBER
C230



SECTION C-C: MODIFIED ARTERIAL SECTION

N.T.S.

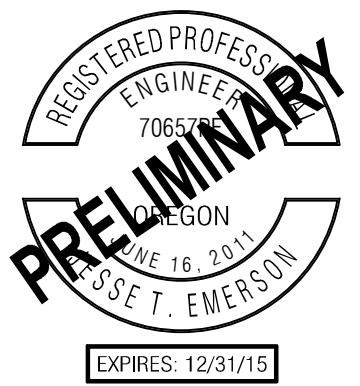


SECTION D-D: LOCAL STREET SECTION

N.T.S.

TYPE II LAND USE
REVISION SUMMARY
BY DATE

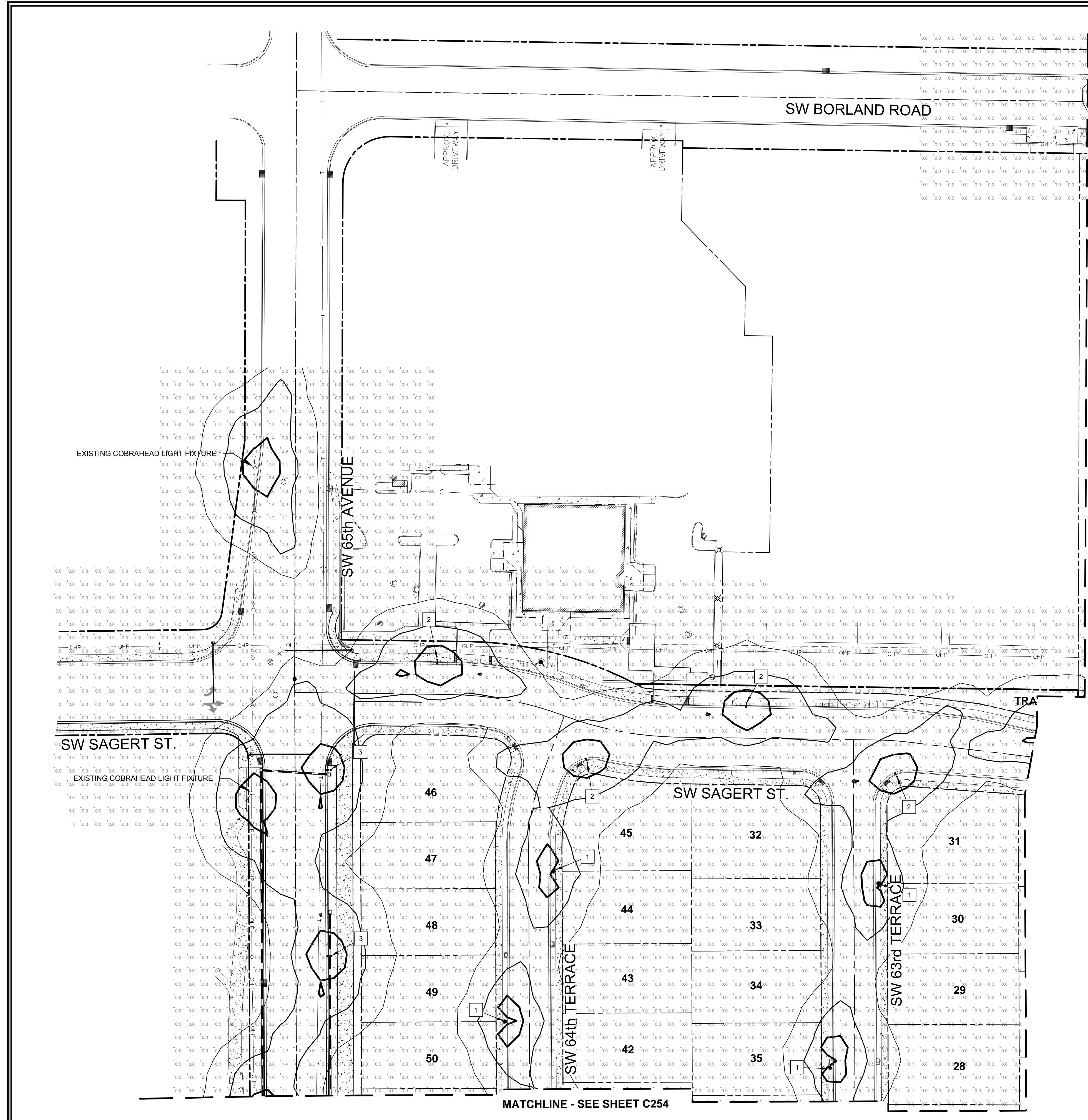
ONSITE TYPICAL SECTIONS II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TYP. SECTIONS II
SHEET NUMBER

C231



LEGEND

- 1.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.1 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- ILLUMINATION ANALYSIS POINT (FC)
- FOOT CANDLE UNIT
- PROPOSED LUMINAIRE

ILLUMINATION PLAN CONSTRUCTION NOTES

- 1 INSTALL STREET LIGHT PACKAGE #1. SEE DETAIL THIS SHEET.
- 2 INSTALL STREET LIGHT PACKAGE #2. SEE DETAIL THIS SHEET.
- 3 INSTALL STREET LIGHT PACKAGE #3. SEE DETAIL THIS SHEET.

ILLUMINATION STATISTICS

ROADWAY SECTION	REQUIRED MINIMUM AVERAGE FC	PROPOSED AVERAGE FC**
SAGERT ST	0.59 FC	0.72 FC
64TH TERRACE	0.40 FC	0.75 FC
63RD TERRACE	0.40 FC	0.62 FC
62ND TERRACE	0.40 FC	0.70 FC
61ST TERRACE - NORTH OF SAGERT ST	0.40 FC	0.70 FC
61ST TERRACE - SOUTH OF SAGERT ST	0.40 FC	0.53 FC
JUNIPER LANE	0.40 FC	0.72 FC
65TH AVENUE (OFFSITE FRONTAGE)	0.59 FC	0.68 FC
BORLAND ROAD (OFFSITE FRONTAGE)	0.59 FC	0.77 FC

*PER CITY OF TUALATIN PUBLIC WORKS DESIGN STANDARDS
 **CALCULATIONS ARE FOR CURB-CURB ROADWAY AREA ONLY

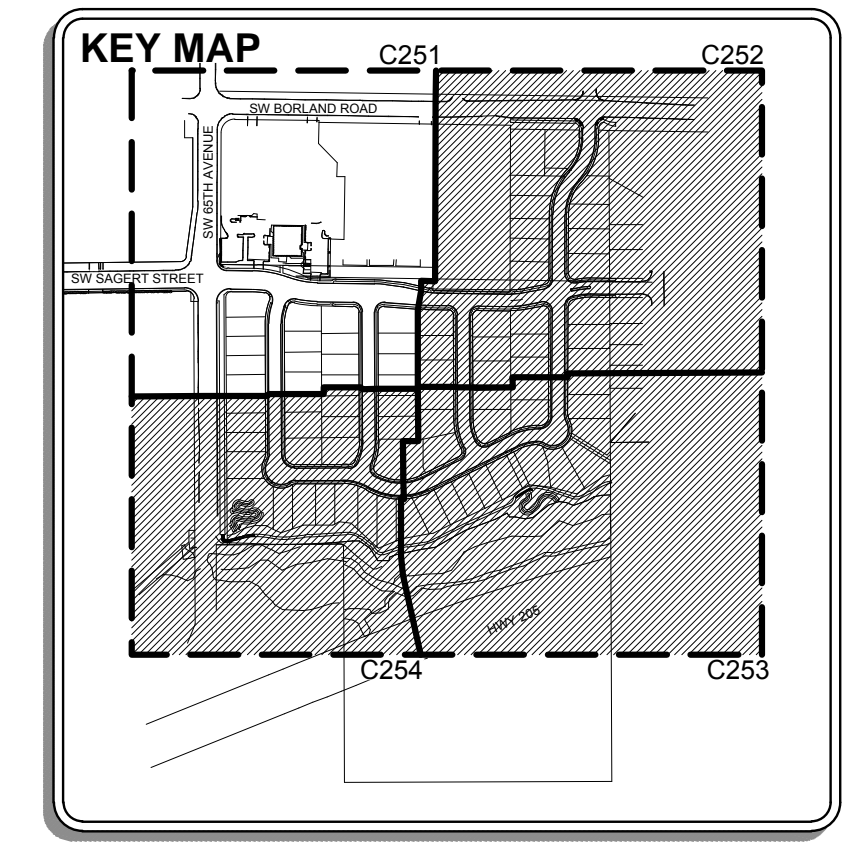
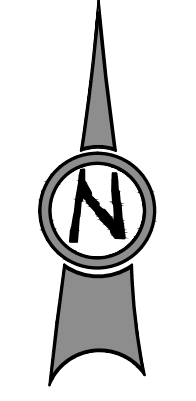
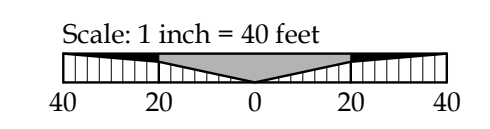
STREET LIGHT PACKAGE #1 "ACORN"
 LUMINAIRE: 100W HPS - GE TOWN AND COUNTRY - T10R10S7N2AMS2BL160
 POLE: 20 FT ALUMINUM POST TOP POLE - 16 FT MOUNTING HEIGHT - BRONZE FINISH

STREET LIGHT PACKAGE #2 "SHOEBOX"
 LUMINAIRE: 100W HPS - COOPER LIGHTING - TRIBUTE - TRU10SN42FBZH4S
 POLE: 30 FT ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: NONE

STREET LIGHT PACKAGE #3 "COBRAHEAD"
 LUMINAIRE: 100W HPS - COOPER OVH FLAT GLASS REFLECTOR - OVH10SNV2DH4
 POLE: ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: 4 FT

MATCHLINE - SEE SHEET C252

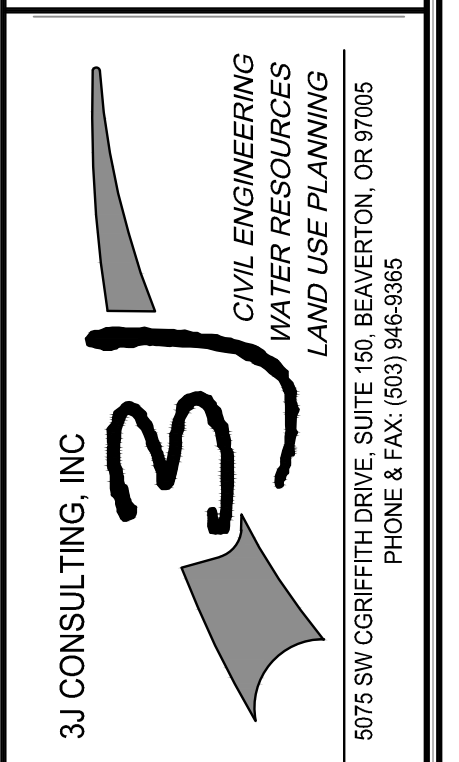
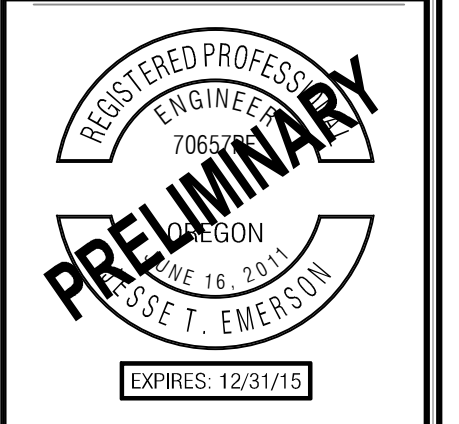
MATCHLINE - SEE SHEET C254



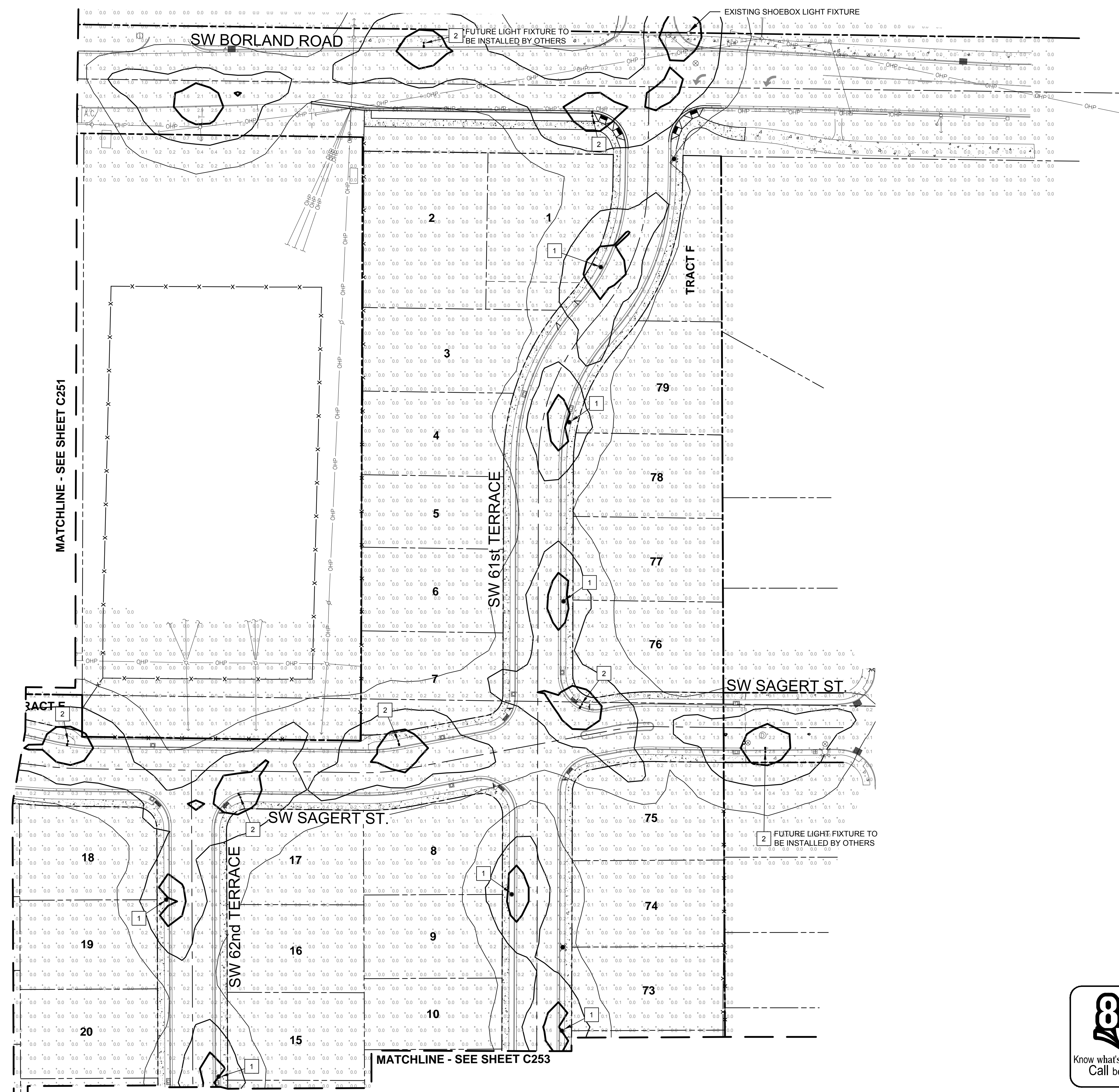
TYPE II LAND USE

REVISION SUMMARY	BY	DATE

ILLUMINATION PLAN I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30B.300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH
SHEET TITLE	ILLUM. PLAN I
SHEET NUMBER	C251



LEGEND

- 1.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.1 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- ILLUMINATION ANALYSIS POINT (FC)
- FOOT CANDLE UNIT
- PROPOSED LUMINAIRE

ILLUMINATION PLAN CONSTRUCTION NOTES

- 1 INSTALL STREET LIGHT PACKAGE #1. SEE DETAIL THIS SHEET.
- 2 INSTALL STREET LIGHT PACKAGE #2. SEE DETAIL THIS SHEET.
- 3 INSTALL STREET LIGHT PACKAGE #3. SEE DETAIL THIS SHEET.

ILLUMINATION STATISTICS

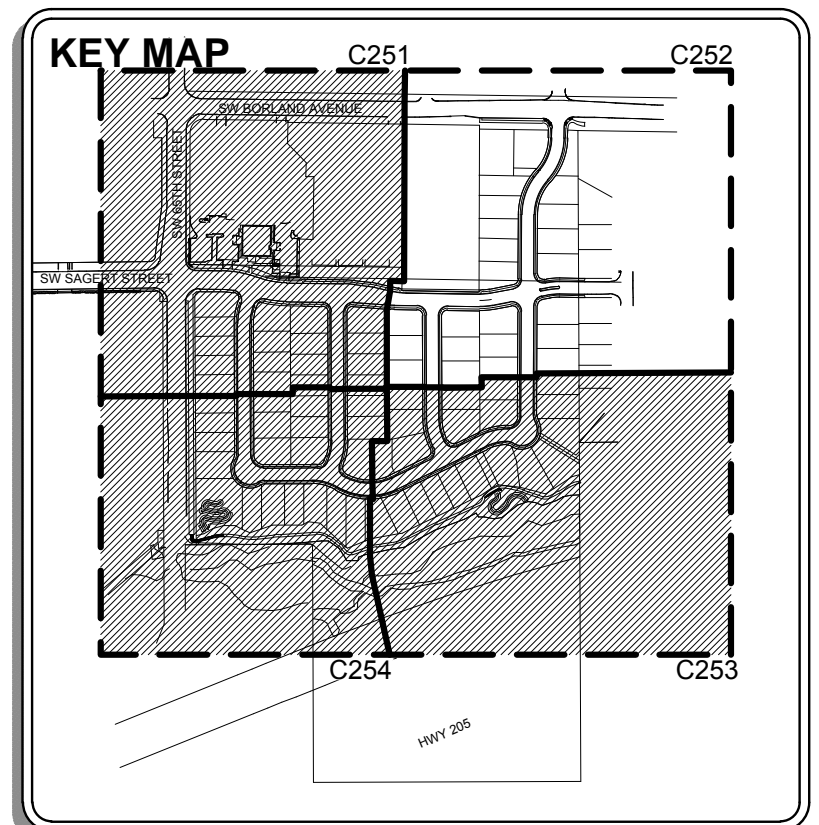
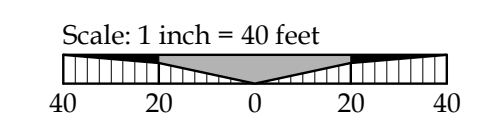
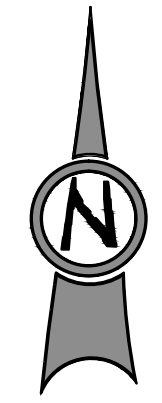
ROADWAY SECTION	REQUIRED MINIMUM AVERAGE FC*	PROPOSED AVERAGE FC**
SAGERT ST	0.59 FC	0.72 FC
64TH TERRACE	0.40 FC	0.75 FC
63RD TERRACE	0.40 FC	0.62 FC
62ND TERRACE	0.40 FC	0.70 FC
61ST TERRACE - NORTH OF SAGERT ST	0.40 FC	0.70 FC
61ST TERRACE - SOUTH OF SAGERT ST	0.40 FC	0.53 FC
JUNIPER LANE	0.40 FC	0.72 FC
65TH AVENUE (OFFSITE FRONTAGE)	0.59 FC	0.68 FC
BORLAND ROAD (OFFSITE FRONTAGE)	0.59 FC	0.77 FC

*PER CITY OF TUALATIN PUBLIC WORKS DESIGN STANDARDS
 **CALCULATIONS ARE FOR CURB-CURB ROADWAY AREA ONLY

STREET LIGHT PACKAGE #1 "ACORN"
 LUMINAIRE: 100W HPS - GE TOWN AND COUNTRY - T10R10S7N2AMS2BL160
 POLE: 20 FT ALUMINUM POST TOP POLE - 16 FT MOUNTING HEIGHT - BRONZE FINISH

STREET LIGHT PACKAGE #2 "SHOEBOX"
 LUMINAIRE: 100W HPS - COOPER LIGHTING - TRIBUTE - TRU10SN42FBZ4S
 POLE: 30 FT ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: NONE

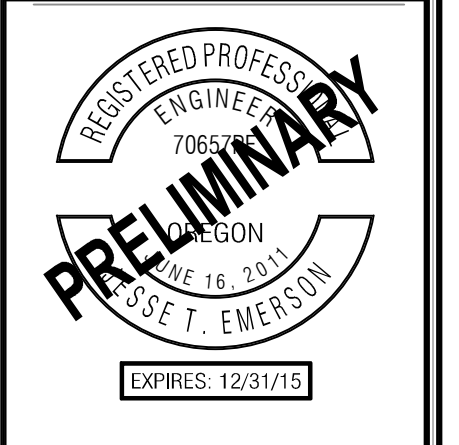
STREET LIGHT PACKAGE #3 "COBRAHEAD"
 LUMINAIRE: 100W HPS - COOPER OVH FLAT GLASS REFLECTOR - OVH10SNV2DH4
 POLE: ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: 4 FT



TYPE II LAND USE

REVISION SUMMARY	DATE
	8/17/15

ILLUMINATION PLAN II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



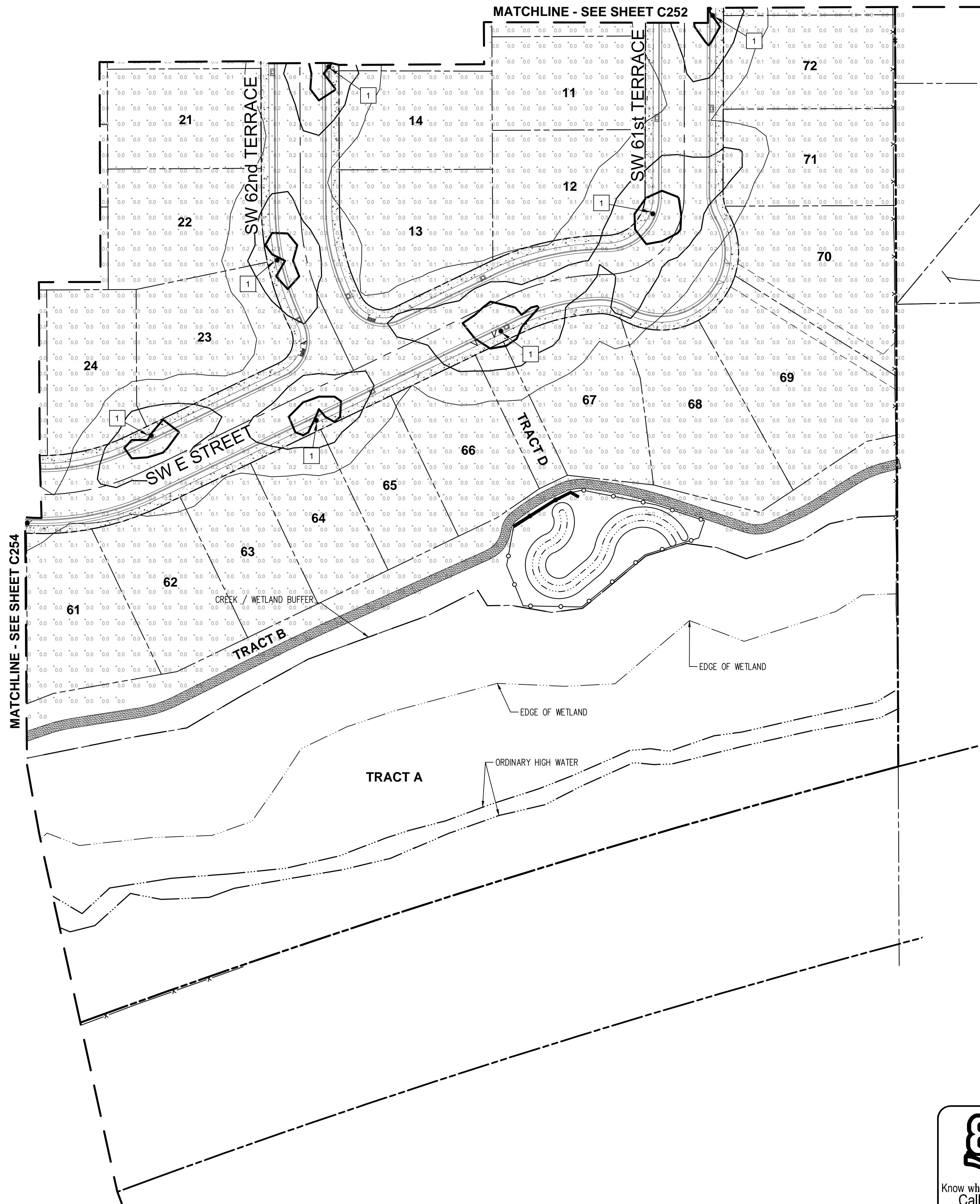
3J CONSULTING, INC.

CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING

8075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5885

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308.300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH

SHEET TITLE
ILLUM. PLAN II
 SHEET NUMBER
C252



MATCHLINE - SEE SHEET C252

MATCHLINE - SEE SHEET C254

LEGEND

- 1.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.1 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- ILLUMINATION ANALYSIS POINT (FC)
- FOOT CANDLE UNIT
- PROPOSED LUMINAIRE

ILLUMINATION PLAN CONSTRUCTION NOTES

- 1 INSTALL STREET LIGHT PACKAGE #1. SEE DETAIL THIS SHEET.
- 2 INSTALL STREET LIGHT PACKAGE #2. SEE DETAIL THIS SHEET.
- 3 INSTALL STREET LIGHT PACKAGE #3. SEE DETAIL THIS SHEET.

ILLUMINATION STATISTICS

ROADWAY SECTION	REQUIRED MINIMUM AVERAGE FC*	PROPOSED AVERAGE FC**
SAGER ST	0.59 FC	0.72 FC
64TH TERRACE	0.40 FC	0.75 FC
63RD TERRACE	0.40 FC	0.62 FC
62ND TERRACE	0.40 FC	0.70 FC
61ST TERRACE - NORTH OF SAGER ST	0.40 FC	0.70 FC
61ST TERRACE - SOUTH OF SAGER ST	0.40 FC	0.53 FC
JUNIPER LANE	0.40 FC	0.72 FC
65TH AVENUE (OFFSITE FRONTAGE)	0.59 FC	0.68 FC
BORLAND ROAD (OFFSITE FRONTAGE)	0.59 FC	0.77 FC

*PER CITY OF TUALATIN PUBLIC WORKS DESIGN STANDARDS
 **CALCULATIONS ARE FOR CURB-CURB ROADWAY AREA ONLY

STREET LIGHT PACKAGE #1 "ACORN"

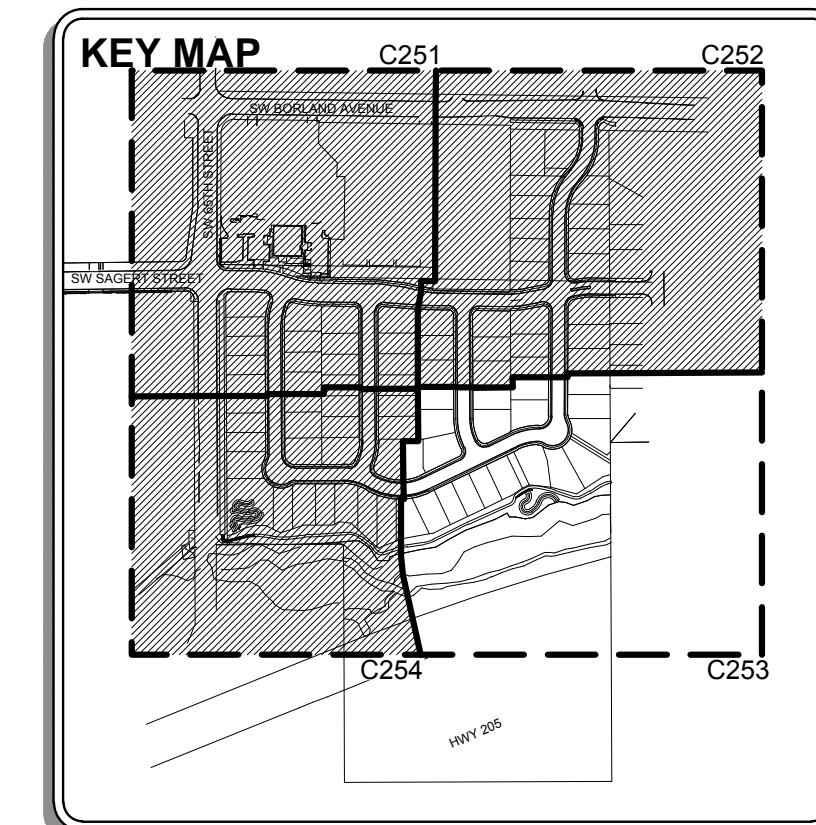
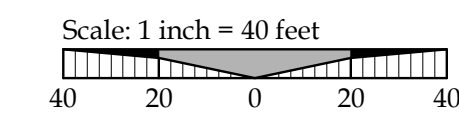
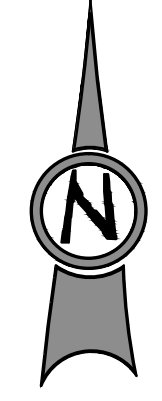
LUMINAIRE: 100W HPS - GE TOWN AND COUNTRY - T10R10S7N2AMS2BL160
 POLE: 20 FT ALUMINUM POST TOP POLE - 16 FT MOUNTING HEIGHT - BRONZE FINISH

STREET LIGHT PACKAGE #2 "SHOEBOX"

LUMINAIRE: 100W HPS - COOPER LIGHTING - TRIBUTE - TRU10SN42FBZH4S
 POLE: 30 FT ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: NONE

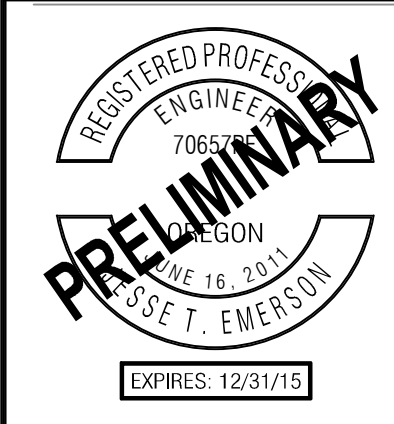
STREET LIGHT PACKAGE #3 "COBRAHEAD"

LUMINAIRE: 100W HPS - COOPER OVH FLAT GLASS REFLECTOR - OVH10SNV2DH4
 POLE: ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: 4 FT



TYPE II LAND USE
 REVISION SUMMARY
 8/17/15
 BY DATE

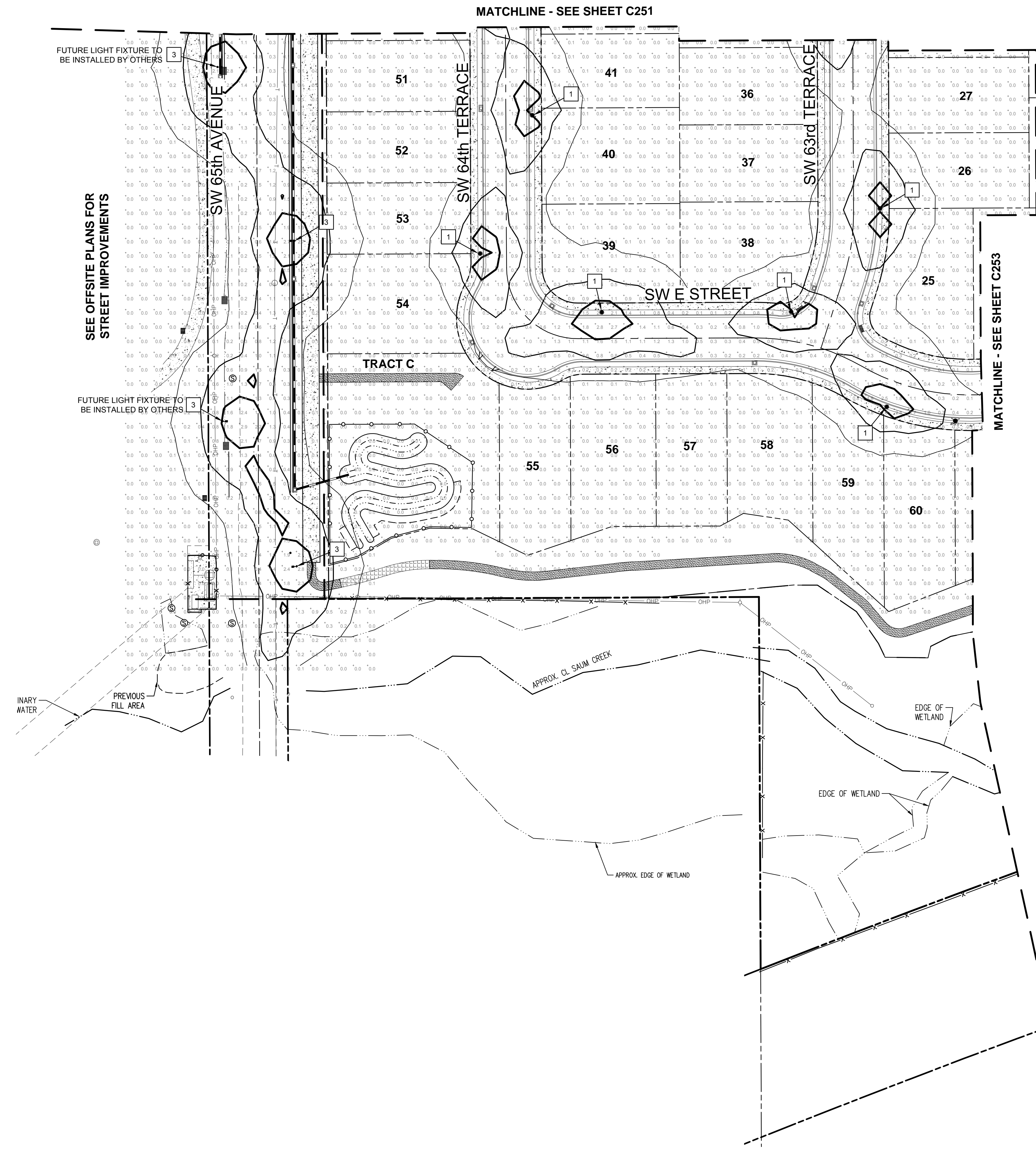
ILLUMINATION PLAN III
SAGER FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 5075 SW CARRIFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-8886

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E30B 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
ILLUM. PLAN III
 SHEET NUMBER
C253



FUTURE LIGHT FIXTURE TO BE INSTALLED BY OTHERS

SEE OFFSITE PLANS FOR STREET IMPROVEMENTS

FUTURE LIGHT FIXTURE TO BE INSTALLED BY OTHERS

MATCHLINE - SEE SHEET C251

MATCHLINE - SEE SHEET C253

LEGEND

- 1.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.5 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- 0.1 FOOT CANDLE ISO-ILLUMINATION CONTOUR
- ILLUMINATION ANALYSIS POINT (FC)
- FOOT CANDLE UNIT
- PROPOSED LUMINAIRE

ILLUMINATION PLAN CONSTRUCTION NOTES

1	INSTALL STREET LIGHT PACKAGE #1 "ACORN". SEE DETAIL THIS SHEET.
2	INSTALL STREET LIGHT PACKAGE #2 "SHOEBOX". SEE DETAIL THIS SHEET.
3	INSTALL STREET LIGHT PACKAGE #3 "COBRAHEAD". SEE DETAIL THIS SHEET.

ILLUMINATION STATISTICS

ROADWAY SECTION	REQUIRED MINIMUM AVERAGE FC*	PROPOSED AVERAGE FC**
SAGERT ST	0.59 FC	0.72 FC
64TH TERRACE	0.40 FC	0.75 FC
63RD TERRACE	0.40 FC	0.62 FC
62ND TERRACE	0.40 FC	0.70 FC
61ST TERRACE - NORTH OF SAGERT ST	0.40 FC	0.70 FC
61ST TERRACE - SOUTH OF SAGERT ST	0.40 FC	0.53 FC
JUNIPER LANE	0.40 FC	0.72 FC
65TH AVENUE (OFFSITE FRONTAGE)	0.59 FC	0.68 FC
BORLAND ROAD (OFFSITE FRONTAGE)	0.59 FC	0.77 FC

*PER CITY OF TUALATIN PUBLIC WORKS DESIGN STANDARDS
 **CALCULATIONS ARE FOR CURB-CURB ROADWAY AREA ONLY

STREET LIGHT PACKAGE #1 "ACORN"

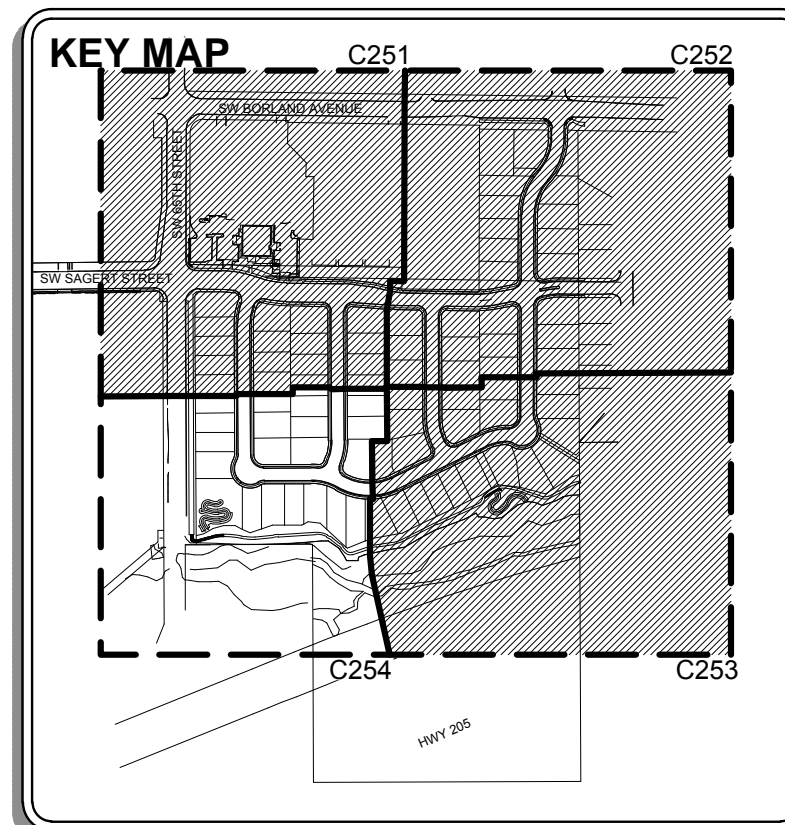
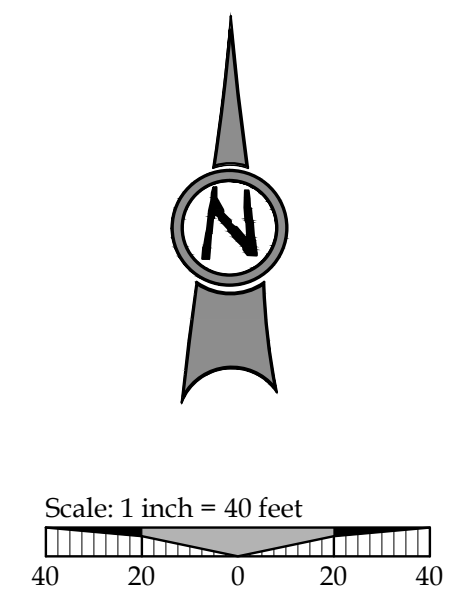
LUMINAIRE: 100W HPS - GE TOWN AND COUNTRY - T10R10S7N2AMS2BL160
 POLE: 20 FT ALUMINUM POST TOP POLE - 16 FT MOUNTING HEIGHT - BRONZE FINISH

STREET LIGHT PACKAGE #2 "SHOEBOX"

LUMINAIRE: 100W HPS - COOPER LIGHTING - TRIBUTE - TRU10SN42FBZH4S
 POLE: 30 FT ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: NONE

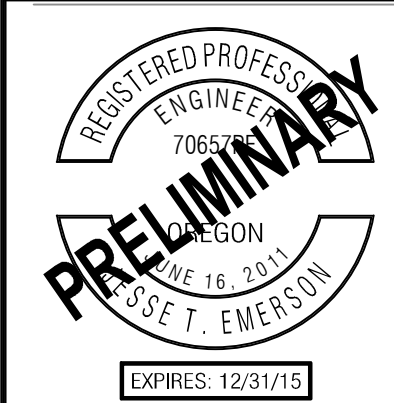
STREET LIGHT PACKAGE #3 "COBRAHEAD"

LUMINAIRE: 100W HPS - COOPER OVH FLAT GLASS REFLECTOR - OVH10SNV2DH4
 POLE: ALUMINUM POLE - 25 FT MOUNTING HEIGHT - BRONZE FINISH
 MAST ARM: 4 FT



TYPE II LAND USE
 REVISION SUMMARY
 8/11/15
 BY DATE

ILLUMINATION PLAN IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON

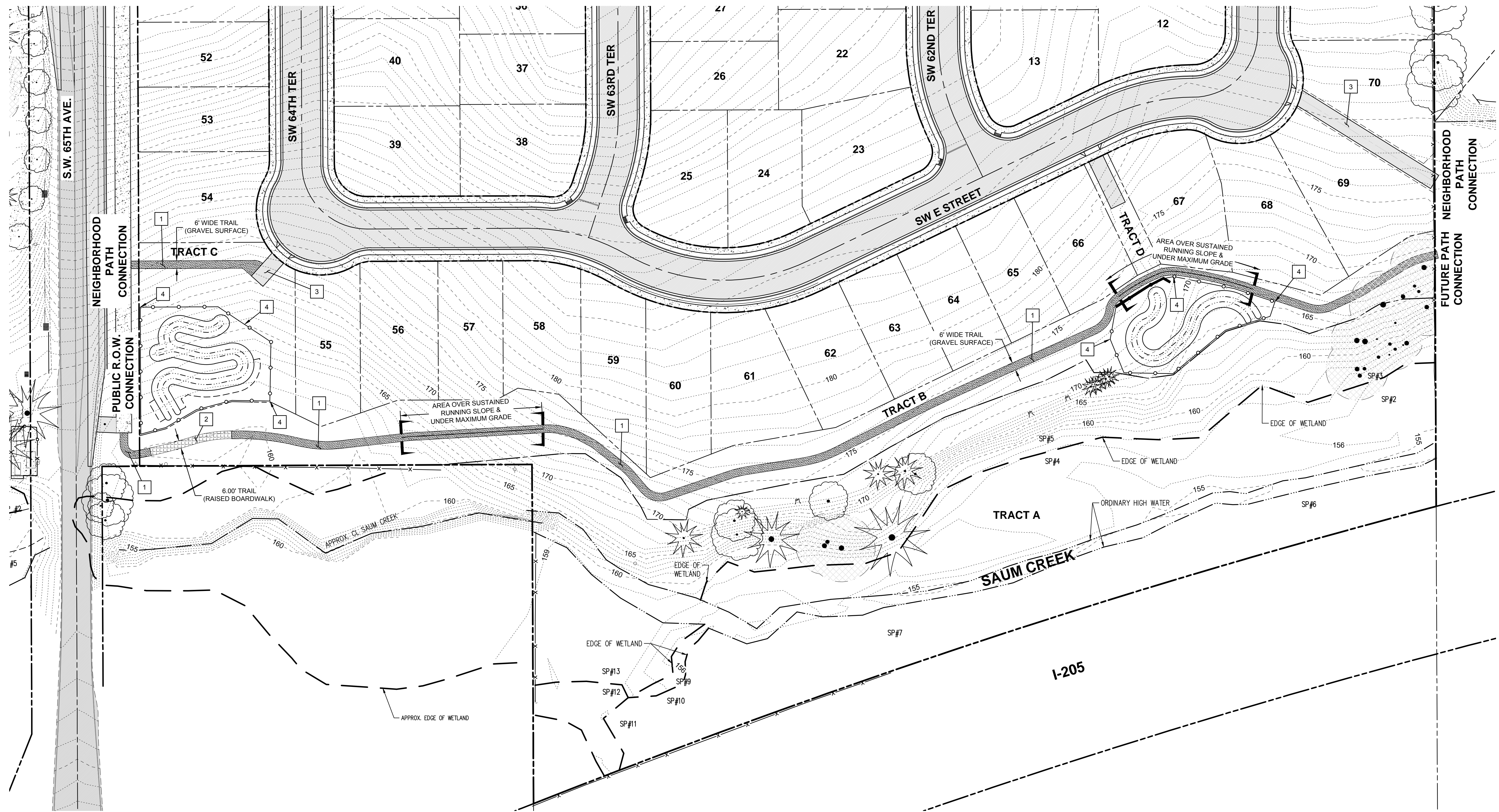


3J CONSULTING, INC

 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 8075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-6886

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E308 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
ILLUM. PLAN IV
 SHEET NUMBER
C254



LEGEND

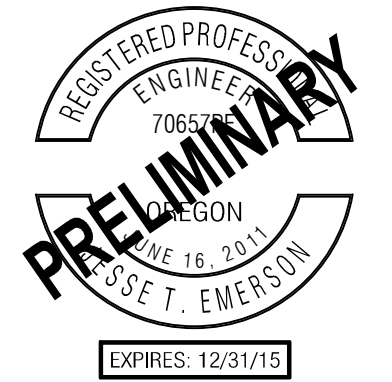
	BOUNDARY LINE
	RIGHT-OF-WAY
	PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	ROAD CENTERLINE
	EDGE OF WETLAND
	BOTTOM OF SWALE
	5FT CONTOUR
	1FT CONTOUR
	WATER QUALITY FACILITY FENCE
	PROPOSED GRAVEL
	PROPOSED ASPHALT
	PROPOSED BOARDWALK
	PROPOSED CONCRETE

SAUM CREEK PATH KEY NOTES

- PATHWAY TO COMPLY WITH CITY OF TUALATIN PUBLIC WORKS CONSTRUCTION CODE, SECTION 203.2.11D "PEDESTRIAN PATH STANDARDS."
- THE SAUM CREEK PATHWAY ALIGNMENT SHOWN HAS BEEN DESIGNED TO AVOID WETLAND / CWS BUFFER IMPACTS TO THE GREATEST EXTENT POSSIBLE AND SHOULD BE CONSIDERED "MODERATE" DIFFICULTY, PER TABLE 203-2B "OUTDOOR RECREATION TRAILS."
- 1 GRAVEL PATH SURFACING TO COMPLY WITH 203.2.11D(5)
 - 2 BOARDWALK MATERIALS AND CONSTRUCTION TO COMPLY WITH 203.2.11D(7)
 - 3 UTILITY MAINTENANCE ACCESS ROUTE TO SERVE AS TRAIL CONNECTION FOR PUBLIC USE.
 - 4 ALL STORMWATER QUALITY FACILITIES TO BE FENCED OFF FROM PUBLIC ACCESS.

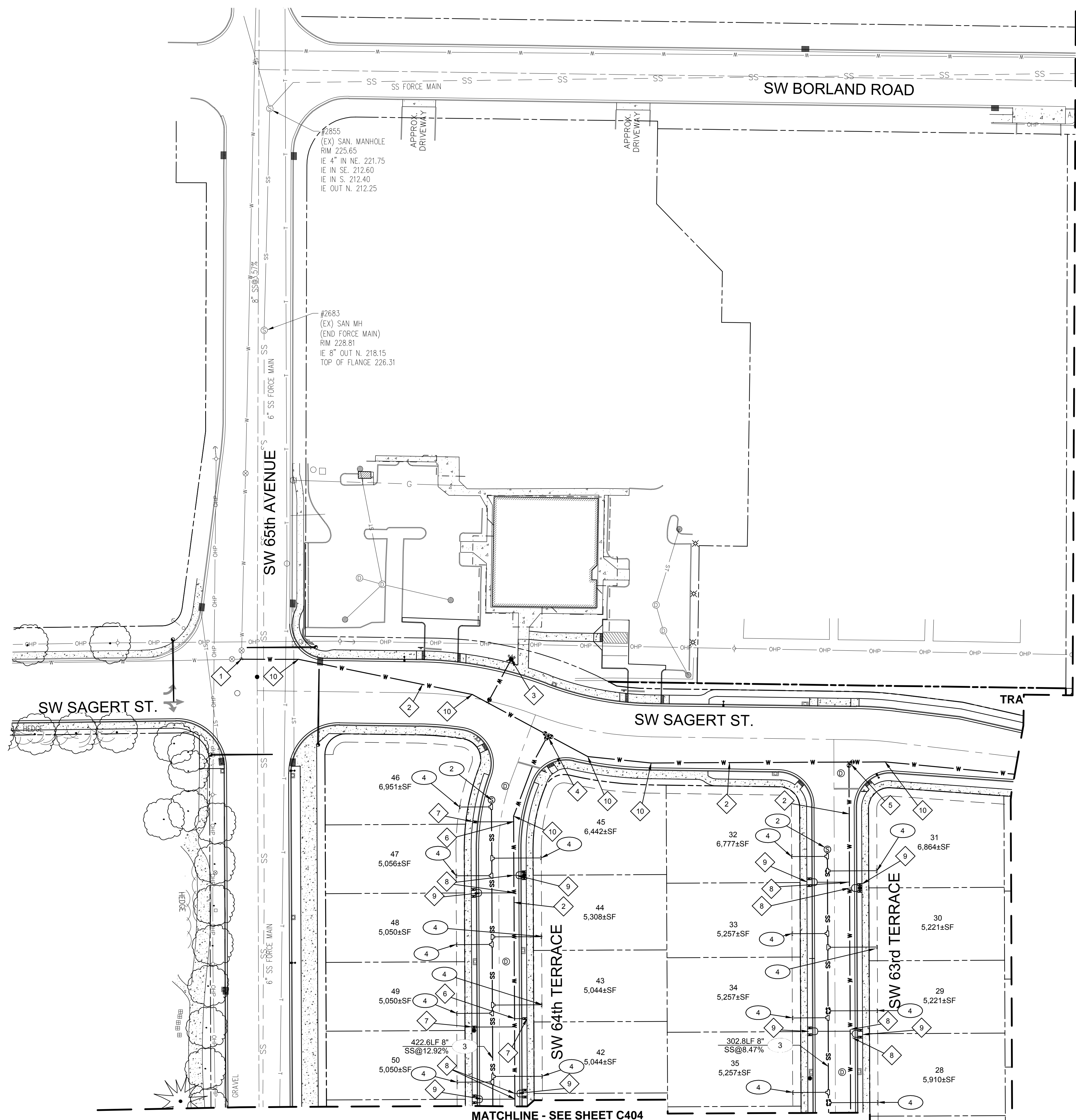
TYPE II LAND USE
REVISION SUMMARY
BY DATE

SAUM CREEK TRAIL PLAN
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
TRAIL PLAN
SHEET NUMBER
C260



LEGEND

	BOUNDARY LINE		EXISTING WATER VALVE
	RIGHT-OF-WAY		EXISTING WATER METER
	CENTERLINE		EXISTING SEWER MANHOLE
	PROPOSED EXTERNAL LOT LINE		PROPOSED SEWER MANHOLE
	PROPOSED LOT LINE		PROPOSED STORM MANHOLE
	PROPOSED EASEMENT		PROPOSED TEE
	EXISTING SANITARY SEWER		PROPOSED FIRE HYDRANT
	EXISTING STORM SEWER		EXISTING WATER LINE
	EXISTING WATER LINE		EXISTING GAS LINE
	EXISTING GAS LINE		EXISTING UNDERGROUND POWER
	EXISTING UNDERGROUND POWER		EXISTING UNDERGROUND PHONE LINE
	EXISTING UNDERGROUND PHONE LINE		EXISTING OVERHEAD POWER
	PROPOSED SANITARY SEWER		PROPOSED WATER
	PROPOSED WATER		EXISTING CURB
	EXISTING CURB		EXISTING ASPHALT
	EXISTING ASPHALT		EXISTING CONCRETE
	EXISTING CONCRETE		EXISTING TREES

WATER KEY NOTES

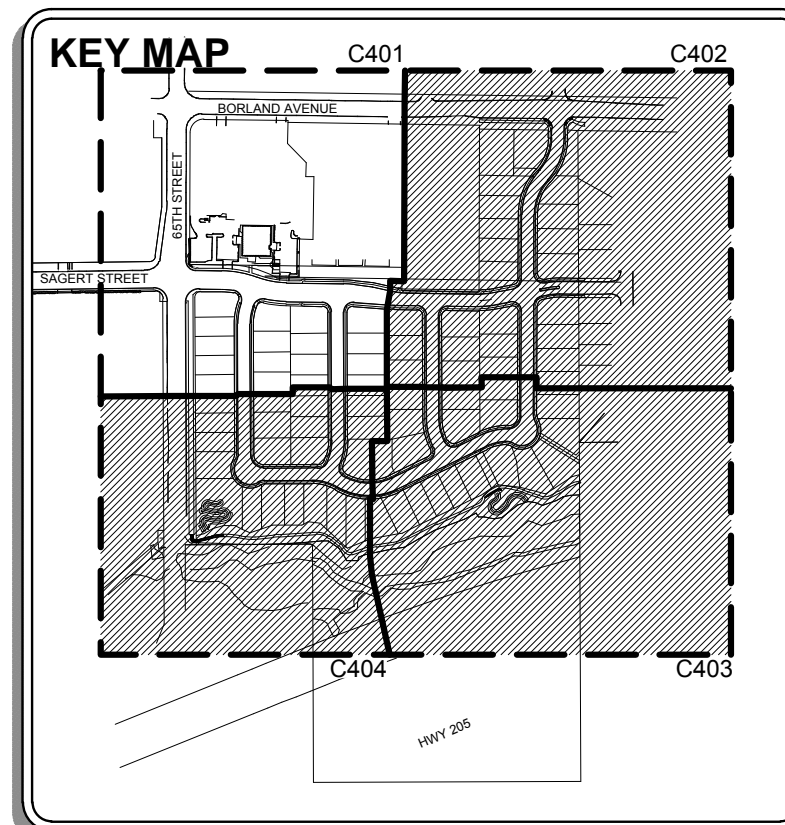
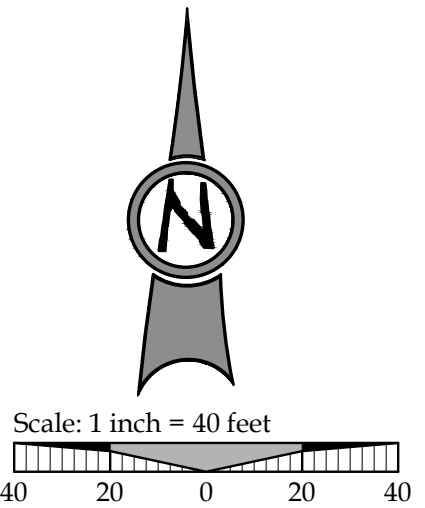
1	CONNECT TO EXISTING PUBLIC WATER MAIN WITH TAPPING SLEEVE. INSTALL SINGLE GATE VALVE. CONTRACTOR TO COORDINATE WITH CITY OF TUALATIN PUBLIC WORKS.
2	CONSTRUCT 8" WATER MAIN PER CITY OF TUALATIN STANDARDS.
3	INSTALL FIRE HYDRANT ASSEMBLY, STUB, TEE, AND GATE VALVE PER CITY OF TUALATIN STANDARDS.
4	INSTALL WATER MAIN TEE AND THREE (3) GATE VALVES PER CITY OF TUALATIN STANDARDS.
5	INSTALL WATER MAIN TEE AND ONE (2) GATE VALVE PER CITY OF TUALATIN STANDARDS.
6	INSTALL SINGLE 3/4-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
7	INSTALL 3/4-INCH METER BOX WITHIN PLANTER STRIP PER CITY OF TUALATIN STANDARDS.
8	INSTALL SINGLE 1-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
9	SPLIT 1-INCH SERVICE LINE INTO TWO 3/4-INCH LINES BEHIND CURB WITH 48-INCHES SEPARATION. INSTALL 3/4-INCH METER BOXES IN PLANTER STRIP PER CITY OF TUALATIN STANDARD DETAILS.
10	INSTALL BENDS AS REQUIRED.

SANITARY SEWER KEY NOTES

1	NOT USED
2	CONSTRUCT STANDARD 48" SANITARY SEWER MANHOLE.
3	CONSTRUCT SANITARY SEWER MAIN LINE.
4	INSTALL NEW SANITARY SEWER LATERAL FOR INDIVIDUAL LOT SERVICE. EXTEND SERVICE LATERAL BEYOND PUE.

PRIVATE & FRANCHISED UTILITY NOTE

ALL EXISTING AND PROPOSED PRIVATE AND FRANCHISED UTILITIES SHOWN ON THIS PLAN ARE INTENDED FOR GENERAL LOCATION AND INFORMATIONAL USE ONLY. ALL PRIVATE AND FRANCHISED UTILITY CONSTRUCTION SHALL CONFORM IN ALL RESPECTS TO THE DESIGN DOCUMENTS AND/OR CONSTRUCTION SPECIFICATIONS SUPPLIED BY EACH RESPECTIVE UTILITY PURVEYOR. ALL OVERHEAD UTILITIES TO BE ROUTED UNDERGROUND ALONG PROJECT FRONTAGE.

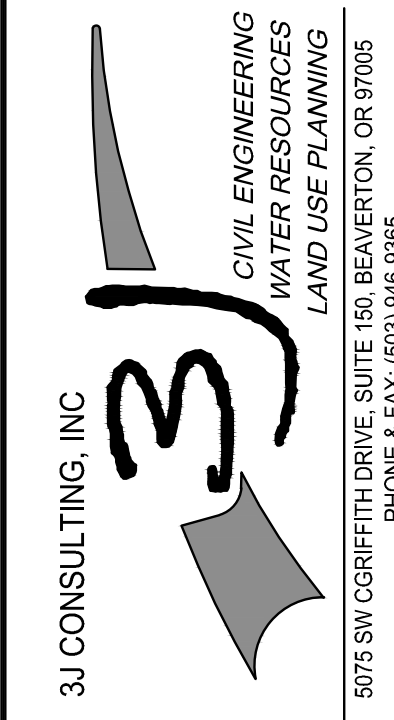
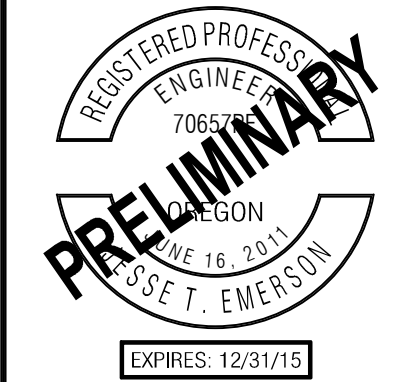


MATCHLINE - SEE SHEET C402

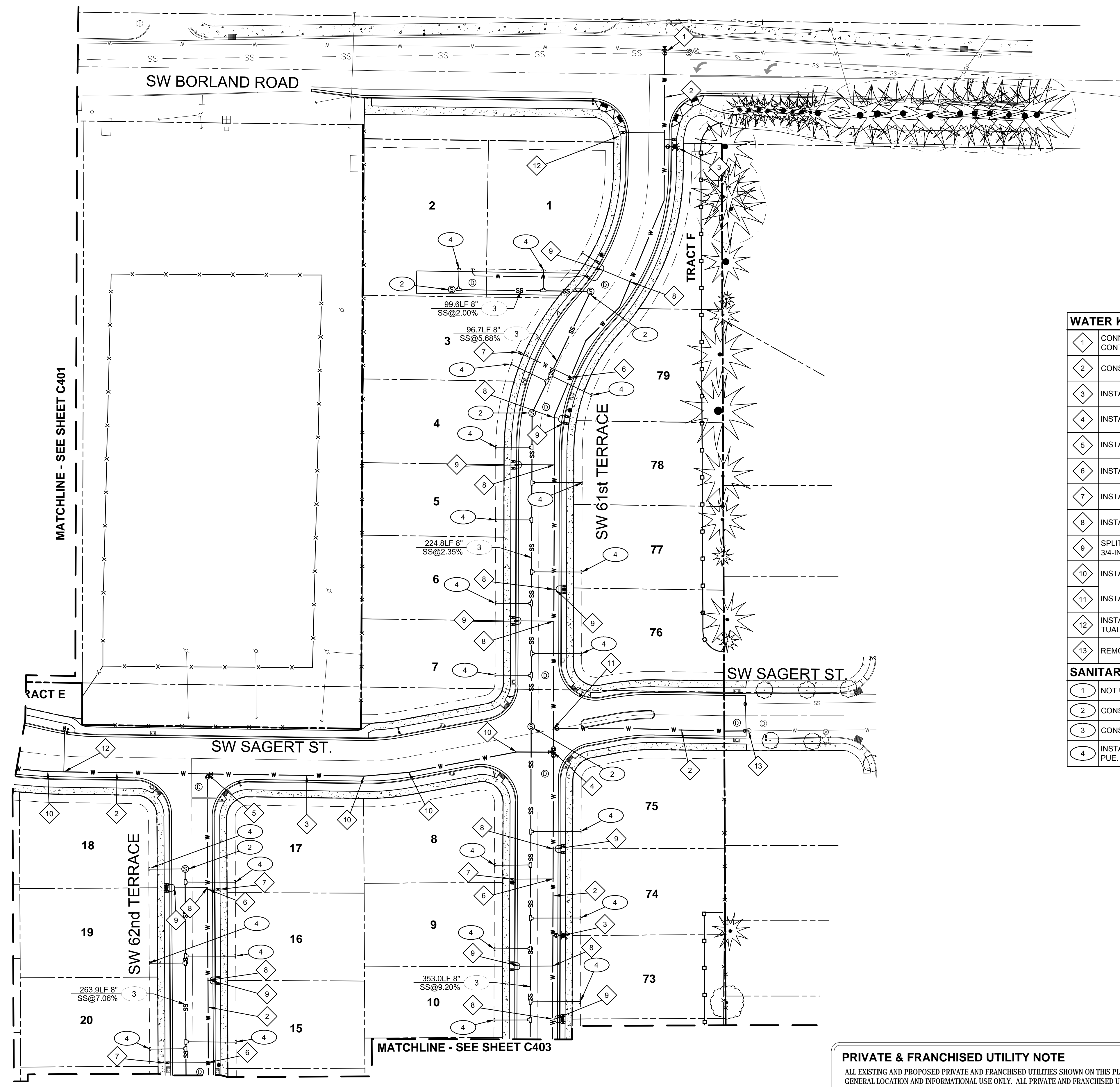
MATCHLINE - SEE SHEET C404

TYPE II LAND USE
REVISION SUMMARY
DATE
8/11/15

SANITARY SEWER & WATER PLAN I
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E30R 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH
SHEET TITLE	SS & WATER I
SHEET NUMBER	C401



LEGEND

	BOUNDARY LINE		EXISTING WATER VALVE
	RIGHT-OF-WAY		EXISTING WATER METER
	CENTERLINE		EXISTING SEWER MANHOLE
	PROPOSED EXTERNAL LOT LINE		PROPOSED SEWER MANHOLE
	PROPOSED LOT LINE		PROPOSED STORM MANHOLE
	PROPOSED EASEMENT		PROPOSED TEE
	EXISTING SANITARY SEWER		PROPOSED FIRE HYDRANT
	EXISTING STORM SEWER		PROPOSED WATER TEE
	EXISTING WATER LINE		PROPOSED GATE VALVE
	EXISTING GAS LINE		PROPOSED WATER METER
	EXISTING UNDERGROUND POWER		
	EXISTING UNDERGROUND PHONE LINE		
	EXISTING OVERHEAD POWER		
	PROPOSED SANITARY SEWER		
	PROPOSED WATER		
	EDGE OF BRUSH		
	EXISTING CURB		
	EXISTING ASPHALT		
	EXISTING CONCRETE		
	EXISTING TREES		

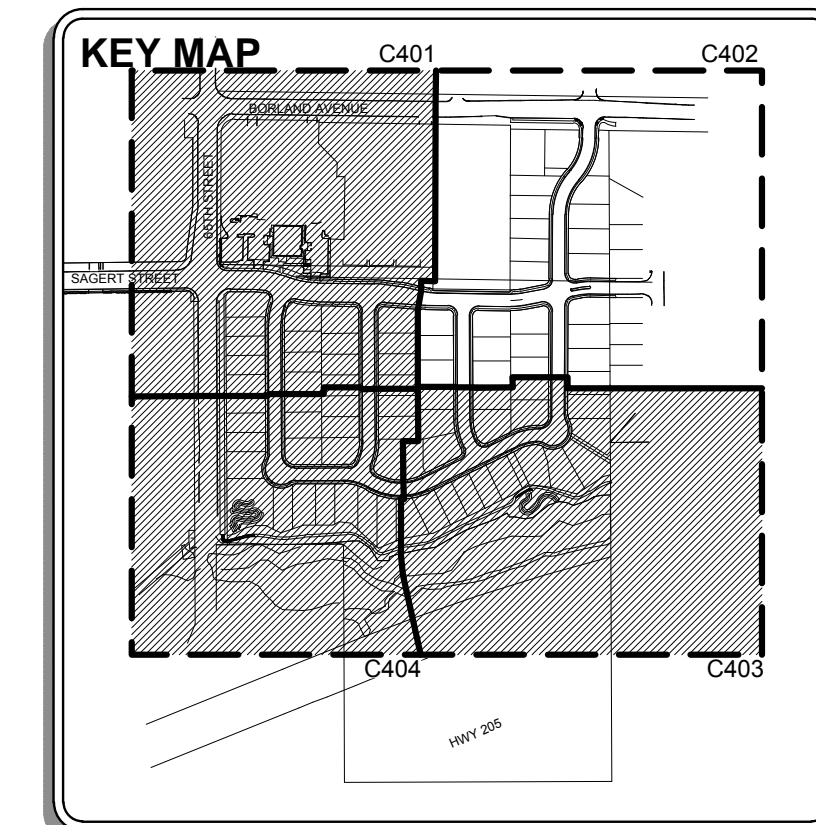
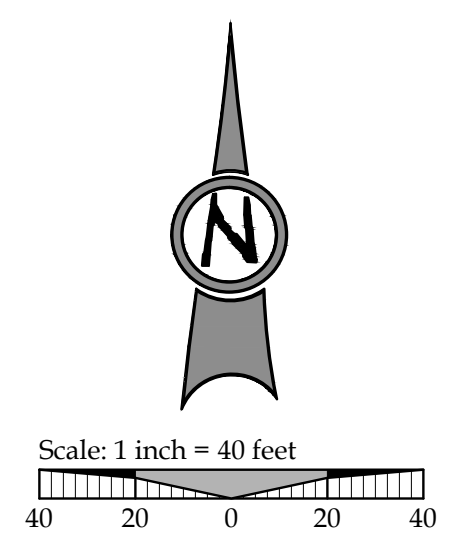
WATER KEY NOTES

- 1 CONNECT TO EXISTING PUBLIC WATER MAIN WITH TAPPING SLEEVE. INSTALL SINGLE GATE VALVE. CONTRACTOR TO COORDINATE WITH CITY OF TUALATIN PUBLIC WORKS.
- 2 CONSTRUCT 8" WATER MAIN PER CITY OF TUALATIN STANDARDS.
- 3 INSTALL FIRE HYDRANT ASSEMBLY, STUB, TEE, AND GATE VALVE PER CITY OF TUALATIN STANDARDS.
- 4 INSTALL WATER MAIN TEE AND THREE (3) GATE VALVES PER CITY OF TUALATIN STANDARDS.
- 5 INSTALL WATER MAIN TEE AND ONE (2) GATE VALVE PER CITY OF TUALATIN STANDARDS.
- 6 INSTALL SINGLE 3/4-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
- 7 INSTALL 3/4-INCH METER BOX WITHIN PLANTER STRIP PER CITY OF TUALATIN STANDARDS.
- 8 INSTALL SINGLE 1-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
- 9 SPLIT 1-INCH SERVICE LINE INTO TWO 3/4-INCH LINES BEHIND CURB WITH 48-INCHES SEPARATION. INSTALL 3/4-INCH METER BOXES IN PLANTER STRIP PER CITY OF TUALATIN STANDARD DETAILS.
- 10 INSTALL BENDS AS REQUIRED.
- 11 INSTALL WATER MAIN TEE AND ONE (1) GATE VALVE PER CITY OF TUALATIN STANDARDS.
- 12 INSTALL SINGLE 3/4-INCH IRRIGATION SERVICE LINE, INCLUDING METER AND METER BOX PER CITY OF TUALATIN STANDARDS.
- 13 REMOVE EXISTING BLOWOFF AND CONNECT TO EXISTING WATER MAIN.

SANITARY SEWER KEY NOTES

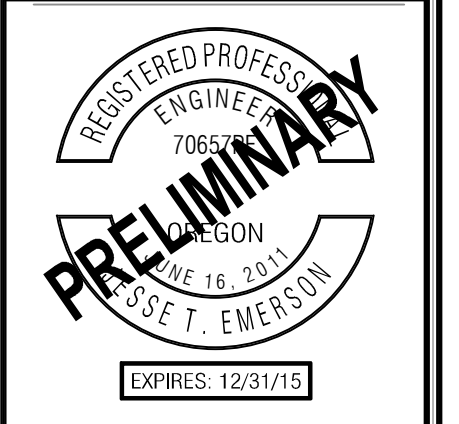
- 1 NOT USED
- 2 CONSTRUCT STANDARD 48" SANITARY SEWER MANHOLE.
- 3 CONSTRUCT SANITARY SEWER MAIN LINE.
- 4 INSTALL NEW SANITARY SEWER LATERAL FOR INDIVIDUAL LOT SERVICE. EXTEND SERVICE LATERAL BEYOND PUE.

PRIVATE & FRANCHISED UTILITY NOTE
 ALL EXISTING AND PROPOSED PRIVATE AND FRANCHISED UTILITIES SHOWN ON THIS PLAN ARE INTENDED FOR GENERAL LOCATION AND INFORMATIONAL USE ONLY. ALL PRIVATE AND FRANCHISED UTILITY CONSTRUCTION SHALL CONFORM IN ALL RESPECTS TO THE DESIGN DOCUMENTS AND/OR CONSTRUCTION SPECIFICATIONS SUPPLIED BY EACH RESPECTIVE UTILITY PURVEYOR. ALL OVERHEAD UTILITIES TO BE ROUTED UNDERGROUND ALONG PROJECT FRONTAGE.



TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

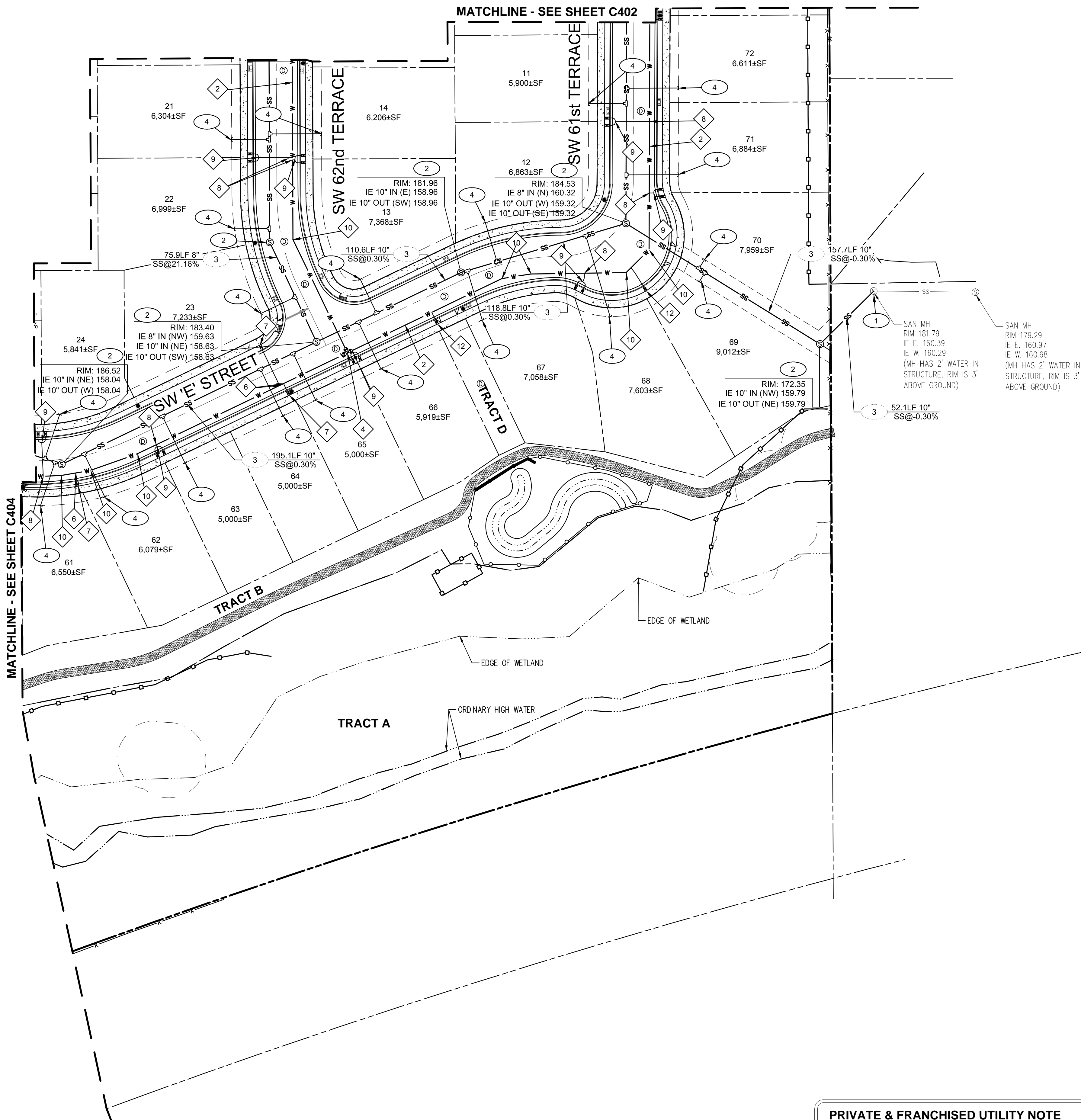
SANITARY SEWER & WATER PLAN II
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 8075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-8886

3J JOB ID # | 13-159
 LAND USE # | SB15-0002
 TAX LOT # | 251E308 300 & 600
 DESIGNED BY | JTE, JCP, CKW
 CHECKED BY | JTE, JDH

SHEET TITLE
SS & WATER II
 SHEET NUMBER
C402



LEGEND

---	BOUNDARY LINE	⊗	EXISTING WATER VALVE
---	RIGHT-OF-WAY	⊕	EXISTING WATER METER
---	CENTERLINE	⊙	EXISTING SEWER MANHOLE
---	PROPOSED EXTERNAL LOT LINE	⊚	PROPOSED SEWER MANHOLE
---	PROPOSED LOT LINE	⊛	PROPOSED STORM MANHOLE
---	PROPOSED EASEMENT	⊜	PROPOSED TEE
---	EXISTING SANITARY SEWER	⊝	PROPOSED FIRE HYDRANT
---	EXISTING STORM SEWER	⊞	PROPOSED WATER TEE
---	EXISTING WATER LINE	⊟	PROPOSED GATE VALVE
---	EXISTING GAS LINE	⊠	PROPOSED WATER METER
---	UGP	⊡	
---	EXISTING UNDERGROUND POWER		
---	EXISTING UNDERGROUND PHONE LINE		
---	EXISTING OVERHEAD POWER		
---	PROPOSED SANITARY SEWER		
---	PROPOSED WATER		
---	EDGE OF BRUSH		
---	WETLAND		
---	CREEK LINE		
---	EXISTING CURB		
---	EXISTING ASPHALT		
---	EXISTING CONCRETE		
---	EXISTING TREES		

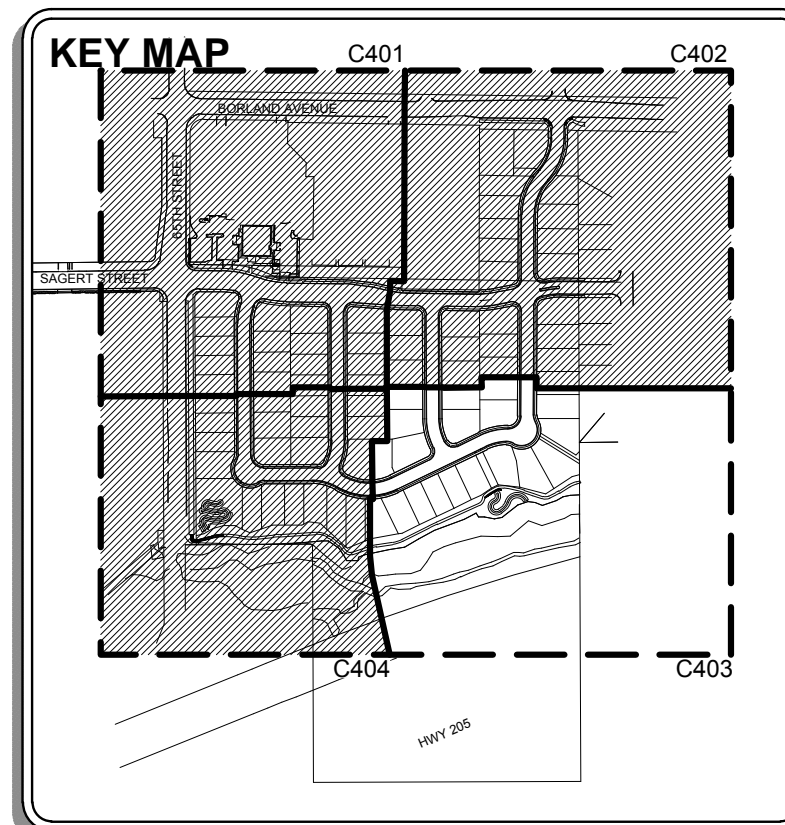
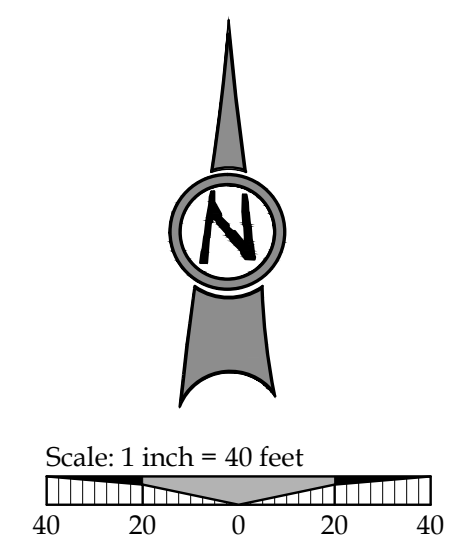
WATER KEY NOTES

1	NOT USED
2	CONSTRUCT 8" WATER MAIN PER CITY OF TUALATIN STANDARDS.
3	NOT USED
4	INSTALL WATER MAIN TEE AND THREE (3) GATE VALVES PER CITY OF TUALATIN STANDARDS.
5	NOT USED
6	INSTALL SINGLE 3/4-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
7	INSTALL 3/4-INCH METER BOX WITHIN PLANTER STRIP PER CITY OF TUALATIN STANDARDS.
8	INSTALL SINGLE 1-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
9	SPLIT 1-INCH SERVICE LINE INTO TWO 3/4-INCH LINES BEHIND CURB WITH 48-INCHES SEPARATION. INSTALL 3/4-INCH METER BOXES IN PLANTER STRIP PER CITY OF TUALATIN STANDARD DETAILS.
10	INSTALL BENDS AS REQUIRED.
11	NOT USED
12	INSTALL SINGLE 3/4-INCH IRRIGATION SERVICE LINE, INCLUDING METER AND METER BOX PER CITY OF TUALATIN STANDARDS.

SANITARY SEWER KEY NOTES

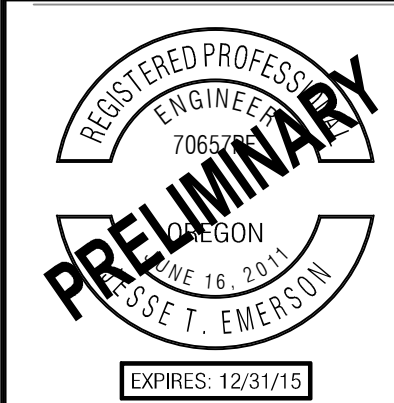
1	CONNECT TO EXISTING SANITARY SEWER MANHOLE.
2	CONSTRUCT STANDARD 48" SANITARY SEWER MANHOLE.
3	CONSTRUCT SANITARY SEWER MAIN LINE.
4	INSTALL NEW SANITARY SEWER LATERAL FOR INDIVIDUAL LOT SERVICE. EXTEND SERVICE LATERAL BEYOND PUE.

PRIVATE & FRANCHISED UTILITY NOTE
 ALL EXISTING AND PROPOSED PRIVATE AND FRANCHISED UTILITIES SHOWN ON THIS PLAN ARE INTENDED FOR GENERAL LOCATION AND INFORMATIONAL USE ONLY. ALL PRIVATE AND FRANCHISED UTILITY CONSTRUCTION SHALL CONFORM IN ALL RESPECTS TO THE DESIGN DOCUMENTS AND/OR CONSTRUCTION SPECIFICATIONS SUPPLIED BY EACH RESPECTIVE UTILITY PURVEYOR. ALL OVERHEAD UTILITIES TO BE ROUTED UNDERGROUND ALONG PROJECT FRONTAGE.



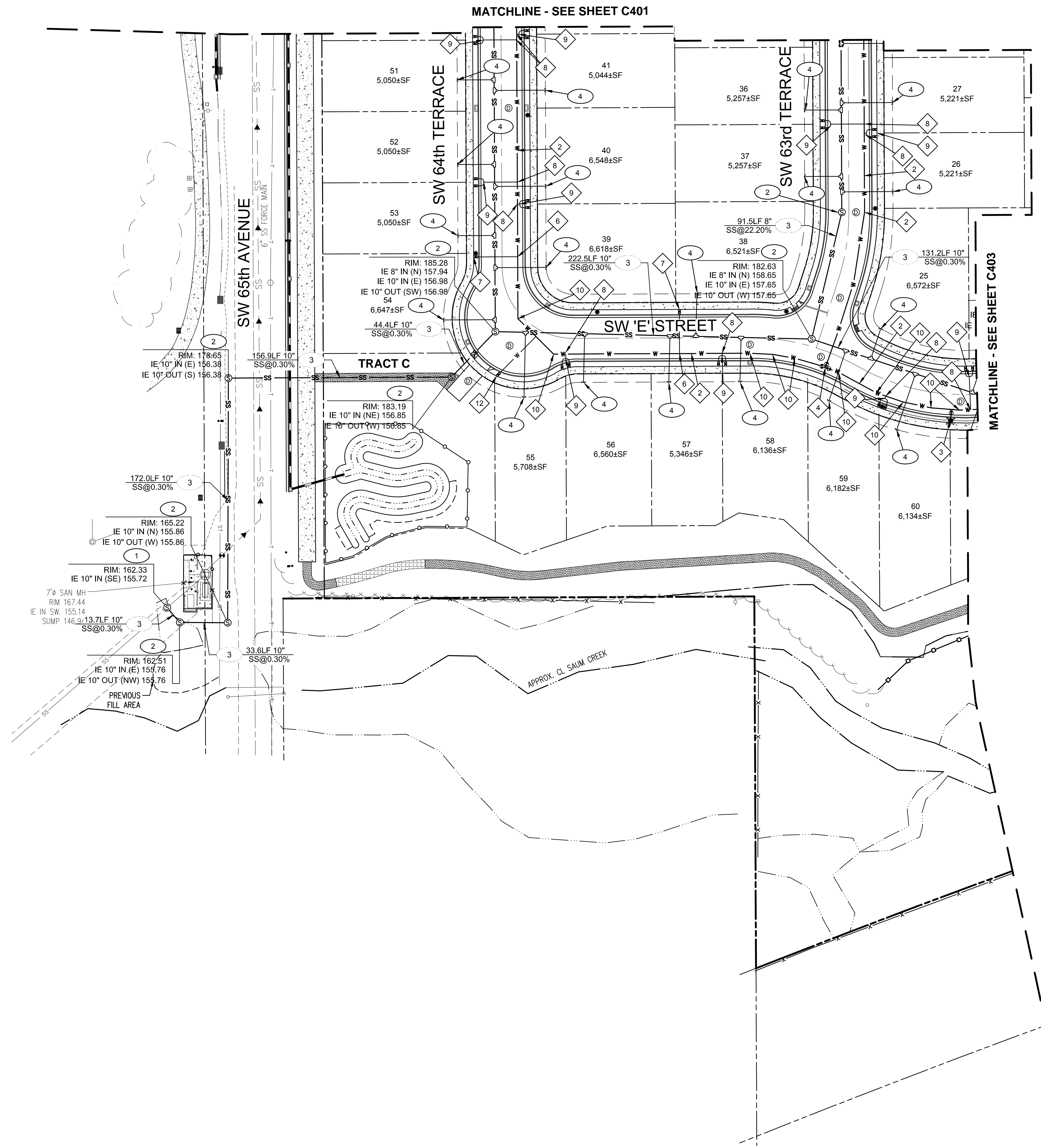
TYPE II LAND USE	8/11/15
REVISION SUMMARY	BY DATE

SANITARY SEWER & WATER PLAN III
 SAGERT FARM SUBDIVISION
 TYPE II LAND USE DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OREGON



3J CONSULTING, INC.
 CIVIL ENGINEERING
 WATER RESOURCES
 LAND USE PLANNING
 3075 SW CROFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
 PHONE & FAX: (503) 946-5886

3J JOB ID #	13-159
LAND USE #	SB15-0002
TAX LOT #	251E308 300 & 600
DESIGNED BY	JTE, JCP, CKW
CHECKED BY	JTE, JDH
SHEET TITLE	SS & WATER III
SHEET NUMBER	C403



LEGEND

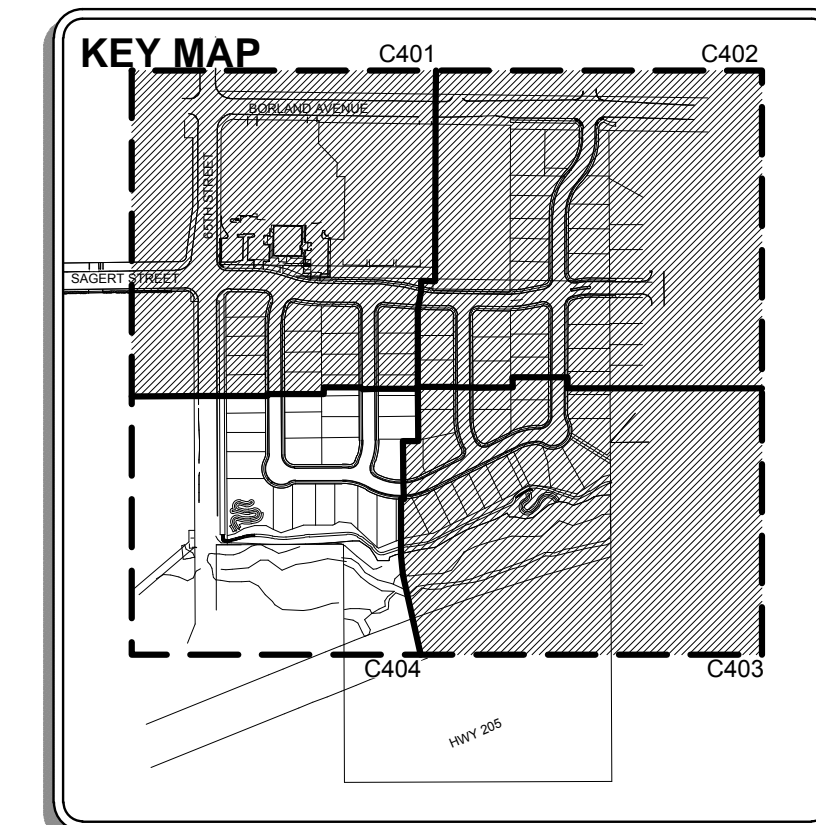
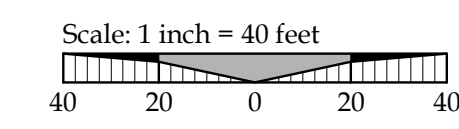
---	BOUNDARY LINE	⊗	EXISTING WATER VALVE
- - - -	RIGHT-OF-WAY	⊕	EXISTING WATER METER
---	CENTERLINE	⊙	EXISTING SEWER MANHOLE
- - - -	PROPOSED EXTERNAL LOT LINE	⊙	PROPOSED SEWER MANHOLE
- - - -	PROPOSED LOT LINE	⊙	PROPOSED STORM MANHOLE
- - - -	PROPOSED EASEMENT	⊙	PROPOSED TEE
---	EXISTING SANITARY SEWER	⊙	PROPOSED FIRE HYDRANT
---	EXISTING STORM SEWER	⊙	PROPOSED WATER TEE
---	EXISTING WATER LINE	⊙	PROPOSED GATE VALVE
---	EXISTING GAS LINE	⊙	PROPOSED WATER METER
---	EXISTING UNDERGROUND POWER		
---	EXISTING UNDERGROUND PHONE LINE		
---	EXISTING OVERHEAD POWER		
---	PROPOSED SANITARY SEWER		
---	PROPOSED WATER		
---	PROPOSED TREE PROTECTION FENCING		
---	EDGE OF BRUSH		
---	WETLAND		
---	CREEK LINE		
---	EXISTING CURB		
---	EXISTING ASPHALT		
---	EXISTING CONCRETE		
---	EXISTING TREES		

WATER KEY NOTES

1	NOT USED
2	CONSTRUCT 8" WATER MAIN PER CITY OF TUALATIN STANDARDS.
3	INSTALL FIRE HYDRANT ASSEMBLY, STUB, TEE, AND GATE VALVE PER CITY OF TUALATIN STANDARDS.
4	INSTALL WATER MAIN TEE AND THREE (3) GATE VALVES PER CITY OF TUALATIN STANDARDS.
5	NOT USED
6	INSTALL SINGLE 3/4-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
7	INSTALL 3/4-INCH METER BOX WITHIN PLANTER STRIP PER CITY OF TUALATIN STANDARDS.
8	INSTALL SINGLE 1-INCH WATER SERVICE PER CITY OF TUALATIN STANDARDS.
9	SPLIT 1-INCH SERVICE LINE INTO TWO 3/4-INCH LINES BEHIND CURB WITH 48-INCHES SEPARATION. INSTALL 3/4-INCH METER BOXES IN PLANTER STRIP PER CITY OF TUALATIN STANDARD DETAILS.
10	INSTALL BENDS AS REQUIRED.
11	NOT USED
12	INSTALL SINGLE 3/4-INCH IRRIGATION SERVICE LINE, INCLUDING METER AND METER BOX PER CITY OF TUALATIN STANDARDS.

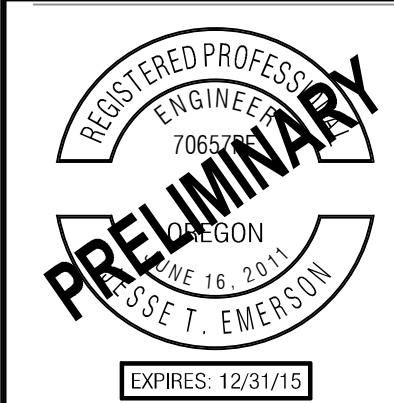
SANITARY SEWER KEY NOTES

1	CONSTRUCT 48" SANITARY SEWER MANHOLE OVER EXISTING SANITARY MAIN.
2	CONSTRUCT STANDARD 48" SANITARY SEWER MANHOLE.
3	CONSTRUCT SANITARY SEWER MAIN LINE.
4	INSTALL NEW SANITARY SEWER LATERAL FOR INDIVIDUAL LOT SERVICE. EXTEND SERVICE LATERAL BEYOND PUE.



TYPE II LAND USE
REVISION SUMMARY
DATE

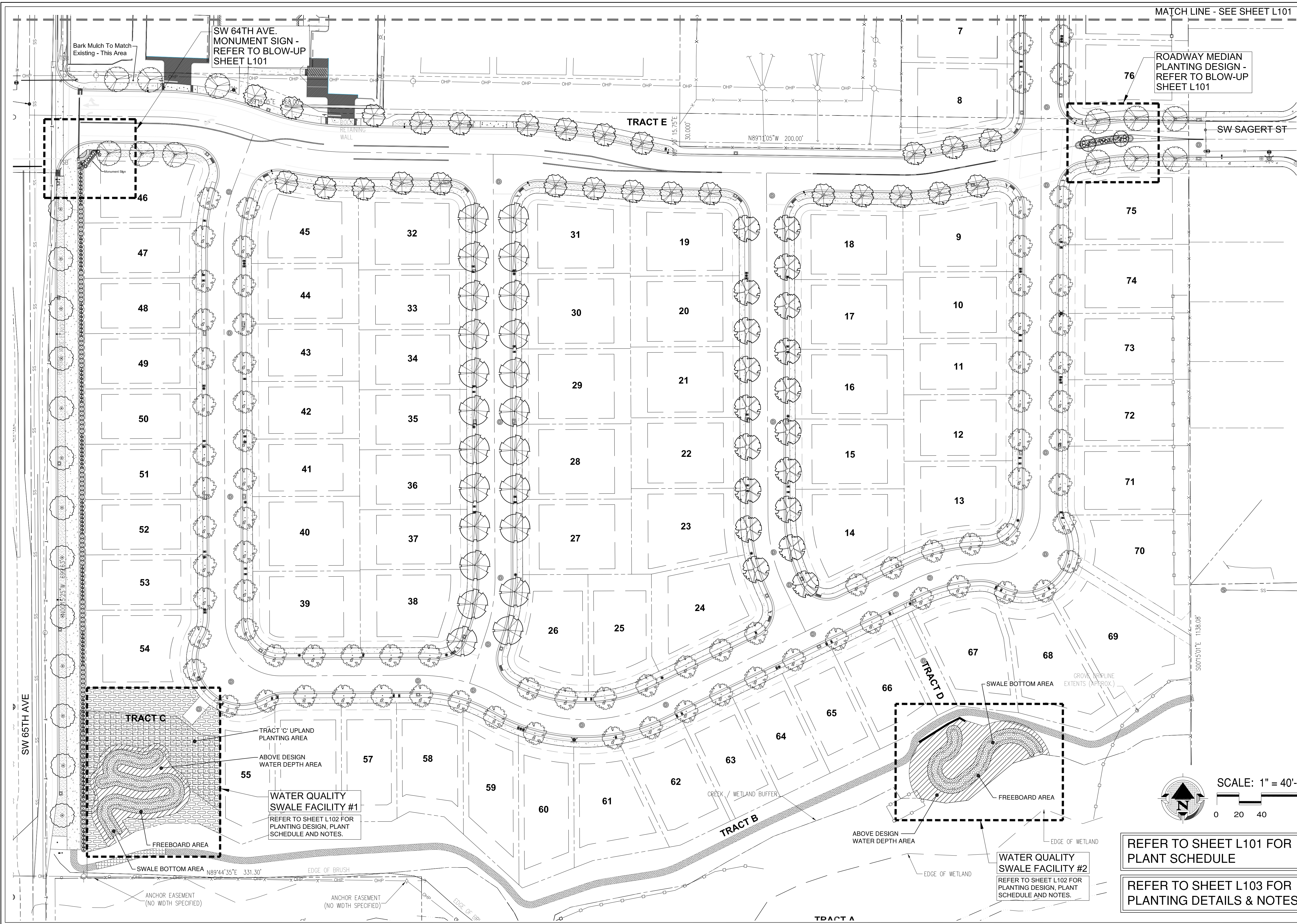
SANITARY SEWER & WATER PLAN IV
SAGERT FARM SUBDIVISION
TYPE II LAND USE DOCUMENTS
LENNAR NORTHWEST, INC.
TUALATIN, OREGON



3J CONSULTING, INC.
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
8075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005
PHONE & FAX: (503) 946-5885

3J JOB ID # | 13-159
LAND USE # | SB15-0002
TAX LOT # | 251E30B 300 & 600
DESIGNED BY | JTE, JCP, CKW
CHECKED BY | JTE, JDH

SHEET TITLE
SS & WATER IV
SHEET NUMBER
C404



NOT FOR CONSTRUCTION

MEARS
DESIGN+GROUP

LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

REGISTERED
540

TROY A. MEARS
OREGON
11/21/2003

LANDSCAPE ARCHITECT

SAGERT FARM SUBDIVISION
STREET TREE PLANTING PLAN

LENNAR
TUALATIN, OR (CLACKAMAS COUNTY)

REVISIONS		
REV.	DATE	DESCRIPTION
1	8/12/2015	Site Revisions

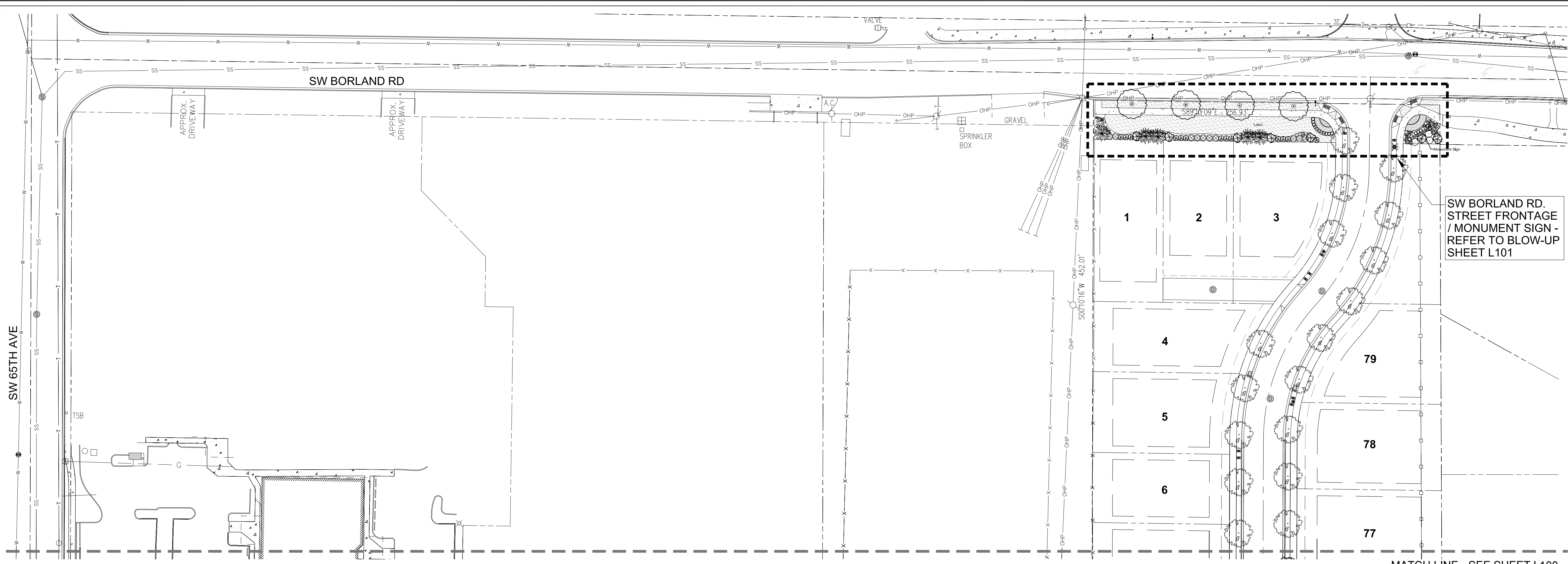
SHEET NAME:
PLANTING PLAN

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 6/4/2015
JOB NO.: 1533

SHEET:
L100
OF: 4

REFER TO SHEET L101 FOR
PLANT SCHEDULE

REFER TO SHEET L103 FOR
PLANTING DETAILS & NOTES



NOT FOR CONSTRUCTION

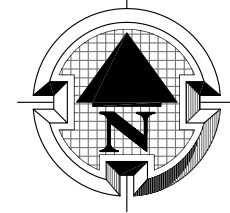
MEARS
DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

REGISTERED
540
TROY A. MEARS
OREGON
11/21/2003
LANDSCAPE ARCHITECT

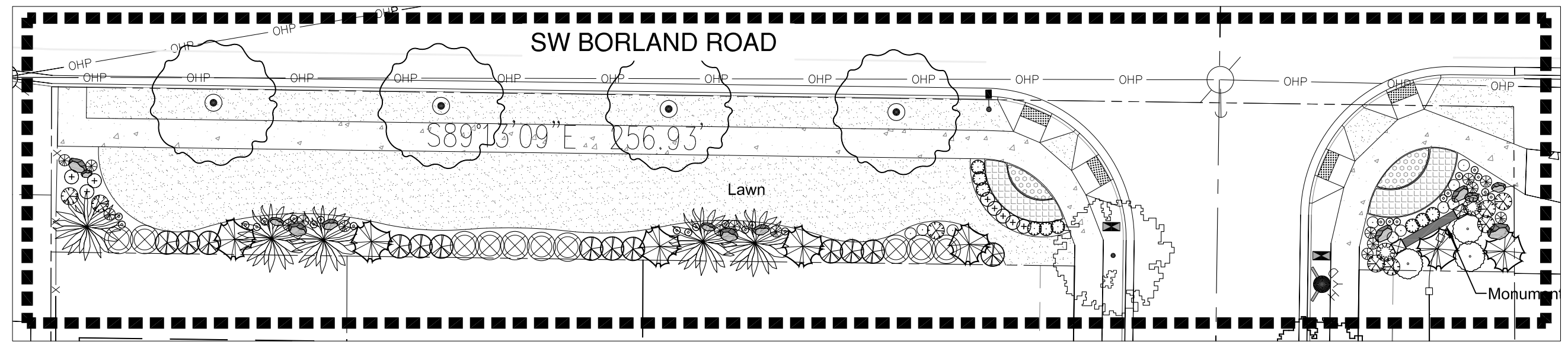
SAGERT FARM SUBDIVISION
STREET TREE PLANTING PLAN

LENNAR
TUALATIN, OR (CLACKAMAS COUNTY)

REFER TO SHEET L103 FOR
PLANTING DETAILS & NOTES

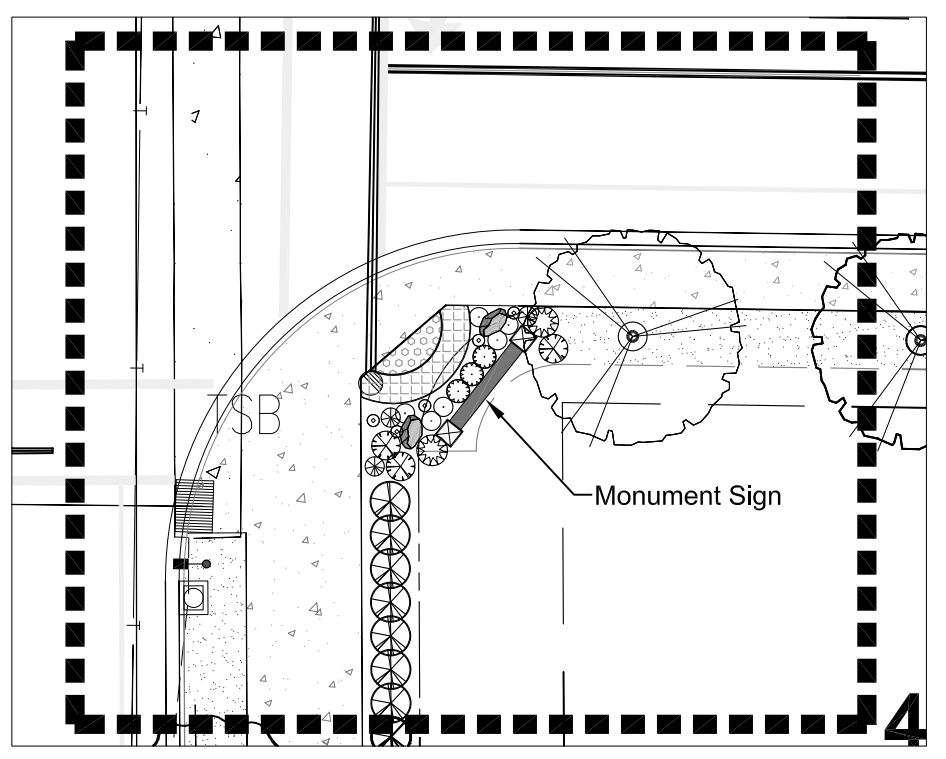


SCALE: 1" = 40'-0"
0 20 40 80



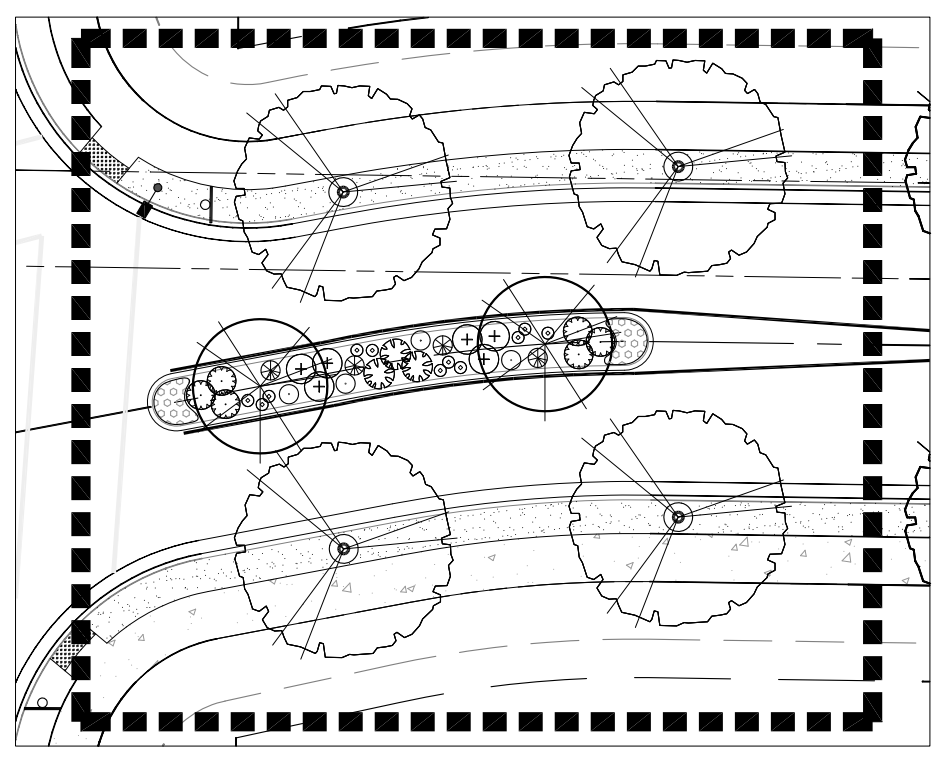
BORLAND ROAD STREET FRONTAGE AND MONUMENT SIGN LANDSCAPE
(Refer to plant schedule this sheet)

SCALE: 1" = 20'-0"



SW 64TH AVE. MONUMENT SIGN PLANTING
(Refer to plant schedule this sheet)

SCALE: 1" = 20'-0"



ROADWAY MEDIAN PLANTING
(Refer to plant schedule this sheet)

SCALE: 1" = 20'-0"

SUGGESTED PLANT SCHEDULE RIGHT-OF-WAY PLANTING						
TREES						
SYM	Scientific name Common Name	Minimum Species Quantity	Plant Category	Minimum Size	Condition	Remarks
⊗	Acer freemanii 'Autumn Blaze' Autumn Blaze Maple	19	Tree	1.5" Cal.	B&B	Street Tree
⊗	Acer platanoides 'Crimson King' Crimson King Maple	102	Tree	1.5" Cal.	B&B	Street Tree
⊗	Acer platanoides 'Crimson Sentry' Crimson Sentry Maple	12	Tree	1.5" Cal.	B&B	Street Tree
⊙	Chamaecyparis obtusa 'Gracilis' Gracilis Hinoki Cypress	3	Tree	6'-7'	B&B	
⊗	Cupressocyparis leylandii 'Naylor's Blue' Naylor's Blue Cypress	5	Tree	6'-7'	B&B	
⊗	Magnolia grandiflora 'Little Gem' Little Gem Magnolia	7	Tree	1.5" Cal.	B&B	
⊗	Quercus coccinea Scarlet Oak	23	Tree	1.5" Cal.	B&B	Street Tree
⊙	Tilia cordata 'Greenspire' Greenspire Linden	17	Tree	1.5" Cal.	B&B	Street Tree
⊗	Zelkova serrata 'Green Vase' Green Vase Zelkova	27	Tree	1.5" Cal.	B&B	Street Tree
⊗	Pyrus calleryana 'Glen's Form' Chanticleer Pear	2	Tree	1.5" Cal.	B&B	Street Tree
Total Street Trees		220				

*Street Tree Quantities and Locations Are Subject To Change Due To Future Determination of Residential Lot Driveway Locations

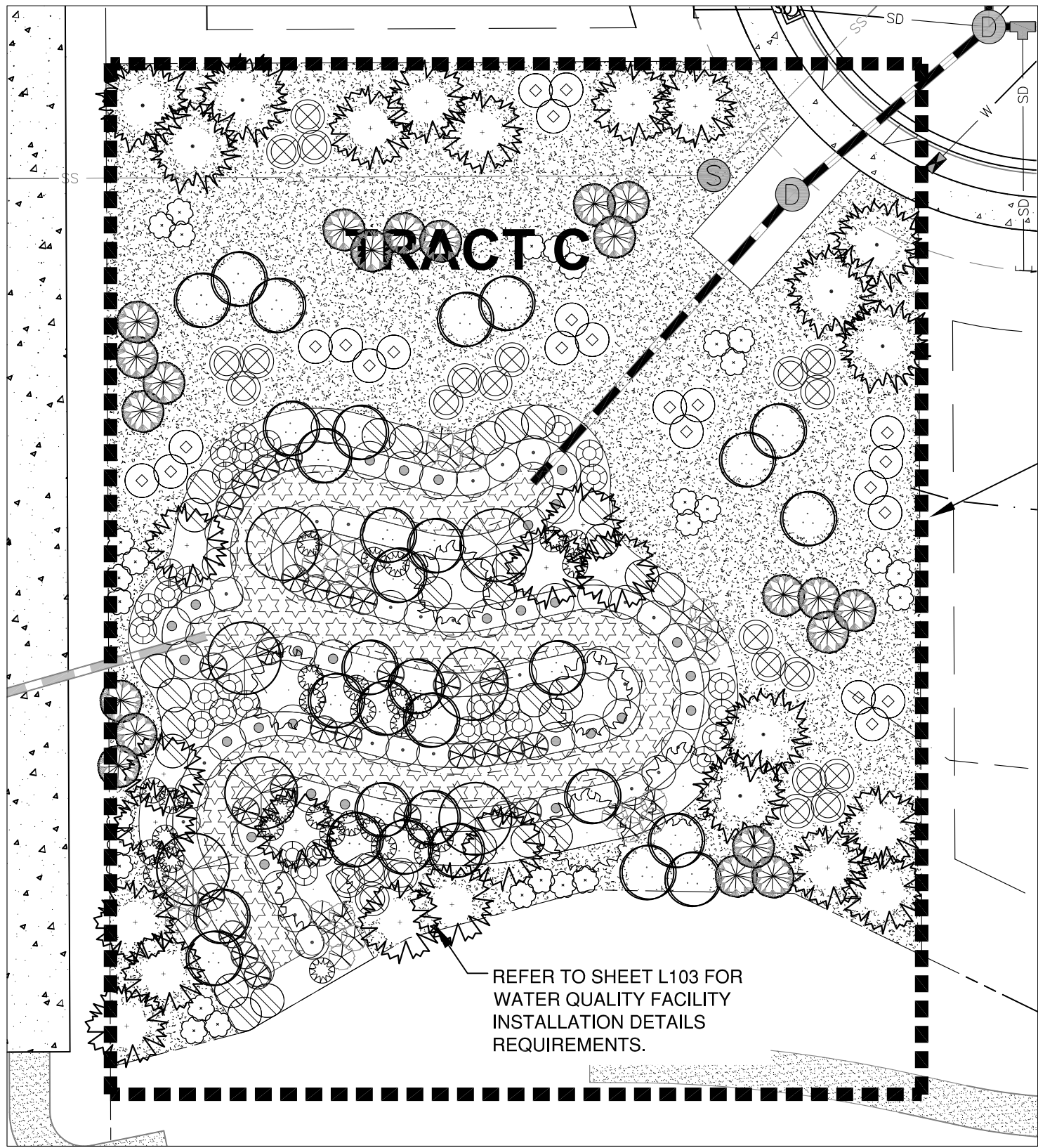
SUGGESTED PLANT SCHEDULE RIGHT-OF-WAY PLANTING						
SHRUBS/PERENNIALS						
SYM	Scientific name Common Name	Minimum Species Quantity	Plant Category	Minimum Size	Condition	Remarks
⊕	Berberis thunbergii 'Crimson Pygmy' Crimson Pygmy Barberry	14	Shrub	2 Gal.	Can	As Shown
⊗	Berberis thunbergii 'Rose Glow' Rose Glow Barberry	80	Shrub	2 Gal.	Can	As Shown
⊙	Euonymus fortunei 'Emerald 'n Gold' Emerald 'n Gold Euonymus	18	Shrub	1 Gal.	Can	As Shown
⊗	Euonymus japonica 'Aureo-variegata' Gold Spot Euonymus	109	Shrub	5 Gal.	Can	As Shown
⊗	Nandina domestica 'Moon Bay' Moon Bay Nandina	11	Shrub	1 Gal.	Can	As Shown
⊙	Rhododendron 'varieties' Baden Baden Rhododendron	20	Shrub	1 Gal.	Can	As Shown
⊗	Viburnum davidii David Viburnum	3	Shrub	1 Gal.	Can	
⊗	Viburnum tinus 'Spring Bouquet' Spring Bouquet Viburnum	4	Shrub	1 Gal.	Can	As Shown
GRASSES/GROUND COVER						
⊙	Imperata cylindrica 'Rubra' Japanese Bloodgrass	42	Grass	1 Gal.	Can	As Shown
⊗	Pennisetum alopecuroides 'Hameln' Hameln Dwarf Fountain Grass	23	Grass	1 Gal.	Can	As Shown
⊗	Vinca minor 'Bowles' Bowles Periwinkle	48	G/C	4"	Pots	18" o/c.
⊗	Erica x darleyensis 'Kramers Rote' Kramers Red Winter Heath	85	G/C	4"	Pots	18" o/c.
Lawn as Specified						

REVISIONS		
REV.	DATE	DESCRIPTION
1	8/12/2015	Site Revisions

SHEET NAME:
PLANTING PLAN

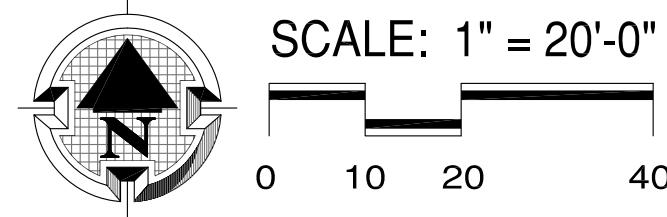
DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 6/4/2015
JOB NO.: 1533

SHEET:
L101
OF: 4



WATER QUALITY SWALE #1 / TRACT 'C'

(Refer to plant schedule this sheet)



WATER QUALITY SWALE FACILITY

Site Requirements: (Water Quality Swales #1 and #2)

- All invasive, non-native or noxious plant material are to be removed. Methods for removal and control of invasive / non-native and/or noxious plants are to follow strategies as outlined within the CWS IVAM Guidance manual. The subject site is to employ manual / mechanical management strategies and pesticide management strategies throughout maintenance period or until healthy stand of desirable vegetation is established.
- Preserve site's existing native vegetation to the maximum extent practicable. Every effort shall be made to protect a sites existing native vegetation. Native vegetation along Sensitive Areas and Vegetated Corridors shall be retained to the maximum extent practicable.
- Replanting / Enhancement as follows:
 - Refer to plant table and plan for plant species, location, distribution, quantities, size, condition and requirements.
 - A native seed mix has been specified for the buffer area only. All plants to be pit planted with additional organic matter if required but no traditional fertilizer is necessary. Plant placement shall be consistent with the form of the naturally occurring plant community. Shrubs shall be placed in singles or clusters of the same species to provide a natural planting scheme.
- Plant installation requirements. Permittee is responsible for installation of site planting as specified. All trees and shrubs planted in the upland area are to be mulched a minimum of three inches in depth and 18 inches in dia. Appropriate mulches include those made from composted leaves or bark that have not been chemically treated. Temporary irrigation will be provided and used during the two year maintenance period.
- Monitoring and maintenance. Permittee is responsible for monitoring and maintaining the site. All new plant material is to be tagged. The removal of non-native, invasive weeds is necessary throughout the two year maintenance period, or until a healthy stand of desirable vegetation is established. The site is to be monitored a min. of two times per year, by June 1 and September 30. If at any time the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.
- Permittee is required to provide and install a temporary irrigation system to maintain vegetative corridor plant establishment during the monitoring and maintenance period. The irrigation system will be fed from a owner provided 3/4" meter (see Civil) and shall be designed to not exceed site available GPM and PSI. Refer to irrigation industry best practices and standards for acceptable design/build practices. Landscape Contractor to provide irrigation as-built record drawing upon completion and acceptance of irrigation system.

Seed Mix for Upland Buffer Zone:

Pro-Time 402 Native Riparian Grass Mix:

Blue Wildrye	Elymus glaucus	60%
Native Red Fescue	Festuca rubra v rubra	30%
Tufted hairgrass	Deschampsia cespitosa	10%

Application Rate of 20 to 30 lbs./acre

*Seed all bare areas greater than 25 square feet in size

TREATMENT AREA 1: VEGETATED SWALE (REFER TO PLANTING DETAILS SHEET L103)

Plant Communities	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height (1" Dia.)	On Center / Seeding Rate	Spacing Format
WATER QUALITY SWALE (SWALE BOTTOM AREA) 1,427 SQ FT								
Scientific name (Common Name)								
Juncus patens (Spreading rush)	2141	Herb	Moist	Part	Plug	6"	6/sq.ft.	Mass
Carex obnupta (Slough Sedge)	2141	Herb	Moist	Part	Plug	4"	6/sq.ft.	Mass
Scirpus microcarpus (Small Fruited Bulrush)	2140	Herb	Wet	Sun	Plug	6"	6/sq.ft.	Mass
Juncus effusus (Common Rush)	2140	Herb	Moist	Sun	Plug	6"	6/sq.ft.	Mass
Total Plants	8562							

Plant Communities	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height	On Center / Seeding Rate	Spacing Format
MID-SLOPE AREA (FREEBOARD) 1,693 SQ FT								
Common Name (Scientific name)								
Vine Maple (Acer circinatum)	10	Tree	Dry/Moist	Part	2 gal.	2'	4-5'	Single
Oregon Ash (Fraxinus latifolia)	7	Tree	Moist	Part	2 gal.	6-8'	6'	Single
Total Trees	17							

Red-Osier Dogwood (Cornus sericea)	29	Shrub	Wet	Part	1 gal.	2'	3-4'	Cluster
Pacific Ninebark (Physocarpus capitatus)	28	Shrub	Moist	Shade	1 gal.	2'	9'	Cluster
Douglas Spiraea (Spiraea douglasii)	28	Shrub	Wet	Sun	1 gal.	1.5'	4-5'	Cluster
Total Shrubs	85							

Plant Communities	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height	On Center / Seeding Rate	Spacing Format
ABOVE DESIGN WATER DEPTH AREA 2,391 SQ FT								
Common Name (Scientific name)								
Vine Maple (Acer circinatum)	10	Tree	Dry/Moist	Part	2 gal.	2'	4-5'	Single
Douglas Fir (Pseudotsuga menziesii)	8	Tree	Dry	Sun	2 gal.	2'	12'	Single
Oregon White Oak (Quercus garryana)	6	Tree	Dry	Sun	2 gal.	2'	10'	Single
Total Trees	24							
Red Flowering Currant (Ribies sanguineum)	30	Shrub	Dry	Sun	1 gal.	1.5'	4-5'	Cluster
Serviceberry (Amelanchier alnifolia)	30	Shrub	Dry	Part	1 gal.	2'	4-5'	Single
Salal (Gaultheria shallon)	30	Shrub	Dry	Sun	1 gal.	4"	3-4'	Cluster
Tall Oregon Grape (Mahonia aquifolium)	30	Shrub	Dry	Sun	1 gal.	6"	4-5'	Single
Total Shrubs	120							

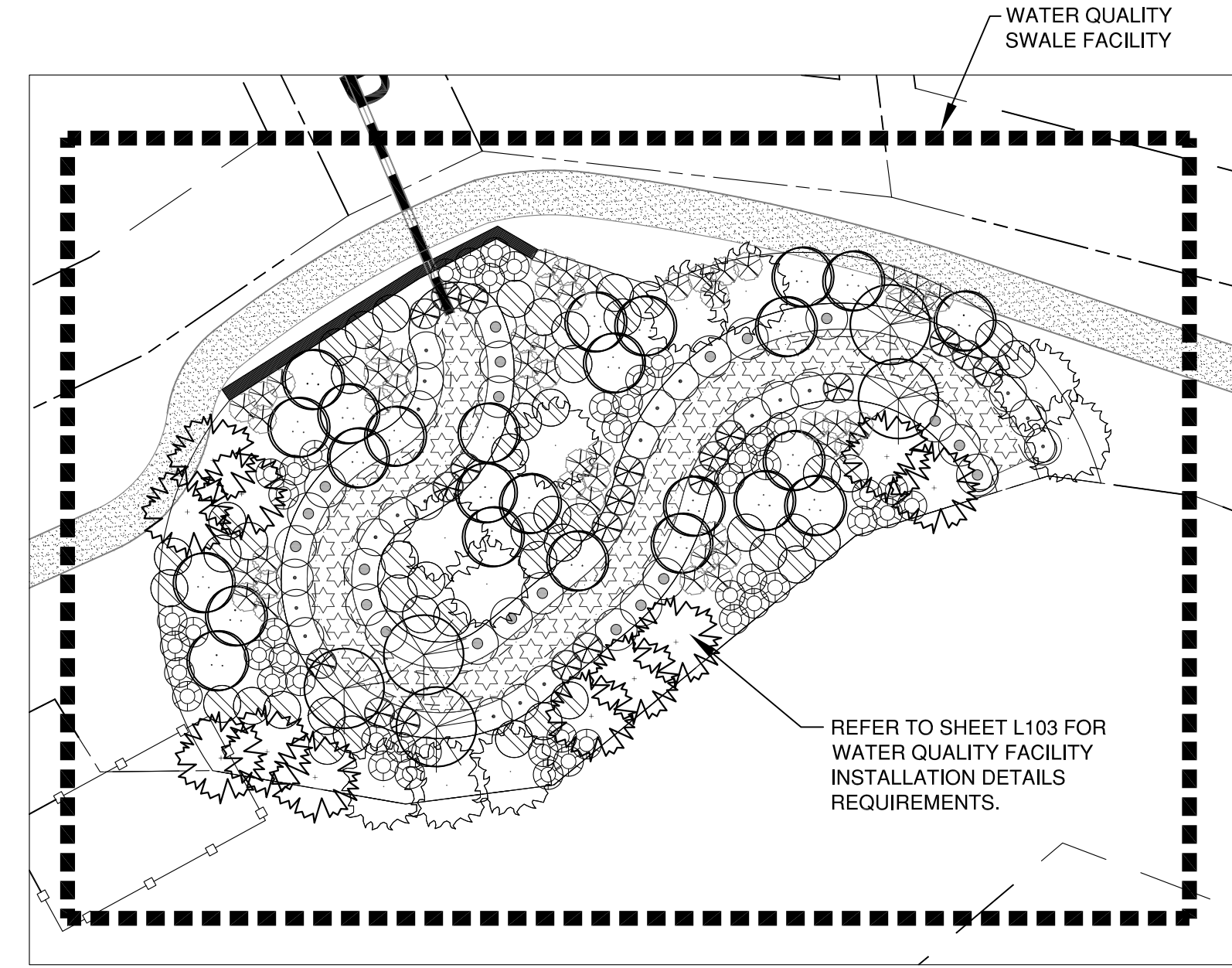
- Tree spacing = sq footage x 0.01; Shrub spacing = sq footage x 0.05; Groundcover = 100% areal cover
- Single = distribute throughout planting area. Cluster = group 3 to 7 plants in same area with herb or grass in between.
- Mass = plant densely to form a single stand of that species in a given area.

TRACT 'C' PLANTING SCHEDULE (REFER TO PLANTING DETAILS SHEET L103)

Mitigation Area	Minimum Species Quantity	Plant Category	Minimum Size	Condition	Spacing Format
TREES					
SYM Scientific name (Common Name)					
Abies grandis (Grand Fir)	8	Tree	2 Gal.	B&B	As Shown
Acer circinatum (Vine Maple)	11	Tree	2 Gal.	B&B	As Shown
Pseudotsuga menziesii (Douglas Fir)	13	Tree	2 Gal.	B&B	As Shown
Tree subtotal	32				

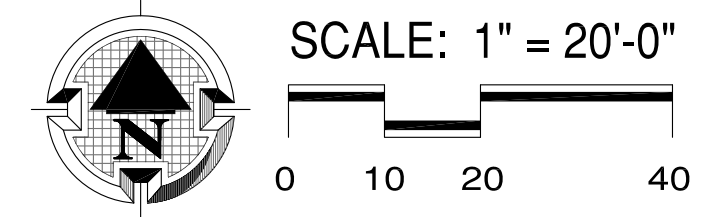
SHRUBS	SYM	Scientific name (Common Name)	Minimum Species Quantity	Plant Category	Minimum Size	Condition	Spacing Format
		Amelanchier alnifolia (Serviceberry)	21	Shrub	1 Gal.	Can	As Shown
		Mahonia aquifolium (Tall Oregon Grape)	23	Shrub	1 Gal.	Can	As Shown
		Rosa nutkana (Nootka Rose)	29	Shrub	1 Gal.	Can	As Shown
		Symphoricarpos albus (Snowberry)	24	Shrub	1 Gal.	Can	As Shown
		TOTAL SHRUBS	97				

GROUND COVER	SYM	Scientific name (Common Name)	Seed	2 lbs/1000 sq.ft.
		Sunmark Companies Ecologymix		



WATER QUALITY SWALE #2

(Refer to plant schedule this sheet)



TREATMENT AREA 2: VEGETATED SWALE (REFER TO PLANTING DETAILS SHEET L103)

Plant Communities	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height (1" Dia.)	On Center / Seeding Rate	Spacing Format
WATER QUALITY SWALE (SWALE BOTTOM AREA) 1,030 SQ FT								
Scientific name (Common Name)								
Juncus patens (Spreading rush)	1545	Herb	Moist	Part	Plug	6"	6/sq.ft.	Mass
Carex obnupta (Slough Sedge)	1545	Herb	Moist	Part	Plug	4"	6/sq.ft.	Mass
Scirpus microcarpus (Small Fruited Bulrush)	1545	Herb	Wet	Sun	Plug	6"	6/sq.ft.	Mass
Juncus effusus (Common Rush)	1545	Herb	Moist	Sun	Plug	6"	6/sq.ft.	Mass
Total Plants	6180							

Plant Communities	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height	On Center / Seeding Rate	Spacing Format
MID-SLOPE AREA (FREEBOARD) 1,244 SQ FT								
Common Name (Scientific name)								
Vine Maple (Acer circinatum)	7	Tree	Dry/Moist	Part	2 gal.	2'	4-5'	Single
Oregon Ash (Fraxinus latifolia)	5	Tree	Moist	Part	2 gal.	6-8'	6'	Single
Total Trees	12							

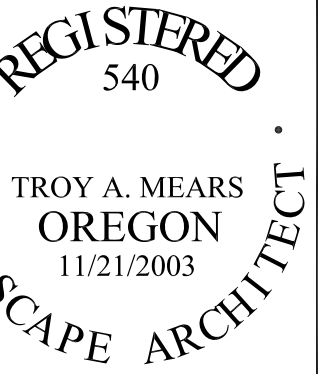
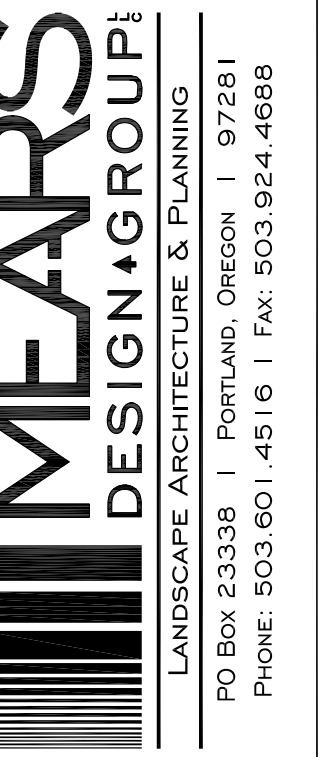
Red-Osier Dogwood (Cornus sericea)	21	Shrub	Wet	Part	1 gal.	2'	3-4'	Cluster
Pacific Ninebark (Physocarpus capitatus)	21	Shrub	Moist	Shade	1 gal.	2'	9'	Cluster
Douglas Spiraea (Spiraea douglasii)	20	Shrub	Wet	Sun	1 gal.	1.5'	4-5'	Cluster
Total Shrubs	62							

Plant Communities	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height	On Center / Seeding Rate	Spacing Format
ABOVE DESIGN WATER DEPTH AREA 3,884 SQ FT								
Common Name (Scientific name)								
Vine Maple (Acer circinatum)	18	Tree	Dry/Moist	Part	2 gal.	2'	4-5'	Single
Douglas Fir (Pseudotsuga menziesii)	11	Tree	Dry	Sun	2 gal.	2'	12'	Single
Oregon White Oak (Quercus garryana)	10	Tree	Dry	Sun	2 gal.	2'	10'	Single
Total Trees	39							

Red Flowering Currant (Ribies sanguineum)	49	Shrub	Dry	Sun	1 gal.	1.5'	4-5'	Cluster
Serviceberry (Amelanchier alnifolia)	49	Shrub	Dry	Part	1 gal.	2'	4-5'	Single
Salal (Gaultheria shallon)	48	Shrub	Dry	Sun	1 gal.	4"	3-4'	Cluster
Tall Oregon Grape (Mahonia aquifolium)	48	Shrub	Dry	Sun	1 gal.	6"	4-5'	Single
Total Shrubs	194							

- Tree spacing = sq footage x 0.01; Shrub spacing = sq footage x 0.05; Groundcover = 100% areal cover
- Single = distribute throughout planting area. Cluster = group 3 to 7 plants in same area with herb or grass in between.
- Mass = plant densely to form a single stand of that species in a given area.

NOT FOR CONSTRUCTION



SAGERT FARM SUBDIVISION WATER QUALITY SWALE PLANTING PLAN

LENNAR TUALATIN, OR (CLACKAMAS COUNTY)

REV.	DATE	DESCRIPTION
	8/12/2015	Site Revisions

SHEET NAME:
PLANTING PLAN

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 6/4/2015
JOB NO.: 1533

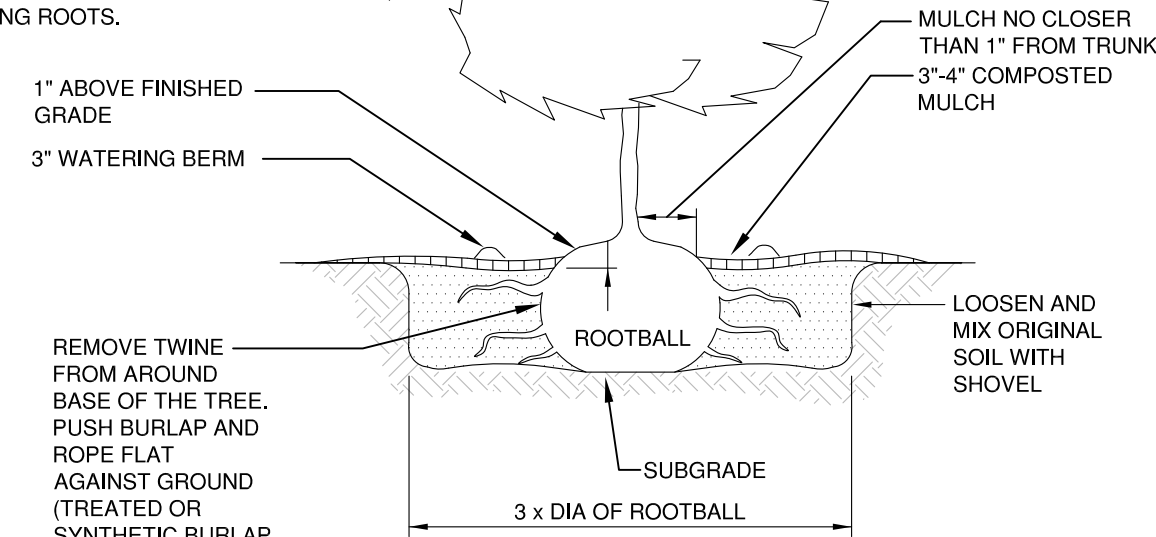
SHEET:

L102

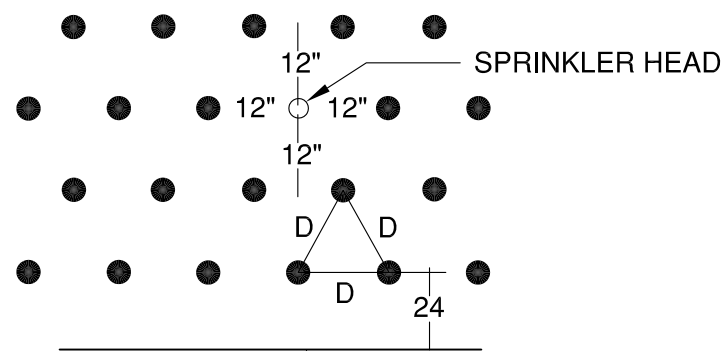
OF: 4

NO FERTILIZER TABLETS REQUIRED FOR VEGETATED CORRIDOR PLANTINGS.

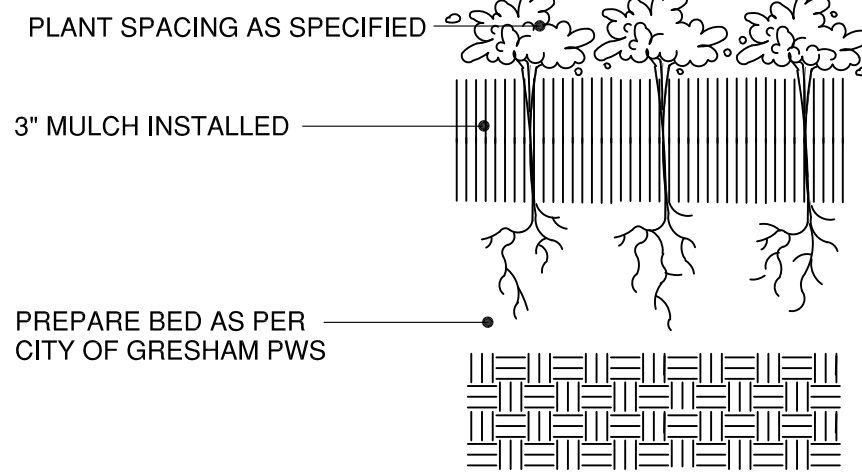
NOTE: IF TREE IS CONTAINER GROWN STOCK, BREAK ROOT BALL APART BEFORE PLACING IN PLANTING HOLE.
IF PLANT IS ROOT BOUND MAKE A VERTICAL CUT THROUGH THE LOWER 1/4 OF THE SOIL MASS. PULL OUT AND STRAIGHTEN LARGE, CIRCLING ROOTS.



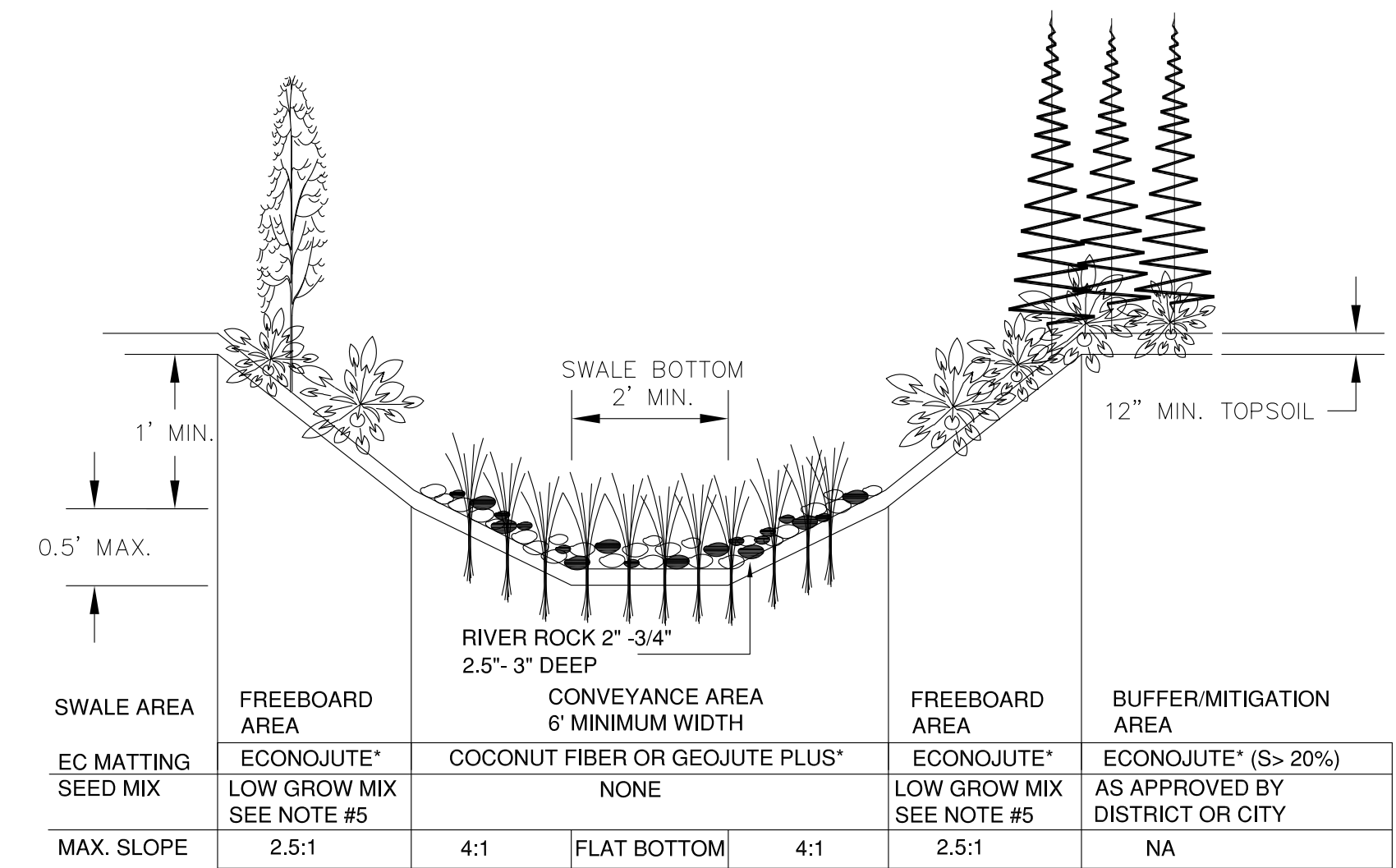
**TREE PLANTING-
CONTAINER/ BURLAPPED** N.T.S.



NOTE: LOCATE PLANTS SPACED EQUAL DISTANT (D) FROM EACH OTHER AS SPECIFIED AND MINIMUM OF 12" FROM SPRINKLER HEAD



GROUNDCOVER PLANTING DETAIL N.T.S.



	FREEBOARD AREA	CONVEYANCE AREA 6' MINIMUM WIDTH	FREEBOARD AREA	BUFFER/MITIGATION AREA
EC MATTING	ECONOJUTE*	COCONUT FIBER OR GEOJUTE PLUS*	ECONOJUTE*	ECONOJUTE* (S> 20%)
SEED MIX	LOW GROW MIX SEE NOTE #5	NONE	LOW GROW MIX SEE NOTE #5	AS APPROVED BY DISTRICT OR CITY
MAX. SLOPE	2.5:1	4:1	4:1	2.5:1

- NOTES:
- REFER TO APPENDIX A, CWS DESIGN & CONSTRUCTION STANDARDS, FOR LANDSCAPING REQUIREMENTS INCLUDING TREE PLACEMENT, TOPSOIL AND PLANTING SPECIFICATIONS.
 - PROVIDE IRRIGATION AS APPROVED BY CWS.
 - JUTE MATTING- GEOJUTE PLUS IN TREATMENT AREA, ECONOJUTE FOR ALL OTHER AREAS, OR SIMILAR FABRICS. COCONUT FIBER IS ALSO ACCEPTABLE.
 - 12-INCHES OF TOPSOIL SHALL BE PLACED THROUGHOUT THE WATER QUALITY TRACT.
 - FREEBOARD AREA SEED MIX, DWARF TALL FESCUE 40%, DWARF PERENNIAL RYE 30%, CREEPING RED FESCUE 25%, COLONIAL BENT GRASS 5%. APPLY AT A RATE OF 120# / ACRE.

WATER QUALITY FACILITY

PER CWS STANDARDS

NTS

NOT FOR CONSTRUCTION

MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

REGISTERED 540
TROY A. MEARS
OREGON
11/21/2003
LANDSCAPE ARCHITECT

SAGERT FARM SUBDIVISION
PLANTING DETAILS & NOTES

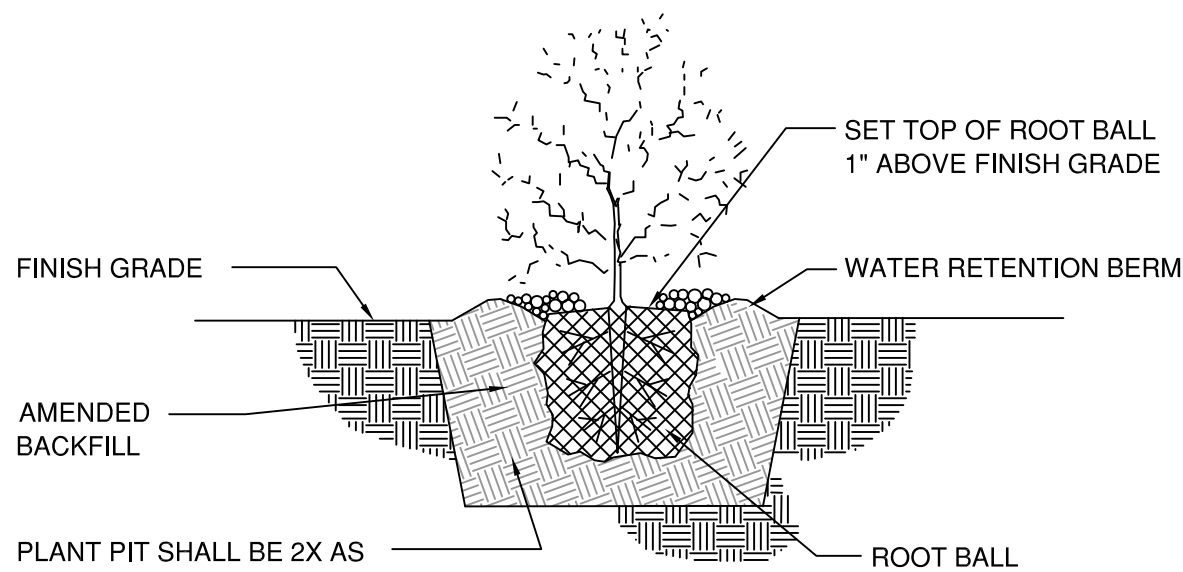
LENNAR
TUALATIN, OR (CLACKAMAS COUNTY)

REV.	DATE	DESCRIPTION
	8/12/2015	Site Revisions

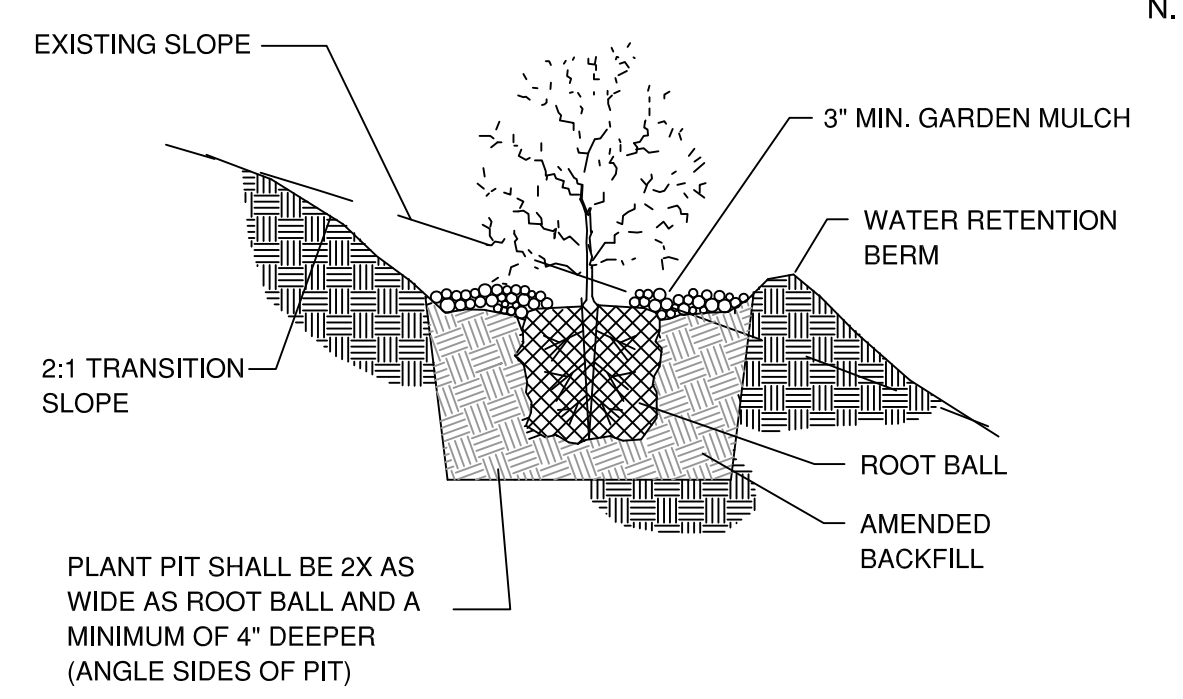
SHEET NAME:
DETAILS & NOTES

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 6/4/2015
JOB NO.: 1533

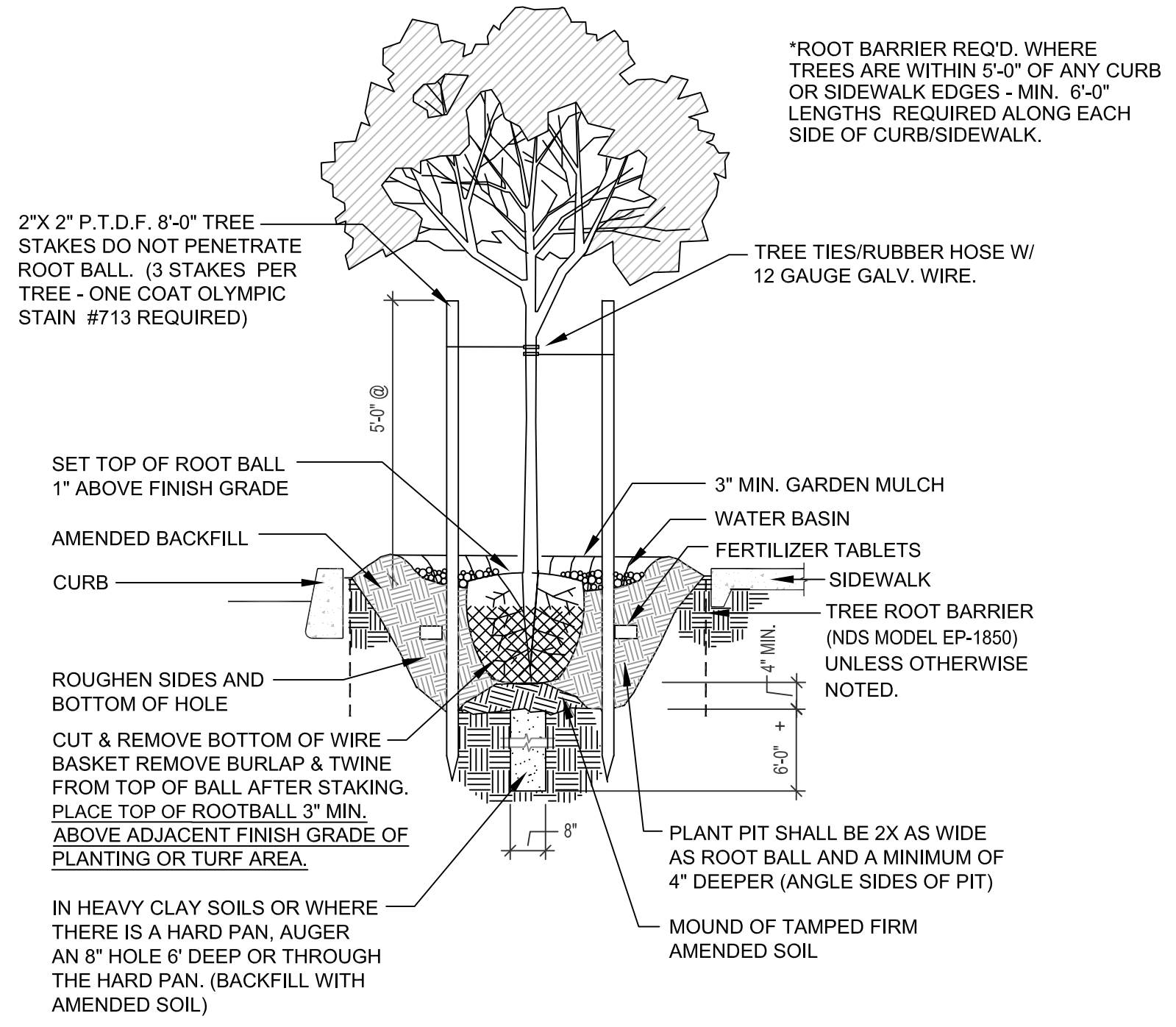
SHEET:
L103
OF: 4



SHRUB PLANTING DETAIL N.T.S.



SLOPE SHRUB PLANTING DETAIL N.T.S.



STREET TREE PLANTING DETAIL N.T.S.

TYPICAL PLANTING NOTES:

- B&B stock may be substituted with container stock of equal grade.
- Container stock may be substituted with B&B stock of equal grade.
- Plant material shall conform with American Standard for Nursery Stock, ANSI Z60.1, 2004 edition.
- All trees shall be branched.
- Garden mulch all planting beds with 3" min. Layer of specified garden mulch.
- In the event of a discrepancy between the plant listing and the drawings, the plant listing shall govern the plant species and quantities required.
- In the event of question or lack of clarity on drawings, landscape contractor is to call landscape architect before proceeding.
- Landscape contractor is to notify landscape architect prior to installation of plant material to approve final placement.
- Landscape contractor to verify plant material species and quantities prior to planting.
- Refer to Plans and City of Tualatin Development Standards for landscaping requirements including tree placement, topsoil and planting specifications.
- Provide temporary irrigation as approved by City of Tualatin and CWS for Water Quality Facilities.
- Permanent automatic irrigation will be provided for all landscaped area as approved by City of Tualatin Development Standards.

FOLAWN
ALTERMAN &
RICHARDSON LLP

ATTORNEYS

CITY OF TUALATIN
RECEIVED

DEC 16 2015

COMMUNITY DEVELOPMENT
PLANNING DEPARTMENT

December 16, 2015

Via Hand Delivery

City of Tualatin
Engineering Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

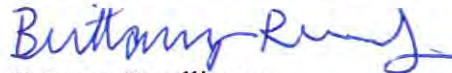
Re: Sagert Farms proposed subdivision, 20130 SW 65th Avenue
Your file no. SB15-0002
Our client: Tualatin Professional Center Condominium Owners Association
Our file no. 4212.002

Dear City of Tualatin:

Enclosed is our Request for Review.

Very truly yours,

FOLAWN ALTERMAN & RICHARDSON LLP



Brittany Ruedlinger
Legal Assistant
brittany@FARlawfirm.com

Enclosure



City of Tualatin
www.tualatinoregon.gov

CITY OF TUALATIN RECEIVED
DEC 16 2015
COMMUNITY DEVELOPMENT PLANNING DIVISION

REQUEST FOR REVIEW

A Request for Review must be received by the Community Development Department - Planning Division or Engineering Department by 5:00 p.m. of the 14th calendar day after the Notice of the Decision. Only those persons who submitted comments during the notice period may submit a request for review. You must provide all of the information requested on this form, as required by TDC 31.075. This form must be signed and submitted in writing. You will be notified of the hearing date.

Name of Party requesting review Tualatin Professional Center Condominium Owners Assoc.

Address c/o Dean N. Alterman, 805 SW Broadway Ste 470, Portland, OR 97205

Date 12/15/2015 Telephone 503-517-8200

Did you submit comments on the proposal during the notification period? Yes

You represent or you are:

- The applicant
City Councilor
Government agency
City-recognized neighborhood association
Architectural Review Board (ARB) member
City Manager
Other Owners' Association for neighboring property

I request a review of Case No. SB- 15 - 0002:

This form is used in part to determine the appropriate hearing body for review. Check which portion of the decision for which you are requesting review:

- AR/Arch. Features
AR/Public Facilities
Historic Landmark
Industrial Master Plan
Interpretations
Partitions
Reinstatement of Use
Sign Variance
Subdivisions
Transitional Use Permit
Variances

Project: City Engineer approval of preliminary plat of SB15-0002, Sagert Farm
(Give description of subject property or proposed name of project)

Explain clearly which portions of the decision you are asking to be reviewed (attach separate sheet if needed). This should specify how you are adversely affected by the decision and how the decision is allegedly not in conformance with applicable TDC requirements:
Please see the attached explanation.

Appeal of Staff Architectural Review decision to ARB: \$0. Appeal of Decision to Council: Please see current fee schedule.
Your signature

FOR OFFICE USE ONLY:
Received by Planning
Fee received
The review will be heard by the ARB City Council
Date received:
Receipt No.
Check #
Date of hearing:

December 16, 2015

City of Tualatin, Engineering Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Attachment to Request for Review

RE: Sagert Farms subdivision, 20130 SW 65th Avenue
City of Tualatin case no. SB15-0002
Our client: Tualatin Professional Center Condominium Owners Association
Our file no.: 4212.002

I. Background

On December 3, 2015, the City Engineer for the City of Tualatin approved the preliminary plat of SB15-0002, Sagert Farm. The Tualatin Professional Center Condominium Owners Association is the owners' association for the Tualatin Professional Center (the "Center"), an office property immediately north of the proposed subdivision.

II. Scope of the Tualatin Professional Center's Request for Review

The Center does not oppose the subdivision of the Sagert Farm itself, but only asks the city to make one change to the alignment of Sagert Street for the better safety of the Center and the patients of the health care providers at the Center. The Center requests review of the City Engineer's decision to modify Sagert Street so as to remove eastbound access to the Center's west parking lot. The decision of the City Engineer adversely affects the Center's right of access under TDC §75.140 and potentially endangers visitors to the Center.

Sagert Street east of 65th Avenue is a half-street that provides access to the two south driveways of the Center and the seven parking spaces in between. The Center has two parking lots that do not connect due to a change of grade (east and west). The preliminary plat changes Sagert Street so as to eliminate eastbound access to the Center's west parking lot. Under the preliminary plat, patients and visitors to the west side of the Center would have to drive east on Sagert Street, turn right on the proposed 64th Terrace, and loop back on 63rd Terrace to access their destination, unnecessarily routing business traffic through a proposed residential neighborhood. (See the enclosed map 1).

III. Applicable TDC Requirements

TDC §75.140 permits commercial uses with 70 feet or more of frontage to have driveways onto minor collector streets, such as Sagert Street. The Center has more than 70 feet of frontage onto Sagert Street. TDC §75.140, and Chapter 75 of the TDC as a whole, also reflect the City's goal to have combined (joint) driveway accesses where available.

///

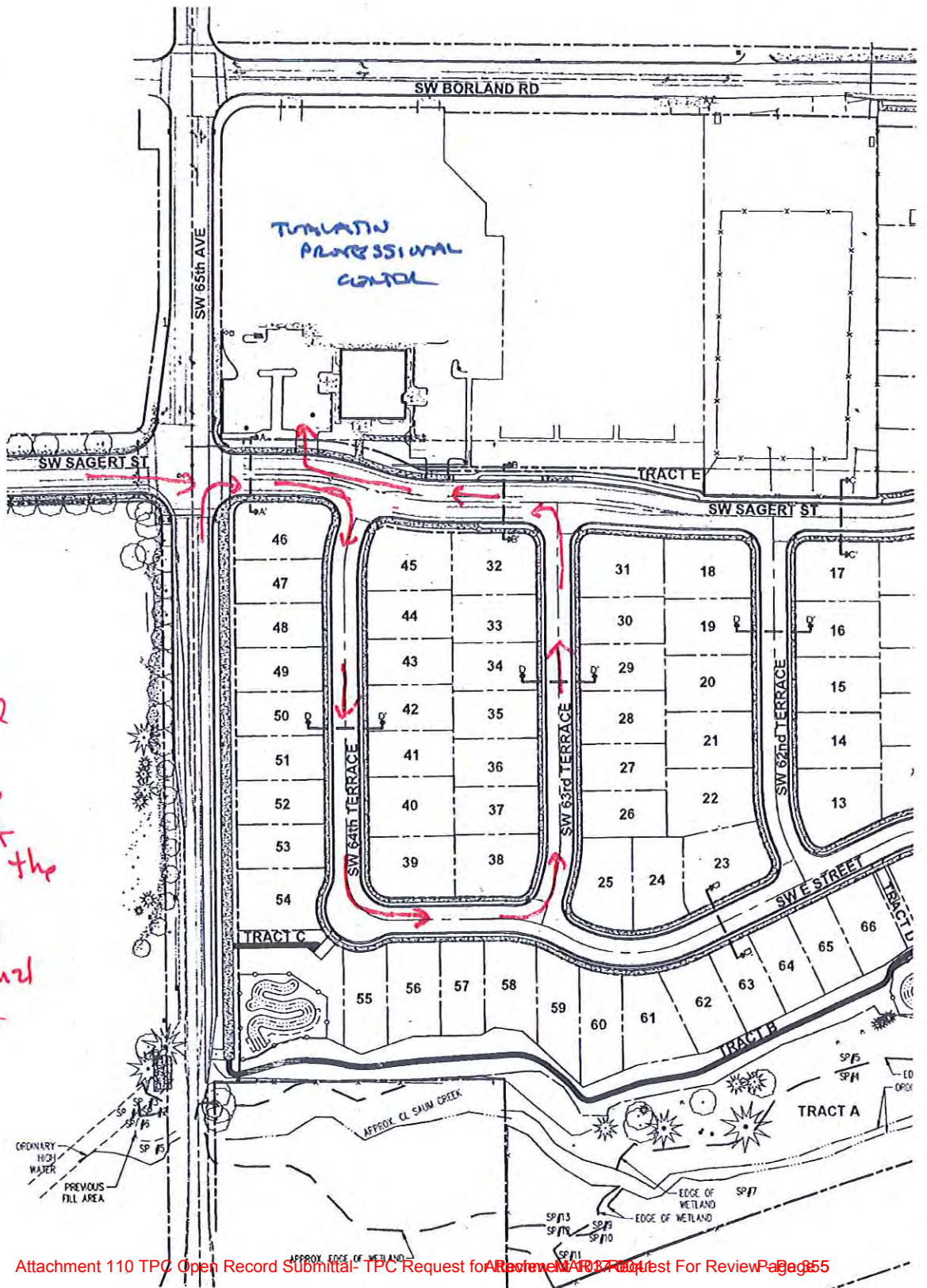
IV. The Center's Proposed Solution

The preliminary plat approved by the City Engineer limits access to the Center's western parking lot, forces business traffic into a residential neighborhood, and does not fulfill the City's goal of promoting joint driveway access. The Center proposes to shift the location of Sagert Street a few feet south to accommodate the construction of an access route between the Center's east and west parking lots. (See the enclosed map 2 with the proposed connector in blue). This proposal allows for the elimination of the western driveway, promoting the City's goal of reducing the number of driveway accesses. Additionally, the Center's proposal eliminates the need for business traffic to enter a residential neighborhood.

In contrast, the approved preliminary plat fails to achieve several objectives of Tualatin's adopted Transportation System Plan, including the objectives of reducing trip length, facilitating efficient access for employees and customers to and from commercial lands, ensuring that emergency vehicles are able to provide services throughout the city to support a safe community, and considering negative effects of alternatives on adjacent residential and business areas. The Center's proposal promotes all of these objectives.

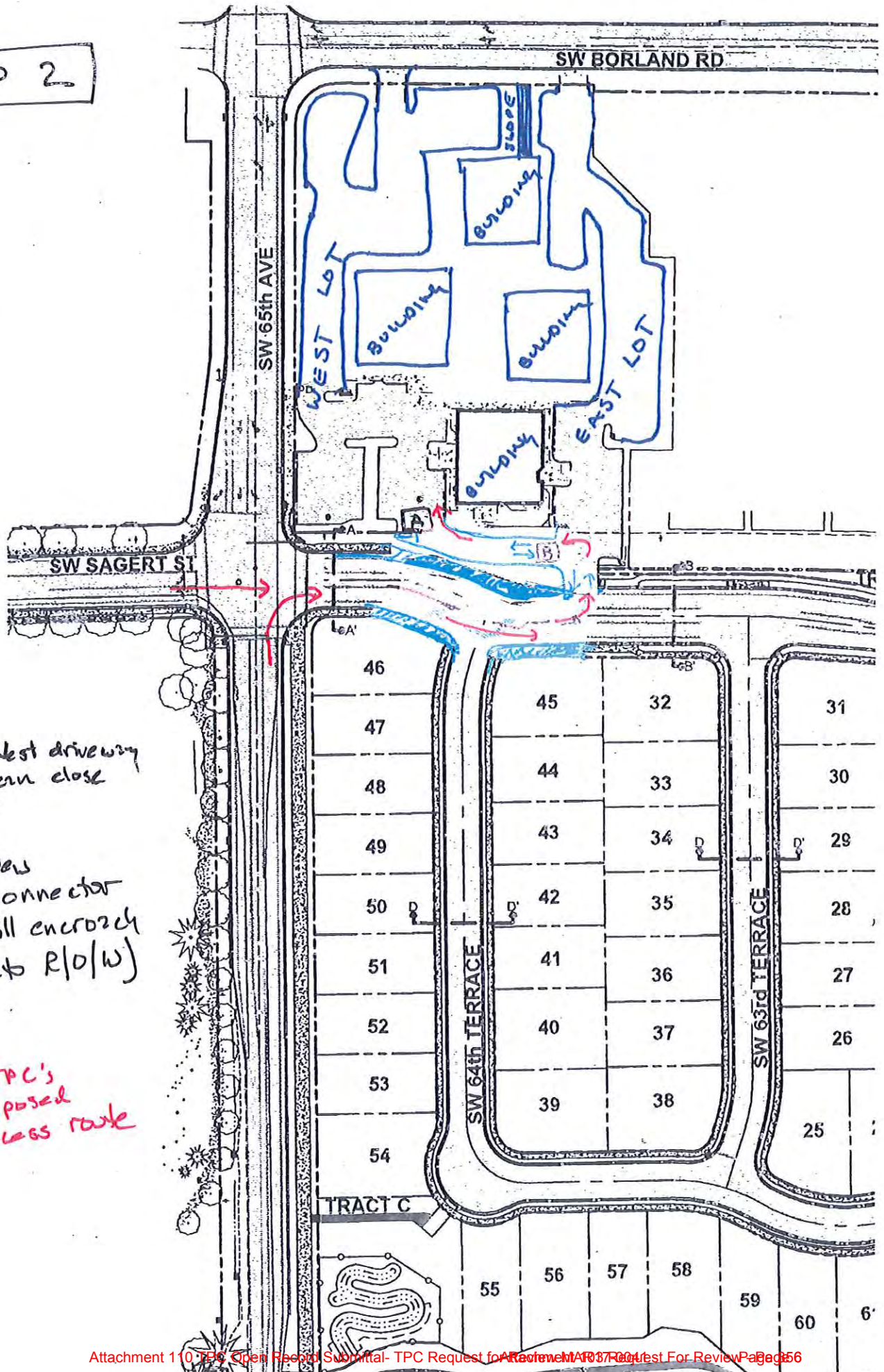
The Center asks the City to adopt the Center's proposed modification to the preliminary plat in order to protect the Center's rights under TDC §75.140 and the city's goals as reflected in Chapter 75 and the Transportation System Plan.

MAP 1



Lennar's proposed access route to the west part of the Tuzlak Professional Center

MAP 2



A West driveway can close

B New connector (will encroach into R/O/W)

→ TPC's proposed access route

RESOLUTION NO. 5265-16

A RESOLUTION APPROVING THE SAGERT FARM SUBDIVISION (SB 15-0002) WITH CONDITIONS

WHEREAS, on or about June 4, 2015 an application was received for the Sagert Farm Subdivision (SB 15-0002) and deemed complete on September 14, 2015.

WHEREAS, the applicant extended the 120-day review period to February 13, 2016; and

WHEREAS, On December 3, 2015, the City Engineer approved the subdivision decision with conditions and on December 16, 2015, a Request for Review was filed to submit the matter to Council.

WHEREAS, the criteria for approving the Subdivision are Tualatin Municipal Code (TMC) Chapters 03 (Utilities and Water Quality) and 04 (Building) and Tualatin Development Code Chapters 31 (General Provisions); 34(Special Regulations); 36 (Subdividing, Partitioning and Property Line Adjustments); 38 (Sign Regulations); 40 (Low Density Residential Planning District (RL)); 72 (Natural Resource Protection Overlay District (NRPO)); 73 (Community Design Standards); 74 (Public Improvement Requirements); and 75 (Access Management).

WHEREAS, the City Council held a public hearing on January 25, 2016, where the City Council accepted written testimony and heard oral testimony and argument from City staff, the Applicant, proponents, and opponents of the project.

WHEREAS, after considering the testimony and argument submitted, the City Council closed the public hearing and began deliberations. After deliberating, the City Council approved the subdivision with conditions by a vote of 6 to 0. No procedural or other objections were voiced by any party.

WHEREAS, based upon the record submitted to City Council, the City Council makes this final written decision.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Subdivision Application, which consists of the following documents submitted in the record:

- 101A Subdivision Application
- 101B Preliminary Land Use Plans
- 101C Narrative
- 101D Preliminary Title Report

- 101E Neighborhood Mailing
- 101F Neighborhood Meeting May 2014
- 101G Neighborhood Meeting December 2014
- 101H Neighborhood Meeting January 2015
- 101I Tualatin Professional Center Meeting Minutes
- 101J Tualatin Professional Center Sagert St ClackCo Recorded Document 84-16656-7
- 101K MEI Building Meeting Minutes
- 101L PGE Meeting Notes
- 101M Arborist Report
- 101N Traffic Study With Borland Access Update Memorandum
- 101O Clackamas County Modification Request Submittal - Borland
- 101P Clackamas County Modification Request Submittal - Sagert & 65th Modification
- 101Q Geotechnical Report Addendum
- 101R Stormwater Report
- 101S Clean Water Services' Service Provider Letter

is hereby approved with the following conditions:

A. Prior to Any On-Site Work Related to this Decision:

- PFR-1 Provide a tree protection plan to scale that shows all preserved trees will be protected with sturdy chain link fencing around the drip line throughout the entirety of the development. If the drip line of the preserved trees is shown within a current building envelope, the building envelope shall be moved so that no construction takes place within the drip line of the preserved trees. Any encroachment on the drip line of the preserved trees must first be approved by the City per TDC 73.250(2)(e). In addition to the tree protection plan, any and all grading plans shall show all preserved trees protected with sturdy fencing (chain link fence) during the construction process. Any and all grading plans shall include a note that states "No grading activities will allow preserved tree roots to remain exposed per TDC 73.250(2)(f)".

B. Prior to Issuance of Public Works and Water Quality Permits:

- PFR -2 Submit final sanitary sewer plans that show location of the lines, grade, materials, and other details.
- PFR -3 Show each lot will have a separate minimum 1-inch water lateral with backflow prevention, double check valve assemblies, and control valves.

- PFR -4 Submit final water system plans that show location of the water lines, grade, materials, and other details.
- PFR-5 Obtain a NPDES Erosion Control Permit in accordance with code section TMC 3-5-060.
- PFR-6 Obtain a City of Tualatin erosion control permit in accordance with code section TMC 3-5-060.
- PFR-7 Submit final stormwater calculations that include conveyance through the development.
- PFR-8 Submit final stormwater plans.
- PFR -9 Submit plans that meet the requirements of TVF&R and show red powder coated public fire hydrants spaced to meet Public Works Construction Code.
- PFR-10 Submit a scaled tree preservation site plan and grading plan that shows preservation of trees to be retained in conformance with TDC 34.210(1&2), 73.250(2)(a) and as approved on the plans.
- PFR -11 Submit approvable plans and color elevations including all color and material specifications that show the entirety of the subject site's SW 65th Avenue frontage, the entirety of the subject site's SW Borland Road frontage, and the south side of SW Sagert Street with masonry fences with appropriate vision clearance per TDC 34.330 and 34.340 Fence Design or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76.
- PFR -12 Submit a final site plan that demonstrates the masonry fence is located entirely along access restricted property lines parallel to SW 65th Avenue, SW Borland Road, and SW Sagert Street and located entirely outside the public right-of-way. This masonry fence site plan shall conform to all applicable sections of TDC 34.330 Fence Standards or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76 as shown in this application.
- PFR -13 Show the proposed Tract F either as part of adjacent lots, maintained by a home owners association, or be dedicated to the City.
- PFR -14 Show the location of existing sanitary sewer septic tank for decommissioning.
- PFR -15 Submit plans that show access for lot 2 to proposed SW 61st Terrance via a flag pole at least 20 feet wide.

- PFR -16 Submit plans that show one driveway for Tualatin Professional Center and one driveway for MEI to be at least 32-feet wide extending to the back of the proposed sidewalk.
- PFR -17 Submit plans that comply with the requirements of Clackamas and Washington County memorandums.
- PFR -18 Submit plans and narrative that identify how adjacent park lands (Atfalati Park) will be restored subsequent to SW 65th Avenue and SW Sagert Street road widening (e.g., tapering grades, salvaging and replanting trees, irrigation).
- PFR -19 Submit plans that show a maintenance access from SW 65th Avenue for the proposed manhole west of the SW 65th Avenue pump station.
- PFR -20 Show that the sidewalk to SW 65th Avenue at the south end of the development is an entrance for northbound bicycles from SW 65th Avenue only, taper the approach to AASHTO code, and include a pedestrian barrier.
- PFR -21 Extend the public sidewalk on SW Borland Road west to connect to the existing sidewalk.
- PFR -22 Submit plans that show 5-foot wide public utility easements at the sides and rear of all lots.
- PFR -23 Submit plans that show public stormwater facility within the greenway tract in a separate tract for stormwater purposes.
- PFR -24 Submit plans that show concrete maintenance surfaces extending 5-feet past the sanitary sewer manholes and extend to the public water quality facilities per City Engineer direction.
- PFR -25 Submit plans that show root barriers for street trees that are within 10 feet of a public line or adjacent to a public sidewalk will need a 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk.
- PFR -26 Show the accessway from proposed SW 64th Terrace to SW 65th Avenue across Tract C as concrete and 8 feet wide.
- PFR -27 Submit plans that show SW Street "E" with a City approved name.
- PFR -28 Show street name signs at each intersection of SW Sagert Street with SW 65th Avenue, proposed SW 64th Terrace, proposed SW 63rd Terrace, proposed SW 62nd Terrace, and proposed SW 61st Terrace; at each intersection of proposed SW "E" Street with proposed SW 64th Terrace,

proposed SW 63rd Terrace, proposed SW 62nd Terrace, and proposed SW 61st Terrace; and with proposed SW 61st Terrace and SW Borland Road or as amended per City Engineer direction.

- PFR -29 Show stop signs for northbound traffic intersecting with SW Sagert Street on proposed SW 64th Terrace, proposed SW 63rd Terrace, and proposed SW 62nd Terrace; southbound traffic intersecting proposed SW "E" Street on proposed SW 63rd Terrace and proposed SW 62nd Terrace; an all way stop at the intersection of SW Sagert Street and proposed SW 61st Terrace; and northbound proposed SW 61st Terrace at the intersection with SW Borland Road or as amended per City Engineer direction.
- PFR -30 Show 25-mph speed limit signs entering this subdivision from SW Borland Road on proposed SW 61st Terrace and from SW 65th Avenue on SW Sagert Street or as amended per City Engineer direction.
- PFR -31 Show traffic control signs and striping for the intersection of SW 65th Avenue and SW Sagert Street or as amended per City Engineer direction.
- PFR -32 Submit plans that show approved street trees selected for the 4-foot wide planter strips, in a planter strip between SW Sagert Street curb and sidewalk adjacent to PGE, and the planted median is shown within SW Sagert Street east of proposed SW 61st Terrace.
- PFR -33 Show extension of a public water line from within the proposed development south to adjacent undeveloped Tax Lot 21E30B 00700.
- PFR -34 Underground all utility lines with the exception of those that are 50,000 volts or above or record a Street Improvement Agreement for undergrounding.
- PFR -35 Submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions and obtain an Amended Service Provider Letter as determined by Clean Water Services for any revisions to the proposed plans.
- PFR-36 Submit plans that minimize the impact of stormwater from the development to adjacent properties.

C. Prior to Approval of the Final Plat:

- PFR-37 Record the final plat within 24 months of the issued decision or obtain an extension per TDC 36.160(6).
- PFR-38 Obtain a Public Works Permit and Water Quality Permit.

- PFR-39 Complete all the public improvements, shown on submitted plans and corrected by conditions of approval, and have them accepted by the City or provide financial assurance.
- PFR -40 Demolish all existing structures meeting the requirements of HIST-14-01 which expires September 11, 2016 or obtain another HIST approval or extension to demolish the historic barn.
- PFR -41 Submit proof of DEQ approval of decommissioning of all wells and tanks.
- PFR -42 Record all public easements and dedications shown on submitted plans and corrected by conditions of approval.
- PFR -43 Convey Tract A and the portions of B and C excluding the public water quality facilities in separate tracts by statutory warranty deed and execute and record Greenway easements covering the connecting pathway over sanitary sewer easement between lots 69 and 70.
- PFR -44 The area shown as Tract E will be dedicated as SW Sagert Street right-of-way.
- PFR -45 Enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Trail Improvement Agreement with City to construct the Saum Creek Greenway Trail and related improvements and provide adequate assurances in a form approved by the City Attorney.
- PFR -46 Dedicate the area shown as Tract F as Natural Area and plant in northwest native trees, shrubs, and ground cover or show it as maintained by a Home Owners Association within a conservation easement.

D. Prior to Issuance of the First House's Building Permit on the Subject Site:

- PFR -47 Decommission and salvage the pump station south of Sequoia Ridge Subdivision.
- PFR-48 Construct all public improvements shown on submitted plans and corrected by conditions of approval.
- PFR-49 Deliver a Mylar copy of the recorded plat to the City Engineer.
- PFR -50 Request and obtain SDC and TDT credits for public improvements, if desired.
- PFR-51 Construct the entirety of required masonry fences per TDC 34.330 and 34.340 and obtain a final inspection from the planning division.

E. Prior to Issuance of Each New Home Building Permit:

- PFR-52 Provide the approved tree protection plan from PFR-10 with each structure's building permit, to ensure construction is consistent with the protections provided by the approved plan. The approved plan may be amended by the project's arborist during construction if approved by the City.
- PFR -53 Show no more than 45% of any lot covered with buildings.
- PFR -54 Show plans meeting the minimum width of all setbacks for permitted uses: front yard 15 feet, unenclosed porch 12 feet, garage door 20 feet, side yard 5 feet, rear yard 15 feet; for a corner lot: one front yard 15 feet and the second 10 feet.
- PFR -55 Show structure projections into yards with a maximum of front or rear yard setback area not more than three feet and into a required side yard not more than two feet.
- PFR -56 Show structure heights a maximum of 35 feet.
- PFR -57 Show 2 onsite parking spaces per lot.
- PFR -58 Show driveways widths a minimum of 10 feet wide and with a maximum for 26 feet for one or two car garages and 37 for three or more.
- PFR -59 Submit plans that state the landscaped areas on each lot will be irrigated.
- PFR -60 Submit verification that shows adequate capacity of proposed sanitary sewer lines and the SW 65th Avenue pump station.
- PFR -61 Submit plans that show private sanitary sewer and stormwater laterals serving lot 2 from proposed SW 61st Terrace.
- PFR -62 Submit proof that shows all crawl spaces will be served by gravity drainage.

F. Prior to Issuance of a Sign Permit for Monument Signs:

- PFR-63 The applicant shall separately from this subdivision land use decision submit sign permit applications for any new signage.

Section 2. The Findings and Conclusions are adopted as set forth in "Exhibit 1," which is attached and incorporated by reference.

Section 3. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of February, 2016.

CITY OF TUALATIN, OREGON

BY 

Mayor

APPROVED AS TO LEGAL FORM

ATTEST:

BY 

City Attorney

BY 

City Recorder

**EXHIBIT 1
RESOLUTION NO. 5265-16**

**FINDINGS AND CONCLUSIONS
SUBDIVISION DECISION SB15-0002, SAGERT FARM**

A. TMC TITLE 03: UTILITIES AND WATER QUALITY

I. TMC CHAPTER 03-02: SEWER REGULATIONS; RATES

**1. TMC 3-2-020 APPLICATION, PERMIT AND INSPECTION
PROCEDURE.**

(1) No person shall connect to any part of the sanitary sewer system without first making an application and securing a permit from the City for such connection, nor may any person substantially increase the flow, or alter the character of sewage, without first obtaining an additional permit and paying such charges therefore as may be fixed by the City, including such charges as inspection charges, connection charges and monthly service charges.

2. TMC 3-2-030 MATERIALS AND MANNER OF CONSTRUCTION.

(1) All building sewers, side sewers and connections to the main sewer shall be so constructed as to conform to the requirements of the Oregon State Plumbing Laws and rules and regulations and specifications for sewerage construction of the City.

(3) A public works permit must be secured from the City and other agency having jurisdiction by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

FINDING:

The plans show proposed public sanitary sewer system construction to serve all proposed lots with gravity laterals and connect a gravity line from the existing pump station at Sequoia Ridge Subdivision to the SW 65th Avenue pump station, but have not applied for a public works permit for these improvements. The applicant will need to submit sanitary sewer plans that show location of the lines, grade, materials, and other details prior to obtaining a public works permit. This criterion is satisfied with conditions of approval PFR -2.

II. TMC CHAPTER 03-03: WATER SERVICE

1. TMC 3-3-040 SEPARATE SERVICES REQUIRED.

(1) Except as authorized by the City Engineer, a separate service and meter to supply regular water service or fire protection service shall be required for each building, residential unit or structure served. For the purposes of this section, trailer parks and multi-family residences of more than four dwelling units shall constitute a single unit unless the City Engineer determines that separate services are required.

2. TMC 3-3-110 CONSTRUCTION STANDARDS.

All water line construction and installation of services and equipment shall be in conformance with the City of Tualatin Public Works Construction Code. In addition, whenever a property owner extends a water line, which upon completion, is intended to be dedicated to the City as part of the public water system, said extension shall be carried to the opposite property line or to such other point as determined by the City Engineer. Water line size shall be determined by the City Engineer in accordance with the City's Development Code or implementing ordinances and the Public Works Construction Code.

3. TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.

(2) The owner of property to which City water is furnished for human consumption shall install in accordance with City standards an appropriate backflow prevention device on the premises where any of the following circumstances exist:

(4) Except as otherwise provided in this subsection, all irrigation systems shall be installed with a double check valve assembly. Irrigation system backflow prevention device assemblies installed before the effective date of this ordinance, which were approved at the time they were installed but are not on the current list of approved device assemblies maintained by the Oregon State Health Division, shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform satisfactorily. When devices of this type are moved, or require more than minimum maintenance, they shall be replaced by device assemblies which are on the Health Division list of approved device assemblies.

4. TMC 3-3-130 CONTROL VALVES.

The customer shall install a suitable valve, as close to the meter location as practical, the operation of which will control the entire water supply from the service. The operation by the customer of the curb stop in the meter box is prohibited.

FINDING:

The plans show proposed public water system construction to serve all proposed lots consisting of 8-inch mains, 1-inch laterals, and 3/4-inch meters. The system loops from existing public water mains in SW 65th Avenue, SW Borland Road, SW Sagert Street to the east, and through all the proposed local streets, creating no dead ends.

The plans show single 1-inch laterals serving pairs of lots and do not indicate backflow prevention, double check valve assemblies, or control valves. Each lot will have a separate minimum 1-inch lateral with backflow prevention, double check valve assemblies, and control valves.

The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-3 and 4.

III. TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS

1. TMC 3-5-010 POLICY.

It is the policy of the City to require temporary and permanent measures for all construction projects to lessen the adverse effects of construction on the environment. The contractor shall properly install, operate and maintain both temporary and permanent works as provided in this chapter or in an approved plan, to protect the environment during the term of the project. In addition, these erosion control rules apply to all properties within the City, regardless of whether that property is involved in a construction or development activity. Nothing in this chapter shall relieve any person from the obligation to comply with the regulations or permits of any federal, state, or local authority...

2. TMC 3-5-050 EROSION CONTROL PERMITS.

(1) Except as noted in subsection (3) of this section, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees...

3. TMC 3-5-060 PERMIT PROCESS.

(1) Applications for an Erosion Control Permit. Application for an Erosion Control Permit shall include an Erosion Control Plan which contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion. The plan shall include either:

(a) A site specific plan outlining the protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year as calculated using the Soil Conservation Service Universal Soil Loss Equation or other equivalent method approved by the City Engineer, or

(b) Techniques and methods contained and prescribed in the Soil Erosion Control Matrix and Methods, outlined in TMC 3-5.190 or the Erosion Control Plans - Technical Guidance Handbook, City of Portland and Unified Sewerage Agency, January, 1991.

- (2) Site Plan. A site specific plan, prepared by an Oregon registered professional engineer, shall be required when the site meets any of the following criteria:
- (a) greater than five acres;
 - (b) greater than one acre and has slopes greater than 20 percent;
 - (c) contains or is within 100 feet of a City-identified wetland or a waterway identified on FEMA floodplain maps; or
 - (d) greater than one acre and contains highly erodible soils.

FINDING:

The applicant has submitted plans showing erosion control on sheets C116 to C119 for an area of approximately 20.9 acres. This criterion is satisfied with conditions of approval PFR -5 and 6.

4. TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.

Each new development is responsible for mitigating the impacts of that development upon the public storm water quantity system. The development may satisfy this requirement through the use of any of the following techniques, subject to the limitations and requirements in TMC 3-5-210: Construction of permanent on-site stormwater quantity detention facilities designed in accordance with this title;...

5. TMC 3-5-210 REVIEW OF DOWNSTREAM SYSTEM.

For new development other than the construction of a single family house or duplex, plans shall document review by the design engineer of the downstream capacity of any existing storm drainage facilities impacted by the proposed development. That review shall extend downstream to a point where the impacts to the water surface elevation from the development will be insignificant, or to a point where the conveyance system has adequate capacity, as determined by the City Engineer. To determine the point at which the downstream impacts are insignificant or the drainage system has adequate capacity, the design engineer shall submit an analysis using the following guidelines:

- (1) evaluate the downstream drainage system for at least ¼ mile;
- (2) evaluate the downstream drainage system to a point at which the runoff from the development in a build out condition is less than 10 percent of the total runoff of the basin in its current development status. Developments in the basin that have been approved may be considered in place and their conditions of approval to exist if the work has started on those projects;
- (3) evaluate the downstream drainage system throughout the following range of storms: 2, 5, 10, 25 year;

(4) The City Engineer may modify items 1, 2, 3 to require additional information to determine the impacts of the development or to delete the provision of unnecessary information.

6. TMC 3-5-220 CRITERIA FOR REQUIRING ON-SITE DETENTION TO BE CONSTRUCTED.

The City shall determine whether the onsite facility shall be constructed. If the onsite facility is constructed, the development shall be eligible for a credit against Storm and Surface Water System Development Charges, as provided in City ordinance. On-site facilities shall be constructed when any of the following conditions exist:

(1) There is an identified downstream deficiency, as defined in TMC 3-5-210, and detention rather than conveyance system enlargement is determined to be the more effective solution...

FINDING:

The project area doesn't release into a basin that requires detention, therefore downstream conveyance will need to be evaluated to show there is no needed detention. The preliminary stormwater calculations indicate adequate conveyance of up to a 100-year storm. This criterion is satisfied with conditions of approval PFR - 7.

IV. TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES

1. TMC 3-5-280 PLACEMENT OF WATER QUALITY FACILITIES.

Title III specifies that certain properties shall install water quality facilities for the purpose of removing phosphorous. No such water quality facilities shall be constructed within the defined area of existing or created wetlands unless a mitigation action, approved by the City, is constructed to replace the area used for the water quality facility.

FINDING:

The two water quality facilities are shown to be located outside both wetland and associated buffer. This criterion is met.

2. TMC 3-5-290 PURPOSE OF TITLE.

The purpose of this title is to require new development and other activities which create impervious surfaces to construct or fund on-site or off-site permanent water quality facilities to reduce the amount of phosphorous entering the storm and surface water system.

3. TMC 3-5-300 APPLICATION OF TITLE.

Title III of this Chapter shall apply to all activities which create new or additional impervious surfaces, except as provided in TMC 3-5.310.

4. TMC 3-5-310 EXCEPTIONS.

(1) Those developments with application dates prior to July 1, 1990, are exempt from the requirements of Title III.

The application date shall be defined as the date on which a complete application for development approval is accepted by the City in accordance with City regulations.

(2) Construction of one and two family (duplex) dwellings are exempt from the requirements of Title III.

(3) Sewer lines, water lines, utilities or other land development that will not directly increase the amount of storm water run-off or pollution leaving the site once construction has been completed and the site is either restored to or not altered from its approximate original condition are exempt from the requirements of Title III.

5. TMC 3-5-320 DEFINITIONS.

(1) "Stormwater Quality Control Facility" refers to any structure or drainage way that is designed, constructed and maintained to collect and filter, retain, or detain surface water run-off during and after a storm event for the purpose of water quality improvement. It may also include, but is not limited to, existing features such as constructed wetlands, water quality swales, low impact development approaches ("LIDA"), and ponds which are maintained as stormwater quality control facilities.

(2) "Low impact development approaches" or "LIDA: means stormwater facilities constructed utilizing low impact development approaches used to temporarily store, route or filter run-off for the purpose of improving water quality. Examples include; but are not limited to, Porous Pavement, Green Roofs, Infiltration Planters/Rain Gardens, Flow-Through Planters, LIDA Swales, Vegetated Filter Strips, Vegetated Swales, Extended Dry Basins, Constructed Water Quality Wetland, Conveyance and Stormwater Art, and Planting Design and Habitats.

(3) "Water Quality Swale" means a vegetated natural depression, wide shallow ditch, or constructed facility used to temporarily store, route or filter run-off for the purpose of improving water quality.

(4) "Existing Wetlands" means those areas identified and delineated as set forth in the Federal Manual for Identifying the Delineating Jurisdictional Wetlands, January, 1989, or as amended, by a qualified wetlands specialist.

(5) "Created Wetlands" means those wetlands developed in an area previously identified as a non-wetland to replace, or mitigate wetland destruction or displacement.

(6) "Constructed Wetlands" means those wetlands developed as a water quality or quantity facility, subject to change and maintenance as such. These areas must be clearly defined and/or separated from existing or created wetlands. This separation shall preclude a free and open connection to such other wetlands.

6. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

7. TMC 3-5-340 FACILITIES REQUIRED.

For new development, subject to the exemptions of TMC 3-5-310, no permit for construction, or land development, or plat or site plan shall be approved unless the conditions of the plat, plan or permit approval require permanent stormwater quality control facilities in accordance with this Title III.

8. TMC 3-5-345 INSPECTION REPORTS.

The property owner or person in control of the property shall submit inspection reports annually to the City for the purpose of ensuring maintenance activities occur according to the operation and maintenance plan submitted for an approved permit or architectural review.

9. TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.

The stormwater quality control facilities shall be designed to remove 65 percent of the phosphorous from the runoff from 100 percent of the newly constructed impervious surfaces. Impervious surfaces shall include pavement, buildings, public and private roadways, and all other surfaces with similar runoff characteristics.

10. TMC 3-5-360 DESIGN STORM.

The stormwater quality control facilities shall be designed to meet the removal efficiency of TMC 3-5-350 for a mean summertime storm event totaling 0.36 inches of recipitation falling in four hours with an average return period of 96 hours.

11. TMC 3-5-370 DESIGN REQUIREMENTS.

The removal efficiency in TDC Chapter 35 specifies only the design requirements and is not intended as a basis for performance evaluation or compliance determination of the stormwater quality control facility installed or constructed pursuant to this Title III.

12. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off

or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

13. TMC -5-340 FACILITIES REQUIRED.

For new development, subject to the exemptions of TMC 3-5-310, no permit for construction, or land development, or plat or site plan shall be approved unless the conditions of the plat, plan or permit approval require permanent stormwater quality control facilities in accordance with this Title III.

14. TMC 3-5-390 FACILITY PERMIT APPROVAL.

A stormwater quality control facility permit shall be approved only if the following are met:

(1) The plat, site plan, or permit application includes plans and a certification prepared by an Oregon registered, professional engineer that the proposed stormwater quality control facilities have been designed in accordance with criteria expected to achieve removal efficiencies for total phosphorous required by this Title III. Clean Water Services Design and Construction Standards shall be used in preparing the plan for the water quality facility; and

(2) The plat, site plan, or permit application shall be consistent with the areas used to determine the removal required in TMC 3-5-350; and

(3) A financial assurance, or equivalent security acceptable to the City, is provided by the applicant which assures that the stormwater quality control facilities are constructed according to the plans established in the plat, site plan, or permit approval. The financial assurance may be combined with our financial assurance requirements imposed by the City; and

(4) A stormwater facility agreement identifies who will be responsible for assuring the long term compliance with the operation and maintenance plan.

15. TMC 3-5-420 RESIDENTIAL DEVELOPMENTS.

The permanent stormwater quality control facilities for the construction of any single family and duplex subdivision shall be adequately sized for the public improvements of the subdivision and for the future construction of single family and duplex houses on the individual lots at a rate of 2,640 square feet of impervious surface per dwelling unit.

FINDING:

The applicant has submitted plans showing two public water quality swales with preliminary stormwater calculations showing adequate treatment of impervious area. This criterion is satisfied with conditions of approval PFR 7 and 8.

B. CHAPTER 04-02: FIRE HYDRANT LOCATIONS AND RATES OF FLOW

I. TMC 4-2-010 HYDRANTS AND WATER SUPPLY FOR FIRE PROTECTION.

(1) Every application for a building permit and accompanying plans shall be submitted to the Building Division for review of water used for fire protection, the approximate location and size of hydrants to be connected, and the provisions for access and egress for firefighting equipment. If upon such review it is determined that the fire protection facilities are not required or that they are adequately provided for in the plans, the Fire and Life Safety Reviewer shall recommend approval to the City Building Official.

(2) If adequate provisions for such facilities are not made, the Fire and Life Safety Reviewer shall either recommend against approval of the plans or indicate to the applicant in writing where the plans are deficient or recommend approval of plans subject to conditions.

FINDING:

TVF&R has submitted an attached letter regarding their requirements. The applicant will need to address these requirements in the final plans.

The plans show proposed public fire hydrants adjacent to public streets with spacing greater than allowed by code. The public fire hydrants will need to be spaced to meet Public Works Construction Code. The fire hydrants will need to be red powder coated.

This criterion is satisfied with conditions of approval PFR -9.

C. TDC CHAPTER 13: SEWER SERVICE, SECTION 13.060 EXISTING SYSTEM

(2) Except for the five areas discussed below, the City is served by gravity lines. ... The five areas currently served by pump stations are as follows:... (b) The area along Nyberg Street and Borland Road east of I-5 is served by six pump stations. The pump stations pump sewage to the Nyberg Interceptor and then into the Lower Tualatin Interceptor. One of the pump stations is temporary. It is at the south end of Sequoia Ridge Subdivision. It collects sewage through gravity flow from the Sequoia Ridge and Venetia Subdivisions and can collect from the properties east of Venetia. It pumps up the hill to a line in SW Borland Road. This station will be removed when the Sagert/Leiser Properties (2 1E 30B, 300, 600, 700) are developed. Then its sewage will gravity flow to the west to the pump station on the west side of SW 65th Avenue north of I-205 and be pumped up the hill to the north.

FINDING:

The plans show the existing line from the pump station south of Sequoia Ridge Subdivision proposed to extend with gravity flow to the existing pump station on the west side of SW 65th Avenue north of I-205. The existing pump station will need to be decommissioned and salvaged. This criterion is satisfied with conditions of approval PFR -47.

D. TDC SECTION 31.063 NEIGHBORHOOD/ DEVELOPER MEETINGS.

(2) Prior to the submittal of an application listed in TDC 31.063(1) and following a pre-application meeting held with the City, the developer shall host a meeting for the surrounding property owners located within the mailing area designated in TDC 31.064(1)(c). Notice of the meeting shall be provided to Recognized Neighborhood Associations within the Notice Area of TDC 31.064(1)(c) and to designated representatives of recognized Citizen Involvement Organizations. The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet to review a development proposal and identify issues regarding the proposal so they can be considered prior to the application submittal. The meeting is intended to allow the developer and neighbors to share information and concerns regarding the project. The applicant may consider whether to incorporate solutions to these issues prior to application submittal.

(3) The Neighborhood/Developer Meeting shall be held on a weekday evening, or weekend no earlier than 10:00 a.m. and no later than 6:00 p.m., at a location within the City of Tualatin.

(4) The applicant shall at least 14 calendar days and no more than 28 calendar days prior to the meeting mail notice of the meeting pursuant to TDC 31.064(1) stating the date, time and location of the meeting and briefly discussing the nature and location of the proposal:

(6) The applicant shall, at least 14 calendar days before the meeting, post a sign pursuant to TDC 31.064(2). If the sign disappears prior to the meeting date, the applicant shall replace it within forty-eight (48) hours. The applicant shall remove the sign no later than fourteen (14) days after the meeting date.

(7) The applicant shall prepare meeting notes identifying the persons attending and the major points that were discussed and expressed.

(8) The applicant is required to hold one meeting prior to submitting an application for a specific site, but may hold additional meetings if desired.

(9) If an applicant fails to hold a neighborhood meeting, the application shall be deemed incomplete.

(10) The application shall include the following materials related to the Neighborhood/Developer meeting:

- (a) the mailing list for the notice;
- (b) a copy of the notice;
- (c) an affidavit of the mailing and posting;
- (d) the original sign-in sheet of participants;
- (e) the meeting notes described in TDC 31.063(7).

(11) Applications shall be submitted to the City within 180 days of the Neighborhood/Developer meeting. If an application is not submitted in this time frame, the Developer shall be required to hold a new Neighborhood/Developer meeting.

FINDING:

The applicant held a public meeting that met the requirements of TDC Section 31.06 on February 18, 2015 at 6 pm. The Applicant provided 21 days notice prior to the meeting and posted a sign pursuant to TDC 31.064(2). The applicant provided notes from the meeting, the mailing list, a copy of the notice, and affidavit of mailing and posting, and the original sign in sheet. This criterion is satisfied.

E. TDC CHAPTER 34: SPECIAL REGULATIONS

I. TDC SECTION 34.210 APPLICATION FOR ARCHITECTURAL REVIEW, SUBDIVISION OR PARTITION REVIEW, OR TREE REMOVAL PERMIT.

(1) Architectural Review, Subdivision, or Partition. When a property owner wishes to remove trees, other than the exemptions permitted under TDC 34.200(3), to develop property, and the development is subject to Architectural Review, Subdivision Review, or Partition Review approval, the property owner shall apply for approval to remove trees as part of the Architectural Review, Subdivision Review, or Partition Review application process.

(a) The application for tree removal shall include:

(i) A Tree Preservation Site Plan, drawn to a legible scale, showing the following information: a north arrow; existing and proposed property lines; existing and proposed topographical contour lines; existing and proposed structures, impervious surfaces, wells, septic systems, and stormwater retention/detention facilities; existing and proposed utility and access locations/easements; illustration of vision clearance areas; and illustration of all trees on-site that are eight inches or more in diameter (including size, species, and tag i.d. number). All trees proposed for removal and all trees proposed for preservation shall be indicated on the site plan as such by identifying symbols, except as follows:

(A) Where Clean Water Services (CWS) has issued a Service Provider Letter that addresses the proposed development currently under consideration, and

(B) Where CWS has approved delineation of a "sensitive area" or "vegetated corridor" on the subject property, and

(C) Where CWS has required dedication of an easement that prohibits encroachment into the delineated area, then

(D) All trees located within the CWS-required easement need not be individually identified on the Tree Preservation Site Plan if the CWS-required easement boundary is clearly illustrated and identified on the Tree Preservation Site Plan.

(ii) A tree assessment prepared by a qualified arborist, including the following information: an analysis as to whether trees proposed for preservation can in fact be preserved in light of the development proposed, are healthy specimens, and do not pose an imminent hazard to persons or property if preserved; an analysis as to whether any trees proposed for removal could be reasonably preserved in light of the development proposed and health of the tree; a statement addressing the approval criteria set forth in TDC 34.230; and arborist's signature and contact information. The tree assessment report shall have been prepared and dated no more than one calendar year proceeding the date the development application is deemed complete by the City.

Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located within the CWS-required easement need not be included in the tree assessment report.

(iii) All trees on-site shall be physically identified and numbered in the field with an arborist-approved tagging system. The tag i.d. numbers shall correspond with the tag i.d. numbers illustrated on the site plan. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located in the CWS-required easement need not be tagged.

(b) The application for tree removal shall be approved or denied based on the criteria in TDC 34.230.

(c) The approval or denial of an application to remove trees shall be a part of the Architectural Review, Subdivision Review, or Partition Review decision.

1. TDC SECTION 34.230 CRITERIA.

The Community Development Director shall consider the following criteria when approving, approving with conditions, or denying a request to cut trees.

(1) An applicant must satisfactorily demonstrate that any of the following criteria are met:

(a) The tree is diseased, and

(i) The disease threatens the structural integrity of the tree; or

(ii) The disease permanently and severely diminishes the esthetic value of the tree; or

(iii) The continued retention of the tree could result in other trees being infected with a disease that threatens either their structural integrity or esthetic value.

(b) The tree represents a hazard which may include but not be limited to:

(i) The tree is in danger of falling;

(ii) Substantial portions of the tree are in danger of falling.

(c) It is necessary to remove the tree to construct proposed improvements based on Architectural Review approval, building permit, or approval of a Subdivision or Partition Review.

(2) If none of the conditions in TDC 34.240(1) are met, the Community Development Director shall evaluate the condition of each tree based on the following criteria. A tree given a rating of one on a factor will not be required to be retained.

FACTOR VARIATION OF CONDITION FACTOR AWARDED

Trunk Condition Sound and solid (5) Sections of bark missing (3) Extensive decay and hollow (1) ____

Crown Development Full and balanced (5) Full but unbalanced (3) Unbalanced and lacking a full crown (1) ____

Structure Sound (5) One major or several minor limbs dead (3) Two or more limbs dead (1) ____

*For deciduous trees only

2. TDC SECTION 34.270 TREE PROTECTION DURING CONSTRUCTION.

(1) Any tree required to be retained either through Architectural Review, Subdivision or Partition Review, or permit process that will be impacted by nearby construction activities must be protected in accordance with the TDC 73.250(2).

FINDING:

The applicant submitted a Tree Protection and Removal Plan (Sheet C105-C109) identifies the locations of all trees on site eight inches or more in diameter. The CWS required easement boundary has been identified on the tree plan. Trees proposed for removal have also been identified. A tree assessment has been prepared and provided with this application.

The trees that are being proposed for removal as a part of this Subdivision Review are being removed to accommodate the construction of the proposed improvements for the subdivision plan. All tree removal is detailed in the included Arborist's report, as well as sheets C105 through C109. All proposed tree removal is necessary to construct the proposed improvements associated with the subdivision.

Trees in the Sequoia Ridge Natural Area will be protected throughout construction. Applicant will grant a conservation easement to preserve trees along east property lines of Tract F and Lot 79. City will accept a dedication of Tract F as Natural Area, if applicant plants it in northwest native trees, shrubs, and ground cover. There would be no compensation for the dedication of Tract F.

This criterion is satisfied with conditions of approval PFR -1, 10, and 46.

II. TDC SECTION 34.330 FENCE STANDARDS.

The following standards are minimum requirements for fences in a RL (Low Density Residential) or a RML (Medium Low Density Residential) Planning District, where an access-restricted lot line or property line abuts a public street classified as a major arterial, minor arterial, major collector, minor collector, or expressway by the Tualatin Functional Classification Plan, or abuts a state-owned interstate highway (I-5 or I-205).

(1) Subdivision or Partition of Property in a RL or RML Planning District. Where property is the subject of a subdivision or partition application, and has an access-restricted property line(s) or lot line(s) that abuts a major arterial, minor arterial, major collector, minor collector, or expressway right-of-way or an interstate highway property line for a distance greater than 60 feet, a masonry fence shall be installed along the arterial/ collector/expressway/interstate highway frontage, in conformance with design standards set forth in TDC 34.340 and the fence standards set forth below:

(a) Required fencing shall be in-stalled along the entire length of the access-restricted property line(s) or lot line(s) abutting the arterial/collector/expressway right-of-way or interstate highway property line, except as provided in TDC 34.330(3), prior to issuance of any building permit on any parcel or lot created by the partition or subdivision.

(b) Except as provided in TDC 34.330(3), required fencing shall be located entirely outside of the public right-of-way or state-owned interstate highway property, and as close as physically possible to, approximately parallel with, either the property line or lot line abutting the arterial/collector/expressway right-of-way or interstate highway property

line, or in the case of an arterial/ collector/expressway street the ultimate right-of-way line, which-ever is located furthest from the centerline of the street right-of-way....

(c) Required fencing shall be installed such that stormwater drainage pat-terns and flow rates are not altered in a manner detrimental to property or persons.

(3) Exceptions to Fence Location or Configuration:

(a) For public streets classified as an arterial/collector/expressway, where the City Engineer determines that vehicular access is to be provided from the arterial/collector/expressway to a parcel or lot abutting the arterial/collector/expressway, the fence shall not be required along the arterial/collector/expressway frontage of that particular parcel or lot.

(b) For public streets classified as an arterial/collector/expressway, where the City Engineer determines that an opening or passage through the fence must be pro-vided, the fence shall include such required opening. The same shall be provided in fences along state-owned interstate highways when required by the state or Tualatin Valley Fire & Rescue or the City Engineer.

(c) All vision clearance requirements set forth in TDC 73.400(16) shall be met.

(d) The City Engineer, in the case of public streets classified as an arterial/collector/expressway, or the state in the case of state-owned interstate highways, may require an alternate location or configuration of the fence alignment to accommodate stormwater facilities, easements, or other requirements, such as, but not limited to, bicycle paths, multi-use paths, or for maintenance purposes.

(e) For state-owned interstate highways, where an area of vegetation at least 200 linear feet in width runs parallel to the interstate highway and forms a visual, esthetic or acoustic barrier, or land in a Natural Resource Protection Overlay (NRPO) district or other protected area as defined in TDC Chapter 72 runs parallel to the inter-state highway, AND such land is located between the interstate highway property line and the developable area of a property being developed in the RL or RML Planning District, no fence shall be required. Where the area of vegetation is less than 200 linear feet in width, the required fence shall be located entirely outside the vegetated, NRPO or other protected area and as close as physically possible to, approximately parallel with, the edge of said vegetated, NRPO or other protected area on the developable portion of the property being developed.

1. TDC SECTION 34.340 FENCE DESIGN.

(1) Masonry Fence Design. (See Figure 34-2 for illustration)

(a) Material and Color. All components of fence visible from the public vantage point shall be constructed of stone, brick, stone-look or brick-look cast masonry or stone-look or brick-look cast vinyl or composite material. The color of the fence shall be that of natural stones, red clay brick, neutral brown-tones, or gray earth-tones.

(b) Finished Face. Fence shall be constructed such that the finished side of the fence faces the public right-of-way or state-owned interstate highway, and any structural components (metal brackets, etc.) are not visible from the public or highway vantage point.

(c) Slopes. Fences constructed on slopes shall be installed using a stair-step method, whereby each fence panel steps up or down the slope and remains level (zero-slope) rather than parallel to the grade of the underlying terrain.

(d) Height. For public streets classified as an arterial/collector/expressway, height of fence panels shall be six feet, and for interstate highways (I-5 or I-205) height of fence panels shall be a minimum of eight feet, measured from the underlying ground surface directly beneath the fence panels to the top edge of the cornice cap. (Any fence over six feet in height requires a building permit and engineered drawings.)

(i) For fences constructed on slopes, the height of fence measured at the up-slope end of each fence panel shall be six feet for public streets classified as an arterial/collector/express-way and a minimum of eight feet for interstate highways. (Any fence over six feet in height requires a building permit and engineered drawings.)

(ii) Pilasters, excluding pilaster caps, shall be no shorter than the shorter of the attached fence panels, including the cornice cap, and shall not extend more than six inches higher than the highest attached fence panel, including the cornice cap.

(iii) Height of pilaster caps shall be no greater than six inches, measured from the top of the underlying pilaster to the highest point on the cap.

(e) Ground Clearance. There shall be no ground clearance or gap visible between the bottom of the fence panels and the underlying ground surface. Where a pre-cast panel system is used, any gaps that result beneath panels shall be filled in with earth, rock, evergreen vegetation, or similar material. This provision does not prohibit the use of stormwater drainage holes.

(f) Pilasters. The horizontal run of fence must be broken up by pilasters, which shall be set at approximately regular intervals, no more than twenty feet apart on center. Pilasters shall be installed perpendicular to a zero-slope plane.

(g) Panels. Panels shall be 100 percent solid and opaque. The finished face shall have the appearance of a stacked or mortared stone wall or brick wall.

(h) Cornice. A cornice cap shall be installed on top of each of the fence panels. Cornice caps shall be masonry or brick in appearance, and shall match or closely compliment the colors and materials used to construct the fence panels and pilasters.

(i) Pilaster Caps. Decorative caps shall be installed on top of all pilasters such that the cap completely covers the surface area of the pilaster end. Caps shall be masonry or brick in appearance, and shall match or closely compliment the colors and materials used to construct the fence panels and pilasters. Illuminated pilaster caps are allowed, provided the lighting element is an integral internal component of the cap (i.e., no exposed light bulb) and the light is low-voltage or solar powered. Caps shall be no taller than six inches, measured from the surface of the pilaster end to the highest point on the pilaster cap.

(2) Variance Prohibited.

(a) Development unable to meet one or more of the design standards set forth in TDC 34.340(1) may alternatively submit application for Architectural Review.

(b) Application for Architectural Review shall be made pursuant to application procedures set forth in TDC 31.071. Approval or denial shall be based upon the criteria set forth in TDC 73.050, including objectives and standards set forth in TDC 73.221 and 73.222.

FINDING:

The applicant's narrative doesn't address masonry fence requirements. SW 65th Avenue, SW Borland Road, SW Sagert Street, and I-205 are all access restricted streets classified as major arterials. SW 65th Avenue has no access other than the intersection with SW Sagert Street and SW Borland Road has no access other than the

intersection with proposed SW 61st Terrace. The residential south side of SW Sagert Street has intersections with SW 64th Terrace, SW 63rd Terrace, SW 62nd Terrace, and SW 61st Terrace. SW 65th Avenue, SW Borland Road, and SW Sagert Street have lengths adjacent to lots greater than 60 feet and therefore will need a masonry fence with appropriate vision clearance for public streets and the bicycle entrance from SW 65th Avenue to the 12-foot wide sidewalk on the southwest corner of the development per TDC 34.330 and 34.340 Fence Design or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76. The I-205 frontage does not require a masonry fence per 34.330(3)(e). This criterion is satisfied with conditions of approval PFR -11 and 12.

F. TDC CHAPTER 36: SUBDIVIDING, PARTITIONING AND PROPERTY LINE ADJUSTMENTS

I. TDC SECTION 36.070 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS.

(1) All land divisions shall be created by a subdivision or partition plat and must comply with ORS Chapter 92 and this Chapter.

(2) All property line adjustments shall be executed by deed and must comply with ORS Chapter 92 and this Chapter.

(3) No subsequent land division or property line adjustment shall be approved on the same lot or parcel until the previously approved land division or property line adjustment has been filed and recorded in accordance with the provisions of this Chapter, or the previous approval is withdrawn, modified or otherwise invalidated.

FINDING:

This narrative, along with drawings and other exhibits, have been provided as evidence demonstrating that the proposed development complies with the applicable regulations of the City of Tualatin and ORS Chapter 92. This land division is proposed to be created by a subdivision complying with all applicable standards. This criterion is satisfied.

II. TDC SECTION 36.080 APPROVAL OF STREETS AND WAYS.

(1) The subdivision or partition plat shall provide for the dedication of all public rights-of-way, reserve strips, easements, tracts and accessways, together with public improvements therein approved and accepted for public use.

(a) The applicant shall comply with the requirements of TDC Chapter 74, Public Improvement Requirements.

(b) The applicant shall comply with the design and construction standards set forth in the Public Works Construction Code.

(c) The applicant shall provide evidence to the City that property intended to be dedicated to the public is free of all liens, encumbrances, claims and encroachments.

(2) The subdivision or partition plat shall indicate the ownership and location of private easements and tracts, and the owner-ship and location of private improvements within public rights-of-way and easements.

(3) Approval of the subdivision or partition plat by the City shall constitute acceptance of all public rights-of-way, reserve strips, easements, tracts and accessways shown thereon, as well as public facilities located therein.

FINDING:

This application has been submitted for preliminary plat approval. It is meant to illustrate proposed right-of-way dedication, construction of utilities and streets, and other improvements necessary to satisfy Tualatin Development Code requirements. All required improvements will be completed in conjunction with the final subdivision plat process. This criterion is satisfied.

III. TDC SECTION 36.090 ISSUANCE OF BUILDING PERMITS.

(1) Except as provided in subsection (5) of this section no building permit or permits to connect to City utility services shall be issued for lots within a subdivision or partition plat until the City Engineer has determined that the corresponding public improvements are substantially complete to assure that the health and safety of the citizens will not be endangered from inadequate public facilities.

(2) Subject to submittal and approval of, and compliance with, the subdivision plan, as well as sufficient security to assure completion of the public portions of the subdivision, the applicant or individual lot owners within the subdivision may receive a building permit or utility service for not more than 50 percent of the platted lots within the subdivision prior to:

(a) the completion of all required public improvements in accordance with the Public Works Construction Code; and

(b) the acceptance of the public improvements by resolution of the City Council.

(3) No building permits shall be issued or utility service approved for any lot which together with previously approved lots would exceed 50 percent of the platted lots within the subdivision until:

(a) all required public improvements have been completed in accordance with the Public Works Construction Code; and

(b) the public improvements have been accepted by resolution of the City Council.

FINDING:

The Applicant will comply with all requirements necessary to obtain building permits. Upon receiving a substantially complete status, the Applicant may request a number of building permits in order to initiate the construction of a series of two to four model homes. Code Section 36.090(2) allows for up to 50% of the homes, therefore 38, to be constructed after substantial completion of improvements and a recorded plat. Note: Prior to future Building Permit submittal for construction of single family residences the applicant shall obtain land use approval from the Planning Division in the form of an Architectural Review for Single Family Residence in compliance with TDC 31-071(7). This criterion is satisfied with conditions of approval PFR – 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58.

IV. TDC SECTION 36.120 APPLICATIONS AND FILING FEE.

(1) A request for a Subdivision shall be subject to a Neighborhood/Developer Meeting pursuant to TDC 31.063.

(2) The applicant shall discuss the preliminary plans with the City Engineer in a pre-application conference prior to submitting an application. An applicant for a subdivision shall conduct a Neighborhood/Developer Meeting subject to TDC 31.063. Following the pre-application conference and the Neighborhood/Developer Meeting, the applicant shall prepare and submit a City of Tualatin development application, available from the City Engineer.

(3) The application shall contain:

- (a) the proposed plat name, approved by the County Surveyor;
- (b) the names, addresses and telephone numbers of the property owners and applicants, and when applicable, the name and address of the design engineer or surveyor;
- (c) the signatures of the property owners and applicants; and
- (d) the site location by address and current County Tax Assessor's map and tax lot numbers.

(e) A description of the manner in which the proposed division complies with each of the expedited criterion for an Expedited Subdivision Application.

(f) If a variance or minor variance is requested to the dimensional standards of the lots, or the minimum lot size, adequate information to show compliance with the approval criteria in TDC Chapter 33.

(g) A "Service Provider Letter" from Clean Water Services indicating that a "Stormwater Connection Permit" will likely be issued.

(h) The information on the Neighborhood/Developer Meeting specified in TDC 31.063(10).

(i) If a railroad-highway grade crossing provides or will provide the only access to the subject property, the applicant must indicate that fact in the application, and the City must notify the ODOT Rail Division and the railroad company that the application has been received.

(4) The subdivision application shall be submitted to the City Engineer, along with:

- (a) the subdivision plan;
- (b) preliminary utility plans for streets, water, sanitary sewer and storm drainage;
- (c) a black and white 8 1/2" x 11" site plan suitable for reproduction;
- (d) a completed City fact sheet;
- (e) a Clean Water Services Service Provider letter; and
- (f) other supplementary material as may be required, such as:
 - (i) deed restrictions; or
 - (ii) for all non-buildable areas or tracts to be dedicated or reserved for public use, a statement of ownership, use, covenants, conditions, limitations and responsibility for maintenance.

(5) The following general information shall be shown on the subdivision plan:

- (a) appropriate identification clearly stating the map is a subdivision plan;
- (b) proposed plat name, approved by the County Surveyor;

(c) the names, addresses and telephone numbers of the property owners and applicants, and when applicable, the name and address of the design engineer or surveyor;

(d) the date the plan was prepared;

(e) north arrow;

(f) scale of drawing;

(g) location of the subdivision by 1/4 Section, Township and Range;

(h) existing streets (public and private), including location, name, centerline, right-of-way and pavement width on and abutting the site, and the location of existing and proposed access points;

(i) proposed streets (public and private), including location, centerline, right-of-way and pavement width, approximate radius of curves and approximate grades of proposed streets on the subject property and within three hundred feet of the site;

(j) an outline plan demonstrating that the adjacent property can be divided in the future in a manner that is consistent with the subdivision plan, and illustrating the connections to transit routes, pedestrian and bike facilities, and accessways to adjacent properties;

(k) easements, including location, width and purpose of all recorded and proposed easements in or abutting the site;

(l) public utilities, including the approximate location, size and grade of all existing and proposed sanitary sewers, the approximate location, size and grade of on-site and off-site storm drainage lines, and the approximate location and size of water lines;

(m) flood areas, including the location of any flood plain, drainage hazard areas and other areas subject to flooding or ponding;

(n) natural resources, including the location of natural features, such as rock outcroppings, wetlands, water courses, creeks, wooded areas and trees having a trunk diameter of eight inches or greater, as measured at a point four feet above ground level, proposed to be removed and to be retained on site;

(o) approximate lot dimensions, including all existing property lines and their lengths and the approximate location and dimensions of all proposed lots;

(p) approximate area of each lot;

(q) proposed lot numbers;

(r) existing structures, including the location and present use of all structures, wells and septic tanks on the site and an indication of which structures, wells and septic tanks are to remain after platting; indicate all City-designated historic landmarks;

(s) all lots and tracts of land intended to be dedicated or reserved for public use;

(t) a vicinity map showing a minimum one-mile radius;

(u) contour lines with intervals at a minimum of two feet for slopes up to five percent and five feet for slopes over five percent; and

(v) other information required by the City Engineer.

(6) The subdivision application shall be accompanied by a nonrefundable fee as established by City Council resolution. The subdivision application shall not be accepted until the fee has been paid to the City. This fee does not apply towards any building permit or other fees that may later be required.

(7) The applicant shall submit, along with the subdivision application:

(a) A list of mailing recipients pursuant to TDC .31.064(1).

(b) Proof of sign posting pursuant to TDC 31.064(2).

(8) Unless otherwise specified in the subdivision application, or approval, or in express direction from the City Engineer, any material submitted by the applicant with a subdivision application which exceeds the TDC requirements shall be considered a part of the subdivision plan approval.

(9) The applicant has the burden of demonstrating compliance with the applicable development regulations.

(10) The applicable time period for action on the subdivision application shall not commence until the City Engineer has determined that the application is complete.

(a) If the City Engineer fails to make such determination of completeness within 30 days of the date of its submission, or re-submission, the subdivision application shall be deemed complete upon the expiration of the 30-day period for purposes of commencing the applicable time period, unless:

(i) the application lacks information required to be submitted; or

(ii) the required fees have not been submitted; or

(iii) the City Engineer has notified the applicant in writing of the deficiencies in the application within 30 days of submission of the subdivision application.

(b) The City Engineer may subsequently require correction of any information found to be in error or submission of additional information not specified in this Chapter, as the City Engineer deems necessary to make an informed decision.

(11) The City Engineer shall prepare the standard form of Development Application for subdivision plans, including provisions which will best accomplish the intent of this section.

1. TDC SECTION 36.140 REVIEW PROCESS.

(1) Review of subdivision applications shall be a limited land use decision process. Before approval may be granted on a subdivision application, the City Engineer shall first establish that the subdivision proposal conforms to the Tualatin Development Code and applicable City ordinances and regulations, ... Failure of the proposal to conform is sufficient reason to deny the application.

(2) After the subdivision application is deemed complete, the City Engineer shall provide written notice of the application to and invite comments from:

(a) potentially affected governmental agencies such as the school district in which the subdivision is located, the fire district, the Oregon Department of Transportation, Tri-Met, Clean Water Services and Washington or Clackamas County;

(b) utility companies;

(c) City departments; and

(d) recipients pursuant to TDC 31.064(1).

(3) The notice sent in TDC 36.140(2) shall:

(a) state that written comments shall be submitted within 14 calendar days of the mailing date of the notice in order to be considered as a basis for a request for review;

(b) state that issues which may provide the basis for a request for review to the City Council and Land Use Board of Appeals shall be raised in writing prior to the

expiration of the comment period. Issues shall be raised with sufficient clarity and detail to enable the decision maker to respond to the issue and state how a person may be adversely affected by the proposal;

- (c) list the applicable criteria by code section for the decision;
- (d) include the street address or other easily understood geographical reference to the subject property;
- (e) state the place, date and time that comments are due, and that comments are due no later than 5:00 pm on the fourteenth calendar day after notice was sent;
- (f) state that copies of all evidence relied upon by the applicant are available for review, and can be obtained at cost;
- (g) state of the local government contact person and telephone number; and
- (h) briefly summarize the local decision-making process for the limited land use decision being made.

(4) Failure of a person or agency to receive the notice required in TDC 36.140(2) shall not invalidate any proceeding in connection with the application, provided the City can demonstrate by affidavit that notice was given in accordance with this section.

(5) Comments must be received by the City Engineer within 14 calendar days of the date the notice was mailed. Signed comments shall be in writing. Comments must raise issues with sufficient detail and clarity to enable the decision-maker to respond to the issue. Requests for review may be made only by parties who submitted written comments and may be adversely affected by the decision within the 14 calendar-day period.

(6) Prior to making a decision, the City Engineer may conduct one or more review meetings with the applicant, governmental agencies, utility companies and any other interested parties.

(7) The approval of a subdivision application shall not automatically grant other approvals that may be required by the Development Code or City ordinances. However, a decision on a requested minor variance to the dimensional standards of lots or the minimum lot size, shall be included in the subdivision decision.

(8) Approval or denial of a subdivision shall be based upon and accompanied by a brief statement that

- (a) explains the criteria and standards considered relevant to the decision;
- (b) states the facts relied upon in making the decision; and
- (c) explains the justification for the decision based on the criteria, standards and facts set forth.

(9) Notice of the decision shall be provided to the applicant, property owner, and any person who submitted written comments within the 14 calendar-day comment period. Notice of the decision shall include a description of rights to request a review of the decision.

(10) When the City Engineer determines that a complete application for a proposed development raises a substantial question over Code requirements, size, location or complexity and is likely to raise concern from a substantial portion of nearby property

owners or residents, the City Engineer may request that the City Council review the subdivision without first reaching a decision. The City Council shall hold a hearing in accordance with TDC 31.077. This applies to all subdivisions except for expedited subdivisions which shall not be the subject of a public hearing. The City Engineer shall prepare a report for presentation to the City Council, which may include recommendations on the subdivision application and requested minor variances.

FINDING:

Pre-application meeting were held on October 18, 2013, January 29, 2015, and January 28, 2015. The applicant held a public meeting that met the requirements of Section 31.06 on February 18, 2015 at 6 pm. The applicant initially submitted materials on June 4, 2015. After addressing incompleteness items it was deemed complete on September 17, 2015.

Materials submitted included

- the proposed plat name, approved by the County Surveyor
- the names, addresses and telephone numbers of the property owners and applicants, and when applicable, the name and address of the design engineer or surveyor
- the signatures of the property owners and applicants
- the site location by address and current County Tax Assessor's map and tax lot numbers
- A description of the manner in which the proposed division complies with each of the expedited criterion for an Expedited Subdivision Application
- A "Service Provider Letter" from Clean Water Services indicating that a "Stormwater Connection Permit" will likely be issued
- The information on the Neighborhood/Developer Meeting specified in TDC 31.063(10)
- the subdivision plan
- preliminary utility plans for streets, water, sanitary sewer and storm drainage
- electronic black and white site plans suitable for reproduction at any size including 8½" x 11"
- a completed City fact sheet
- Title Report with deed restrictions
- (ii) for all non-buildable areas or tracts to be dedicated or reserved for public use, a statement of ownership, use, covenants, conditions, limitations and responsibility for maintenance
- A list of mailing recipients pursuant to TDC 31.064(1)
- Proof of sign posting pursuant to TDC 31.064(2)
- Additional meeting notes with the neighborhood and adjacent commercial property owners dated May 20, 2014, December 5, 2013, January 12, 2015, and February 20, 2015
- Transportation Impact Analysis dated June 2, 2015 and Borland Update dated August 6, 2015
- Preliminary Storm Drainage Report
- Tree Assessment Report
- Design Modification request for SW Borland Road Access
- Design Modification request for SW 65th Avenue

- Clackamas County Recorded Document 84-16656-7 for Tualatin Professional Center within SW Sagert Street
- Select asbuilts of SW 65th Avenue SW Borland Road to SW Sagert Street Roadway and Drainage Improvements
- Electronic copies of submittals

Notice of the subdivision was mailed to the neighborhood mailing list and emailed to CIOs and Staff September 17, 2015 with public commentary period ending October 1, 2015. Eight comments from the public were received during the comment period and one afterwards. The developer responded to the comments October 16, 2015. All comments and responses are attached in the Appendixes. The information needed for a City fact sheet was submitted in the narrative under General Information and Site Information.

All shown tracts will either be consolidated with adjacent lots or be dedicated to the City. This criterion is satisfied with conditions of approval PFR -13.

V. TDC SECTION 36.410 DOUBLE FRONTAGE AND REVERSE FRONTAGE.

(1) Double frontage and reversed front-age lots should be avoided except where essential to provide separation of residential development from railroad tracks or crossings, traffic arterials or collectors, adjacent nonresidential uses, or to overcome specific disadvantages of topography and orientation.

(2) Residences on double frontage lots shall be oriented towards the lower classification street adjacent to the lot:

- (a) local street instead of collector or arterial; and
- (b) collector street instead of arterial.

(3) If two local streets are adjacent to a series of adjacent double frontage lots, then residences on all such lots shall be oriented towards the same local street.

FINDING:

Lots 1 and lots 46 through 54 are double frontage lots and adjacent to major arterials and collectors. All lots are oriented with driveways towards proposed local streets. This criterion is satisfied.

VI. TDC SECTION 36.420 EXISTING STRUCTURES AND APPURTENANCES.

(1) Any existing structures proposed to be demolished shall be removed prior to the City approval of the subdivision or partition plat. Any structures determined to be a historic City landmark shall be reviewed in accordance with TDC Chapter 68.

(2) Any existing wells shall be abandoned in the manner prescribed by State and County regulations prior to the City approval of the subdivision or partition plat.

(3) Any existing underground fuel or oil tanks, septic tanks and similar underground storage tanks shall be removed or filled as required by the Department of Environmental Quality prior to the City's approval of the subdivision or partition plat.

FINDING:

Plan sheets C111 to C114 show demolition of existing structures plus decommissioning and removal of wells and tanks. Permission to demolish the historic barn was completed through HIST-14-01, Historic Landmark Demolition Decision Barngrover Barn Removal which expires September 11, 2016. The applicant will need to complete demolition prior to this date or obtain another HIST approval or extension to demolish the historic barn. DEQ approves the decommissioning and removal of wells and tanks. The applicant will show the location of existing sanitary sewer septic tank for decommissioning. This criterion is satisfied with conditions of approval PFR -14, 40, and 41.

VII. TDC SECTION 36.450 SIDE LOT LINES.

The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.

FINDING:

The plans show the side lines of all lots generally run at right angles to the street upon which the lots face. This criterion is satisfied.

VIII. TDC SECTION 36.470 FRONTAGE ON PUBLIC STREETS.

All lots created after September 1, 1979 shall abut a public street, except for the following:

(1) Secondary condominium lots, which shall conform to TDC 73.400 and TDC 75;

(2) Lots and tracts created to preserve wetlands, greenways, Natural Areas and Stormwater Quality Control Facilities identified by TDC Chapters 71, 72 Figure 3-4 of the Parks and Recreation Master Plan and the Surface Water Management Ordinance, TMC Chapter 3-5 respectively, or for the purpose of preserving park lands in accordance with the Parks and Recreation Master Plan;

(3) Residential lots where frontage along a public street is impractical due to physical site restraints. Access to lots shall occur via a shared driveway within a tract. The tract shall have no adverse impacts to surrounding properties or roads and may only be approved if it meets the following criteria:

- (a) Does not exceed 250 feet in length,
- (b) If the tract exceeds 150 feet in length, it has a turnaround facility as approved by the Fire Marshal for fire and life safety,
- (c) The tract does not serve more than 6 lots,
- (d) A public street is not needed to provide access to other adjacent properties as required by TDC Chapter 74,

(e) A recorded document providing for the ownership, use rights, and allocation for liability for construction and maintenance has been submitted to the City Engineer prior to issuance of a building permit, and

(f) Access easements have been provided to all properties needing access to the driveway.

(4) Lots in the Manufacturing Park Planning District which have access to the public right-of-way in accordance with TDC 73.400 and TDC Chapter 75 via permanent access easement over one or more adjoining properties, creating uninterrupted vehicle and pedestrian access between the subject lot and the public right-of-way.

FINDING:

All lots shown on the applicant's subdivision plan abut public streets except Lot 2, which is adjacent to SW Borland Road, an access restricted major arterial. Access from Lot 2 to proposed SW 61st Terrace is proposed in an access easement across Lot 1. An access easement is not an acceptable means of providing access to Lot 2. Access to Lot 2 needs to be provided via flag pole with a width at least 20-feet. This criterion is satisfied with conditions of approval PFR -15.

G. TDC 38: SIGN REGULATIONS

I. TDC SECTION 38.060 SIGN PERMIT REQUIRED.

(3) A separate sign permit application shall be submitted for each sign erected, constructed, modified, relocated, replaced, face changed or structurally altered and for sign repair that includes these activities. Sign maintenance requires no permit. All proposed work on a sign shall be shown in the sign permit application.

(4) When required by the Uniform Building Code or the Building Official, a separate building permit shall be obtained from the City for the erection, construction, modification, relocation, replacement, change of sign face or alteration of a sign or sign structure.

(5) When required by the State Electrical Code or the Building Official, an electrical permit shall be obtained from the issuing authority before connecting an electrical sign to a source of electricity. The electrical components of signs shall meet the applicable electrical standards as shown by certification from those testing laboratories approved by the State of Oregon as meeting the testing standards for electrical safety as required by Oregon Revised Statutes 479.510 - 479.855 and Oregon Administrative Rule 918-330-000, as constituted on the effective date of this ordinance or as may hereafter be amended.

(6) Building and electrical permits shall be applied for in accordance with the procedures of the issuing agency, provided such permits are not issued until a sign permit has been issued.

FINDING:

The plans show monument signs at the entrance to the proposed subdivision at the southeast corners of the intersections of proposed SW 61st Terrace and SW Borland Road plus SW 65th Avenue and SW Sagert Street. Sign permitting is not a part of the subdivision land use decision and will require a separate permitting process. This criterion is satisfied with conditions of approval PFR -63.

H. TDC 40: LOW DENSITY RESIDENTIAL PLANNING DISTRICT (RL)

I. TDC SECTION 40.010 PURPOSE.

The purpose of this district is to provide low density residential areas in the City that are appropriate for dwellings on individual lots, as well as other miscellaneous land uses compatible with a low density residential environment.

FINDING:

The Applicant is proposing the subdivision of the subject property to provide low density residential lots for single family dwellings. This criterion is satisfied.

II. TDC SECTION 40.015 PERMITTED DENSITY.

Housing density shall not exceed 6.4 units per net acre, except as set forth below:

(1) The maximum density for small-lot subdivisions, and partitions and subdivisions affected by TDC 40.055, shall not exceed 7.5 dwelling units per net acre.

(2) The maximum density for retirement housing in accordance with TDC 34.170(2) shall not exceed 10 dwelling units per net acre.

1. TDC SECTION 1.020 DEFINITIONS.

Density, Maximum Net. Maximum net density applies only to partition, subdivision, and architectural review applications reviewed through the Expedited Process set forth in House Bill 3065, Sections 6-11, 1995 Legislature, and is the land area within the lot lines of a tax lot after land has been removed for rights-of-way and tracts. House Bill 3065's reference to 80 percent of maximum net density in Section 7(1)(a)(E) is calculated by taking the gross acreage and subtracting land removed for rights-of-way and tracts and multiplying that net acreage figure by the maximum allowed density and then multiplying that figure by 80 percent.

FINDING:

The southern portion of the subject site has been identified as a Greenway Protected in the NRPO per The City of Tualatin Map 72-1: Natural Resources Protection Overlay District (NRPO) and Greenway Locations. Per the requirements of TDC 40.055 the proposed Greenway has been located wholly within a tract. The proposed subdivision is affected by TDC 40.055, therefore the maximum allowed density of the site is 7.5 dwelling units per acre.

The net acreage of the site (after the removal of the right-of-way, greenway tract, CWS vegetative corridor tract, and water quality tract per TDC Section 1.020 and TDC 40.055(1)(v)),) is 11.4 acres. The proposed 79 dwelling units result in a density of 7.0 dwelling units per net residential acre which is below the maximum of 7.5 dwelling units per acre. This criterion is satisfied.

III. TDC SECTION 40.020 PERMITTED USES.

- (1) Single-family dwellings, including manufactured homes.
- (2) Agricultural uses of land, such as truck gardening, horticulture, but excluding commercial buildings or structures and excluding the raising of animals other than the following:
 - (a) Normal household pets;
 - (b) Chickens as otherwise allowed by the Tualatin Municipal Code.
- (3) Home occupations as provided in TDC 34.030 to 34.050.
- (4) Public transit shelters.
- (5) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
- (6) Residential homes.
- (7) Residential facilities for up to 15 residents, not including staff.
- (8) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.
- (9) Sewer and water pump stations and pressure reading stations.
- (10) Wireless communication facility attached, provided it is not on a single-family dwelling or its accessory structures.
- (11) Accessory dwelling units as provided in TDC 34.300 to 34.310.
- (12) Transportation facilities and improvements.
- (13) Public park, public playground, and public recreation building.

FINDING:

The proposed single-family dwellings, greenways and natural areas, and transportation facilities and improvements are permitted outright in the RL zone. This criterion is satisfied.

IV. TDC 40.050 LOT SIZE FOR PERMITTED USES.

Except as otherwise provided, the lot size for a single-family dwelling shall be:

- (1) The minimum lot area shall be an average of 6,500 square feet.
- (2) The average lot width shall be at least 30 feet.
- (3) When a lot has frontage on a public street, the minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.
- (4) The maximum building coverage shall be 45 percent.
- (5) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(7) - (12).

FINDING:

The proposed lots range in size from 5,000 square feet to 9,012 square feet. With the removal of 16 small lots from the average lot size calculation (per Section 40.055 below), the overall average lot area is 6,502 square feet, which exceeds the minimum of 6,500 square feet per the requirements of subsection (1).

All lots exceed the 30-foot minimum average width in subsection (2).

All lots will have frontage on a public street and will meet the minimum width requirement of subsection (3) of 50 feet on a street and 30 feet around a cul-de-sac bulb.

The homes will meet the lot coverage standard of subsection (4). No more than 45% of any lot will be covered with buildings. This will be verified at time of building permit submission.

Lot 1 and Lot 2 will have frontage on Borland Road, but will access proposed SW 61st Terrace, a proposed local street. Lot 2 will become a flag lot with a pole to proposed SW 61st Terrace at least 20 feet wide. This criterion is satisfied with conditions of approval PFR -15 and 53.

V. TDC SECTION 40.055 LOT SIZE FOR GREENWAY AND NATURAL AREA TRACTS AND LOTS.

(1) The decision authority for partitions and subdivisions may allow one small lot for each 6,500 square feet of Tract created in the subdivision or partition process, provided the following criteria are met:

- (a) Each Tract must be:
 - (i) wholly in the Natural Re-source Protection Overlay (NRPO) District (TDC Chapter 72), or
 - (ii) wholly in an Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or
 - (iii) wholly in a Clean Water Services Vegetated Corridor.

- (b) The ownership of each Tract must be one of the following:
 - (i) dedicated to the City at the City's option, or
 - (ii) dedicated in a manner approved by the City to a non-profit conservation organization, or
 - (iii) retained in private ownership by the developer.
- (c) The small lot:
 - (i) Shall be no less than 5,000 square feet and no more than 5,999.99 square feet.
 - (ii) The average lot width shall be at least 30 feet.
 - (iii) The minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.
 - (iv) The maximum building coverage for lots less than 6,000 square feet shall be 45 percent.
 - (v) The subdivision's or partition's density, net of the Tracts, shall not exceed 7.5 dwelling units per acre.

(2) The decision authority for partitions and subdivisions shall consider, but is not limited to, the following factors when determining if TDC 40.055(1)(b)(i - iii) are allowed:

- (a) Does the Park and Recreation Master Plan designate the Tract for a greenway, pedestrian or bike path, public park, recreation, overlook or interpretive facility, or other public facility;
- (b) Does the Tract include one or more designated Heritage Trees, or one or more significant trees;
- (c) Does the Tract provide a significant view or esthetic element, or does it include a unique or intrinsically valuable element;
- (d) Does the Tract connect publicly owned or publicly accessible properties;
- (e) Does the Tract abut an existing park, greenway, natural area or other public facility;
- (f) Does the Tract provide a public benefit or serve a public need;
- (g) Does the Tract contain environmental hazards;
- (h) Geologic stability of the Tract; and
- (i) Future maintenance costs for the Tract.

(3) The following shall apply to small lots included in a partition or subdivision pursuant to (1) above:

(a) When a small lot abuts an existing lot in an approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the abutting lot. For example, a new small lot shall be no less than 5,500 square feet if it abuts an existing lot of 6,000 square feet; 5,600 square feet if it abuts an existing lot of 6,100 square feet; 5,700 square feet if it abuts an existing lot of 6,200 square feet; and so on, up to 5,999 square feet if it abuts an existing lot of 6,499 square feet.

(b) When a small lot is directly across a local street from an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the lot directly across the street. For purposes of this section, a small lot is directly across the street if one or more of its lot lines, when extended in a straight line across the local street, intersect the property line of the lot across the street.

(c) When a Tract or easement is between a small lot and an existing lot in a City approved and recorded subdivision or partition the small lot shall be separated from the existing lot by at least 50 feet.

(d) When a subdivision is constructed in phases, a small lot in a later phase may abut or be directly across a local street from an existing lot in an earlier phase.

FINDING:

The Applicant has proposed a 2.91 acre (127,760 square feet) tract which is wholly in the Natural Resource Overlay District. The Applicant has additionally proposed a 0.96 acre (41,818 square feet) tract for the purpose of the Saum Creek Greenway Trail. The two proposed tracts are to be dedicated to the City at the City's option. For the 168,578 square foot tract dedication, the Applicant is allowed 25 total small lots (168,578 square feet/6,500 square feet = 25.93 lots).

The Applicant has provided 16 small lots with a minimum square footage of 5,000 square feet and a maximum of 5,951 square feet. The average width of the proposed lots will meet the minimum average width of 30 feet. All proposed lots will have street frontage and will meet the minimum frontage requirement of 50 feet on a street and 30 feet around a cul-de-sac bulb. The maximum building coverage will not exceed 45 percent.

The lots proposed for the small lot allowance are lots 10, 33, 36, 41-43, 47-53 and 63-65.

The proposed 79 dwelling units result in a density of 7.0 dwelling units per net residential acre which is below the maximum of 7.5 dwelling units per acre.

The Park and Recreation Master Plan designates the area shown as Tract A as a greenway per subsection (a).

The Park and Recreation Master Plan designates the area shown as Tract B as a pedestrian path per subsection (a).

The applicant understands that based on the criteria of this section, ownership of Tracts A and B shall be determined by the City.

The Applicant is not proposing to locate any small lots abutting an existing lot in an approved or recorded subdivision or partition per subsection (a).

The Applicant is not proposing to locate any small lots directly across a local street from an existing lot in a City approved and recorded subdivision or partition per subsection (b).

The Applicant is not proposing to locate a tract or easement between any small lots and a City approved and recorded subdivision or partition per subsection (c)

The Applicant is not proposing a phased construction of the proposed subdivision (d).

This criterion is satisfied with conditions of approval PFR -43 and 53.

VI. TDC SECTION 40.070 SETBACK REQUIREMENTS FOR PERMITTED USES.

Except as otherwise provided, the setbacks for permitted uses shall be:

- (1) The front yard setback shall be a minimum of 15 feet, except to an unenclosed porch, which shall be 12 feet.
- (2) The setback to a garage door shall be a minimum of 20 feet.
- (3) The side yard setback shall be a minimum of five feet.
- (4) For a corner lot, the following provisions shall apply:
 - (a) one front yard setback shall be a minimum of 15 feet; it shall be determined by the orientation of the structure based on the location of the front door.
 - (b) the second front yard setback shall be a minimum of 10 feet.
- (5) The rear yard setback shall be a minimum of 15 feet.

FINDING:

The plans show general possible footprints of structures with setbacks of 15 feet to the front and rear and 5 for the sides. All setback standards will be met at the time of building permit submittal. This criterion is satisfied with conditions of approval PFR 54.

VII. TDC SECTION 40.090 PROJECTIONS INTO REQUIRED YARDS.

Cornices, eaves, canopies, decks, sun-shades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and other similar architectural features may extend or project into a required front or rear yard setback area not more than three feet and into a required side yard not more than two feet, or into the required open space as established by coverage standards in this chapter.

FINDING:

Future structure projections into yards will be maximum of front or rear yard setback area not more than three feet and into a required side yard not more than two feet. This criterion is satisfied with conditions of approval PFR -55.

VIII. TDC SECTION 40.100 STRUCTURE HEIGHT.

Except as otherwise provided, the maximum structure height is 35 feet.

FINDING:

Future structure heights will be a maximum of 35 feet. This criterion is satisfied with conditions of approval PFR -56.

I. TDC CHAPTER 72: NATURAL RESOURCE PROTECTION OVERLAY DISTRICT (NRPO)

I. TDC SECTION 72.010 PURPOSE.

(1) To identify and protect by preservation and conservation the designated significant natural resources and Other Natural Areas. The designated significant natural resources are greenways and natural areas, which include the riparian areas and scenic areas of the Tualatin River and certain creeks and drainage swales, wetlands, upland forests, meadows, fish and wildlife resources, and the geologic features of the Tonquin Scablands. Significant Natural Resources are identified on the Significant Natural Resource List and Map TDC 72.013 and Map 72-3, TDC). The significant natural resources designated for protection are shown on Map 72-1, TDC. Other Natural Areas are identified on Figure 3-4 of the Parks and Recreation Master Plan.

(3) To provide public access to scenic and riparian areas, where appropriate, by designating pedestrian and bicycle path locations.

(4) To provide specific design standards for development adjacent to, and within, greenways and natural areas in order to preserve and conserve them, and provide mechanisms for the granting of easements or dedications for Greenways, and Natural Areas while allowing reasonable economic development of property adjacent to the greenways and natural areas.

FINDING:

A portion of the project site has been identified in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) Wetland and Natural Areas Inventory Environmental and Social Value Assessment as the location of a portion of Wetland W9. The wetland located on site is a Significant Natural Resource categorized as "high" in Fish Habitat Value, Hydrologic Control, and Water Quality.

The Wetland has been determined to be Significant. This criterion is satisfied.

II. TDC SECTION 72.013 SIGNIFICANT NATURAL RESOURCES.

The following natural resource sites identified in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) are Significant Natural Resources:

Unit #	Resource #	Assessors Map and Tax Lot		
S	F9	Interstate 5 Hwy ROW		
S2	F5	21E30A01300 21E30B00200	21E30A01600 21E30B00600	21E30A01700 21E30B00100

FINDING:

The project site, tax lot 21E30B00600, has been identified as a natural resource site in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory. This criterion is satisfied.

III. TDC SECTION 72.020 LOCATION OF GREEN-WAYS AND NATURAL AREAS.

(1) The designated significant natural resources are the Greenways and Natural Areas on Map 72-1, which shows the general location of the NRPO District. The general locations of Other [n] Natural Areas are shown on the Recreation Resources Map (Figure 3-4) of the Parks and Recreation Master Plan.

(2) Lands in the Wetland Protection District (WPD) are subject to Chapter 71, and other applicable regulations, but not Chapter 72.

FINDING:

The southern portion of the project site has been identified on Map 72-1: Natural Resource Protection Overlay District (NRPO) and Greenway Locations as the location of the Saum Creek Greenway, a greenway protected in the NRPO. This criterion is satisfied.

IV. TDC SECTION 72.030 GREENWAYS.

(1) Greenways can exhibit diverse characteristics. Those along the Tualatin River and Hedges, Nyberg and Saum Creeks can be natural in some sections and have pedestrian and bike paths in other sections. Greenways in built-up areas such as in subdivisions are typically landscaped with lawn and often include concrete pedestrian/bike paths.

(3) Creek Greenways (NRPO-GC).

(a) Except as provided in Subsections (b-d), the NRPO-GC District shall have a width of 50 feet centered on the centerline of Hedges Creek from SW Ibach Street to the western boundary of the Wet-lands Protection District and from the eastern boundary of the Wetlands Protection District to the Tualatin River, and centered on Nyberg Creek from SW Tonka Street to the Tualatin River.

(b) The NRPO-GC District shall have a width of 30 feet centered on the centerline of Nyberg Creek from SW Boones Ferry Road to SW Tonka Street.

(c) Property owners on opposite sides of a creek may enter into a written agreement to allow the NRPO-GC District to be off-center, but in no case shall it be less than 15 feet on one side of the creek. Such agreement shall be binding on property owners, their heirs and assigns; shall be approved by City Council and shall be placed on permanent file with the City Recorder.

(d) The NRPO-GC District shall have a width of 50 feet extending out from the top of the stream bank or from the upland edge of wetlands within the stream riparian area on the following creek sections:

(i) Hedges Creek from SW 105th Avenue downstream to the private driveway culvert at the upper end of the fire pond at Tri-County Industrial Park,

(ii) Hedges Creek from the fire pond dam's outlet at Tri-County Industrial Park downstream to SW Tualatin-Sherwood Road, and

(iii) Saum Creek beginning east of I-5, just north of I-205 extending downstream to the Tualatin River, except:

(A) a width of 25 feet extending out from the upland edge of wet-lands in the stream riparian area for the severely constrained properties shown on Map 72-1, and

(B) to the upland edge of the wetland in the stream riparian area adjacent to existing developed residential properties west of Atfalati Park shown on Map 72-1.

FINDING:

This site contains a portion of the area designated as the Saum Creek Greenway. This criterion is satisfied.

V. TDC SECTION 72.060 DEVELOPMENT RESTRICTIONS IN GREENWAYS AND NATURAL AREAS.

(1) Except as provided in Subsection (2), no building, structure, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development shall occur within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas.

(2) The following uses, activities and types of development are permitted within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas provided they are designed to minimize intrusion into riparian areas:

(a) Public bicycle or pedestrian ways, subject to the provisions of TDC 72.070.

(b) Public streets, including bridges, when part of a City approved transportation plan, and public utility facilities, when part of a City approved plan and provided appropriate restoration is completed.

(c) Except in Wetland Natural Areas, private driveways and pedestrian ways when necessary to afford access between portions of private property that may be bisected by a Greenway or Open Space Natural Area.

(d) Except in Creek Greenways and Wetland Natural Areas, outdoor seating for a restaurant within the Central Urban Renewal District, but outside of any sensitive area or its vegetated corridor.

(e) Public parks and recreational facilities including, but not limited to, boat ramps, benches, interpretive stations, trash receptacles and directional signage, when part of a City-approved Greenway or Natural Area enhancement plan.

(f) Landscaping, when part of a landscape plan approved through the Architectural Review process. City initiated landscape projects are exempt from the Architectural Review process. Landscaping in Greenways and Natural Areas shall comply with the approved Plant List in the Parks and Recreation Master Plan. When appropriate, technical advice shall be obtained from the Oregon Department of Fish and Wildlife, U.S. Soil Conservation Service, or similar agency, to ensure the proposed landscaping will enhance the preservation of any existing fish or wildlife habitats in the vicinity.

(g) Wildlife protection and enhancement, including the removal of non-native vegetation and replacement with native plant species.

(h) Except in Wetland Natural Areas, public boating facilities, irrigation pumps, water-related and water-dependent uses including the removal of vegetation necessary

for the development of water-related and water-dependent uses, and replacement of existing structures with structures in the same location that do not disturb additional riparian surface.

(i) In Wetland Natural Areas, perimeter mowing and other cutting necessary for hazard prevention.

(3) The City may, through the subdivision, conditional use, architectural review, or other development approval process, attach appropriate conditions to approval of a development permit. Such conditions may include, but are not limited to:

- (a) Use of Greenways and Natural Areas for storm drainage purposes;
- (b) Location of approved landscaping, pedestrian and bike access areas, and other non-building uses and activities in Greenways and Natural Areas;
- (c) Setback of proposed buildings, parking lots, and loading areas away from the Greenway and Natural Area boundary.

(4) Greenways and Natural Areas in which an access easement is owned by the City, but retained in private ownership, shall be maintained by the property owner in their natural state and may only be modified if a landscape and maintenance plan complies with the approved Plant List in the Parks and Recreation Master Plan, and has been approved through the Architectural Review process or by the Parks and Recreation Director when Architectural Review is not required.

(5) The Parks and Recreation Director shall be included as a commentor when a development application proposes dedication of Greenway or Natural Area property to the City or when development is pro-posed on Greenway or Natural Areas property maintained by the Parks and Recreation Department.

FINDING:

The Applicant is not proposing any buildings, structures, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development within the Greenway and Wetland. There are no proposed pedestrian ways that connect to the trail across wetlands or open space. The wetland and associate buffer is shown in a separate tract than the one for greenway and trail purposes.

In order to minimize intrusion into the riparian area, the proposed pathway will be constructed as detailed in Section 72.070, below. This criterion is satisfied.

VI. TDC SECTION 72.070 GENERAL GUIDELINES FOR PEDESTRIAN AND BIKE PATHS IN GREENWAYS.

To construct bike and pedestrian paths in greenways, the developer of the path shall adhere to the following guidelines, wherever practicable:

- (1) Incorporate trails into the surrounding topography.
- (2) Provide viewing opportunities for special vistas, wetlands, and unique natural features.

(3) Protect existing vegetation to the greatest extent possible. In wooded areas meander paths through the woods to avoid significant trees. An arborist should be consulted to determine methods for minimizing impact of construction of paths near trees greater than 5 inch caliper as measured 4 feet above-grade.

(4) Replant trees in the vicinity where they were removed. Use native species as outlined in the approved plant list incorporated in the Parks and Recreation Master Plan.

(5) Minimize impact on wetland environments. Build paths above wetlands wherever possible. Use boardwalks, bridges or other elevated structures when passing through a wetland. Direct trails away from sensitive habitat areas such as nesting or breeding grounds.

(6) Provide interpretive opportunities along the trail. Use interpretive signage and displays to describe plant and animal species, nesting areas, wildlife food sources, and geologic, cultural and historic features.

(7) Provide amenities along the trail. Place benches, picnic tables, trash receptacles and interpretive signage where appropriate.

(8) Where paths are placed in utility corridors, path design should be coordinated with the City's Engineering and Building Department and Operations Department to allow utility maintenance.

(9) Mitigate surface water drainage near wetlands and streams. Where hard surface trails occur adjacent to wetlands or creeks, provide, when appropriate, an open water system through swales, trench percolation, or on-site detention ponds to prevent erosion and negative impacts.

(10) Incorporate signage. Place properly scaled and sited regulatory and guide signs to instruct users on accessibility, local conditions, safety concerns and mileage information.

FINDING:

The City's Parks and Transportation System plans indicate that an extension of the Saum Creek trail will ultimately be constructed adjacent to Saum Creek, along the Southern boundary of the property. The applicant has created a tract on the preliminary plat which would provide a location and alignment for the extension of the trail and will enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Improvement Agreement. This criterion is satisfied with conditions of approval PFR -45.

VII. TDC SECTION 72.080 SHIFT OF DENSITY FOR RESIDENTIAL DEVELOPMENT ADJACENT TO GREENWAYS OR NATURAL AREAS.

(2) Small lots may be allowed in subdivisions and partitions in accordance with TDC 40.055 (RL District).

FINDING:

The applicant has provided responses for Section 40.055 (RL District) as a part of this narrative and the requirements are addressed in this decision. Sixteen (16) small lots are proposed in accordance with Section 40.055. This criterion is satisfied.

VIII. TDC SECTION 72.100 PARKS SYSTEMS DEVELOPMENT CHARGE (SDC) CREDIT.

Ordinance 833-91 establishes a System Development Charge for Parks in residential planning districts. The ordinance contains provisions for credits against the Parks SDC, subject to certain limitations and procedures. Credit may be received up to the full amount of the Parks SDC fee. Dedication of NRPO District Areas, Other Natural Areas or vegetated corridors located within or adjacent to the NRPO District listed in the SDC capital improvement list are eligible for a SDC credit. Dedication and improvement of bicycle and pedestrian paths may also be eligible for a SDC credit.

FINDING:

The Applicant may seek Parks SDC credits if required to construct a portion of the proposed Saum Creek Greenway pedestrian path.

This criterion is satisfied with conditions of approval PFR -50.

IX. TDC SECTION 72.110 EASEMENTS FOR PEDESTRIAN AND BICYCLE ACCESS.

In any portion of the NRPO District, the City may, through the subdivision, partition, conditional use, architectural review, or other applicable development approval process, require that easements for pedestrian and bicycle access and maintenance uses be granted as a condition of approval when said easements are necessary to achieve the purposes of the Parks and Recreation Master Plan, Greenways Development Plan, or Bikeways Plan.

FINDING:

As the NRPO is within a designated tract, further easements are unnecessary to achieve the purposes of the Parks and Recreation Master Plan, Greenways Development Plan and Bikeways Plan. The applicant will convey Tracts A and B by statutory warranty deed and execute and record Greenway easements covering the connecting pathway over the public sanitary sewer easement between Lots 69 and 70 prior to final plat approval.

This criterion is satisfied with conditions of approval PFR -43.

J. TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS

I. TDC SECTION 73.250 TREE PRESERVATION.

(1) Trees and other plant materials to be retained shall be identified on the landscape plan and grading plan.

(2) During the construction process:

(a) The owner or the owner's agents shall provide above and below ground protection for existing trees and plant materials identified to remain.

(b) Trees and plant materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.

(c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in TDC 31.060.

(d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

(e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.

(f) Tree root ends shall not remain exposed.

(3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.

(4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, nearby landscape materials. Native trees are encouraged

(5) Pruning for retained deciduous shade trees shall be in accordance with National Arborist Association "Pruning Standards For Shade Trees," revised 1979.

(6) Except for impervious surface areas, one hundred percent (100%) of the area preserved under any tree or group of trees retained in the landscape plan (as approved through the Architectural Review process) shall apply directly to the percentage of landscaping required for a development.

FINDING:

The applicant submitted a Tree Protection and Removal Plan (Sheet C105-C109) that identifies the locations of all trees on site eight inches or more in diameter. The CWS required easement boundary has been identified on the tree plan. Trees proposed for removal have also been identified. A tree assessment has been prepared and provided with this application.

The trees that are being proposed for removal as a part of this Subdivision Review are being removed to accommodate the construction of the proposed improvements for the subdivision plan. All tree removal is detailed in the included Arborist's report, as well as sheets C105 through C109. All proposed tree removal is necessary to construct the proposed improvements associated with the subdivision.

Trees in the Sequoia Ridge Natural Area shall be protected throughout construction. Applicant shall grant a conservation easement to preserve trees along east property lines of Tract F and Lot 79. City will accept a dedication of Tract F as Natural Area, if applicant plants it in northwest native trees, shrubs, and ground cover. There would be no compensation for the dedication of Tract F.

This criterion is satisfied with conditions of approval PFR -1, 10, and 46.

II. TDC SECTION 73.270 GRADING.

- (1) After completion of site grading, top-soil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.
- (2) All planting areas shall be graded to provide positive drainage.
- (3) Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.
- (4) Impervious surface drainage shall be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.

FINDING:

The applicant has submitted plans showing erosion control on sheets C116 to C119 for an area of approximately 20.9 acres. This criterion is satisfied with conditions of approval PFR -5 and 6.

III. TDC SECTION 73.280 IRRIGATION SYSTEM REQUIRED.

Except for townhouse lots, landscaped areas shall be irrigated with an automatic underground or drip irrigation system.

FINDING:

The plans indicate a water meter and splitting the water service in the planter strip for each lot, but don't clearly indicate that the landscaped areas will be irrigated. Irrigation is needed per TDC. This criterion is met with conditions of approval PFR -59.

TDC Section 73.370 Off-Street Parking and Loading.

(2) Off-Street Parking Provisions.

(a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City

USE	MINIMUM MOTOR VEHICLE PARKING REQUIREMENT	MAXIMUM MOTOR VEHICLE PARKING REQUIREMENT	BICYCLE PARKING REQUIREMENT	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
<u>Residential Uses:</u>				
(i) Detached single-family dwelling, residential home, residential facilities (located in low density (RL) planning districts) Townhouse	2.00 vehicle parking spaces per dwelling unit, residential home or residential facility (stalls or spaces within a residential garage not included, except as approved in Architectural Review).	None	None Required	N/A

FINDING:

Future permits for building construction will show 2 onsite parking spaces per lot. This criterion is met with conditions of approval PFR -57.

IV. TDC SECTION 73.400 ACCESS.

(2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.

(3) Joint and Cross Access.

(b) A system of joint use driveways and cross access easements may be required and may incorporate the following:

(i) a continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

(ii) a design speed of 10 mph and a maximum width of 24 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

(iii) stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;

(iv) a unified access and circulation system plan for coordinated or shared parking areas.

(c) Pursuant to this section, property owners may be required to:

- (i) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
- (ii) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
- (iii) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners;

(5) Lots that front on more than one street may be required to locate motor vehicle accesses on the street with the lower functional classification as determined by the City Engineer.

FINDINGS:

Lot 1 and Lot 2 will have frontage on SW Borland Road, a minor arterial. Motor vehicle access for lot 2 will be provided via a flag pole at least 20 feet wide to proposed SW 61st Terrace, a proposed local road. The 20-foot width will allow for a minimum 10-foot wide driveway with 5-foot setbacks to the property lines. This criterion is satisfied with conditions of approval PFR -15.

(6) Except as provided in TDC 53.100, all ingress and egress shall connect directly with public streets.

FINDINGS:

All lots shown on the Applicants plan have vehicular and pedestrian ingress and egress from private property to the public streets. This criterion is met.

(8) To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the City Engineer. Sidewalks approved by the City Engineer may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grades and alignment established by the City Engineer.

FINDINGS:

The proposed development will provide sidewalks along all street frontages, as shown on the attached Site Plan (Sheet C200). All proposed sidewalks will be constructed to City Standards. All shown sidewalks are of widths that meet standards, within right-of-way, and connect to any existing adjacent sidewalks. This criterion is satisfied.

(9) The standards set forth in this Code are minimum standards for access and egress, and may be increased through the Architectural Review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety, and general welfare.

(10) Minimum access requirements for residential uses:

(a) Ingress and egress for single-family residential uses, including townhouses, shall be paved to a minimum width of 10 feet. Maximum driveway widths shall not exceed 26 feet for one and two car garages, and 37 feet for three or more car garages. For the purposes of this section, driveway widths shall be measured at the property line....

FINDINGS:

Future building permits for each lot will show driveways widths a minimum of 10 feet wide and with a maximum for 26 feet for one or two car garages and 37 for three or more. This criterion is satisfied with conditions of approval PFR -58.

(11) Minimum Access Requirements for Commercial, Public and Semi-Public Uses.

...In all other cases, ingress and egress for commercial uses shall not be less than the following:

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
1-99	1	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only
100-249	2	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only
Over 250	As required by City Engineer	As required by City Engineer	As required by City Engineer

(13) One-way Ingress or Egress.

When approved through the Architectural Review process, one-way ingress or egress may be used to satisfy the requirements of Subsections (7), (8), and (9). However, the hard surfaced pavement of one-way drives shall not be less than 16 feet for multi-family residential, commercial, or industrial uses.

FINDINGS:

No one way ingress or egress is shown. This criterion is satisfied.

(14) Maximum Driveway Widths and Other Requirements.

(a) Unless otherwise provided in this chapter, maximum driveway widths shall not exceed 40 feet.

(b) Except for townhouse lots, no driveways shall be constructed within 5 feet of an adjacent property line, except when two adjacent property owners elect to provide joint access to their respective properties, as provided by Subsection (2).

(c) There shall be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Engineer.

(15) Distance between Driveways and Intersections.

Except for single-family dwellings, the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection.

(a) At the intersection of collector or arterial streets, driveways shall be located a minimum of 150 feet from the intersection.

(b) At the intersection of two local streets, driveways shall be located a minimum of 30 feet from the intersection.

(c) If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the 5-foot setback between the driveway and property line as required by TDC 73.400(14)(b).

(d) When considering a public facilities plan that has been submitted as part of an Architectural Review plan in accordance with TDC 31.071(6), the City Engineer may approve the location of a driveway closer than 150 feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision. The written approval shall be incorporated into the decision of the City Engineer for the utility facilities portion of the Architectural Review plan under the process set forth in TDC 31.071 through 31.077.

FINDINGS:

The Applicant is not proposing commercial use as a part of this development. The Applicant understands and acknowledges that the standards in this code are minimum standards for access and egress and they may be increased through the Architectural Review process. With construction of SW Sagert Street two 24-foot wide driveways for Tualatin Professional Center and one 24-foot wide driveway for MEI, both commercial uses, with access easement over Tract E are shown on the plan sheet C121. The west access for Tualatin Professional Center is approximately 75 feet from the intersection of SW 65th Avenue and SW Sagert Street and therefore access restricted to right-in/right-out as supported by the submitted Transportation Impact Analysis by Kittelson and Associates. The other two accesses are greater than 150 feet from the intersection and are not restricted. All accesses are greater than 30 feet from a intersection with a local street. For both lots, one access to each lot will need to be at least 32-foot wide. The access easement for MEI will need to match the width of the access. This criterion is satisfied with conditions of approval PFR -16.

(16) Vision Clearance Area.

(a) Local Streets - A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 10 feet from the intersection point of the right-of-way lines, as measured along such lines (see Figure 73-2 for illustration).

(b) Collector Streets - A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet (see Figure 73-2 for illustration).

(c) Vertical Height Restriction - Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular

parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction shall be permitted between 30 inches and 8 feet above the established height of the curb in the clear vision area (see Figure 73-2 for illustration).

FINDINGS:

The Applicant has illustrated the required vision clearance area triangle for each proposed intersection on the submitted plans and Figure 1 and Figure 2 submitted under Appendix F. All required vision clearance areas will be maintained. This criterion is satisfied.

(17) Major driveways, as defined in 31.060, in new residential and mixed-use areas are required to connect with existing or planned streets except where prevented by topography, rail lines, freeways, pre-existing development or leases, easements or covenants, or other barriers.

FINDINGS:

No major driveways are proposed. This criterion is satisfied.

K. TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS

I. TDC SECTION 74.120 PUBLIC IMPROVEMENTS.

(1) Except as specially provided, all public improvements shall be installed at the expense of the applicant. All public improvements installed by the applicant shall be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. No work shall be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and a Public Works Permit issued and the required fees paid.

FINDINGS:

A conceptual land use plan set has been submitted to show the proposed public water, sanitary sewer, and storm drainage facilities meeting City requirements to serve the proposed development. The public improvements additionally include public streets and trail with connections to public streets. This criterion is satisfied with conditions of approval PFR -39 and 48.

TDC Section 74.130 Private Improvements.

All private improvements shall be in-stalled at the expense of the applicant. The property owner shall retain maintenance responsibilities over all private improvements.

FINDINGS:

Onsite improvements related to relocating Tualatin Professional Center's parking lot out of public right-of-way as well as the masonry fences required in TDC 34.32-340 are private improvements. This criterion is satisfied with conditions of approval PFR -16 and 51.

II. TDC SECTION 74.140 CONSTRUCTION TIMING.

(1) All the public improvements required under this chapter shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

(2) All private improvements required under this chapter shall be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

FINDINGS:

The Applicant acknowledges the procedural requirements of this section. This criterion is satisfied with conditions of approval PFR -49.

III. TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.

The width of streets in feet shall not be less than the width required to accommodate a street improvement needed to mitigate the impact of a proposed development. In cases where a street is required to be improved according to the standards of the TDC, the width of the right-of-way shall not be less than the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

(1) For subdivision and partition applications, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width the additional right-of-way necessary to comply with TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G shall be shown on the final subdivision or partition plat prior to approval of the plat by the City. This right-of-way dedication shall be for the full width of the property abutting the roadway and, if required by the City Engineer, additional dedications shall be provided for slope and utility easements if deemed necessary.

(3) For development applications that will impact existing streets not adjacent to the applicant's property, and to construct necessary street improvements to mitigate those impacts would require additional right-of-way, the applicant shall be responsible for obtaining the necessary right-of-way from the property owner. A right-of-way dedication deed form shall be obtained from the City Engineer and upon completion returned to the City Engineer for acceptance by the City. On subdivision and partition plats the right-of-way dedication shall be accepted by the City prior to acceptance of the final plat by the City. On other development applications the right-of-way dedication shall be accepted by the City prior to issuance of building permits. The City may elect to exercise eminent domain and condemn necessary off-site right-of-way at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.

(4) If the City Engineer deems that it is impractical to acquire the additional right-of-way as required in subsections (1)-(3) of this section from both sides of the center-line in equal amounts, the City Engineer may require that the right-of-way be dedicated in a manner that would result in unequal dedication from each side of the road. This

requirement will also apply to slope and utility easements as discussed in TDC 74.320 and 74.330. The City Engineer's recommendation shall be presented to the City Council in the preliminary plat approval for subdivisions and partitions, and in the recommended decision on all other development applications, prior to finalization of the right-of-way dedication requirements.

FINDINGS:

The submitted plans show a modified collector section for SW Sagert Street between proposed SW 63rd Avenue and the Sequoia Ridge including 32 feet of paved width, 6 foot planter strip and 5 foot sidewalks in either direction. The modified collector section is designed to transition SW Sagert Street to the residential uses found within the proposed development and within Sequoia Ridge to the east. The right-of-way width varies from 70.5 to 50 feet, narrowing to assist in traffic speed reduction and match existing street cross-sections. The transition and meander of SW Sagert Street south of PGE's lot is due to high power transmission line guy wires for existing poles. Relocation of guy wires to continue a wider and straighter path would require replacement of existing poles with new steel poles. The applicant worked towards a successful solution of PGE proposing to dedicate adequate right-of-way to include a planter strip and sidewalk to resemble our standard cross-section in exchange of continuing to allow PGE interim access to SW Borland Avenue for their maintenance vehicles.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder. The City Engineer determined this as an acceptable cross-section as it allows for construction of a modified cross-section south of SW Sagert Street to not adversely affect Atfalati Park and greenway to the south of the park. The cross-section reduces the major arterial cross-section from 5 to 3 lanes, but includes a 12-foot wide sidewalk on the east side as part of the connectivity between the Saum Creek Greenway Path to Tualatin River. The City believes this modification will not reduce Levels Of Service below code standards per the submitted traffic impact analysis.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area. The City Engineer determined this as an acceptable cross-section as it matches the width of right-of-way and street construction adjacent to Sequoia Ridge subdivision to the east, which doesn't encroach on a row of protected sequoia trees. The City believes this modification will not reduce Levels Of Service below code standards per the submitted traffic impact analysis.

In each of these cross-sections, unequal dedication is needed. This criterion is met.

(5) Whenever a proposed development is bisected by an existing or future road or street that is of inadequate right-of-way width according to TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G, additional right-of-way shall be dedicated from both sides or from one side only as determined by the City Engineer to bring the road right-of-way in compliance with this section.

FINDINGS:

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder. The City Engineer determined this as an acceptable cross-section as it allows for construction of a modified cross-section south of SW Sagert Street to not adversely affect Atfalati Park and greenway to the south of the park. The cross-section reduces the major arterial cross-section from 5 to 3 lanes, but includes a 12-foot wide sidewalk on the east side as part of the connectivity between the Saum Creek Greenway Path to Tualatin River. The City believes this modification will not reduce Levels of Service below code standards per the submitted traffic impact analysis.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area. The City Engineer determined this as an acceptable cross-section as it matches the width of right-of-way and street construction adjacent to Sequoia Ridge subdivision to the east, which doesn't encroach on a row of protected sequoia trees. The City believes this modification will not reduce Levels Of Service below code standards per the submitted traffic impact analysis.

(6) When a proposed development is adjacent to or bisected by a street proposed in TDC Chapter 11, Transportation Plan (Figure 11-3) and no street right-of-way exists at the time the development is proposed, the entire right-of-way as shown in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G shall be dedicated by the applicant. The dedication of right-of-way required in this subsection shall be along the route of the road as determined by the City.

FINDINGS:

The 2013 Tualatin Transportation System Plan designates SW Sagert Street as a "Minor Arterial" west SW 65th Avenue and as a "Minor Collector" where it extends through the property. According to the TSP Figure 2 and Table 3, the preferred width for a Collector Street is a 76-foot wide right-of-way.

The existing ROW of Sagert Street between SW 65th Avenue and SW Wampanoag Drive is 78 feet in width. As shown on the submitted plans, proposed improvements between SW 65th Avenue and Wampanoag Drive include widening the center turn lane to 12 feet, providing a 12 foot travel lanes in each direction, a 5 foot bike lane on the south side and a 4.9 foot wide bike lane on the north side, a 5.5 foot sidewalk on both sides of the street, 3.5 feet of landscaping on the south side and 17.5 feet of landscaping on the north side.

The Tualatin TSP designates the necessity to extend Sagert Street through the proposed development from SW 65th Avenue to the Sequoia Ridge subdivision to the east.

As shown on the submitted plans, the roadway improvements for SW Sagert Street between SW 65th Avenue and the proposed SW 63rd Terrace include a 12 foot center turn lane, 12 foot travel lanes in either direction, 6 foot bike lanes in either direction, 6 foot planter strip and 5 foot sidewalks in either direction. Right-of-way width varies due to existing development constraints north of the proposed development from 70.5 feet to 75 feet.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area.

New public streets within the development will have a 50-foot right-of-way with 32 feet of improvements from curb to curb. A 5 foot sidewalk and a 4 foot wide planter strip will be provided from the edge of the curb.

Washington County has jurisdiction of the west half of SW 65th Avenue. Clackamas County has jurisdiction of the east half of SW 65th Avenue and the entirety of SW Borland Road. SW Sagert Street plus all the proposed local streets are the jurisdiction of the City of Tualatin. Clackamas and Washington County submitted attached memorandums with requirements dated October 1, 2015 and October 8, 2015, respectively. The applicant will need to complete the requirements of both County's memorandums.

The plans show a 12-foot wide sidewalk on the east side SW 65th Avenue at the south end of the development extending to SW 65th Avenue. It is not clear that this is only for

bicycle entrance from SW 65th Avenue as there is no crosswalk for pedestrian safety. The plans will show that this is for a bicycle entrance from SW 65th Avenue only and include a pedestrian barrier with appropriate tapering per AASTO code. The sidewalk should extend as far south to the property line as possible.

The plans show a sidewalk for SW Borland Road. On the west side it connects to the street which is unsafe. The sidewalk should connect across PGE's lot to the existing sidewalk to the west for safe connectivity.

This criterion is satisfied with conditions of approval PFR – 17, 18, 19, 20, and 21.

IV. TDC SECTION 74.310 GREENWAY, NATURAL AREA, BIKE, AND PEDESTRIAN PATH DEDICATIONS AND EASEMENTS.

(1) Areas dedicated to the City for Greenway or Natural Area purposes or easements or dedications for bike and pedestrian facilities during the development application process shall be surveyed, staked and marked with a City approved boundary marker prior to acceptance by the City.

(2) For subdivision and partition applications, the Greenway, Natural Area, bike, and pedestrian path dedication and easement areas shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

FINDINGS:

The areas proposed as dedication to the City for Greenway or Natural Area purposes have been surveyed, and will be staked and marked with a City approved boundary marker, per the requirements of subsection (1).

The areas proposed as dedication to the City for Greenway, Natural Area, bike and pedestrian path dedication and easement areas have been shown to be dedicated to the City on the final subdivision plat, per the requirements of subsection (2). This criterion is satisfied with conditions of approval PFR -42 and 43.

V. TDC SECTION 74.330 UTILITY EASEMENTS.

(1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities shall be granted to the City.

(2) For subdivision and partition applications, the on-site public utility easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; and

(3) For subdivision and partition applications which require off-site public utility easements to serve the proposed development, a utility easement shall be granted to the City prior to approval of the final plat by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.

(5) The width of the public utility easement shall meet the requirements of the Public Works Construction Code. All subdivisions and partitions shall have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines.

FINDINGS:

A 6-ft wide public utility easement (PUE) is indicated on the submitted plat along the frontage of each lot. A 15-foot wide sanitary sewer and public access easement is shown between lots 69 and 70 to provide access to an existing sanitary manhole. An access and utility easement is shown on lot 1 access and utility service for lot 2 will not be needed as there will be a flag for lot 2 to proposed SW 61st Terrace. All easements will meet city dimensional requirements and be shown on the final recorded plat.

5-foot wide public utility easements will be needed at the sides and rear of all lots. 15-foot wide public easements are needed for public sanitary sewer and/or stormwater lines over private property. This criterion is satisfied with conditions of approval PFR -22 and 42.

VI. TDC SECTION 74.340 WATERCOURSE EASEMENTS.

(1) Where a proposed development site is traversed by or adjacent to a watercourse, drainage way, channel or stream, the applicant shall provide a storm water easement, drainage right-of-way, or other means of preservation approved by the City Engineer, conforming substantially with the lines of the watercourse. The City Engineer shall determine the width of the easement, or other means of preservation, required to accommodate all the requirements of the Surface Water Management Ordinance, existing and future storm drainage needs and access for operation and maintenance.

(2) For subdivision and partition applications, any watercourse easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

(3) For all other development applications, any watercourse easement shall be executed on a dedication form submitted to the City Engineer; building permits shall not be issued for the development prior to acceptance of the easement by the City.

(4) The storm water easement shall be sized to accommodate the existing water course and all future improvements in the drainage basin. There may be additional requirements as set forth in TDC Chapter 72, Greenway and Riverbank Protection District, and the Surface Water Management Ordinance. Water quality facilities may require additional easements as described in the Surface Water Management Ordinance.

FINDINGS:

Tracts are provided which contain a portion of Saum Creek, as well as the associated buffer area and future pedestrian path. Easements are not necessary as the tracts provide the necessary protection and preservation of the watercourse. This criterion is satisfied with conditions of approval PFR -43.

VII. TDC SECTION 74.350 TRACTS.

A dedicated tract or easement will be required when access to public improvements for operation and maintenance is required, as determined by the City Engineer. Access for maintenance vehicles shall be constructed of an all-weather driving surface capable of carrying a 50,000-pound vehicle. The width of the tract or easement shall be 15-feet in order to accommodate City maintenance vehicles. In subdivisions and partitions, the tract shall be dedicated to the City on the final plat. In any other development, an access easement shall be granted to the City and recorded prior to issuance of a building permit.

FINDINGS:

A proposed Water Quality Tract is located adjacent to SW 65th Avenue, in the southwest corner of the Subject Property. Because it can be accessed directly from a public street, no easement is required to allow access for operation and maintenance.

An additional public water quality facility is shown within Tract B, intended to be provided for a greenway trail. The public water quality facility will be in a separate tract, and will be accessible from a public street via Tract D and B. No public stormwater easement is needed to cross the greenway tract for maintenance activities. Tract D will be dedicated for stormwater maintenance access.

The driving surface for maintenance vehicles are shown to be of asphalt and extend appropriately to be 5-feet beyond the public sanitary sewer manhole at the southwest corner of the project, but made of concrete end prior to the stormwater manholes prior to the public water quality facilities. Surfaces need to extend to the public water quality facilities. These surfaces will be concrete and constructed according to the Public Works Construction Code. This criterion is satisfied with conditions of approval PFR -23, 24, and 42.

VIII. TDC SECTION 74.410 FUTURE STREET EXTENSIONS.

(1) Streets shall be extended to the proposed development site boundary where necessary to:

- (a) give access to, or permit future development of adjoining land;
- (b) provide additional access for emergency vehicles;
- (c) provide for additional direct and convenient pedestrian, bicycle and vehicle circulation;
- (d) eliminate the use of cul-de-sacs except where topography, barriers such as railroads or freeways, existing development, or environmental constraints such as major streams and rivers prevent street extension.
- (e) eliminate circuitous routes. The resulting dead end streets may be approved without a turnaround. A reserve strip may be required to preserve the objectives of future street extensions.

(2) Proposed streets shall comply with the general location, orientation and spacing identified in the Functional Classification Plan (Figure 11-1), Local Streets Plan (TDC 11.630 and Figure 11-3) and the Street Design Standards (Figures 74-2A through 74-2G).

(a) Streets and major driveways, as defined in TDC 31.060, proposed as part of new residential or mixed residential/commercial developments shall comply with the following standards:

- (i) full street connections with spacing of no more than 530 feet between connections, except where prevented by barriers;
- (ii) bicycle and pedestrian accessway easements where full street connections are not possible, with spacing of no more than 330 feet, except where prevented by barriers;
- (iii) limiting cul-de-sacs and other closed-end street systems to situations where barriers prevent full street extensions; and
- (iv) allowing cul-de-sacs and closed-end streets to be no longer than 200 feet or with more than 25 dwelling units, except for streets stubbed to future developable areas.

(3) During the development application process, the location, width, and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. The arrangement of streets in a subdivision shall either:

- (a) provide for the continuation or appropriate projection of existing streets into surrounding areas; or
- (b) conform to a street plan approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance of or conformance to existing streets impractical.

(4) The City Engineer may require the applicant to submit a street plan showing all existing, proposed, and future streets in the area of the proposed development.

(5) The City Engineer may require the applicant to participate in the funding of future off-site street extensions when the traffic impacts of the applicant's development warrant such a condition.

FINDINGS:

The Applicant proposes an east-west extension of SW Sagert Street that will extend between SW 65th Avenue and the Sequoia Ridge neighborhood to the east to provide connectivity. The Applicant also proposes the creation of a new north-south connection that will extend onto Borland Road to provide additional connectivity. A traffic study is included with this application detailing the proposed street extensions. The proposed streets all comply with the general location, orientation and spacing identified in the Functional Classification Plan, Local Streets Plan and Street Design Standards.

Full street connections are spaced less than 530 feet between connections. In addition to meeting this requirement, two bicycle and pedestrian accessways within Tracts will be dedicated to the City at the southeast and southwest corners of the development for access to the Saum Creek Greenway Trail. No cul-de-sacs or dead end streets are proposed and the extension of SW Sagert Street eliminates an existing dead end street.

This criterion is satisfied.

IX. TDC SECTION 74.420 STREET IMPROVEMENTS.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City's Public Works Construction Code, subject to the following provisions:

(1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 shall be improved to standards as set out in the Public Works Construction Code.

(2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.

(3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.

(4) Where development abuts an existing street, the improvement required shall apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Engineer to ensure a smooth transition between a new improvement and the existing roadway (half-street improvement). Additional right-of-way and street improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement shall connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.

(5) If additional improvements are required as part of the Access Management Plan of the City, TDC Chapter 75, the improvements shall be required in the same manner as the half-street improvement requirements.

(6) All required street improvements shall include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.

(7) For subdivision and partition applications, the street improvements required by TDC Chapter 74 shall be completed and accepted by the City prior to signing the final subdivision or partition plat, or prior to releasing the security provided by the applicant to assure completion of such improvements or as otherwise specified in the development application approval.

(10) Streets within, or partially within, a proposed development site shall be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code.

(11) Existing streets which abut the pro-posed development site shall be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).

(12) Sidewalks with appropriate buffering shall be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.

(13) The applicant shall comply with the requirements of the Oregon Department of Transportation (ODOT), Tri-Met, Washington County and Clackamas County when a proposed development site is adjacent to a roadway under any of their jurisdictions, in addition to the requirements of this chapter.

(14) The applicant shall construct any required street improvements adjacent to parcels excluded from development, as set forth in TDC 74.220 of this chapter.

(15) Except as provided in TDC 74.430, whenever an applicant proposes to develop land with frontage on certain arterial streets and, due to the access management provisions of TDC Chapter 75, is not allowed direct access onto the arterial, but instead must take access from another existing or future public street thereby providing an alternate to direct arterial access, the applicant shall be required to construct and place at a minimum street signage, a sidewalk, street trees and street lights along that portion of the arterial street adjacent to the applicant's property. The three certain arterial streets are S.W. Tualatin-Sherwood Road, S.W. Pacific Highway (99W) and S.W. 124th Avenue. In addition, the applicant may be required to construct and place on the arterial at the intersection of the arterial and an existing or future public non-arterial street warranted traffic control devices (in accordance with the Manual on Uniform Traffic Control Devices, latest edition), pavement markings, street tapers and turning lanes, in accordance with the Public Works Construction Code.

(16) The City Engineer may determine that, although concurrent construction and placement of the improvements in (14) and (15) of this section, either individually or collectively, are impractical at the time of development, the improvements will be necessary at some future date. In such a case, the applicant shall sign a written agreement guaranteeing future performance by the applicant and any successors in interest of the property being developed. The agreement shall be subject to the City's approval.

(17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.

(18) Pursuant to requirements for off-site improvements as conditions of development approval in TDC 73.055(2)(e) and TDC 36.160(8), proposed multi-family residential, commercial, or institutional uses that are adjacent to a major transit stop will be required to comply with the City's Mid-Block Crossing Policy.

FINDINGS:

The Applicant's submitted plans show public street, storm drainage and sidewalk improvements in the SW 65th Avenue right-of-way, in compliance with these requirements.

SW Sagert Street will be fully constructed to meet applicable City street standards, extending east from the existing intersection and terminated at the existing stub that connects with SW Sequoia Drive.

SW Borland Road will be constructed in accordance with city standards.

All street improvements are detailed in the plan sheets submitted with this subdivision application. This criterion is satisfied.

X. TDC SECTION 74.425 STREET DESIGN STANDARDS.

(1) Street design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, and safety. They are necessary to ensure that the system of streets, as it develops, will be capable of safely and efficiently serving the traveling public while also accommodating the orderly development of adjacent lands.

(2) The proposed street design standards are shown in Figures 72A through 72G. The typical roadway cross sections comprise the following elements: right-of-way, number of travel lanes, bicycle and pedestrian facilities, and other amenities such as landscape strips. These figures are intended for planning purposes for new road construction, as well as for those locations where it is physically and economically feasible to improve existing streets.

(3) In accordance with the Tualatin Basin Program for fish and wildlife habitat it is the intent of Figures 74-2A through 74-2G to allow for modifications to the standards when deemed appropriate by the City Engineer to address fish and wildlife habitat.

(4) All streets shall be designed and constructed according to the preferred standard. The City Engineer may reduce the requirements of the preferred standard based on specific site conditions, but in no event will the requirement be less than the minimum standard. The City Engineer shall take into consideration the following factors when deciding whether the site conditions warrant a reduction of the preferred standard:

(a) Arterials:

- (i) Whether adequate right-of-way exists
- (ii) Impacts to properties adjacent to right-of-way
- (iii) Current and future vehicle traffic at the location
- (iv) Amount of heavy vehicles (buses and trucks).

(b) Collectors:

- (i) Whether adequate right-of-way exists
- (ii) Impacts to properties adjacent to right-of-way
- (iii) Amount of heavy vehicles (buses and trucks)
- (iv) Proximity to property zoned manufacturing or industrial.

(c) Local Streets:

(i) Local streets proposed within areas which have environmental constraints and/or sensitive areas and will not have direct residential access may utilize the minimum design standard. When the minimum design standard is allowed, the City Engineer may determine that no parking signs are required on one or both sides of the street.

FINDINGS:

All local street construction is proposed according to the street design standards for the functional classification of the street. Right-of-way dedication and construction of improvements is proposed per the required standards.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder. The City Engineer determined this as an acceptable cross-section as it allows for construction of a modified cross-section south of SW Sagert Street to not adversely affect Atfalati Park and greenway to the south of the park. The cross-section reduces the major arterial cross-section from 5 to 3 lanes, but includes a 12-foot wide sidewalk on the east side as part of the connectivity between the Saum Creek Greenway Path to Tualatin River. The right-of-way width will be 88 feet, greater than the minimum of 70 feet. This criterion is satisfied.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area. The City Engineer determined this as an acceptable cross-section as it matches the width of right-of-way and street construction adjacent to Sequoia Ridge subdivision to the east, which doesn't encroach on a row of protected sequoia trees. The right-of-way width will be 88 feet, greater than the minimum of 70 feet. This criterion is satisfied.

The submitted plans show a modified collector section for SW Sagert Street between proposed SW 63rd Avenue and the Sequoia Ridge including 32 feet of paved width, 6 foot planter strip and 5 foot sidewalks in either direction. The modified collector section is designed to transition SW Sagert Street to the residential uses found within the proposed development and within Sequoia Ridge to the east. The right-of-way width varies from 70.5 to 50 feet, narrowing to assist in traffic speed reduction and match existing street cross-sections. The transition and meander of SW Sagert Street south of PGE's lot is due to high power transmission line guy wires for existing poles. Relocation of guy wires to continue a wider and straighter path would require replacement of existing poles with new steel poles. PGE and the applicant worked towards a successful solution of PGE proposing to dedicate adequate right-of-way to include a planter strip and sidewalk to resemble our standard cross-section in exchange of continuing to allow

PGE interim access to SW Borland Avenue for their maintenance vehicles. The right-of-way width will vary from 70.5 down to 50 feet, less than the minimum of 62 feet to connect to the existing width of SW Sagert Street to the east within Sequoia Ridge Subdivision. This criterion is satisfied.

The submitted plans show a modified arterial section for SW Sagert Street to the west of SW 65th Avenue adjacent to Atfalati Park. This section will be improved to add bike lanes from the intersection of SW 65th Avenue and SW Sagert Street to the existing bike lanes to the west. The cross section width will be 78 feet, greater than the minimum of 70 feet to not adversely affect Atfalati Park. The plans do not clearly show how the existing hedge at the north property line will remain. The applicant will need to show on plans and in narrative how adjacent park lands (Atfalati Park) will be restored subsequent to 65th Ave. and Sagert St. road widening (e.g., tapering grades, salvaging and replanting trees, irrigation). This criterion is met with conditions of approval PFR – 18.

XI. TDC SECTION 74.430 STREETS, MODIFICATIONS OF REQUIREMENTS IN CASES OF UNUSUAL CONDITIONS.

(1) When, in the opinion of the City Engineer, the construction of street improvements in accordance with TDC 74.420 would result in the creation of a hazard, or would be impractical, or would be detrimental to the City, the City Engineer may modify the scope of the required improvement to eliminate such hazardous, impractical, or detrimental results. Examples of conditions requiring modifications to improvement requirements include but are not limited to horizontal alignment, vertical alignment, significant stands of trees, fish and wildlife habitat areas, the amount of traffic generated by the proposed development, timing of the development or other conditions creating hazards for pedestrian, bicycle or motor vehicle traffic. The City Engineer may determine that, although an improvement may be impractical at the time of development, it will be necessary at some future date. In such cases, a written agreement guaranteeing future performance by the applicant in installing the required improvements must be signed by the applicant and approved by the City.

(2) When the City Engineer determines that modification of the street improvement requirements in TDC 74.420 is warranted pursuant to subsection (1) of this section, the City Engineer shall prepare written findings of modification. The City Engineer shall forward a copy of said findings and description of modification to the applicant, or his authorized agent, as part of the Utility Facilities Review for the proposed development, as provided by TDC 31.072. The decision of the City Engineer may be appealed to the City Council in accordance with TDC 31.076 and 31.077.

(3) To accommodate bicyclists on streets prior to those streets being upgraded to the full standards, an interim standard may be implemented by the City. These interim standards include reduction in motor vehicle lane width to 10 feet [the minimum specified in AASHTO's A Policy on Geo-metric Design of Highways and Streets (1990)], a reduction of bike lane width to 4-feet (as measured from the longitudinal gutter joint to the centerline of the bike lane stripe), and a paint-striped separation 2 to 4 feet wide in lieu of a center turn lane. Where available roadway width does not provide for these minimums, the roadway can be signed for shared use by bicycle and motor vehicle

travel. When width constraints occur at an intersection, bike lanes should terminate 50 feet from the intersection with appropriate signing.

FINDINGS:

Approved modifications to the cross-section of SW Sagert Street east of the intersection of proposed SW 61st Terrace include a median to help identify a separation with the existing Sequoia Ridge subdivision and to encourage traffic to turn north to SW Borland Road and a reduced cross-section from west to east to transition into the existing width of SW Sagert Street.

The Applicant has submitted a design modification request to Clackamas County regarding the proposed access of a local street on SW Borland Road, an arterial. The Applicant has also submitted a design modification request to Clackamas County regarding the sidewalk at the intersection of SW Sagert Street and SW 65th Avenue. This criterion is satisfied with conditions of approval PFR -17.

XII. TDC SECTION 74.440 STREETS, TRAFFIC STUDY REQUIRED.

(1) The City Engineer may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Engineer determines that such a study is necessary in connection with a proposed development project in order to:

(a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or

(b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.

(2) The required traffic study shall be completed prior to the approval of the development application.

(3) The traffic study shall include, at a minimum:

(a) an analysis of the existing situation, including the level of service on adjacent and impacted facilities.

(b) an analysis of any existing safety deficiencies.

(c) proposed trip generation and distribution for the proposed development.

(d) projected levels of service on adjacent and impacted facilities.

(e) recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.

(f) The City Engineer will determine which facilities are impacted and need to be included in the study.

(g) The study shall be conducted by a registered engineer.

(4) The applicant shall implement all or a portion of the improvements called for in the traffic study as determined by the City Engineer.

FINDINGS:

A traffic study conducted by Kittleson and Associates, Inc. has been provided as a part of this Subdivision Application. The study included analysis of the level of service at intersections determined by the City Engineer with existing and future development, safety, trip distribution, and recommendations of improvements. This criterion is satisfied.

XIII. TDC SECTION 74.450 BIKEWAYS AND PEDESTRIAN PATHS.

(1) Where proposed development abuts or contains an existing or proposed bikeway, pedestrian path, or multi-use path, as set forth in TDC Chapter 11, Transportation Figure 11-4, the City may require that a bikeway, pedestrian path, or multi-use path be constructed, and an easement or dedication provided to the City.

(2) Where required, bikeways and pedestrian paths shall be provided as follows:

(a) Bike and pedestrian paths shall be constructed and surfaced in accordance with the Public Works Construction Code.

(b) The applicant shall install the striping and signing of the bike lanes and shared roadway facilities, where designated.

FINDINGS:

The site includes a tract which will be created to contain a public pathway along the Saum Creek Greenway. The Applicant will work with the City to provide a tract to contain the proposed pedestrian pathway. The Applicant may also work with the City regarding the construction of the proposed pathway, subject to the availability of credits for System Development Charges.

The applicant shall construct on the Saum Creek Greenway Trail from 65th Ave. to the Venetia development property with connections as shown on the attached Saum Creek Greenway Trail Alignment Plan, an historical interpretive display, required vegetative enhancement and mitigation, and related greenway signage. Final design and construction standards for the pathway and related facilities shall be approved by the Community Services Director.

Applicant shall enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Trail Improvement Agreement with City to construct the Saum Creek Greenway Trail and related improvements in accordance with the attached Deal Points summary no later than final plat approval.

Show the required maintenance access for 65th Ave. pump station on site plans.

This criterion is satisfied with conditions of approval PFR -19, 43, and 45.

XIV. TDC SECTION 74.460 ACCESSWAYS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SUBDIVISIONS AND PARTITIONS.

(1) Accessways shall be constructed by the applicant, dedicated to the City on the final residential, commercial or industrial subdivision or partition plat, and accepted by the City.

(2) Accessways shall be located between the proposed subdivision or partition and all of the following locations that apply:

(a) adjoining publicly-owned land intended for public use, including schools and parks. Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland;

(b) adjoining arterial or collector streets upon which transit stops or bike lanes are provided or designated;

(c) adjoining undeveloped residential, commercial or industrial properties;

(d) adjoining developed sites where an accessway is planned or provided.

(3) In designing residential, commercial and industrial subdivisions and partitions, the applicant is expected to design and locate accessways in a manner which does not restrict or inhibit opportunities for developers of adjacent property to connect with an accessway. The applicant is to have reasonable flexibility to locate the required accessways. When developing a parcel which adjoins parcels where accessways have been constructed or approved for construction, the applicant shall connect at the same points to provide system continuity and enhance opportunities for pedestrians and bicyclists to use the completed accessway.

(4) Accessways shall be as short as possible, but in no case more than 600 feet in length.

(5) Accessways shall be as straight as possible to provide visibility from one end to the other.

(6) Accessways shall be located and improved within a right-of-way or tract of no less than 8 feet.

(7) Where possible, accessways shall be combined with utility easements.

(8) Accessways shall be constructed in accordance with the Public Works Construction Code.

(9) Curb ramps shall be provided wherever the accessway crosses a curb and shall be constructed in accordance with the Public Works Construction Code.

(10) The Federal Americans With Disabilities Act (ADA) applies to development in the City of Tualatin. Accessways shall comply with the Oregon Structural Specialty Code's (OSSC) accessibility standards.

(11) Fences and gates which prevent pedestrian and bike access shall not be allowed at the entrance to or exit from any accessway.

(12) Final design and location of accessways shall be approved by the City.

(13) Outdoor Recreation Access Routes shall be provided between a subdivision or partition and parks, bikeways and greenways where a bike or pedestrian path is designated.

FINDINGS:

Accessways have been planned for and will be located according to the standards of this section. The Applicant intends to work with the City regarding the construction of the trail through the construction documentation process.

The 15-foot wide public sanitary sewer and access easement with 12-foot wide maintenance path between lots 69 and 70 is shown in the location that the access is provided for the residents of the subdivision and the public to access the future public path along Saum Creek to the southeast. The 12-foot width exceeds the 8-foot minimum requirement, is less than 600 feet in length, is straight.

Tract C is shown to contain a public stormwater facility and will be dedicated to the City. A 12-foot wide concrete stormwater maintenance path will extend from the local street to the facility and serve as the beginning of an accessway connecting to SW 65th Avenue to the west. The accessway is shown as a 6-foot wide gravel trail. This accessway will be concrete and 8 feet wide. This criterion is satisfied with conditions of approval PFR – 26 and 45.

XV. TDC SECTION 74.470 STREET LIGHTS.

(1) Street light poles and luminaries shall be installed in accordance with the Public Works Construction Code.

(2) The applicant shall submit a street lighting plan for all interior and exterior streets on the proposed development.

FINDINGS:

The project plan shows street lights. This criterion is satisfied.

XVI. TDC SECTION 74.475 STREET NAMES.

(1) No street name shall be used which will duplicate or be confused with the names of existing streets in the Counties of Washington or Clackamas, except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area.

(2) The City Engineer shall maintain the approved list of street names from which the applicant may choose. Prior to the creation of any street, the street name shall be approved by the City Engineer.

FINDINGS:

Proposed street names, as shown on the plat, are unique to this subdivision, except for the extension of existing streets. The street names and numbers conform to the established pattern in the surrounding area. Street name "E" is a placeholder for a street name from the approved list. The applicant will select a street name from the approved list. This criterion is satisfied with conditions of approval PFR -27.

XVII. TDC SECTION 74.480 STREET SIGNS.

(1) Street name signs shall be installed at all street intersections in accordance with standards adopted by the City.

(2) Stop signs and other traffic control signs (speed limit, dead-end, etc.) may be required by the City.

(3) Prior to approval of the final subdivision or partition plat, the applicant shall pay the City a non-refundable fee equal to the cost of the purchase and installation of street signs, traffic control signs and street name signs. The location, placement, and cost of the signs shall be determined by the City.

FINDINGS:

The plans show signalization of SW 65th Avenue and SW Sagert Street plus a stop control plan on sheet C015. Street name, speed limit, and traffic control signs are not indicated on the plans. The applicant will show street name, speed limit, and traffic control signs on final plans provide appropriate funds for signs. This criterion is satisfied with conditions of approval PFR -28, 29, 30, 31, and 39.

XVIII. TDC SECTION 74.485 STREET TREES.

(1) Prior to approval of a residential subdivision or partition final plat, the applicant shall pay the City a non-refundable fee equal to the cost of the purchase and installation of street trees. The location, placement, and cost of the trees shall be determined by the City. This sum shall be calculated on the interior and exterior streets as indicated on the final subdivision or partition plat.

(3) The Street Tree Ordinance specifies the species of tree which is to be planted and the spacing between trees.

FINDINGS:

The Applicant has provided a street tree planting plan along with the proposed development plans. The Applicant will provide appropriate funds for street trees in accordance with this Section.

The plans show Autumn Blaze Maple, Crimson King Maple, Scarlet Oak, and Greenspipe Linden within 4-foot wide planter strips, which are not approved. Approved street trees from the Street Tree Ordinance are required. Proposed street trees must be compatible with the 4-foot wide planter strips. Root barriers are required to be installed for trees that are within 10 feet of a public line or adjacent to a public sidewalk. Root

barriers shall be 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk. This criterion is satisfied with conditions of approval PFR -25 and 32.

XIX. TDC SECTION 74.610 WATER SERVICE.

(1) Water lines shall be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans shall be submitted to the City Engineer for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the subject site, public water lines shall be extended by the applicant to the common boundary line of these properties. The lines shall be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.

(3) As set forth in TDC Chapter 12, Water Service, the City has three water service levels. All development applicants shall be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant shall be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.

FINDINGS:

The Applicant has submitted a Sanitary Sewer and Water Plan (Sheet Set C400-C404) showing how water lines will be installed to serve the proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1). Water service connections will be made as directed by the City Engineer, in accordance with subsection (3). Extension of the water service to undeveloped properties is not proposed, per subsection (2).

The plans show pairs of lots served by a single connection to a public water main that splits near the property line. Each lot must have a separate direct lateral to the public water main. Each lateral must be 1-inch in diameter. If needed, the applicant will need to install double check valve assemblies to meet the requirements of TMC 3-3.120(4).

The plans do not show extension of a public water line from within the proposed development south to adjacent undeveloped Tax Lot 21E30B 00700. This line will be extended to serve this undeveloped lot.

A Technical Memorandum for Hydraulic Modeling from Murray, Smith, and Associates dated July 12, 2015 evaluated the water service for this proposed subdivision and determined the proposed subdivision water distribution piping improvements are adequately sized and no recommended upsizing for system transmission needs are recommended.

This criterion is satisfied with conditions of approval PFR -3 and 33.

XX. TDC SECTION 74.620 SANITARY SEWER SERVICE.

(1) Sanitary sewer lines shall be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant shall extend public sanitary sewer lines to the common boundary line with these properties. The lines shall be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.

FINDINGS:

The applicant has submitted a Sanitary Sewer and Water Plan (Sheet Set C400-C404) showing how sanitary sewer lines will be installed to serve the proposed lots. Detailed plans and calculations will be submitted for review and approval prior to construction, in accordance with subsection (1). Extension of the sanitary sewer service to the SW 65th Avenue pump station extends past the south property line to serve undeveloped Tax Lot 21E30B 00700. Sanitary sewer calculations will be required to show adequate capacity of lines and the SW 65th Avenue pump station.

The project will construct a gravity sanitary sewer main from the existing off-site pump station at Sequoia Ridge Subdivision, through the proposed subdivision, and discharging to the existing off-site pump station on the west side of SW 65th Avenue south of Atfalati Park. The gravity main serving the upstream offsite development will be sized to accommodate the upstream areas. The existing pump station will need to be decommissioned and salvaged.

The plans show a public sanitary sewer line from proposed SW 61st Terrace to lot 2. In this specific instance a private lateral is required instead of a public line. This criterion is satisfied with conditions of approval PFR -47, 60, and 61.

XXI. TDC SECTION 74.630 STORM DRAINAGE SYSTEM.

(1) Storm drainage lines shall be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.

(2) The storm drainage calculations shall confirm that adequate capacity exists to serve the site. The discharge from the development shall be analyzed in accordance with the City's Storm and Surface Water Regulations.

(3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant shall extend storm drainage lines to the common boundary line with these properties. The lines shall be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the Tualatin Drainage Plan in TDC Chapter 14.

FINDINGS:

The Applicant has submitted a Street and Storm Plan (Sheet Set C210-C214) showing how storm drainage lines and a storm water management facility will be installed to serve each proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1).

The Applicant has provided a detailed stormwater management report including calculations detailing the preliminary design for the system which will serve this site in accordance with subsection (2). The stormwater management plan and report has been designed to meet the requirements of this section.

Extension of the stormwater system is not proposed, per subsection (3). Undeveloped Tax Lot 21E30B 00700 topography will allow it to directly outfall into Saum Creek.

The plans show a public stormwater line from proposed SW 61st Terrace to lot 2. In this specific instance a private lateral is required instead of a public line. This criterion is satisfied with conditions of approval PFR -61.

XXII. TDC SECTION 74.640 GRADING.

(1) Development sites shall be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.

(2) A development applicant shall submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Engineer may require the applicant to remove all excess material from the development site.

FINDINGS:

The Applicant has prepared a site plan which illustrates the extent of the proposed development over the site. The proposed footprint of the development has been minimized to the greatest extent possible to provide access and utility services to the proposed lots and to avoid disturbances to natural topography and vegetation in accordance with subsection (1).

The Applicant has submitted a Grading and Erosion Control Plan (Sheet Set C115-119 and Sheet Set C120-C124) showing the proposed grading which will be primarily limited to street construction and the water quality facility. Grading on individual lots will be minimal. Drainage for new structures will be routed to the street with connections to the storm drainage system.

Grading on lots adjacent to the existing residential lots to the east and to the east side of PGE's lot are shown to end 15 feet from the property line retaining existing drainage patterns within this buffer. General site grading is shown to direct stormwater south to the two proposed public water quality facilities that release into Saum Creek wetland buffer via a public stormwater system within proposed right-of way including laterals for each lot. No narrative or profile of the stormwater system was provided to show that all crawl spaces will be served by gravity service. The applicant will submit plans and calculations that show all crawl spaces will be served by gravity stormwater service. This criterion is satisfied with conditions of approval PFR 5, 6, 36, and 62.

XXIII. TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.

The applicant shall comply with the water quality, storm water detention and erosion control requirements in the Surface Water Management Ordinance. If required:

(1) On subdivision and partition development applications, prior to approval of the final plat, the applicant shall arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be satisfied and obtain a Stormwater Connection Permit from Clean Water Services; or

(3) For on-site private and regional non-residential public facilities, the applicant shall submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant shall submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site shall occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

FINDINGS:

The Applicant has provided a Storm Drainage Report to demonstrate the feasibility of constructing a storm water quality treatment and detention pond within the Water Quality Tract, as indicated in the submitted plans.

The applicant has submitted a Service Provider Letter from Clean Water Services indicating that Sensitive Areas do not exist on-site. A CWS Memorandum was received dated September 30, 2015 for development on this site. The applicant will need to submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions, for review and approval. This criterion is satisfied with conditions of approval PFR -35.

XXIV. TDC SECTION 74.660 UNDERGROUND.

(1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities shall be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant shall make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.

(2) Any existing overhead utilities may not be upgraded to serve any proposed development. If existing overhead utilities are not adequate to serve the proposed development, the applicant shall, at their own expense, provide an underground system. The applicant shall be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements shall be submitted to the City Engineer for acceptance by the City prior to issuance of the Public Works Permit.

FINDINGS:

The Applicant acknowledges and will comply with the underground requirements of the Development Code and Public Works Code in constructing improvements for the proposed subdivision.

Aboveground utilities are only shown within SW Sagert Street and SW Borland Road right-of-way. PGE transmission lines exist north of proposed SW Sagert Street and within right-of-way south of Tualatin Professional Center. Two transmission lines are shown adjacent to this development within SW Borland Road right-of-way, one at the curb line on the south side and one crossing SW Borland Road from west of this development to east of this development. The lines shown are not shown to be undergrounded and no narrative identified the operation at 50,000 volts or above. The applicant will identify the operation voltage to be sufficient to remain aboveground or record a Street Improvement Agreement for undergrounding.

This criterion is satisfied with conditions of approval PFR -34.

XXV. TDC SECTION 74.670 EXISTING STRUCTURES.

(1) Any existing structures requested to be retained by the applicant on a proposed development site shall be connected to all available City utilities at the expense of the applicant.

(2) The applicant shall convert any existing overhead utilities serving existing structures to underground utilities, at the expense of the applicant.

(3) The applicant shall be responsible for continuing all required street improvements adjacent to the existing structure, within the boundaries of the proposed development site.

FINDINGS:

The Applicant is not proposing to retain any existing structures currently located on the site; therefore the standards of this section do not apply.

XXVI. TDC SECTION 74.700 REMOVAL, DESTRUCTION OR INJURY OF TREES.

It is unlawful for a person, without a written permit from the Operations Director, to remove, destroy, break or injure a tree, plant or shrub, that is planted or growing in or upon a public right-of-way within the City , or cause, authorize, or procure a person to do so, authorize or procure a person to injure, misuse or remove a device set for the protection of any tree, in or upon a public right-of-way.

FINDINGS:

Trees in the Sequoia Ridge Natural Area will be protected throughout construction. The Applicant will obtain any necessary Tree Removal Permits per City requirements and provide fees to the City for planting of street trees pursuant to Section 74.485. The applicant will need to show on plans and in narrative how adjacent park lands (Atfalati Park) will be restored subsequent to 65th Ave. and Sagert St. road widening (e.g., tapering grades, salvaging and replanting trees, irrigation). This criterion is satisfied with conditions of approval PFR – 10 and 18.

XXVII. TDC SECTION 74.720 PROTECTION OF TREES DURING CONSTRUCTION.

(1) During the erection, repair, alteration or removal of a building or structure, it is unlawful for the person in charge of such erection, repair, alteration or removal to leave a tree in or upon a public right-of-way in the vicinity of the building or structure without a good and sufficient guard or protectors to prevent injury to the tree arising out of or by reason of such erection, repair, alteration or removal.

(2) Excavations and driveways shall not be placed within six feet of a tree in or upon a public right-of-way without written permission from the City Engineer. During excavation or construction, the person shall guard the tree within six feet and all building material or other debris shall be kept at least four feet from any tree.

FINDINGS:

The above provisions will apply to ongoing care and maintenance of street trees following final plat recording and planting of street trees by the City of Tualatin.

Tree protection will be required during construction of the new public streets, utilities, and site grading. This criterion is satisfied with conditions of approval PFR -1 and 10.

XXVIII. TDC SECTION 74.740 PROHIBITED TREES.

It is unlawful for a person to plant a tree within the right-of-way of the City of Tualatin that is not in conformance with Schedule A. Any tree planted subsequent to adoption of this Chapter not in compliance with Schedule A shall be removed at the expense of the property owner.

XXIX. TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.

All trees, plants or shrubs planted in the right-of-way of the City shall conform in species and location and in accordance with the street tree plan in Schedule A. If the Operations Director determines that none of the species in Schedule A is appropriate or finds appropriate a species not listed, the Director may substitute an unlisted species.

FINDINGS:

The plans show a street tree and landscape planting plan on sheets L100-L103. The plans show Autumn Blaze Maple, Crimson King Maple, Scarlet Oak, and Greenspire Linden within 4-foot wide planter strips, which are not approved. Approved street trees from the Street Tree Ordinance are required. Proposed street trees must be compatible with the 4-foot wide planter strips.

A narrow planted median is shown within SW Sagert Street east of proposed SW 61st Terrace to designate an entrance to the existing Sequoia Ridge Subdivision. The trees and shrubs must consist of unlisted species determined by the Operations Director.

Root barriers are required to be installed for trees that are within 10 feet of a public line or adjacent to a public sidewalk. Root barriers shall be 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk.

Shrubs are shown within right-of-way on SW Borland Road. SW Borland Road is Clackamas County's jurisdiction. The applicant will obtain approval from Clackamas County for plantings in SW Borland Road right-of-way

This criterion is satisfied with conditions of approval PFR 25 and 32.

L. TDC CHAPTER 75: ACCESS MANAGEMENT

I. TDC SECTION 75.010 PURPOSE.

The purpose of this chapter is to promote the development of safe, convenient and economic transportation systems and to preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties.

II. TDC SECTION 75.030 FREEWAYS AND ARTERIALS DEFINED.

This section shall apply to all City, County and State public streets, roads and highways within the City and to all properties that abut these streets, roads and highways.

(1) Access shall be in conformance with TDC Chapter 73 unless otherwise noted below.

(2) Freeways and Arterials Designated. For the purposes of this chapter the following are freeways and arterials: ...

- (i) 65th Avenue from its intersection with Nyberg Street south to City limits;
- (j) Borland Road from 65th Avenue east to Saum Creek;...

(3) Applicability

(a) This chapter applies to all developments, permit approvals, land use approvals, partitions, subdivisions, or any other actions taken by the City Council or any administrative officer of the City pertaining to property abutting any road or street listed in TDC 75.030. In addition, any parcel not abutted by a road or street listed in TDC 75.030, but having access to an arterial by any easement or prescriptive right, shall be treated as if it did abut the arterial and this chapter applies. This chapter shall take precedence over any other TDC chapter and over any other ordinance of the City when considering any development, land use approval or other proposal for property abutting an arterial or any property having an access right to an arterial.

III. TDC SECTION 75.060 EXISTING DRIVEWAYS AND STREET INTERSECTIONS.

(1) Existing driveways with access onto arterials on the date this chapter was originally adopted shall be allowed to remain. If additional development occurs on properties with existing driveways with access onto arterials then this chapter applies and the entire site shall be made to conform with the requirements of this chapter.

(2) The City Engineer may restrict existing driveways and street intersections to right-in and right-out by construction of raised median barriers or other means.

FINDINGS:

SW Sagert Street east of SW 65th Avenue includes a median to restrict right-in/right-out movement approximately 220 feet long including taper to provide safety for turning movements within 150 feet of the intersection and adequate queue lengths for westbound left turning vehicles of 125 feet. This median restricts the west access from Tualatin Professional Center and proposed SW 64th Terrace. This restriction is identified in the Transportation Impact Analysis. This criterion is met.

IV. TDC SECTION 75.070 NEW INTERSECTIONS.

Except as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), all new intersections with arterials shall have a minimum spacing of ½ mile between intersections.

FINDINGS:

A new intersection with SW Borland Road is shown with proposed local street proposed SW 61st Terrace. This intersection is approximately 430 feet west of SW 60th Avenue and 940 feet east of SW 65th Avenue, both less than ½ mile spacing, but in a location similar to Figure 11-3. This criterion is met.

V. TDC SECTION 75.080 ALTERNATE ACCESS.

Except as provided in 75.090 all properties which abut two roadways shall have access on the lowest classification road-way, preferable on a local street.

FINDINGS:

All proposed lots are shown to have access to a local street, including those that abut higher classified SW 65th Avenue, SW Borland Road, and SW Sagert Street. This criterion is met.

VI. TDC SECTION 75.110 NEW STREETS.

(1) New streets designed to serve as alternatives to direct, parcel by parcel, access onto arterials are shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3). These streets are shown as corridors with the exact location determined through the partition, subdivision, public works permit or Architectural Review process. Unless modified by the City Council by the procedure set out below, these streets will be the only new intersections with arterials in the City. See map for changes

(2) Specific alignment of a new street may be altered by the City Engineer upon finding that the street, in the proposed alignment, will carry out the objectives of this chapter to the same, or a greater degree as the described alignment, that access to adjacent and nearby properties is as adequately maintained and that the revised alignment will result in a segment of the Tualatin road system which is reasonable and logical.

FINDINGS:

A new intersection with SW Borland Road is shown with proposed local street SW 61st Terrace. This intersection is approximately 430 feet west of SW 60th Avenue and 940 feet east of SW 65th Avenue, both less than ½ mile spacing, but in a location similar to Figure 11-3. The location on Figure 11-3 would be slightly offset from the Meridian Park Hospital's emergency access and necessitate right-in/right-out restriction. This would encourage residents from the Sagert Farm Subdivision to make use of local streets within Sequioa Ridge Subdivision when driving to/from the east. The point of connection shown proposed is slightly east of the center of the lot. This location allows for a full access intersection as it opposes the Meridian Park Hospital's emergency access which will allow residents to directly use SW Borland Road. This criterion is met.

VII. TDC SECTION 75.120 EXISTING STREETS.

The following list describes in detail the freeways and arterials as defined in TDC 75.030 with respect to access. Recommendations are made for future changes in accesses and location of future accesses. These recommendations are examples of possible solutions and shall not be construed as limiting the City's authority to change or impose different conditions if additional studies result in different recommendations from those listed below....

(9) 65TH AVENUE ...

(b) Borland Road to south city limits: A street connection will be constructed across from Sagert Street to serve property to the east of 65th Avenue.

(10) BORLAND ROAD

(a) Between 65th and the Entrance to Bridgeport School:

In this section of roadway, as the residential properties develop, all accesses to Borland shall be limited to street intersections. These street intersections shall be spaced a minimum of 500 feet apart. All development in this area shall be interconnected so there are no dead-end entrances from Borland Road....

FINDINGS:

A new intersection with SW Borland Road is shown with proposed local street SW 61st Terrace. This intersection is approximately 430 feet west of SW 60th Avenue and 940 feet east of SW 65th Avenue, both less than ½ mile spacing, but in a location similar to Figure 11-3. The location on Figure 11-3 would be slightly offset from the Meridian Park Hospital's emergency access and necessitate right-in/right-out restriction. This would encourage residents from the Sagert Farm Subdivision to make use of local streets within Sequioa Ridge Subdivision when driving to/from the east. The point of connection shown proposed is slightly east of the center of the lot. This location allows for a full access intersection as it opposes the Meridian Park Hospital's emergency access which will allow residents to directly use SW Borland Road. This criterion is met.

M. Findings Related To Tualatin Professional Center.

I. TMC Chapter 75.140

The Subdivision Complies with TDC 75.140.

TDC 75.140 provides:

Access Management for Collectors.

(a) Major Collectors. Direct access from newly constructed single family homes, duplexes or triplexes shall not be permitted. As major collectors in residential areas are fully improved, or adjacent land redevelops, direct access should be relocated to the nearest local street where feasible.

(b) Minor Collectors. Residential, commercial and industrial driveways where the frontage is greater or equal to 70 feet are permitted. Minimum spacing at 100 feet. Uses with less than 50 feet of frontage shall use a common (joint) access where available.

(c) If access is not able to be relocated to the nearest local street, the City Engineer may allow interim access in accordance with 75.090 of this chapter to provide for the eventual implementation of the overall access plan.

Sagert Street is a minor collector and as such, subsection 75.140(b) applies.

None of the proposed homes or lots within the subdivision will take direct access from Sagert Street. As such, the subdivision complies with TDC 75.140.

TDC 75.140 does not apply to the Tualatin Professional Center site because it is not part of the subdivision application. However, even applying TDC 75.140 to the Tualatin Professional Center site, the Subdivision still complies.

TDC 75.140 allows direct access to minor collector streets, which Sagert Street is, if the abutting property has 70 or more feet of frontage. The Tualatin Professional Center site has 230 feet of frontage and will retain their driveway access from Sagert Street to their site.

Tualatin Professional Center currently has four driveway accesses to their site: two north accesses from Borland Road and two south accesses off of Sagert Street. The subdivision application with the proposed conditions does not modify the Borland Road accesses. On the Sagert Street accesses, the street improvements required as part of the subdivision decision provide two south accesses to Sagert Street. In order to ensure the safety of all traveling public, the western driveway would be for right-in / right-out movements. To improve safety, left turns into or out of the driveway would be prohibited by a raised median on Sagert Street as allowed by TDC 75.060. The eastern driveway will remain a full access driveway. The street improvements required of the subdivision provide substantially the same access to the Tualatin Professional Center site as its

current configuration. With the addition of a signalized intersection and other street improvements required of the subdivision, there will be greater access to the Tualatin Professional Center site. The raised median will be traversable by emergency vehicles, which will be able to make all movements into and out of the both access during an emergency.

II. TDC Chapter 75 and Transportation System Plan.

Tualatin Professional Center claims the subdivision approval violates several unspecified goals and objectives of TDC Chapter 75 and the City's Transportation System Plan.

Tualatin Professional Center's Request for Review makes reference to consolidating joint driveways. TDC 75.130 requires joint driveways for multiple properties when appropriate driveway spacing cannot be accomplished, consistent with the access control goals of Chapter 75. The term "joint access" as used in TDC Chapter 75 refers to an access or driveway shared by multiple properties. Tualatin Professional Center is a single property and therefore joint access is irrelevant.

TDC Chapter 75 accomplishes the City's stated goals of providing safe, convenient and economic transportation systems by regulating the locations of driveways relative to intersections and other driveways, by limiting driveway access to certain roadway classifications, and by allowing safety provisions such as medians to restrict access to right-in / right-out only configurations. Driveway access is subservient to the primary rights of the public to the free use of the streets for the purposes of travel and other incidental purposes. The proposed bike lane and sidewalks will provide a safe connection for those traveling from the eastern neighborhoods to and from Atfalati Park.

The proposed preliminary plat, with the proposed conditions, meets the requirements of TDC 75.140(b), which requires extension of Sagert Street when development occurs.

The Transportation System Plan (TSP) does not contain approval criteria for making land-use decisions - especially limited land use decisions pursuant to ORS 197.195(1), which is the type of land use decision this subdivision application represents. Therefore, an alleged failure of this application to comply with certain goals or objectives contained in the TSP does not provide a basis on which to deny the application. Even so, in an effort to be responsive to Tualatin Professional Center, the Sagert Street alignment that was proposed with the Sagert Farm subdivision is consistent with the goals of the TSP, as those goals are implemented by approval criteria that *do* apply to the application, because that alignment serves the needs of all roadway users, including bicyclists, pedestrians, and drivers on Sagert Street. The City would also note that Tualatin Professional Center failed to specify which TSP or TDC Chapter 75 goals or objectives it believed the application violated.

Condition of Approval Nos. 16 and 48 require Sagert Farm Subdivision to construct the Sagert Street improvements and provide two driveways for access to two parking lots that serve Tualatin Professional Center. In order to ensure the safety of the traveling public, the western driveway would be configured for only right-in / right-out movements. To improve safety, left turns into or out of the driveway would be prohibited by a raised

median on Sagert Street as allowed by TDC 75.060. The City is also persuaded by, among other evidence in the record and Code requirements, the testimony of the Applicant's traffic engineer at the appeal hearing in which the traffic engineer explained why left in/left out movements at Tualatin Professional Center's western driveway onto to Sagert Street would be a safety hazard. One of those reasons is the likelihood that there will be vehicles stopped in the eastbound Sagert Street travel lane waiting for a gap in oncoming traffic in order to complete the left turn. Those stopped vehicles would likely cause vehicles behind them to back up into the intersection and remain there even after the light allowing for the turn had turned red.

The existing and proposed driveway configuration for Tualatin Professional Center meets spacing requirements between driveways and both driveways serve a single property. However, the western driveway is less than 150-feet from the intersection, so TDC 73.400(15)(d) and 75.060(2) allow the City to restrict turning movements to right-in / right-out only to improve safety for all roadway users.

TDC 75.060 allows such a configuration when a driveway is located too close to an intersection. The purpose of limiting turning movements to right in/right-out is to eliminate the danger from vehicles stacking into the SW 65th/Sagert Street intersection while waiting to turn left into Tualatin Professional Center's western driveway, as also identified by the Applicant's traffic engineer.

Tualatin Professional Center's proposal is to eliminate one of their driveway accesses to Sagert Street. The Sagert Street improvements with the proposed conditions of approval provide at least one full access driveway and one right-in/right-out driveway access onto Sagert Street. The street improvements with the proposed conditions of approval provide one additional driveway access as compared to what Tualatin Professional Center proposes and provides the additional benefit of a bike lane.

The bike lane is needed to connect the existing neighborhood and the new subdivision to the Atfalati Park that is located immediately west of the Sagert Street and 65th intersection. The bike lane is required by City standards and provides an important bicycle traffic connection to kids and adults alike to access the park.

Tualatin Professional Center was developed with two driveways to each of their two parking lots because the parking lots are not internally connected due to elevation differences between the two parking lots and the configuration of buildings on the site. Those on-site restrictions have no bearing on access to Sagert Street pursuant to TDC Chapter 75. Tualatin Professional Center will have substantially similar access as compared to its current condition. Tualatin Professional Center's access is not restricted, constitutes reasonable access, and there is no violation of TDC Chapter 75 or the TSP.

III. Tualatin Professional Center's Private Driveway Improvements are in City Right-of-Way.

Tualatin Professional Center's driveway improvements, were constructed in City right-of-way and are blocking the City's use and expansion of Sagert Street. The agreement

that allowed the temporary improvements to be located in City right-of-way expired in 1989 (Record Exhibit 105B). After that date Tualatin Professional Center has no legal right to locate their driveway improvements within the City's right-of-way. Furthermore, as evidenced by the 1984 agreement (Record Exhibit 105B), Tualatin Professional Center has known since 1984 that the driveway improvements are temporary and similarly knew the City's intent to extend Sagert Street west from 65th Avenue within the existing right-of-way. Tualatin Professional Center dedicated the Sagert Street right-of-way as part of the development of its property over 30 years ago, so Sagert Street could ultimately be extended. With the improvements to Sagert, Tualatin Professional Center is still allowed two driveway accesses on to Sagert Street and has two additional driveways off of Borland Road. The Tualatin Professional Center's on-site circulation issues was caused by a poor design or construction of their parking lot, which is unrelated to the City's right-of-way and the requirements to improve Sagert.

IV. Tualatin Professional Center's Proposed Alignment is Less Safe and Violates the City's Standards.

Tualatin Professional Center requests that instead of the conditions of approval, that Sagert Street should be shifted south "a few feet" to allow Tualatin Professional Center's encroachments to remain in the City's right-of-way.

The proposed change that Tualatin Professional Center submitted was not supported by evidence as to its safety or feasibility from a professional engineer and there is no evidence that the proposed design changes submitted by Tualatin Professional Center are safe or consistent with City roadway design standards. The Applicant's engineer did prepare engineered drawings showing how the proposed change could be accommodated by eliminating the westbound bike lane and making other provisions described above. The drawings from the Applicant's engineer clearly demonstrate that the Tualatin Professional Center's proposal is less safe than what was approved by staff and would violate City code.

The changes to Sagert Street proposed by Tualatin Professional Center would result in less public access and safety when compared to the subdivision condition of approval Nos. 16 and 48. The design change proposed by Tualatin Professional Center would result in a roadway section on Sagert Street that does not meet current standards for minor collectors and does not provide access for all roadway users.

In order to accommodate Tualatin Professional Center's proposed changes, Sagert would need to be constructed with minimum width lanes for westbound and eastbound left-turn lanes, without a westbound bicycle lane, without a planter strip on the north side of the street, and it would require vacation of City right-of-way or the City would have to accept a misaligned intersection at Sagert Street and 65th, which would jeopardize the safety of people using that busy intersection. The request by Tualatin Professional Center's proposal would not meet the City's minimum design standards for a minor collector.

Shifting the location of Sagert Street south a few feet is not easy to accomplish. The center line of the intersection is effectively fixed by the western leg of the intersection that abuts Aftalati Park. Safe alignment of the intersection includes aligning opposing

legs of the intersection and avoiding offset lanes. Shifting the eastern leg of the intersection south would require the western leg to also be shifted south. Shifting the whole roadway south adjacent to Tualatin Professional Center would require shifting the roadway south into the Park. Tualatin's charter, TMC CHAPTER XI Protection of City Owned Parks and Open Spaces, requires that vacations and major change in use of Tualatin park property for non-park uses requires a vote and approval by Tualatin's registered voters.

Recommended Conditions of Approval No. 16 and 48 will provide the safest configuration for all roadway users and will not "potentially endanger visitors to Tualatin Professional Center", as claimed by the Appellant.

V. Traffic Circulation to the Tualatin Professional Center Site.

In their Request for Review, Tualatin Professional Center provided a figure (Attachment 103) showing one possible traffic circulation scenario that they claim could result from the proposed improvements to Sagert Street. Their claim is made in response to the proposed median that would limit the western driveway to right-in / right-out. The traffic pattern was not submitted by a traffic engineer, but merely sketched. There is no reasonable basis to rely on this sketch.

City staff and the Applicant's traffic engineer, Kittelson and Associates, testified the right-in / right-out restrictions do not result in the traffic patterns claimed by Tualatin Professional Center. Tualatin Professional Center's claim focused only on the southern two driveways that access Tualatin Professional Center's development. Tualatin Professional Center did not consider the two existing driveways on Borland Road or the new north south roadway (SW 61st Terrace) that will connect Sagert Street and Borland Road after it is constructed as part of the Sagert Farm subdivision.

Record Exhibit 104, prepared by a professional traffic engineer from Kittelson, which shows the most likely traffic flow to Tualatin Professional Center. The traffic flow will utilize the two driveways on Sagert Street, the two existing driveways on Borland Street, and the new local roadway (SW 61 st Terrace) that will connect Sagert Street to Borland Street. The traffic pattern submitted by the Applicant and testimony of Kittelson and Associates is the traffic pattern that will most likely occur.

The configuration for Sagert Street proposed with conditions Nos. 16 and 48 does not remove the western driveway or remove access between lots. The configuration leaves the existing driveways in their current locations and controls access to the western driveway to right-in /right-out because the driveway is located too close to the intersection. Prohibiting left turns (northbound) into the western driveway and prohibiting left turns (eastbound) out of the western driveway does change how some vehicles will enter or exit Tualatin Professional Center. Vehicles that want to turn left into Tualatin Professional Center's western driveway will now need to travel north on 65th Avenue, turn right on Borland Road, and turn right into Tualatin Professional Center's eastern parking lot. Similarly, vehicles who want to turn left from the western driveway will now turn right on Sagert, right on 65 th, right on Borland, and right into the eastern lot.

The traffic circulation patterns identified by Kittelson demonstrate that trip length is not unreasonably increased for visitors to Tualatin Professional Center; access for emergency vehicles is not impacted by the mountable curbs proposed for the channelization median at the western driveway; and the proposed configuration provides for safe transportation for all roadway users. The traffic circulation pattern prepared by Kittelson shows that there are multiple opportunities for people to safely access and exit Tualatin Professional Center's parking lots.



Dorothy S. Cofield,
Attorney at Law

December 18, 2017

City Council
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
VIA:

*Re: RESPONSE TO CITY ATTORNEY MEMORANDUM –
Appeal to Tualatin City Council of Minor Architectural Review (MAR17-0041) Tualatin
Professional Center, 6464 SW Borland Road, Tualatin, OR 97062*

Dear Tualatin City Council,

This letter is in response to the City Attorney Sean Brady and Assistant Planner Erin Engman's Memorandum that our office received this evening after receipt of TPC's submission consisting of a letter to the City Council and the record from the Lennar SB 15-0002 proceeding, including the preliminary plan for the Tualatin Professional Center's southern accesses. See Record Submission Dated December 18, 2017, Transmittal Letter to Erin Engman (consisting of two CDs and a Flash Drive and their contents). This Response Letter is being sent while the first open record period is still open. See Attached E-Mail from Aquilla Hurd-Ravich, dated December 15, 2017. The applicant, TPC, asks that the record remain open an additional seven (7) days to respond in full to the Memorandum which is "new" evidence. ORS 197.763(6)(c).

The Memorandum states, for the first time, that the C220 Sheet was reviewed and accepted after the SB 15-0002 Sagert Farm land use decision even though TPC has been arguing since October, 2017 that C220 was a preliminary plan sheet. For the first time, the City Attorney and Planning Staff explain that C220 is an approved construction plan to restore the Sagert Street right-of-way. However, it does much more than construct the Sagert Street right-of-way. In C220, the city engineer approved the two TPC southern accesses and did not require a Minor Architectural Review (MAR) or impose the six additional conditions, which are the subject of this Request for Review. See Record 103.

TPC's arguments remain the same. Sheet C220 was taken off of the preliminary plan sheet C211 which is the street and storm plan for proposed Sagert Street. Sheet 250 (the demolition plan for the TPC existing accesses and the intended restored accesses) is part of the preliminary plans. See Cofield Submission, Dated December 18, 2017.

While C211 does not have the level of detail in Sheet C220, it clearly shows the proposed plan for the TPC property as having the same depth throat as has been approved in C220, as a construction plan. See Record Submission, Preliminary Plan, C211. It does not require a 50-foot throat access; it does not require landscaping along the driveways for 25 feet; it does not require internal parking lot landscaping and landscaping along the perimeter of Building D. In sum, it approves TPC's southern accesses without a Minor Architectural Review.

C211 states on it that “NOTE THIS AREA [TPC property] TO BE DESIGNED IN CONJUNCTION WITH TPC OWNER’S REPRESENTATIVE IMPROVEMENTS SHOWN ARE NOT FINAL.

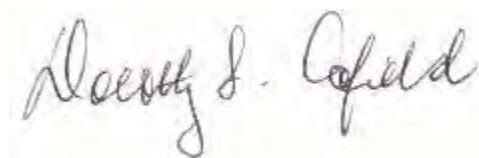
It appears that Lennar did design the two southern accesses for TPC in C220 and the city engineer approved them on August 19, 2016. The two approved accesses follow the preliminary plan in C211 and the demolition plan in C250. And as TPC has been arguing during this MAR process was forced upon them, the MAR process does not apply as evidenced by Lennar getting its construction plans for the TPC restored accesses with no requirement of the TDC access and landscaping standards the City is seeking to impose in its MAR 17-0004 Decision.

Per preliminary plan sheet C211 and 250; the findings in SB 15-002 and PFR 16 and 48, Lennar was supposed to design the two accesses “in conjunction” with TPC’s representative. To that end, Lennar provided TPC with a construction easement that showed the two accesses as approved by the City in SB 15-0002 and full restoration of TPC’s property. See Attached Negotiation Documents. The proposed construction easement shows that Lennar also relied and believed it could restore TPC’s property as part of the SB 15-0002 preliminary plan approval and no further land use reviews were required to reconstruct the two TPC accesses.

When TPC, through no fault of its own, did not meet Lennar’s deadline of August 19, 2016 to accept the approved C220 plan and construction easement, the C211 NOTE was unenforced – leaving TPC to try and restore its two southern accesses and the city not honoring its tentative plan approval in SB 15-0002, approving the TPC accesses as shown on C211 and in the record of SB 15-0002. See Cofield Council Letter, p. 1-2.

Based on the approved C220 construction plan, there is no need for TPC to go through the MAR process because the two southern accesses have been designed and approved by the city engineer. Because the KPF construction plans submitted to the City are nearly identical to the approved C220 construction plan, the planning department must approve them.

Very truly yours,



Dorothy S. Cofield

Enclosures: As Stated
cc: Client
Matt Johnson
Margot Seitz
City Attorney

AFTER RECORDING, RETURN TO:

Lennar Northwest, Inc.
Attn: James C. Reinhart, Esq.
11807 NE 99th Street, Suite 1170
Vancouver, WA 98682

EASEMENT

DATE: August_____, 2016

PARTIES: Tualatin Professional Center Condominium Owners (“Grantor”) Association, an Oregon mutual benefit non-profit corporation

AND: Lennar Northwest, Inc., a Delaware corporation (“Grantee”)

RECITALS

- A. Grantor is the condominium owners association formed and existing under Chapter 100, Oregon Revised Statutes, for the property described on Exhibit A attached hereto (the “Tualatin Property”), which was submitted to the condominium form of ownership as Tualatin Professional Center Condominium by declaration recorded on March 29, 1984 as Document No. 84 10272, Clackamas County Records. As the condominium owners association for the Tualatin Property, Grantor has the authority under ORS 100.405 to grant easements over the common elements of the Tualatin Property in accordance with that statute.
- B. Grantee owns the property described on Exhibit B attached hereto (the “Lennar Property”).
- C. A portion of SW Sagert Street, only partially developed, lies between the Tualatin Property and the Lennar Property. Grantor uses that portion of Sagert Street for access to SW 65th Avenue.
- D. Grantee intends to lay out and construct a subdivision on the Lennar Property, and for that purpose will extend Sagert Street east and south into the Lennar Property and construct street improvements, sidewalks, landscaping, and public utilities within the Sagert Street right of way (collectively the “Improvements”), which will have the effect of changing the access from the Tualatin Property to Sagert Street.

E. To better construct its improvements in Sagert Street (including Grantee's future dedication of the extension of Sagert Street), Grantee desires to access the southern portion of the Tualatin Property as shown on Exhibit C attached hereto ("Easement Area"), for the purpose of reconfiguring Grantor's access to Sagert Street to be compatible with the street itself.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, the parties agree as follows:

1. Grant of Easement. Grantor hereby grants and conveys unto Grantee a temporary nonexclusive easement (the "Easement") over, under, upon, and across the Easement Area for the following purposes:

- i) Removing certain improvements of Grantor that are within the current right-of-way of Sagert Street or are on the Easement Area and are necessary to accommodate the Improvements;
- ii) Installing two new driveways from the Tualatin Property to Sagert Street as shown on the attached Exhibit C;
- iii) Constructing two private sidewalks to connect the future Sagert Street sidewalk to the southernmost building on the Tualatin Property, also as shown on Exhibit C; and
- iv) Ingress and egress as necessary or desirable to accomplish the foregoing.

2. Construction. Grantee's use of the Easement Area shall be in compliance with all applicable laws and with Exhibit C attached hereto. Grantee, at Grantee's expense, shall: (i) obtain all plan approvals and permits from the City of Tualatin required for Grantee's use of the Easement Area; (ii) install and maintain temporary construction fencing as required; (iii) remove the existing retaining wall from the Easement Area; (iv) saw cut and remove the necessary portion of the existing pavement from the Easement Area indicated on Exhibit C; (v) saw cut and remove concrete curbing from the Easement Area; (vi) grade the Easement Area to provide a reasonable transition from Sagert Street to the remaining parking area of Grantor; (vii) install standard concrete curb and pavement in the Easement Area as shown on Exhibit C attached hereto; (viii) construct concrete sidewalk in the Easement Area as shown on Exhibit C attached hereto; (ix) cap any irrigation lines that are severed in the construction; and (x) remove construction debris and temporary fencing in the Easement Area when completed, so that when Grantee's work is complete the Easement Area will be laid out substantially as shown on the attached Exhibit C. Grantee will keep to a reasonable minimum the duration of any closure of Grantor's existing driveways to Sagert Street.

3. Authority. Grantor and Grantee represent to each other that each has a good and lawful right to enter into the Easement.

4. No Dedication. By granting to Grantee the temporary right to use the Easement Area for this purpose, Grantor is not making any dedication to the public.

5. Indemnification. Each party shall defend, indemnify, and hold the other party harmless from any claim, loss, or liability arising out of or in any way connected with such party's possession or use of the Easement Area or such party's conduct with respect to the Easement, except for liability arising out of the other party's gross negligence or intentional misconduct.

6. Breach. In the event either party fails to perform its obligations under the Easement, the other party shall be entitled to require such performance by suit for specific performance or, if appropriate, through injunctive relief. Such remedies shall be in addition to any other remedies afforded under Oregon law, including but not limited to damages. In the event of any litigation arising under the Easement (including any bankruptcy proceedings), the prevailing party shall recover from the other party the reasonable attorneys' fees to the prevailing party at arbitration, trial, or appeal, and review as determined by the court.

7. Binding Effect; Term and Expiration. The Easement granted hereunder takes effect on the date that this document is recorded, and will expire on the date that is the earlier of (a) two years after the date of recording, and (b) twelve (12) months after Grantee commences construction within the Easement Area. However, the expiration of the Easement will not terminate Grantee's obligation to Grantor to complete the work described in Section 2. Until it expires, the Easement shall run with the land as to all properties burdened and benefited by the Easement, including any division or partition of such property. On expiration of the Easement, any remaining interest of Grantee in the improvements that Grantee constructs in the Easement Area will become the property of Grantor. The rights, covenants, and obligations contained in the Easement shall bind, burden, and benefit each party's successors, assigns, permittees, lessees, mortgagees, or beneficiaries under a deed of trust.

8. Statutory Authority. Grantor grants this Easement over general common elements of the Tualatin Property and not over any limited common elements or individual units. Grantor grants this Easement under the authority of ORS 100.405(5) and 100.405(6)(a)(B)(i), having obtained the approval of a majority of the board of directors.

///

9. Integration. The Easement is the entire, final, and complete agreement of the parties pertaining to the Easement Area and supersedes and replaces all prior or existing written or oral agreements between the parties or their representatives relating to the Easement Area.

IN WITNESS WHEREOF, the parties have caused the Easement to be executed as of the day and year first written above.

Grantor:

Grantee:

Tualatin Professional Center Condominium
Owners Association,
an Oregon mutual benefit non-profit
corporation

Lennar Northwest, Inc.,
a Delaware corporation

By: _____
Name: Aaron D. Gorin
Title: President

By: _____
Name: Ryan M. Selby
Title: Vice President

And: _____
Dean I. Delavan
Secretary

[Notarizations on next page]

State of OREGON
County of _____

This record was acknowledged before me on _____, 2016,
by Aaron D. Gorin as President of **Tualatin Professional Center Condominium Owners
Association**, an Oregon mutual benefit non-profit corporation.

Notary Public – State of Oregon

State of OREGON
County of _____

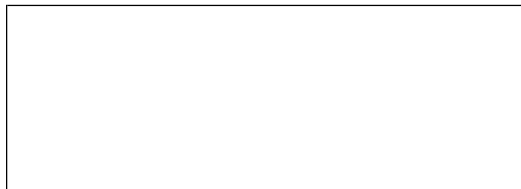
This record was acknowledged before me on _____, 2016,
by Dean I. Delavan as Secretary of **Tualatin Professional Center Condominium Owners
Association**, an Oregon mutual benefit non-profit corporation.

Notary Public – State of Oregon

STATE OF WASHINGTON)
) ss.
COUNTY OF CLARK)

I certify that I know or have satisfactory evidence that **Ryan M. Selby** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Vice President of Lennar Northwest, Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____, 2016.



Printed Name _____
Notary Public in and for the State of Washington
Residing at _____
My Commission Expires _____

EXHIBIT A
Tualatin Property
Description

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point which bears South $89^{\circ}36'27''$ East 320.00 feet from the Southwest corner of Section 19, T 2S R 1E, W.M. in Clackamas County, Oregon, said point being on the South line of Section 19; thence North $89^{\circ}36'27''$ West along the South line of Section 19, a distance of 64.24 feet to a point of curvature; thence along the arc of a 280.00 foot radius curve to the left through a central angle of $26^{\circ}45'57''$, an arc distance of 130.80 feet (The chord bears North $76^{\circ}13'31''$ West 129.61 feet to a point of tangency; thence North $89^{\circ}36'27''$ West a distance of 100.00 feet to a point in the East line of S.W. 65th Avenue, (Meridian Road); thence North $0^{\circ}14'37''$ West Parallel with the West Line of Section 19, a distance of 378.04 feet to a Point in the South line of SW Borland Road, (Market Road No. 4) thence South $89^{\circ}36'27''$ East along said South line 260.00 feet to a point; South $0^{\circ}23'33''$ West, at right angles to said South line a distance of 60.00 feet; thence South $44^{\circ}36'59''$ East 68.62 feet; thence South $0^{\circ}23'33''$ West 37.00 feet; thence South $89^{\circ}36'27''$ East 21.00 feet; thence South $0^{\circ}23'33''$ West 162.50 feet; thence North $89^{\circ}36'27''$ West 35.00 feet; thence South $0^{\circ}23'33''$ West a distance of 100.00 feet to the point of beginning. In the S.W 1/4 Section 19 T 2S R 1E W.M.

The property was submitted to the condominium form of ownership under the name of TUALATIN PROFESSIONAL CENTER CONDOMINIUM by declaration recorded on March 29, 1984 as document no. 84 10272, Clackamas County Records.

EXHIBIT B
Lennar Property
Description

Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL 1:

Part of the Northwest quarter of the Northwest quarter of Section 30, T.2.S.R.1.E. of W.M.

Beginning at the Northwest corner of Section 30, in T.2.S.R.1.E. of W.M., thence South on Section line 700.00 feet to an iron pipe; thence East 351.3 feet to the Northeast corner of a 21.3 foot strip of land conveyed to Peter J. Hillesland and Etna H. Hillesland, his wife, by deed recorded March 12, 1945, in book 340 of deeds page 396, records of Clackamas County, Oregon; thence south along the east side of said land 620.00 feet to the southeast corner thereof on the 1/16th section line; thence East on 1/16th section line 696.7 feet to an iron pipe at the southwest corner of a tract of land conveyed to R.A. Lee, by deed recorded Oct. 27, 1936 in book 234 page 293, Clackamas County records; thence North along the West line of the said Lee tract 1320.00 feet to an iron pipe on the section line; thence West on Section line 1048.00 feet to the place of beginning.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS HIGHWAY DIVISIONS, BY DECREE FILED IN CIRCUIT COURT SUIT #68-213;

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO PORTLAND GENERAL ELECTRIC COMPANY, an Oregon corporation, BY deed recorded 9-24-68, Fee No. 68 19723, Deed Records;

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE PUBLIC FOR ROADWAY PURPOSES IN DEED RECORDED 02-03-95, Fee No. 95-006447, Deed Records.

PARCEL 2:

Part of the Southwest quarter of the southwest quarter of Section 19 in T.2.S.R.1.E. of the Willamette Meridian, described as:

Beginning at an iron pipe which is East 788.00 feet from the Northwest corner of Section 30, in T.2.S.R.1.E. of the Willamette Meridian, thence North 441 feet to an iron pipe in the center of a road; thence East 260.00 feet to an iron pipe; thence South 441.00 feet to an iron pipe; thence west 260.00 feet to the place of beginning.

NOTE: This legal description was created prior to January 1, 2008.

EXHIBIT C
Easement Area Description

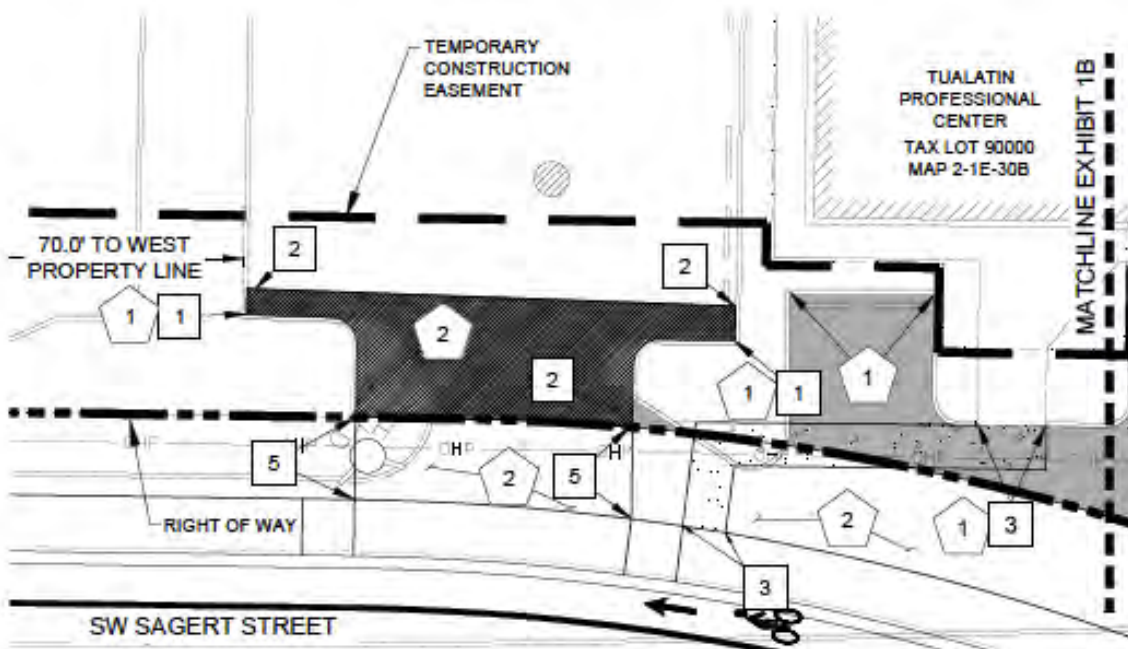
SEE ATTACHED

DEMOLITION KEY NOTES

- 1 REMOVE STANDARD CURB AND DISPOSE OF OFF SITE.
- 2 REMOVE EXISTING PAVEMENT WITHIN WORK LIMITS SHOWN, AND DISPOSE OF OFF SITE.
- 3 REMOVE RETAINING WALL AND DISPOSE OF OFF SITE.

CONSTRUCTION KEY NOTES

- 1 CONSTRUCT STANDARD CURB.
- 2 CONSTRUCT ASPHALT PAVING SECTION.
- 3 CONSTRUCT CONCRETE SIDEWALK.
- 4 INSTALL 4" WIDE WHITE LATEX PARKING LOT PAINT STRIPE AS SHOWN
- 5 PROVIDE CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY.

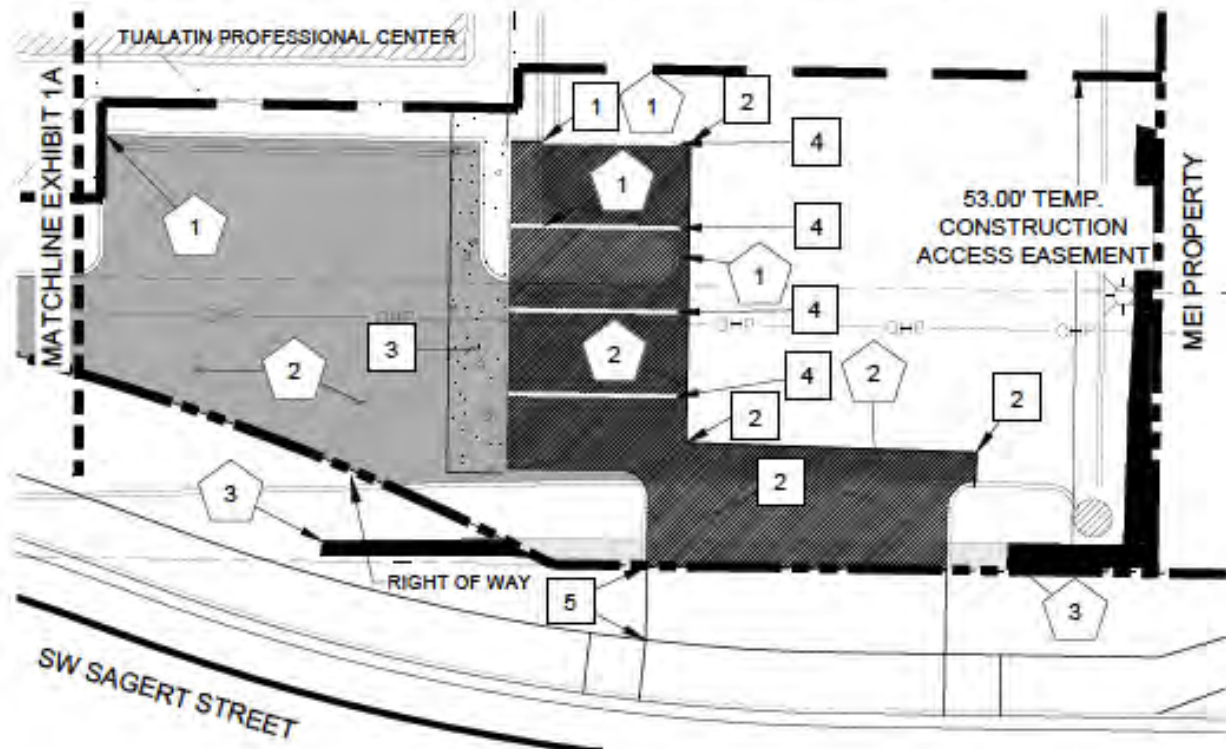


DEMOLITION KEY NOTES

- 1 REMOVE STANDARD CURB AND DISPOSE OF OFF SITE.
- 2 REMOVE EXISTING PAVEMENT WITHIN WORK LIMITS SHOWN, AND DISPOSE OF OFF SITE.
- 3 REMOVE RETAINING WALL AND DISPOSE OF OFF SITE.

CONSTRUCTION KEY NOTES

- 1 CONSTRUCT STANDARD CURB.
- 2 CONSTRUCT ASPHALT PAVING SECTION.
- 3 CONSTRUCT CONCRETE SIDEWALK.
- 4 INSTALL 4" WIDE WHITE LATEX PARKING LOT PAINT STRIPE AS SHOWN
- 5 PROVIDE CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY.





City of Tualatin

www.tualatinoregon.gov

December 03, 2015

SUBDIVISION REVIEW FINDINGS AND DECISION FOR SB15-0002, SAGERT FARM

Contents

I.	RECOMMENDATION.....	6
A.	PRIOR TO ANY ON_SITE WORK RELATED TO THIS DECISION:.....	6
B.	PRIOR TO ISSUANCE OF PUBLIC WORKS AND WATER QUALITY PERMITS:.....	6
C.	PRIOR TO APPROVAL OF THE FINAL PLAT:.....	9
D.	PRIOR TO ISSUANCE OF THE FIRST HOUSE’S BUILDING PERMIT ON THE SUBJECT SITE:	10
E.	PRIOR TO ISSUANCE OF A EACH NEW HOME BUILDING PERMIT:	10
F.	PRIOR TO ISSUANCE OF A SIGN PERMIT FOR MONUMENT SIGNS:.....	11
II.	APPEAL	12
III.	STANDARDS AND APPLICABLE CRITERIA	14
IV.	FINDINGS OF FACT	14
V.	CONCLUSIONS	15
A.	TMC TITLE 03: UTILITIES AND WATER QUALITY	15
I.	TMC CHAPTER 03-02: SEWER REGULATIONS; RATES	15
1.	TMC 3-2-020 Application, Permit and Inspection Procedure.	15
2.	TMC 3-2-030 Materials and Manner of Construction.	15
II.	TMC CHAPTER 03-03: WATER SERVICE.....	16
1.	TMC 3-3-040 Separate Services Required.	16
2.	TMC 3-3-110 Construction Standards.	16
3.	TMC 3-3-120 Backflow Prevention Devices and Cross Connections.	16
4.	TMC 3-3-130 Control Valves.	17
III.	TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS	17
1.	TMC 3-5-010 Policy.	17
2.	TMC 3-5-050 Erosion Control Permits.	17
3.	TMC 3-5-060 Permit Process.	18
4.	TMC 3-5-200 Downstream Protection Requirement.....	18

5. TMC 3-5-210 Review of Downstream System.....	19
6. TMC 3-5-220 Criteria for Requiring On-Site Detention to be Constructed.....	19
IV. TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES	20
1. TMC 3-5-280 Placement of Water Quality Facilities.....	20
2. TMC 3-5-290 Purpose of Title.....	20
3. TMC 3-5-300 Application of Title.....	20
4. TMC 3-5-310 Exceptions.....	20
5. TMC 3-5-320 Definitions.....	21
6. TMC 3-5-330 Permit Required.....	21
7. TMC 3-5-340 Facilities Required.....	22
8. TMC 3-5-345 Inspection Reports.....	22
9. TMC 3-5-350 Phosphorous Removal Standard.....	22
10. TMC 3-5-360 Design Storm.....	22
11. TMC 3-5-370 Design Requirements.....	22
12. TMC 3-5-330 Permit Required.....	22
13. TMC -5-340 Facilities Required.....	23
14. TMC 3-5-390 Facility Permit Approval.....	23
15. TMC 3-5-420 Residential Developments.....	23
B. CHAPTER 04-02: FIRE HYDRANT LOCATIONS AND RATES OF FLOW	24
I. TMC 4-2-010 HYDRANTS AND WATER SUPPLY FOR FIRE PROTECTION... 24	
C. TDC CHAPTER 13: SEWER SERVICE, SECTION 13.060 EXISTING SYSTEM	24
D. TDC SECTION 31.063 NEIGHBORHOOD/ DEVELOPER MEETINGS.....	25
E. TDC CHAPTER 34: SPECIAL REGULATIONS	26
I. TDC SECTION 34.210 APPLICATION FOR ARCHITECTURAL REVIEW, SUBDIVISION OR PARTITION REVIEW, OR TREE REMOVAL PERMIT.....	26
1. TDC Section 34.230 Criteria.....	27
2. TDC Section 34.270 Tree Protection During Construction.....	28
II. TDC SECTION 34.330 FENCE STANDARDS.....	29
1. TDC Section 34.340 Fence Design.....	30
F. TDC CHAPTER 36: SUBDIVIDING, PARTITIONING AND PROPERTY LINE ADJUSTMENTS	32
I. TDC SECTION 36.070 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS.....	32
II. TDC SECTION 36.080 APPROVAL OF STREETS AND WAYS.....	33
III. TDC SECTION 36.090 ISSUANCE OF BUILDING PERMITS.....	33
IV. TDC SECTION 36.120 APPLICATIONS AND FILING FEE.....	34

1. TDC SECTION 36.140 REVIEW PROCESS.....	37
V. TDC SECTION 36.410 DOUBLE FRONTAGE AND REVERSE FRONTAGE. ...	40
VI. TDC SECTION 36.420 EXISTING STRUCTURES AND APPURTENANCES....	41
VII. TDC SECTION 36.450 SIDE LOT LINES.	41
VIII. TDC SECTION 36.470 FRONTAGE ON PUBLIC STREETS.....	41
G. TDC 38: SIGN REGULATIONS.....	42
I. TDC SECTION 38.060 SIGN PERMIT REQUIRED.	42
H. TDC 40: LOW DENSITY RESIDENTIAL PLANNING DISTRICT (RL)	43
I. TDC SECTION 40.010 PURPOSE.....	43
II. TDC SECTION 40.015 PERMITTED DENSITY.	43
1. TDC SECTION 1.020 DEFINITIONS.....	44
III. TDC SECTION 40.020 PERMITTED USES.....	44
IV. TDC 40.050 LOT SIZE FOR PERMITTED USES.	45
V. TDC SECTION 40.055 LOT SIZE FOR GREENWAY AND NATURAL AREA TRACTS AND LOTS.....	46
VI. TDC SECTION 40.070 SETBACK REQUIREMENTS FOR PERMITTED USES.....	48
VII. TDC SECTION 40.090 PROJECTIONS INTO REQUIRED YARDS.....	49
VIII. TDC SECTION 40.100 STRUCTURE HEIGHT.....	49
I. TDC CHAPTER 72: NATURAL RESOURCE PROTECTION OVERLAY DISTRICT (NRPO)	50
I. TDC SECTION 72.010 PURPOSE.....	50
II. TDC SECTION 72.013 SIGNIFICANT NATURAL RESOURCES.	50
III. TDC SECTION 72.020 LOCATION OF GREENWAYS AND NATURAL AREAS.	51
IV. TDC SECTION 72.030 GREENWAYS.....	51
V. TDC SECTION 72.060 DEVELOPMENT RESTRICTIONS IN GREENWAYS AND NATURAL AREAS.	52
VI. TDC SECTION 72.070 GENERAL GUIDELINES FOR PEDESTRIAN AND BIKE PATHS IN GREENWAYS.	54
VII. TDC SECTION 72.080 SHIFT OF DENSITY FOR RESIDENTIAL DEVELOPMENT ADJACENT TO GREENWAYS OR NATURAL AREAS.....	55
VIII. TDC SECTION 72.100 PARKS SYSTEMS DEVELOPMENT CHARGE (SDC) CREDIT.	55
IX. TDC SECTION 72.110 EASEMENTS FOR PEDESTRIAN AND BICYCLE ACCESS.....	56
J. TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS	56
I. TDC SECTION 73.250 TREE PRESERVATION.....	56
II. TDC SECTION 73.270 GRADING.	57

III.	TDC SECTION 73.280 IRRIGATION SYSTEM REQUIRED.....	58
IV.	TDC SECTION 73.400 ACCESS.	59
K.	TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS.....	63
I.	TDC SECTION 74.120 PUBLIC IMPROVEMENTS.	63
II.	TDC SECTION 74.140 CONSTRUCTION TIMING.....	64
III.	TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.	64
IV.	TDC SECTION 74.310 GREENWAY, NATURAL AREA, BIKE, AND PEDESTRIAN PATH DEDICATIONS AND EASEMENTS.	69
V.	TDC SECTION 74.330 UTILITY EASEMENTS.....	69
VI.	TDC SECTION 74.340 WATERCOURSE EASEMENTS.....	70
VII.	TDC SECTION 74.350 TRACTS.....	71
VIII.	TDC SECTION 74.410 FUTURE STREET EXTENSIONS.....	71
IX.	TDC SECTION 74.420 STREET IMPROVEMENTS.	73
X.	TDC SECTION 74.425 STREET DESIGN STANDARDS.	75
XI.	TDC SECTION 74.430 STREETS, MODIFICATIONS OF REQUIREMENTS IN CASES OF UNUSUAL CONDITIONS.....	78
XII.	TDC SECTION 74.440 STREETS, TRAFFIC STUDY REQUIRED.....	79
XIII.	TDC SECTION 74.450 BIKEWAYS AND PEDESTRIAN PATHS.	80
XIV.	TDC SECTION 74.460 ACCESSWAYS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SUBDIVISIONS AND PARTITIONS.....	80
XV.	TDC SECTION 74.470 STREET LIGHTS.	82
XVI.	TDC SECTION 74.475 STREET NAMES.	82
XVII.	TDC SECTION 74.480 STREET SIGNS.	83
XVIII.	TDC SECTION 74.485 STREET TREES.....	83
XIX.	TDC SECTION 74.610 WATER SERVICE.....	84
XX.	TDC SECTION 74.620 SANITARY SEWER SERVICE.....	85
XXI.	TDC SECTION 74.630 STORM DRAINAGE SYSTEM.....	85
XXII.	TDC SECTION 74.640 GRADING.....	86
XXIII.	TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.....	87
XXIV.	TDC SECTION 74.660 UNDERGROUND.....	88
XXV.	TDC SECTION 74.670 EXISTING STRUCTURES.....	89
XXVI.	TDC SECTION 74.700 REMOVAL, DESTRUCTION OR INJURY OF TREES. 89	
XXVII.	TDC SECTION 74.720 PROTECTION OF TREES DURING CONSTRUCTION.....	89
XXVIII.	TDC SECTION 74.740 PROHIBITED TREES.....	90

XXIX. TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.....	90
L. TDC CHAPTER 75: ACCESS MANAGEMENT.....	91
I. TDC SECTION 75.010 PURPOSE.....	91
II. TDC SECTION 75.030 FREEWAYS AND ARTERIALS DEFINED.....	91
III. TDC SECTION 75.060 EXISTING DRIVEWAYS AND STREET INTERSECTIONS.....	92
IV. TDC SECTION 75.070 NEW INTERSECTIONS.....	92
V. TDC SECTION 75.080 ALTERNATE ACCESS.....	92
VI. TDC SECTION 75.110 NEW STREETS.....	93
VII. TDC SECTION 75.120 EXISTING STREETS.....	93
VI. ATTACHMENTS.....	95

I. RECOMMENDATION

Based on the findings presented, the City Engineer approves the preliminary plat of SB15-0002, Sagert Farm with the following conditions:

A. PRIOR TO ANY ON SITE WORK RELATED TO THIS DECISION:

PFR-1 Provide a tree protection plan to scale that shows all preserved trees will be protected with sturdy chain link fencing around the drip line throughout the entirety of the development. If the drip line of the preserved trees is shown within a current building envelope, the building envelope shall be moved so that no construction takes place within the drip line of the preserved trees. Any encroachment on the drip line of the preserved trees must first be approved by the City per TDC 73.250(2)(e). In addition to the tree protection plan, any and all grading plans shall show all preserved trees protected with sturdy fencing (chain link fence) during the construction process. Any and all grading plans shall include a note that states "No grading activities will allow preserved tree roots to remain exposed per TDC 73.250(2)(f)".

B. PRIOR TO ISSUANCE OF PUBLIC WORKS AND WATER QUALITY PERMITS:

- PFR -2 Submit final sanitary sewer plans that show location of the lines, grade, materials, and other details.
- PFR -3 Show each lot will have a separate minimum 1-inch water lateral with backflow prevention, double check valve assemblies, and control valves.
- PFR -4 Submit final water system plans that show location of the water lines, grade, materials, and other details.
- PFR-5 Obtain a NPDES Erosion Control Permit in accordance with code section TMC 3-5-060.
- PFR-6 Obtain a City of Tualatin erosion control permit in accordance with code section TMC 3-5-060.
- PFR-7 Submit final stormwater calculations that include conveyance through the development.
- PFR-8 Submit final stormwater plans.
- PFR -9 Submit plans that meet the requirements of TVF&R and show red powder coated public fire hydrants spaced to meet Public Works Construction Code.

- PFR-10 Submit a scaled tree preservation site plan and grading plan that shows preservation of trees to be retained in conformance with TDC 34.210(1&2), 73.250(2)(a) and as approved on the plans.
- PFR -11 Submit approvable plans and color elevations including all color and material specifications that show the entirety of the subject site's SW 65th Avenue frontage, the entirety of the subject site's SW Borland Road frontage, and the south side of SW Sagert Street with masonry fences with appropriate vision clearance per TDC 34.330 and 34.340 Fence Design or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76.
- PFR -12 Submit a final site plan that demonstrates the masonry fence is located entirely along access restricted property lines parallel to SW 65th Avenue, SW Borland Road, and SW Sagert Street and located entirely outside the public right-of-way. This masonry fence site plan shall conform to all applicable sections of TDC 34.330 Fence Standards or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76 as shown in this application.
- PFR -13 Show the proposed Tract F either as part of adjacent lots, maintained by a home owners association, or be dedicated to the City.
- PFR -14 Show the location of existing sanitary sewer septic tank for decommissioning.
- PFR -15 Submit plans that show access for lot 2 to proposed SW 61st Terrance via a flag pole at least 20 feet wide.
- PFR -16 Submit plans that show one driveway for Tualatin Professional Center and one driveway for MEI to be at least 32-feet wide extending to the back of the proposed sidewalk.
- PFR -17 Submit plans that comply with the requirements of Clackamas and Washington County memorandums.
- PFR -18 Submit plans and narrative that identify how adjacent park lands (Atfalati Park) will be restored subsequent to SW 65th Avenue and SW Sagert Street road widening (e.g., tapering grades, salvaging and replanting trees, irrigation).
- PFR -19 Submit plans that show a maintenance access from SW 65th Avenue for the proposed manhole west of the SW 65th Avenue pump station.
- PFR -20 Show that the sidewalk to SW 65th Avenue at the south end of the development is an entrance for northbound bicycles from SW 65th Avenue only, taper the approach to AASHTO code, and include a pedestrian barrier.

- PFR -21 Extend the public sidewalk on SW Borland Road west to connect to the existing sidewalk.
- PFR -22 Submit plans that show 5-foot wide public utility easements at the sides and rear of all lots.
- PFR -23 Submit plans that show public stormwater facility within the greenway tract in a separate tract for stormwater purposes.
- PFR -24 Submit plans that show concrete maintenance surfaces extending 5-feet past the sanitary sewer manholes and extend to the public water quality facilities per City Engineer direction.
- PFR -25 Submit plans that show root barriers for street trees that are within 10 feet of a public line or adjacent to a public sidewalk will need a 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk.
- PFR -26 Show the accessway from proposed SW 64th Terrace to SW 65th Avenue across Tract C as concrete and 8 feet wide.
- PFR -27 Submit plans that show SW Street "E" with a City approved name.
- PFR -28 Show street name signs at each intersection of SW Sagert Street with SW 65th Avenue, proposed SW 64th Terrace, proposed SW 63rd Terrace, proposed SW 62nd Terrace, and proposed SW 61st Terrace; at each intersection of proposed SW "E" Street with proposed SW 64th Terrace, proposed SW 63rd Terrace, proposed SW 62nd Terrace, and proposed SW 61st Terrace; and with proposed SW 61st Terrace and SW Borland Road or as amended per City Engineer direction.
- PFR -29 Show stop signs for northbound traffic intersecting with SW Sagert Street on proposed SW 64th Terrace, proposed SW 63rd Terrace, and proposed SW 62nd Terrace; southbound traffic intersecting proposed SW "E" Street on proposed SW 63rd Terrace and proposed SW 62nd Terrace; an all way stop at the intersection of SW Sagert Street and proposed SW 61st Terrace; and northbound proposed SW 61st Terrace at the intersection with SW Borland Road or as amended per City Engineer direction.
- PFR -30 Show 25-mph speed limit signs entering this subdivision from SW Borland Road on proposed SW 61st Terrace and from SW 65th Avenue on SW Sagert Street or as amended per City Engineer direction.
- PFR -31 Show traffic control signs and striping for the intersection of SW 65th Avenue and SW Sagert Street or as amended per City Engineer direction.

- PFR -32 Submit plans that show approved street trees selected for the 4-foot wide planter strips, in a planter strip between SW Sagert Street curb and sidewalk adjacent to PGE, and the planted median is shown within SW Sagert Street east of proposed SW 61st Terrace.
- PFR –33 Show extension of a public water line from within the proposed development south to adjacent undeveloped Tax Lot 21E30B 00700.
- PFR -34 Underground all utility lines with the exception of those that are 50,000 volts or above or record a Street Improvement Agreement for undergrounding.
- PFR -35 Submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions and obtain an Amended Service Provider Letter as determined by Clean Water Services for any revisions to the proposed plans.
- PFR-36 Submit plans that minimize the impact of stormwater from the development to adjacent properties.

C. PRIOR TO APPROVAL OF THE FINAL PLAT:

- PFR-37 Record the final plat within 24 months of the issued decision or obtain an extension per TDC 36.160(6).
- PFR-38 Obtain a Public Works Permit and Water Quality Permit.
- PFR-39 Complete all the public improvements, shown on submitted plans and corrected by conditions of approval, and have them accepted by the City or provide financial assurance.
- PFR –40 Demolish all existing structures meeting the requirements of HIST-14-01 which expires September 11, 2016 or obtain another HIST approval or extension to demolish the historic barn.
- PFR –41 Submit proof of DEQ approval of decommissioning of all wells and tanks.
- PFR -42 Record all public easements and dedications shown on submitted plans and corrected by conditions of approval.
- PFR -43 Convey Tract A and the portions of B and C excluding the public water quality facilities in separate tracts by statutory warranty deed and execute and record Greenway easements covering the connecting pathway over sanitary sewer easement between lots 69 and 70.
- PFR -44 The area shown as Tract E will be dedicated as SW Sagert Street right-of-way.

- PFR -45 Enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Trail Improvement Agreement with City to construct the Saum Creek Greenway Trail and related improvements and provide adequate assurances in a form approved by the City Attorney.
- PFR -46 Dedicate the area shown as Tract F as Natural Area and plant in northwest native trees, shrubs, and ground cover or show it as maintained by a Home Owners Association within a conservation easement.

D. PRIOR TO ISSUANCE OF THE FIRST HOUSE'S BUILDING PERMIT ON THE SUBJECT SITE:

- PFR -47 Decommission and salvage the pump station south of Sequoia Ridge Subdivision.
- PFR-48 Construct all public improvements shown on submitted plans and corrected by conditions of approval.
- PFR-49 Deliver a Mylar copy of the recorded plat to the City Engineer.
- PFR -50 Request and obtain SDC and TDT credits for public improvements, if desired.
- PFR-51 Construct the entirety of required masonry fences per TDC 34.330 and 34.340 and obtain a final inspection from the planning division.

E. PRIOR TO ISSUANCE OF A EACH NEW HOME BUILDING PERMIT:

- PFR-52 Provide the approved tree protection plan from PFR-10 with each structure's building permit, to ensure construction is consistent with the protections provided by the approved plan. The approved plan may be amended by the project's arborist during construction if approved by the City.
- PFR -53 Show no more than 45% of any lot covered with buildings.
- PFR -54 Show plans meeting the minimum width of all setbacks for permitted uses: front yard 15 feet, unenclosed porch 12 feet, garage door 20 feet, side yard 5 feet, rear yard 15 feet; for a corner lot: one front yard 15 feet and the second 10 feet.
- PFR -55 Show structure projections into yards with a maximum of front or rear yard setback area not more than three feet and into a required side yard not more than two feet.
- PFR -56 Show structure heights a maximum of 35 feet.
- PFR -57 Show 2 onsite parking spaces per lot.

PFR -58 Show driveways widths a minimum of 10 feet wide and with a maximum for 26 feet for one or two car garages and 37 for three or more.

PFR -59 Submit plans that state the landscaped areas on each lot will be irrigated.

PFR -60 Submit verification that shows adequate capacity of proposed sanitary sewer lines and the SW 65th Avenue pump station.

PFR -61 Submit plans that show private sanitary sewer and stormwater laterals serving lot 2 from proposed SW 61st Terrace.

PFR -62 Submit proof that shows all crawl spaces will be served by gravity drainage.

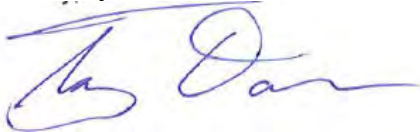
F. PRIOR TO ISSUANCE OF A SIGN PERMIT FOR MONUMENT SIGNS:

PFR-63 The applicant shall separately from this subdivision land use decision submit sign permit applications for any new signage.

II. APPEAL

Requests for review of this decision must be received by the Engineering Division within the 14-day appeal period ending on **December 17, 2015 at 5 PM**. Issues must have been described with adequate clarity and detail with identification of the associated Tualatin Municipal or Development Code section to afford a decision maker an opportunity to respond to the issue. A request for review must be submitted on the form provided by the City, as detailed in TDC 36.161, and signed by the appellant.

Sincerely,



Tony Doran, EIT
Engineering Associate

C: Sagert Family, LLC ,Attn: John Pinkstaff, Esq., Lane Powell, PC, 601 SW Second Avenue, Suite 2100, Portland, OR 97204
Lennar Northwest, Attn: Michael Loomis, 11807 NE 99th Street, Suite 1170, Vancouver, WA 98682
3J Consulting, Inc, Attn: Andrew Tull, 5075 SW Griffith Drive, Suite 150, Beaverton, OR 97005

Agencies That Commented (see attachments):

Clackamas County Traffic Engineering and Development Review, Robert Hixon, Development Services Building, 150 Beaver Creek Road, Oregon City, OR 97045
Clean Water Services, Jackie Sue Humphreys, Clean Water Services, 2550 SW Hillsboro Highway, Hillsboro, OR 97123
Tualatin Valley Fire and Rescue, Ty Darby, Deputy Fire Marshal II, South Operating Center, 8445 SW Elligsen Road, Wilsonville, OR 97070-9641
Washington County, Department of Land Use and Transportation, Operations & Maintenance Division, Naomi Vogel, Associate Planner, 1400 SW Walnut Street, MS 51, Hillsboro, OR 97123-5625

Citizens Who Commented During the 14-Day Comment Period (see attachments):

Bob Nelson, 6035 SW Sequoia Drive, Tualatin, OR 97062
Nancy Falconer, 6075 SW Sequoia Drive, Tualatin, OR 97062
Dean N. Alterman, Folawn Alterman & Richardson LLP, 805 SW Broadway, Suite 2750, Portland, OR 97205
David R. TenHulzen, MD, DMD, PC, 6464 SW Borland Road, Suite D-3, Tualatin, OR 97062
Greg Knakal, 6065 SW Sequoia Drive, Tualatin, OR 97062
James Marlow, Managing Agent, Tualatin Professional Center, PO Box 10573, Portland OR 97296
James Walker, DDS, 6464 SW Borland Road, Suite D2, Tualatin, OR 97062
Mark Thompson, 6085 SW Sequoia Drive, Tualatin, OR 97062

File Number: SB15-0002, Sagert Farm

OWNER:

Sagert Family, LLC
Attn: John Pinkstaff, Esq.
Lane Powell, PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204
Phone: 503-778-2186
Email: pinstaffj@lanepowell.com

APPLICANT:

Lennar Northwest
Attn: Michael Loomis
11807 NE 99th Street, Suite 1170
Vancouver, WA 98682
Phone: 360-258-7882
Email: mike.loomis@lennar.com

APPLICANT'S REPRESENTATIVE:

3J Consulting, Inc
5075 SW Griffith Drive, Suite 150
Beaverton, OR 97005
Contact: Andrew Tull
Phone: 503-545-1907
Email: andrew.tull@3j-consulting.com

REQUEST:

The Applicant seeks approval of an application for Subdivision Preliminary Plat for the development of 79 residential lots.

STAFF CONTACT:

Tony Doran, Engineering Associate

III. STANDARDS AND APPLICABLE CRITERIA

Tualatin Municipal Code (TMC)

Title 03: Utilities and Water Quality

Title 04: Building

Tualatin Development Code (TDC)

Chapter 31: General Provisions

Chapter 34: Special Regulations

Chapter 36: Subdividing, Partitioning and Property Line Adjustments

Chapter 38: Sign Regulations

Chapter 40: Low Density Residential Planning District (RL)

Chapter 72: Natural Resource Protection Overlay District (NRPO)

Chapter 73: Community Design Standards

Chapter 74: Public Improvement Requirements

Chapter 75: Access Management

IV. FINDINGS OF FACT

- A. Location: 20130 SW 65th Avenue, southwest of SW 65th Avenue and SW Borland Road
- B. Zoning: Low Density Residential (RL)
- C. Lot of record: 21E30B 00300 & 00600
- D. Site description: Approximately 20.90 acres previously used as farmland with a house and barn
- E. Surrounding Land Uses: East and West – Low Density Residential (RL), North – Commercial Office (CO) and Medical Commercial (MC), South – Clackamas County Zoning
- F. Proposal: Subdivision to create 79 residential lots
- G. Public Agency Comments: Clackamas County, Clean Water Services, Tualatin Valley Fire and Rescue, Washington County.
- H. Public Comments: Bob Nelson, Nancy Falconery, Brittany Ruedlinger, David Tenhulzen, Greg Knakal, James Marlow, James Walker, Mark Thompson, Marion and Jim Ohrtman.

V. CONCLUSIONS

A. TMC TITLE 03: UTILITIES AND WATER QUALITY

I. TMC CHAPTER 03-02: SEWER REGULATIONS; RATES

1. TMC 3-2-020 APPLICATION, PERMIT AND INSPECTION PROCEDURE.

(1) No person shall connect to any part of the sanitary sewer system without first making an application and securing a permit from the City for such connection, nor may any person substantially increase the flow, or alter the character of sewage, without first obtaining an additional permit and paying such charges therefore as may be fixed by the City, including such charges as inspection charges, connection charges and monthly service charges.

2. TMC 3-2-030 MATERIALS AND MANNER OF CONSTRUCTION.

(1) All building sewers, side sewers and connections to the main sewer shall be so constructed as to conform to the requirements of the Oregon State Plumbing Laws and rules and regulations and specifications for sewerage construction of the City.

(3) A public works permit must be secured from the City and other agency having jurisdiction by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

FINDING:

The plans show proposed public sanitary sewer system construction to serve all proposed lots with gravity laterals and connect a gravity line from the existing pump station at Sequoia Ridge Subdivision to the SW 65th Avenue pump station, but have not applied for a public works permit for these improvements. The applicant will need to submit sanitary sewer plans that show location of the lines, grade, materials, and other details prior to obtaining a public works permit. This criterion is satisfied with conditions of approval PFR -2.

II. TMC CHAPTER 03-03: WATER SERVICE

1. TMC 3-3-040 SEPARATE SERVICES REQUIRED.

(1) Except as authorized by the City Engineer, a separate service and meter to supply regular water service or fire protection service shall be required for each building, residential unit or structure served. For the purposes of this section, trailer parks and multi-family residences of more than four dwelling units shall constitute a single unit unless the City Engineer determines that separate services are required.

2. TMC 3-3-110 CONSTRUCTION STANDARDS.

All water line construction and installation of services and equipment shall be in conformance with the City of Tualatin Public Works Construction Code. In addition, whenever a property owner extends a water line, which upon completion, is intended to be dedicated to the City as part of the public water system, said extension shall be carried to the opposite property line or to such other point as determined by the City Engineer. Water line size shall be determined by the City Engineer in accordance with the City's Development Code or implementing ordinances and the Public Works Construction Code.

3. TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.

(2) The owner of property to which City water is furnished for human consumption shall install in accordance with City standards an appropriate backflow prevention device on the premises where any of the following circumstances exist:

(4) Except as otherwise provided in this subsection, all irrigation systems shall be installed with a double check valve assembly. Irrigation system backflow prevention device assemblies installed before the effective date of this ordinance, which were approved at the time they were installed but are not on the current list of approved device assemblies maintained by the Oregon State Health Division, shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform satisfactorily. When devices of this type are moved, or require more than minimum maintenance, they shall be replaced by device assemblies which are on the Health Division list of approved device assemblies.

4. TMC 3-3-130 CONTROL VALVES.

The customer shall install a suitable valve, as close to the meter location as practical, the operation of which will control the entire water supply from the service. The operation by the customer of the curb stop in the meter box is prohibited.

FINDING:

The plans show proposed public water system construction to serve all proposed lots consisting of 8-inch mains, 1-inch laterals, and ¾-inch meters. The system loops from existing public water mains in SW 65th Avenue, SW Borland Road, SW Sagert Street to the east, and through all the proposed local streets, creating no dead ends.

The plans show single 1-inch laterals serving pairs of lots and do not indicate backflow prevention, double check valve assemblies, or control valves. Each lot will have a separate minimum 1-inch lateral with backflow prevention, double check valve assemblies, and control valves.

The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR -3 and 4.

III. TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS

1. TMC 3-5-010 POLICY.

It is the policy of the City to require temporary and permanent measures for all construction projects to lessen the adverse effects of construction on the environment. The contractor shall properly install, operate and maintain both temporary and permanent works as provided in this chapter or in an approved plan, to protect the environment during the term of the project. In addition, these erosion control rules apply to all properties within the City, regardless of whether that property is involved in a construction or development activity. Nothing in this chapter shall relieve any person from the obligation to comply with the regulations or permits of any federal, state, or local authority...

2. TMC 3-5-050 EROSION CONTROL PERMITS.

(1) Except as noted in subsection (3) of this section, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees...

3. TMC 3-5-060 PERMIT PROCESS.

(1) Applications for an Erosion Control Permit. Application for an Erosion Control Permit shall include an Erosion Control Plan which contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion. The plan shall include either:

(a) A site specific plan outlining the protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year as calculated using the Soil Conservation Service Universal Soil Loss Equation or other equivalent method approved by the City Engineer, or

(b) Techniques and methods contained and prescribed in the Soil Erosion Control Matrix and Methods, outlined in TMC 3-5.190 or the Erosion Control Plans - Technical Guidance Handbook, City of Portland and Unified Sewerage Agency, January, 1991.

(2) Site Plan. A site specific plan, pre-pared by an Oregon registered professional engineer, shall be required when the site meets any of the following criteria:

(a) greater than five acres;

(b) greater than one acre and has slopes greater than 20 percent;

(c) contains or is within 100 feet of a City-identified wetland or a waterway identified on FEMA floodplain maps; or

(d) greater than one acre and contains highly erodible soils.

FINDING:

The applicant has submitted plans showing erosion control on sheets C116 to C119 for an area of approximately 20.9 acres. This criterion is satisfied with conditions of approval PFR -5 and 6.

4. TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.

Each new development is responsible for mitigating the impacts of that development upon the public storm water quantity system. The development may satisfy this requirement through the use of any of the following techniques, subject to the limitations and requirements in TMC 3-5-210: Construction of permanent on-site stormwater quantity detention facilities designed in accordance with this title;...

5. TMC 3-5-210 REVIEW OF DOWNSTREAM SYSTEM.

For new development other than the construction of a single family house or duplex, plans shall document review by the design engineer of the downstream capacity of any existing storm drainage facilities impacted by the proposed development. That review shall extend downstream to a point where the impacts to the water surface elevation from the development will be insignificant, or to a point where the conveyance system has adequate capacity, as determined by the City Engineer. To determine the point at which the downstream impacts are insignificant or the drainage system has adequate capacity, the design engineer shall submit an analysis using the following guidelines:

(1) evaluate the downstream drainage system for at least $\frac{1}{4}$ mile;

(2) evaluate the downstream drainage system to a point at which the runoff from the development in a build out condition is less than 10 percent of the total runoff of the basin in its current development status. Developments in the basin that have been approved may be considered in place and their conditions of approval to exist if the work has started on those projects;

(3) evaluate the downstream drainage system throughout the following range of storms: 2, 5, 10, 25 year;

(4) The City Engineer may modify items 1, 2, 3 to require additional information to determine the impacts of the development or to delete the provision of unnecessary information.

6. TMC 3-5-220 CRITERIA FOR REQUIRING ON-SITE DETENTION TO BE CONSTRUCTED.

The City shall determine whether the onsite facility shall be constructed. If the onsite facility is constructed, the development shall be eligible for a credit against Storm and Surface Water System Development Charges, as provided in City ordinance. On-site facilities shall be constructed when any of the following conditions exist:

(1) There is an identified downstream deficiency, as defined in TMC 3-5-210, and detention rather than conveyance system enlargement is determined to be the more effective solution...

FINDING:

The project area doesn't release into a basin that requires detention, therefore downstream conveyance will need to be evaluated to show there is no needed detention. The preliminary stormwater calculations indicate adequate conveyance of up to a 100-year storm. This criterion is satisfied with conditions of approval PFR - 7.

IV. TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES

1. TMC 3-5-280 PLACEMENT OF WATER QUALITY FACILITIES.

Title III specifies that certain properties shall install water quality facilities for the purpose of removing phosphorous. No such water quality facilities shall be constructed within the defined area of existing or created wetlands unless a mitigation action, approved by the City, is constructed to replace the area used for the water quality facility.

FINDING:

The two water quality facilities are shown to be located outside both wetland and associated buffer. This criterion is met.

2. TMC 3-5-290 PURPOSE OF TITLE.

The purpose of this title is to require new development and other activities which create impervious surfaces to construct or fund on-site or off-site permanent water quality facilities to reduce the amount of phosphorous entering the storm and surface water system.

3. TMC 3-5-300 APPLICATION OF TITLE.

Title III of this Chapter shall apply to all activities which create new or additional impervious surfaces, except as provided in TMC 3-5.310.

4. TMC 3-5-310 EXCEPTIONS.

(1) Those developments with application dates prior to July 1, 1990, are exempt from the requirements of Title III.

The application date shall be defined as the date on which a complete application for development approval is accepted by the City in accordance with City regulations.

(2) Construction of one and two family (duplex) dwellings are exempt from the requirements of Title III.

(3) Sewer lines, water lines, utilities or other land development that will not directly increase the amount of storm water run-off or pollution leaving the site once construction has been completed and the site is either restored to or not altered from its approximate original condition are exempt from the requirements of Title III.

5. TMC 3-5-320 DEFINITIONS.

(1) "Stormwater Quality Control Facility" refers to any structure or drainage way that is designed, constructed and maintained to collect and filter, retain, or detain surface water run-off during and after a storm event for the purpose of water quality improvement. It may also include, but is not limited to, existing features such as constructed wetlands, water quality swales, low impact development approaches ("LIDA"), and ponds which are maintained as stormwater quality control facilities.

(2) "Low impact development approaches" or "LIDA: means stormwater facilities constructed utilizing low impact development approaches used to temporarily store, route or filter run-off for the purpose of improving water quality. Examples include; but are not limited to, Porous Pavement, Green Roofs, Infiltration Planters/Rain Gardens, Flow-Through Planters, LIDA Swales, Vegetated Filter Strips, Vegetated Swales, Extended Dry Basins, Constructed Water Quality Wetland, Conveyance and Stormwater Art, and Planting Design and Habitats.

(3) "Water Quality Swale" means a vegetated natural depression, wide shallow ditch, or constructed facility used to temporarily store, route or filter run-off for the purpose of improving water quality.

(4) "Existing Wetlands" means those areas identified and delineated as set forth in the Federal Manual for Identifying the Delineating Jurisdictional Wetlands, January, 1989, or as amended, by a qualified wetlands specialist.

(5) "Created Wetlands" means those wetlands developed in an area previously identified as a non-wetland to replace, or mitigate wetland destruction or displacement.

(6) "Constructed Wetlands" means those wetlands developed as a water quality or quantity facility, subject to change and maintenance as such. These areas must be clearly defined and/or separated from existing or created wetlands. This separation shall preclude a free and open connection to such other wetlands.

6. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

7. TMC 3-5-340 FACILITIES REQUIRED.

For new development, subject to the exemptions of TMC 3-5-310, no permit for construction, or land development, or plat or site plan shall be approved unless the conditions of the plat, plan or permit approval require permanent stormwater quality control facilities in accordance with this Title III.

8. TMC 3-5-345 INSPECTION REPORTS.

The property owner or person in control of the property shall submit inspection reports annually to the City for the purpose of ensuring maintenance activities occur according to the operation and maintenance plan submitted for an approved permit or architectural review.

9. TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.

The stormwater quality control facilities shall be designed to remove 65 percent of the phosphorous from the runoff from 100 percent of the newly constructed impervious surfaces. Impervious surfaces shall include pavement, buildings, public and private roadways, and all other surfaces with similar runoff characteristics.

10. TMC 3-5-360 DESIGN STORM.

The stormwater quality control facilities shall be designed to meet the removal efficiency of TMC 3-5-350 for a mean summertime storm event totaling 0.36 inches of precipitation falling in four hours with an average return period of 96 hours.

11. TMC 3-5-370 DESIGN REQUIREMENTS.

The removal efficiency in TDC Chapter 35 specifies only the design requirements and are not intended as a basis for performance evaluation or compliance determination of the stormwater quality control facility installed or constructed pursuant to this Title III.

12. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

13. TMC -5-340 FACILITIES REQUIRED.

For new development, subject to the exemptions of TMC 3-5-310, no permit for construction, or land development, or plat or site plan shall be approved unless the conditions of the plat, plan or permit approval require permanent stormwater quality control facilities in accordance with this Title III.

14. TMC 3-5-390 FACILITY PERMIT APPROVAL.

A stormwater quality control facility permit shall be approved only if the following are met:

(1) The plat, site plan, or permit application includes plans and a certification prepared by an Oregon registered, professional engineer that the proposed stormwater quality control facilities have been designed in accordance with criteria expected to achieve removal efficiencies for total phosphorous required by this Title III. Clean Water Services Design and Construction Standards shall be used in preparing the plan for the water quality facility; and

(2) The plat, site plan, or permit application shall be consistent with the areas used to determine the removal required in TMC 3-5-350; and

(3) A financial assurance, or equivalent security acceptable to the City, is provided by the applicant which assures that the stormwater quality control facilities are constructed according to the plans established in the plat, site plan, or permit approval. The financial assurance may be combined with our financial assurance requirements imposed by the City; and

(4) A stormwater facility agreement identifies who will be responsible for assuring the long term compliance with the operation and maintenance plan.

15. TMC 3-5-420 RESIDENTIAL DEVELOPMENTS.

The permanent stormwater quality control facilities for the construction of any single family and duplex subdivision shall be adequately sized for the public improvements of the subdivision and for the future construction of single family and duplex houses on the individual lots at a rate of 2,640 square feet of impervious surface per dwelling unit.

FINDING:

The applicant has submitted plans showing two public water quality swales with preliminary stormwater calculations showing adequate treatment of impervious area. This criterion is satisfied with conditions of approval PFR 7 and 8.

B. CHAPTER 04-02: FIRE HYDRANT LOCATIONS AND RATES OF FLOW

I. TMC 4-2-010 HYDRANTS AND WATER SUPPLY FOR FIRE PROTECTION.

(1) Every application for a building permit and accompanying plans shall be submitted to the Building Division for review of water used for fire protection, the approximate location and size of hydrants to be connected, and the provisions for access and egress for firefighting equipment. If upon such review it is determined that the fire protection facilities are not required or that they are adequately provided for in the plans, the Fire and Life Safety Reviewer shall recommend approval to the City Building Official.

(2) If adequate provisions for such facilities are not made, the Fire and Life Safety Reviewer shall either recommend against approval of the plans or indicate to the applicant in writing where the plans are deficient or recommend approval of plans subject to conditions.

FINDING:

TVF&R has submitted an attached letter regarding their requirements. The applicant will need to address these requirements in the final plans.

The plans show proposed public fire hydrants adjacent to public streets with spacing greater than allowed by code. The public fire hydrants will need to be spaced to meet Public Works Construction Code. The fire hydrants will need to be red powder coated.

This criterion is satisfied with conditions of approval PFR -9.

C. TDC CHAPTER 13: SEWER SERVICE, SECTION 13.060 EXISTING SYSTEM

(2) Except for the five areas discussed below, the City is served by gravity lines. ...The five areas currently served by pump stations are as follows:... (b) The area along Nyberg Street and Borland Road east of I-5 is served by six pump stations. The pump stations pump sewage to the Nyberg Interceptor and then into the Lower Tualatin Interceptor. One of the pump stations is temporary. It is at the south end of Sequoia Ridge Subdivision. It collects sewage through gravity flow from the Sequoia Ridge and Venetia Subdivisions and can collect from the properties east of Venetia. It pumps up the hill to a line in SW Borland Road. This station will be removed when the Sagert/Leiser Properties (2 1E 30B, 300, 600, 700) are developed. Then its sewage will gravity flow to the west to the pump station on the west side of SW 65th Avenue north of I-205 and be pumped up the hill to the north.

FINDING:

The plans show the existing line from the pump station south of Sequoia Ridge Subdivision proposed to extend with gravity flow to the existing pump station on the west side of SW 65th Avenue north of I-205. The existing pump station will need to be decommissioned and salvaged. This criterion is satisfied with conditions of approval PFR -47.

D. TDC SECTION 31.063 NEIGHBORHOOD/ DEVELOPER MEETINGS.

(2) Prior to the submittal of an application listed in TDC 31.063(1) and following a pre-application meeting held with the City, the developer shall host a meeting for the surrounding property owners located within the mailing area designated in TDC 31.064(1)(c). Notice of the meeting shall be provided to Recognized Neighborhood Associations within the Notice Area of TDC 31.064(1)(c) and to designated representatives of recognized Citizen Involvement Organizations. The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet to review a development proposal and identify issues regarding the proposal so they can be considered prior to the application submittal. The meeting is intended to allow the developer and neighbors to share information and concerns regarding the project. The applicant may consider whether to incorporate solutions to these issues prior to application submittal.

(3) The Neighborhood/Developer Meeting shall be held on a weekday evening, or weekend no earlier than 10:00 a.m. and no later than 6:00 p.m., at a location within the City of Tualatin.

(4) The applicant shall at least 14 calendar days and no more than 28 calendar days prior to the meeting mail notice of the meeting pursuant to TDC 31.064(1) stating the date, time and location of the meeting and briefly discussing the nature and location of the proposal:

(6) The applicant shall, at least 14 calendar days before the meeting, post a sign pursuant to TDC 31.064(2). If the sign disappears prior to the meeting date, the applicant shall replace it within forty-eight (48) hours. The applicant shall remove the sign no later than fourteen (14) days after the meeting date.

(7) The applicant shall prepare meeting notes identifying the persons attending and the major points that were discussed and expressed.

(8) The applicant is required to hold one meeting prior to submitting an application for a specific site, but may hold additional meetings if desired.

(9) If an applicant fails to hold a neighborhood meeting, the application shall be deemed incomplete.

(10) The application shall include the following materials related to the Neighborhood/Developer meeting:

- (a) the mailing list for the notice;**
- (b) a copy of the notice;**
- (c) an affidavit of the mailing and posting;**
- (d) the original sign-in sheet of participants;**
- (e) the meeting notes described in TDC 31.063(7).**

(11) Applications shall be submitted to the City within 180 days of the Neighborhood/Developer meeting. If an application is not submitted in this time frame, the Developer shall be required to hold a new Neighborhood/Developer meeting.

FINDING:

The applicant held a public meeting that met the requirements of TDC Section 31.06 on February 18, 2015 at 6 pm. The Applicant provided 21 days notice prior to the meeting and posted a sign pursuant to TDC 31.064(2). The applicant provided notes from the meeting, the mailing list, a copy of the notice, and affidavit of mailing and posting, and the original sign in sheet. This criterion is satisfied.

E. TDC CHAPTER 34: SPECIAL REGULATIONS

I. TDC SECTION 34.210 APPLICATION FOR ARCHITECTURAL REVIEW, SUBDIVISION OR PARTITION REVIEW, OR TREE REMOVAL PERMIT.

(1) Architectural Review, Subdivision, or Partition. When a property owner wishes to remove trees, other than the exemptions permitted under TDC 34.200(3), to develop property, and the development is subject to Architectural Review, Subdivision Review, or Partition Review approval, the property owner shall apply for approval to remove trees as part of the Architectural Review, Subdivision Review, or Partition Review application process.

(a) The application for tree removal shall include:

(i) A Tree Preservation Site Plan, drawn to a legible scale, showing the following information: a north arrow; existing and proposed property lines; existing and proposed topographical contour lines; existing and proposed structures, impervious surfaces, wells, septic systems, and stormwater retention/detention facilities; existing and proposed utility and access locations/easements; illustration of vision clearance areas; and illustration of all trees on-site that are eight inches or more in diameter (including size, species, and tag i.d. number). All trees proposed for removal and all trees proposed for preservation shall be indicated on the site plan as such by identifying symbols, except as follows:

(A) Where Clean Water Services (CWS) has issued a Service Provider Letter that addresses the proposed development currently under consideration, and

(B) Where CWS has approved delineation of a “sensitive area” or “vegetated corridor” on the subject property, and

(C) Where CWS has required dedication of an easement that prohibits encroachment into the delineated area, then

(D) All trees located within the CWS-required easement need not be individually identified on the Tree Preservation Site Plan if the CWS-required easement boundary is clearly illustrated and identified on the Tree Preservation Site Plan.

(ii) A tree assessment prepared by a qualified arborist, including the following information: an analysis as to whether trees proposed for preservation can in fact be preserved in light of the development proposed, are healthy specimens, and do not pose an imminent hazard to persons or property if preserved; an analysis as to whether any trees proposed for removal could be reasonably preserved in light of the development proposed and health of the tree; a statement addressing the approval criteria set forth in TDC 34.230; and arborist’s signature and contact information. The tree assessment report shall have been prepared and dated no more than one calendar year proceeding the date the development application is deemed complete by the City. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located within the CWS-required easement need not be included in the tree assessment report.

(iii) All trees on-site shall be physically identified and numbered in the field with an arborist-approved tagging system. The tag i.d. numbers shall correspond with the tag i.d. numbers illustrated on the site plan. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located in the CWS-required easement need not be tagged.

(b) The application for tree removal shall be approved or denied based on the criteria in TDC 34.230.

(c) The approval or denial of an application to remove trees shall be a part of the Architectural Review, Subdivision Review, or Partition Review decision.

1. TDC SECTION 34.230 CRITERIA.

The Community Development Director shall consider the following criteria when approving, approving with conditions, or denying a request to cut trees.

(1) An applicant must satisfactorily demonstrate that any of the following criteria are met:

(a) The tree is diseased, and

(i) The disease threatens the structural integrity of the tree; or

(ii) The disease permanently and severely diminishes the esthetic value of the tree; or

(iii) The continued retention of the tree could result in other trees being infected with a disease that threatens either heir structural integrity or esthetic value.

- (b) The tree represents a hazard which may include but not be limited to:**
 - (i) The tree is in danger of falling;**
 - (ii) Substantial portions of the tree are in danger of falling.**
- (c) It is necessary to remove the tree to construct proposed improvements based on Architectural Review approval, building permit, or approval of a Subdivision or Partition Review.**

(2) If none of the conditions in TDC 34.240(1) are met, the Community Development Director shall evaluate the condition of each tree based on the following criteria. A tree given a rating of one on a factor will not be required to be retained.

FACTOR VARIATION OF CONDITION FACTOR AWARDED

Trunk Condition Sound and solid (5) Sections of bark missing (3) Extensive decay and hollow (1) ____

Crown Development Full and balanced (5) Full but unbalanced (3) Unbalanced and lacking a full crown (1) ____

Structure Sound (5) One major or several minor limbs dead (3) Two or more limbs dead (1) ____

***For deciduous trees only**

2. TDC SECTION 34.270 TREE PROTECTION DURING CONSTRUCTION.

(1) Any tree required to be retained either through Architectural Review, Subdivision or Partition Review, or permit process that will be impacted by nearby construction activities must be protected in accordance with the TDC 73.250(2).

FINDING:

The applicant submitted a Tree Protection and Removal Plan (Sheet C105-C109) identifies the locations of all trees on site eight inches or more in diameter. The CWS required easement boundary has been identified on the tree plan. Trees proposed for removal have also been identified. A tree assessment has been prepared and provided with this application.

The trees that are being proposed for removal as a part of this Subdivision Review are being removed to accommodate the construction of the proposed improvements for the subdivision plan. All tree removal is detailed in the included Arborist's report, as well as sheets C105 through C109. All proposed tree removal is necessary to construct the proposed improvements associated with the subdivision.

Trees in the Sequoia Ridge Natural Area will be protected throughout construction. Applicant will grant a conservation easement to preserve trees along east property lines of Tract F and Lot 79. City will accept a dedication of Tract F as Natural Area, if applicant plants it in northwest native trees, shrubs, and ground cover. There would be no compensation for the dedication of Tract F.

This criterion is satisfied with conditions of approval PFR -1, 10, and 46.

II. TDC SECTION 34.330 FENCE STANDARDS.

The following standards are minimum requirements for fences in a RL (Low Density Residential) or a RML (Medium Low Density Residential) Planning District, where an access-restricted lot line or property line abuts a public street classified as a major arterial, minor arterial, major collector, minor collector, or expressway by the Tualatin Functional Classification Plan, or abuts a state-owned interstate highway (I-5 or I-205).

(1) Subdivision or Partition of Property in a RL or RML Planning District. Where property is the subject of a subdivision or partition application, and has an access-restricted property line(s) or lot line(s) that abuts a major arterial, minor arterial, major collector, minor collector, or expressway right-of-way or an interstate highway property line for a distance greater than 60 feet, a masonry fence shall be installed along the arterial/ collector/expressway/interstate highway frontage, in conformance with design standards set forth in TDC 34.340 and the fence standards set forth below:

(a) Required fencing shall be in-stalled along the entire length of the access-restricted property line(s) or lot line(s) abutting the arterial/collector/expressway right-of-way or interstate highway property line, except as provided in TDC 34.330(3), prior to issuance of any building permit on any parcel or lot created by the partition or subdivision.

(b) Except as provided in TDC 34.330(3), required fencing shall be located entirely outside of the public right-of-way or state-owned interstate highway property, and as close as physically possible to, approximately parallel with, either the property line or lot line abutting the arterial/collector/expressway right-of-way or interstate highway property line, or in the case of an arterial/ collector/expressway street the ultimate right-of-way line, which-ever is located furthest from the centerline of the street right-of-way....

(c) Required fencing shall be installed such that stormwater drainage patterns and flow rates are not altered in a manner detrimental to property or persons.

(3) Exceptions to Fence Location or Configuration:

(a) For public streets classified as an arterial/collector/expressway, where the City Engineer determines that vehicular access is to be provided from the arterial/collector/expressway to a parcel or lot abutting the arterial/collector/expressway, the fence shall not be required along the arterial/collector/expressway frontage of that particular parcel or lot.

(b) For public streets classified as an arterial/collector/expressway, where the City Engineer determines that an opening or passage through the fence must be provided, the fence shall include such required opening. The same shall be provided in fences along state-owned interstate highways when required by the state or Tualatin Valley Fire & Rescue or the City Engineer.

(c) All vision clearance requirements set forth in TDC 73.400(16) shall be met.

(d) The City Engineer, in the case of public streets classified as an arterial/collector/expressway, or the state in the case of state-owned interstate highways, may require an alternate location or configuration of the fence alignment to accommodate stormwater facilities, easements, or other requirements, such as, but not limited to, bicycle paths, multi-use paths, or for maintenance purposes.

(e) For state-owned interstate highways, where an area of vegetation at least 200 linear feet in width runs parallel to the interstate highway and forms a visual, esthetic or acoustic barrier, or land in a Natural Resource Protection Overlay (NRPO) district or other protected area as defined in TDC Chapter 72 runs parallel to the inter-state highway, AND such land is located between the interstate highway property line and the developable area of a property being developed in the RL or RML Planning District, no fence shall be required. Where the area of vegetation is less than 200 linear feet in width, the required fence shall be located entirely outside the vegetated, NRPO or other protected area and as close as physically possible to, approximately parallel with, the edge of said vegetated, NRPO or other protected area on the developable portion of the property being developed.

1. TDC SECTION 34.340 FENCE DESIGN.

(1) **Masonry Fence Design.** (See Figure 34-2 for illustration)

(a) **Material and Color.** All components of fence visible from the public vantage point shall be constructed of stone, brick, stone-look or brick-look cast masonry or stone-look or brick-look cast vinyl or composite material. The color of the fence shall be that of natural stones, red clay brick, neutral brown-tones, or gray earth-tones.

(b) **Finished Face.** Fence shall be constructed such that the finished side of the fence faces the public right-of-way or state-owned interstate highway, and any structural components (metal brackets, etc.) are not visible from the public or highway vantage point.

(c) **Slopes.** Fences constructed on slopes shall be installed using a stair-step method, whereby each fence panel steps up or down the slope and remains level (zero-slope) rather than parallel to the grade of the underlying terrain.

(d) **Height.** For public streets classified as an arterial/collector/expressway, height of fence panels shall be six feet, and for interstate highways (I-5 or I-205) height of fence panels shall be a minimum of eight feet, measured from the underlying ground surface directly beneath the fence panels to the top edge of the cornice cap. (Any fence over six feet in height requires a building permit and engineered drawings.)

(i) For fences constructed on slopes, the height of fence measured at the up-slope end of each fence panel shall be six feet for public streets classified as an arterial/collector/express-way and a minimum of eight feet for interstate highways. (Any fence over six feet in height requires a building permit and engineered drawings.)

(ii) Pilasters, excluding pilaster caps, shall be no shorter than the shorter of the attached fence panels, including the cornice cap, and shall not extend more than six inches higher than the highest attached fence panel, including the cornice cap.

(iii) Height of pilaster caps shall be no greater than six inches, measured from the top of the underlying pilaster to the highest point on the cap.

(e) Ground Clearance. There shall be no ground clearance or gap visible between the bottom of the fence panels and the underlying ground surface. Where a pre-cast panel system is used, any gaps that result beneath panels shall be filled in with earth, rock, evergreen vegetation, or similar material. This provision does not prohibit the use of stormwater drainage holes.

(f) Pilasters. The horizontal run of fence must be broken up by pilasters, which shall be set at approximately regular intervals, no more than twenty feet apart on center. Pilasters shall be installed perpendicular to a zero-slope plane.

(g) Panels. Panels shall be 100 percent solid and opaque. The finished face shall have the appearance of a stacked or mortared stone wall or brick wall.

(h) Cornice. A cornice cap shall be installed on top of each of the fence panels. Cornice caps shall be masonry or brick in appearance, and shall match or closely compliment the colors and materials used to construct the fence panels and pilasters.

(i) Pilaster Caps. Decorative caps shall be installed on top of all pilasters such that the cap completely covers the surface area of the pilaster end. Caps shall be masonry or brick in appearance, and shall match or closely compliment the colors and materials used to construct the fence panels and pilasters. Illuminated pilaster caps are allowed, provided the lighting element is an integral internal component of the cap (i.e., no exposed light bulb) and the light is low-voltage or solar powered. Caps shall be no taller than six inches, measured from the surface of the pilaster end to the highest point on the pilaster cap.

(2) Variance Prohibited.

(a) Development unable to meet one or more of the design standards set forth in TDC 34.340(1) may alternatively submit application for Architectural Review.

(b) Application for Architectural Review shall be made pursuant to application procedures set forth in TDC 31.071. Approval or denial shall be based upon the criteria set forth in TDC 73.050, including objectives and standards set forth in TDC 73.221 and 73.222.

FINDING:

The applicant's narrative doesn't address masonry fence requirements. SW 65th Avenue, SW Borland Road, SW Sagert Street, and I-205 are all access restricted streets classified as major arterials. SW 65th Avenue has no access other than the intersection with SW Sagert Street and SW Borland Road has no access other than the intersection with proposed SW 61st Terrace. The residential south side of SW Sagert Street has intersections with SW 64th Terrace, SW 63rd Terrace, SW 62nd Terrace, and SW 61st Terrace. SW 65th Avenue, SW Borland Road, and SW Sagert Street have lengths adjacent to lots greater than 60 feet and therefore will need a masonry fence with appropriate vision clearance for public streets and the bicycle entrance from SW 65th Avenue to the 12-foot wide sidewalk on the southwest corner of the development per TDC 34.330 and 34.340 Fence Design or obtain an alternate approval through Architectural Review after the ability to issue Building Permits for lots 1, 2, 7, 8, 17, 18, 31, 32, 45, 46, 75, and 76. The I-205 frontage does not require a masonry fence per 34.330(3)(e). This criterion is satisfied with conditions of approval PFR -11 and 12.

F. TDC CHAPTER 36: SUBDIVIDING, PARTITIONING AND PROPERTY LINE ADJUSTMENTS

I. TDC SECTION 36.070 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS.

(1) All land divisions shall be created by a subdivision or partition plat and must comply with ORS Chapter 92 and this Chapter.

(2) All property line adjustments shall be executed by deed and must comply with ORS Chapter 92 and this Chapter.

(3) No subsequent land division or property line adjustment shall be approved on the same lot or parcel until the previously approved land division or property line adjustment has been filed and recorded in accordance with the provisions of this Chapter, or the previous approval is withdrawn, modified or otherwise invalidated.

FINDING:

This narrative, along with drawings and other exhibits, have been provided as evidence demonstrating that the proposed development complies with the applicable regulations of the City of Tualatin and ORS Chapter 92. This land division is proposed to be created by a subdivision complying with all applicable standards. This criterion is satisfied.

II. TDC SECTION 36.080 APPROVAL OF STREETS AND WAYS.

(1) The subdivision or partition plat shall provide for the dedication of all public rights-of-way, reserve strips, easements, tracts and accessways, together with public improvements therein approved and accepted for public use.

(a) The applicant shall comply with the requirements of TDC Chapter 74, Public Improvement Requirements.

(b) The applicant shall comply with the design and construction standards set forth in the Public Works Construction Code.

(c) The applicant shall provide evidence to the City that property intended to be dedicated to the public is free of all liens, encumbrances, claims and encroachments.

(2) The subdivision or partition plat shall indicate the ownership and location of private easements and tracts, and the owner-ship and location of private improvements within public rights-of-way and easements.

(3) Approval of the subdivision or partition plat by the City shall constitute acceptance of all public rights-of-way, reserve strips, easements, tracts and accessways shown thereon, as well as public facilities located therein.

FINDING:

This application has been submitted for preliminary plat approval. It is meant to illustrate proposed right-of-way dedication, construction of utilities and streets, and other improvements necessary to satisfy Tualatin Development Code requirements. All required improvements will be completed in conjunction with the final subdivision plat process. This criterion is satisfied.

III. TDC SECTION 36.090 ISSUANCE OF BUILDING PERMITS.

(1) Except as provided in subsection (5) of this section no building permit or permits to connect to City utility services shall be issued for lots within a subdivision or partition plat until the City Engineer has determined that the corresponding public improvements are substantially complete to assure that the health and safety of the citizens will not be endangered from inadequate public facilities.

(2) Subject to submittal and approval of, and compliance with, the subdivision plan, as well as sufficient security to assure completion of the public portions of the subdivision, the applicant or individual lot owners within the subdivision may receive a building permit or utility service for not more than 50 percent of the platted lots within the subdivision prior to:

(a) the completion of all required public improvements in accordance with the Public Works Construction Code; and

(b) the acceptance of the public improvements by resolution of the City Council. (3) No building permits shall be issued or utility service approved for any lot which together with previously approved lots would exceed 50 percent of the platted lots within the subdivision until:

(a) all required public improvements have been completed in accordance with the Public Works Construction Code; and

(b) the public improvements have been accepted by resolution of the City Council.

FINDING:

The Applicant will comply with all requirements necessary to obtain building permits. Upon receiving a substantially complete status, the Applicant may request a number of building permits in order to initiate the construction of a series of two to four model homes. Code Section 36.090(2) allows for up to 50% of the homes, therefore 38, to be constructed after substantial completion of improvements and a recorded plat. Note: Prior to future Building Permit submittal for construction of single family residences the applicant shall obtain land use approval from the Planning Division in the form of an Architectural Review for Single Family Residence in compliance with TDC 31-071(7). This criterion is satisfied with conditions of approval PFR – 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58.

IV. TDC SECTION 36.120 APPLICATIONS AND FILING FEE.

(1) A request for a Subdivision shall be subject to a Neighborhood/Developer Meeting pursuant to TDC 31.063.

(2) The applicant shall discuss the preliminary plans with the City Engineer in a pre-application conference prior to submitting an application. An applicant for a subdivision shall conduct a Neighborhood/Developer Meeting subject to TDC 31.063. Following the pre-application conference and the Neighborhood/Developer Meeting, the applicant shall prepare and submit a City of Tualatin development application, available from the City Engineer.

(3) The application shall contain:

(a) the proposed plat name, approved by the County Surveyor;

(b) the names, addresses and telephone numbers of the property owners and applicants, and when applicable, the name and address of the design engineer or surveyor;

(c) the signatures of the property owners and applicants; and

(d) the site location by address and current County Tax Assessor's map and tax lot numbers.

(e) A description of the manner in which the proposed division complies with each of the expedited criterion for an Expedited Subdivision Application.

(f) If a variance or minor variance is requested to the dimensional standards of the lots, or the minimum lot size, adequate information to show compliance with the approval criteria in TDC Chapter 33.

(g) A "Service Provider Letter" from Clean Water Services indicating that a "Stormwater Connection Permit" will likely be issued.

(h) The information on the Neighborhood/Developer Meeting specified in TDC 31.063(10).

(i) If a railroad-highway grade crossing provides or will provide the only access to the subject property, the applicant must indicate that fact in the application, and the City must notify the ODOT Rail Division and the railroad company that the application has been received.

(4) The subdivision application shall be submitted to the City Engineer, along with:

- (a) the subdivision plan;**
- (b) preliminary utility plans for streets, water, sanitary sewer and storm drainage;**
- (c) a black and white 8&1/2" x 11" site plan suitable for reproduction;**
- (d) a completed City fact sheet;**
- (e) a Clean Water Services Service Provider letter; and**
- (f) other supplementary material as may be required, such as:
 - (i) deed restrictions; or**
 - (ii) for all non-buildable areas or tracts to be dedicated or reserved for public use, a statement of ownership, use, covenants, conditions, limitations and responsibility for maintenance.****

(5) The following general information shall be shown on the subdivision plan:

- (a) appropriate identification clearly stating the map is a subdivision plan;**
- (b) proposed plat name, approved by the County Surveyor;**
- (c) the names, addresses and telephone numbers of the property owners and applicants, and when applicable, the name and address of the design engineer or surveyor;**
- (d) the date the plan was prepared;**
- (e) north arrow;**
- (f) scale of drawing;**
- (g) location of the subdivision by 1/4 Section, Township and Range;**
- (h) existing streets (public and private), including location, name, centerline, right-of-way and pavement width on and abutting the site, and the location of existing and proposed access points;**
- (i) proposed streets (public and private), including location, centerline, right-of-way and pavement width, approximate radius of curves and approximate grades of proposed streets on the subject property and within three hundred feet of the site;**
- (j) an outline plan demonstrating that the adjacent property can be divided in the future in a manner that is consistent with the subdivision plan, and illustrating the connections to transit routes, pedestrian and bike facilities, and accessways to adjacent properties;**
- (k) easements, including location, width and purpose of all recorded and proposed easements in or abutting the site;**

(l) public utilities, including the approximate location, size and grade of all existing and proposed sanitary sewers, the approximate location, size and grade of on-site and off-site storm drainage lines, and the approximate location and size of water lines;

(m) flood areas, including the location of any flood plain, drainage hazard areas and other areas subject to flooding or ponding;

(n) natural resources, including the location of natural features, such as rock outcroppings, wetlands, water courses, creeks, wooded areas and trees having a trunk diameter of eight inches or greater, as measured at a point four feet above ground level, proposed to be removed and to be retained on site;

(o) approximate lot dimensions, including all existing property lines and their lengths and the approximate location and dimensions of all proposed lots;

(p) approximate area of each lot;

(q) proposed lot numbers;

(r) existing structures, including the location and present use of all structures, wells and septic tanks on the site and an indication of which structures, wells and septic tanks are to remain after platting; indicate all City-designated historic landmarks;

(s) all lots and tracts of land intended to be dedicated or reserved for public use;

(t) a vicinity map showing a minimum one- mile radius;

(u) contour lines with intervals at a minimum of two feet for slopes up to five percent and five feet for slopes over five percent; and

(v) other information required by the City Engineer.

(6) The subdivision application shall be accompanied by a nonrefundable fee as established by City Council resolution. The subdivision application shall not be accepted until the fee has been paid to the City. This fee does not apply towards any building permit or other fees that may later be required.

(7) The applicant shall submit, along with the subdivision application:

(a) A list of mailing recipients pursuant to TDC .31.064(1).

(b) Proof of sign posting pursuant to TDC 31.064(2).

(8) Unless otherwise specified in the subdivision application, or approval, or in express direction from the City Engineer, any material submitted by the applicant with a subdivision application which exceeds the TDC requirements shall be considered a part of the subdivision plan approval.

(9) The applicant has the burden of demonstrating compliance with the applicable development regulations.

(10) The applicable time period for action on the subdivision application shall not commence until the City Engineer has determined that the application is complete.

(a) If the City Engineer fails to make such determination of completeness within 30 days of the date of its submission, or re-submission, the subdivision application shall be deemed complete upon the expiration of the 30-day period for purposes of commencing the applicable time period, unless:

(i) the application lacks information required to be submitted; or
(ii) the required fees have not been submitted; or
(iii) the City Engineer has notified the applicant in writing of the deficiencies in the application within 30 days of submission of the subdivision application.

(b) The City Engineer may subsequently require correction of any information found to be in error or submission of additional information not specified in this Chapter, as the City Engineer deems necessary to make an informed decision.

(11) The City Engineer shall prepare the standard form of Development Application for subdivision plans, including provisions which will best accomplish the intent of this section.

1. TDC SECTION 36.140 REVIEW PROCESS.

(1) Review of subdivision applications shall be a limited land use decision process. Before approval may be granted on a subdivision application, the City Engineer shall first establish that the subdivision proposal conforms to the Tualatin Development Code and applicable City ordinances and regulations, ... Failure of the proposal to conform is sufficient reason to deny the application.

(2) After the subdivision application is deemed complete, the City Engineer shall provide written notice of the application to and invite comments from:

(a) potentially affected governmental agencies such as the school district in which the subdivision is located, the fire district, the Oregon Department of Transportation, Tri-Met, Clean Water Services and Washington or Clackamas County;

(b) utility companies;

(c) City departments; and

(d) recipients pursuant to TDC 31.064(1).

(3) The notice sent in TDC 36.140(2) shall:

(a) state that written comments shall be submitted within 14 calendar days of the mailing date of the notice in order to be considered as a basis for a request for review;

(b) state that issues which may provide the basis for a request for review to the City Council and Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient clarity and detail to enable the decision maker to respond to the issue and state how a person may be adversely affected by the proposal;

(c) list the applicable criteria by code section for the decision;

(d) include the street address or other easily understood geographical reference to the subject property;

(e) state the place, date and time that comments are due, and that comments are due no later than 5:00 pm on the fourteenth calendar day after notice was sent;

(f) state that copies of all evidence relied upon by the applicant are available for review, and can be obtained at cost;

(g) state of the local government contact person and telephone number; and

(h) briefly summarize the local decision-making process for the limited land use decision being made.

(4) Failure of a person or agency to receive the notice required in TDC 36.140(2) shall not invalidate any proceeding in connection with the application, provided the City can demonstrate by affidavit that notice was given in accordance with this section.

(5) Comments must be received by the City Engineer within 14 calendar days of the date the notice was mailed. Signed comments shall be in writing. Comments must raise issues with sufficient detail and clarity to enable the decision-maker to respond to the issue. Requests for review may be made only by parties who submitted written comments and may be adversely affected by the decision within the 14 calendar-day period.

(6) Prior to making a decision, the City Engineer may conduct one or more review meetings with the applicant, governmental agencies, utility companies and any other interested parties.

(7) The approval of a subdivision application shall not automatically grant other approvals that may be required by the Development Code or City ordinances. However, a decision on a requested minor variance to the dimensional standards of lots or the minimum lot size, shall be included in the subdivision decision.

(8) Approval or denial of a subdivision shall be based upon and accompanied by a brief statement that

(a) explains the criteria and standards considered relevant to the decision;

(b) states the facts relied upon in making the decision; and

(c) explains the justification for the decision based on the criteria, standards and facts set forth.

(9) Notice of the decision shall be provided to the applicant, property owner, and any person who submitted written comments within the 14 calendar-day comment period. Notice of the decision shall include a description of rights to request a review of the decision.

(10) When the City Engineer determines that a complete application for a proposed development raises a substantial question over Code requirements, size, location or complexity and is likely to raise concern from a substantial portion of nearby property owners or residents, the City Engineer may request that the City Council review the subdivision without first reaching a decision. The City Council shall hold a hearing in accordance with TDC 31.077. This applies to all subdivisions except for expedited subdivisions which shall not be the subject of a public hearing. The City Engineer shall prepare a report for presentation to the City Council, which may include recommendations on the subdivision application and requested minor variances.

FINDING:

Pre-application meeting were held on October 18, 2013, January 29, 2015, and January 28, 2015. The applicant held a public meeting that met the requirements of Section 31.06 on February 18, 2015 at 6 pm. The applicant initially submitted materials on June 4, 2015. After addressing incompleteness items it was deemed complete on September 17, 2015.

Materials submitted included

- the proposed plat name, approved by the County Surveyor
- the names, addresses and telephone numbers of the property owners and applicants, and when applicable, the name and address of the design engineer or surveyor
- the signatures of the property owners and applicants
- the site location by address and current County Tax Assessor's map and tax lot numbers
- A description of the manner in which the proposed division complies with each of the expedited criterion for an Expedited Subdivision Application
- A "Service Provider Letter" from Clean Water Services indicating that a "Stormwater Connection Permit" will likely be issued
- The information on the Neighborhood/Developer Meeting specified in TDC 31.063(10)
- the subdivision plan
- preliminary utility plans for streets, water, sanitary sewer and storm drainage
- electronic black and white site plans suitable for reproduction at any size including 8&1/2" x 11"
- a completed City fact sheet
- Title Report with deed restrictions
- (ii) for all non-buildable areas or tracts to be dedicated or reserved for public use, a statement of ownership, use, covenants, conditions, limitations and responsibility for maintenance
- A list of mailing recipients pursuant to TDC .31.064(1)
- Proof of sign posting pursuant to TDC 31.064(2)
- Additional meeting notes with the neighborhood and adjacent commercial property owners dated May 20, 2014, December 5, 2013, January 12, 2015, and February 20, 2015

- Transportation Impact Analysis dated June 2, 2015 and Borland Update dated August 6, 2015
- Preliminary Storm Drainage Report
- Tree Assessment Report
- Design Modification request for SW Borland Road Access
- Design Modification request for SW 65th Avenue
- Clackamas County Recorded Document 84-16656-7 for Tualatin Professional Center within SW Sagert Street
- Select asbuilts of SW 65th Avenue SW Borland Road to SW Sagert Street Roadway and Drainage Improvements
- Electronic copies of submittals

Notice of the subdivision was mailed to the neighborhood mailing list and emailed to CIOs and Staff September 17, 2015 with public commentary period ending October 1, 2015. Eight comments from the public were received during the comment period and one afterwards. The developer responded to the comments October 16, 2015. All comments and responses are attached in the Appendixes. The information needed for a City fact sheet was submitted in the narrative under General Information and Site Information.

All shown tracts will either be consolidated with adjacent lots or be dedicated to the City. This criterion is satisfied with conditions of approval PFR -13.

V. TDC SECTION 36.410 DOUBLE FRONTAGE AND REVERSE FRONTAGE.

(1) Double frontage and reversed front-age lots should be avoided except where essential to provide separation of residential development from railroad tracks or crossings, traffic arterials or collectors, adjacent nonresidential uses, or to overcome specific disadvantages of topography and orientation.

(2) Residences on double frontage lots shall be oriented towards the lower classification street adjacent to the lot:

- (a) local street instead of collector or arterial; and**
- (b) collector street instead of arterial.**

(3) If two local streets are adjacent to a series of adjacent double frontage lots, then residences on all such lots shall be oriented towards the same local street.

FINDING:

Lots 1 and lots 46 through 54 are double frontage lots and adjacent to major arterials and collectors. All lots are oriented with driveways towards proposed local streets. This criterion is satisfied.

VI. TDC SECTION 36.420 EXISTING STRUCTURES AND APPURTENANCES.

(1) Any existing structures proposed to be demolished shall be removed prior to the City approval of the subdivision or partition plat. Any structures determined to be a historic City landmark shall be reviewed in accordance with TDC Chapter 68.

(2) Any existing wells shall be abandoned in the manner prescribed by State and County regulations prior to the City approval of the subdivision or partition plat.

(3) Any existing underground fuel or oil tanks, septic tanks and similar underground storage tanks shall be removed or filled as required by the Department of Environmental Quality prior to the City's approval of the subdivision or partition plat.

FINDING:

Plan sheets C111 to C114 show demolition of existing structures plus decommissioning and removal of wells and tanks. Permission to demolish the historic barn was completed through HIST-14-01, Historic Landmark Demolition Decision Barngrover Barn Removal which expires September 11, 2016. The applicant will need to complete demolition prior to this date or obtain another HIST approval or extension to demolish the historic barn. DEQ approves the decommissioning and removal of wells and tanks. The applicant will show the location of existing sanitary sewer septic tank for decommissioning. This criterion is satisfied with conditions of approval PFR -14, 40, and 41.

VII. TDC SECTION 36.450 SIDE LOT LINES.

The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.

FINDING:

The plans show the side lines of all lots generally run at right angles to the street upon which the lots face. This criterion is satisfied.

VIII. TDC SECTION 36.470 FRONTAGE ON PUBLIC STREETS.

All lots created after September 1, 1979 shall abut a public street, except for the following:

(1) Secondary condominium lots, which shall conform to TDC 73.400 and TDC 75;

(2) Lots and tracts created to preserve wetlands, greenways, Natural Areas and Stormwater Quality Control Facilities identified by TDC Chapters 71, 72 Figure 3-4 of the Parks and Recreation Master Plan and the Surface Water Management Ordinance, TMC Chapter 3-5 respectively, or for the purpose of preserving park lands in accordance with the Parks and Recreation Master Plan;

(3) Residential lots where frontage along a public street is impractical due to physical site restraints. Access to lots shall occur via a shared driveway within a tract. The tract shall have no adverse impacts to surrounding properties or roads and may only be approved if it meets the following criteria:

- (a) Does not exceed 250 feet in length,**
- (b) If the tract exceeds 150 feet in length, it has a turnaround facility as approved by the Fire Marshal for fire and life safety,**
- (c) The tract does not serve more than 6 lots,**
- (d) A public street is not needed to provide access to other adjacent properties as required by TDC Chapter 74,**
- (e) A recorded document providing for the ownership, use rights, and allocation for liability for construction and maintenance has been submitted to the City Engineer prior to issuance of a building permit, and**
- (f) Access easements have been provided to all properties needing access to the driveway.**

(4) Lots in the Manufacturing Park Planning District which have access to the public right-of-way in accordance with TDC 73.400 and TDC Chapter 75 via permanent access easement over one or more adjoining properties, creating uninterrupted vehicle and pedestrian access between the subject lot and the public right-of-way.

FINDING:

All lots shown on the applicant's subdivision plan abut public streets except Lot 2, which is adjacent to SW Borland Road, an access restricted major arterial. Access from Lot 2 to proposed SW 61st Terrace is proposed in an access easement across Lot 1. An access easement is not an acceptable means of providing access to Lot 2. Access to Lot 2 needs to be provided via flag pole with a width at least 20-feet. This criterion is satisfied with conditions of approval PFR -15.

G. TDC 38: SIGN REGULATIONS

I. TDC SECTION 38.060 SIGN PERMIT REQUIRED.

(3) A separate sign permit application shall be submitted for each sign erected, constructed, modified, relocated, replaced, face changed or structurally altered and for sign repair that includes these activities. Sign maintenance requires no permit. All proposed work on a sign shall be shown in the sign permit application.

(4) When required by the Uniform Building Code or the Building Official, a separate building permit shall be obtained from the City for the erection, construction, modification, relocation, replacement, change of sign face or alteration of a sign or sign structure.

(5) When required by the State Electrical Code or the Building Official, an electrical permit shall be obtained from the issuing authority before connecting an electrical sign to a source of electricity. The electrical components of signs shall meet the applicable electrical standards as shown by certification from those testing laboratories approved by the State of Oregon as meeting the testing standards for electrical safety as required by Oregon Revised Statutes 479.510 - 479.855 and Oregon Administrative Rule 918-330-000, as constituted on the effective date of this ordinance or as may hereafter be amended.

(6) Building and electrical permits shall be applied for in accordance with the procedures of the issuing agency, provided such permits are not issued until a sign permit has been issued.

FINDING:

The plans show monument signs at the entrance to the proposed subdivision at the southeast corners of the intersections of proposed SW 61st Terrace and SW Borland Road plus SW 65th Avenue and SW Sagert Street. Sign permitting is not a part of the subdivision land use decision and will require a separate permitting process. This criterion is satisfied with conditions of approval PFR -63.

H. TDC 40: LOW DENSITY RESIDENTIAL PLANNING DISTRICT (RL)

I. TDC SECTION 40.010 PURPOSE.

The purpose of this district is to provide low density residential areas in the City that are appropriate for dwellings on individual lots, as well as other miscellaneous land uses compatible with a low density residential environment.

FINDING:

The Applicant is proposing the subdivision of the subject property to provide low density residential lots for single family dwellings. This criterion is satisfied.

II. TDC SECTION 40.015 PERMITTED DENSITY.

Housing density shall not exceed 6.4 units per net acre, except as set forth below:

(1) The maximum density for small-lot subdivisions, and partitions and subdivisions affected by TDC 40.055, shall not exceed 7.5 dwelling units per net acre.

(2) The maximum density for retirement housing in accordance with TDC 34.170(2) shall not exceed 10 dwelling units per net acre.

1. TDC SECTION 1.020 DEFINITIONS.

Density, Maximum Net. Maximum net density applies only to partition, subdivision, and architectural review applications reviewed through the Expedited Process set forth in House Bill 3065, Sections 6-11, 1995 Legislature, and is the land area within the lot lines of a tax lot after land has been removed for rights-of-way and tracts. House Bill 3065's reference to 80 percent of maximum net density in Section 7(1)(a)(E) is calculated by taking the gross acreage and subtracting land removed for rights-of-way and tracts and multiplying that net acreage figure by the maximum allowed density and then multiplying that figure by 80 percent.

FINDING:

The southern portion of the subject site has been identified as a Greenway Protected in the NRPO per The City of Tualatin Map 72-1: Natural Resources Protection Overlay District (NRPO) and Greenway Locations. Per the requirements of TDC 40.055 the proposed Greenway has been located wholly within a tract. The proposed subdivision is affected by TDC 40.055, therefore the maximum allowed density of the site is 7.5 dwelling units per acre.

The net acreage of the site (after the removal of the right-of-way, greenway tract, CWS vegetative corridor tract, and water quality tract per TDC Section 1.020 and TDC 40.055(1)(v)), is 11.4 acres. The proposed 79 dwelling units result in a density of 7.0 dwelling units per net residential acre which is below the maximum of 7.5 dwelling units per acre. This criterion is satisfied.

III. TDC SECTION 40.020 PERMITTED USES.

(1) Single-family dwellings, including manufactured homes.

(2) Agricultural uses of land, such as truck gardening, horticulture, but excluding commercial buildings or structures and excluding the raising of animals other than the following:

(a) Normal household pets;

(b) Chickens as otherwise allowed by the Tualatin Municipal Code.

(3) Home occupations as provided in TDC 34.030 to 34.050.

(4) Public transit shelters.

(5) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.

(6) Residential homes.

(7) Residential facilities for up to 15 residents, not including staff.

(8) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.

(9) Sewer and water pump stations and pressure reading stations.

(10) Wireless communication facility attached, provided it is not on a single-family dwelling or its accessory structures.

(11) Accessory dwelling units as provided in TDC 34.300 to 34.310.

(12) Transportation facilities and improvements.

(13) Public park, public playground, and public recreation building.

FINDING:

The proposed single-family dwellings, greenways and natural areas, and transportation facilities and improvements are permitted outright in the RL zone. This criterion is satisfied.

IV. TDC 40.050 LOT SIZE FOR PERMITTED USES.

Except as otherwise provided, the lot size for a single-family dwelling shall be:

(1) The minimum lot area shall be an average of 6,500 square feet.

(2) The average lot width shall be at least 30 feet.

(3) When a lot has frontage on a public street, the minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.

(4) The maximum building coverage shall be 45 percent.

(5) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(7) - (12).

FINDING:

The proposed lots range in size from 5,000 square feet to 9,012 square feet. With the removal of 16 small lots from the average lot size calculation (per Section 40.055 below), the overall average lot area is 6,502 square feet, which exceeds the minimum of 6,500 square feet per the requirements of subsection (1).

All lots exceed the 30-foot minimum average width in subsection (2).

All lots will have frontage on a public street and will meet the minimum width requirement of subsection (3) of 50 feet on a street and 30 feet around a cul-de-sac bulb.

The homes will meet the lot coverage standard of subsection (4). No more than 45% of any lot will be covered with buildings. This will be verified at time of building permit submission.

Lot 1 and Lot 2 will have frontage on Borland Road, but will access proposed SW 61st Terrace, a proposed local street. Lot 2 will become a flag lot with a pole to proposed SW 61st Terrace at least 20 feet wide. This criterion is satisfied with conditions of approval PFR -15 and 53.

V. TDC SECTION 40.055 LOT SIZE FOR GREENWAY AND NATURAL AREA TRACTS AND LOTS.

(1) The decision authority for partitions and subdivisions may allow one small lot for each 6,500 square feet of Tract created in the subdivision or partition process, provided the following criteria are met:

(a) Each Tract must be:

- (i) wholly in the Natural Re-source Protection Overlay (NRPO) District (TDC Chapter 72), or**
- (ii) wholly in an Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or**
- (iii) wholly in a Clean Water Services Vegetated Corridor.**

(b) The ownership of each Tract must be one of the following:

- (i) dedicated to the City at the City's option, or**
- (ii) dedicated in a manner approved by the City to a non-profit conservation organization, or**
- (iii) retained in private ownership by the developer.**

(c) The small lot:

- (i) Shall be no less than 5,000 square feet and no more than 5,999.99 square feet.**
- (ii) The average lot width shall be at least 30 feet.**
- (iii) The minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.**
- (iv) The maximum building coverage for lots less than 6,000 square feet shall be 45 percent.**
- (v) The subdivision's or partition's density, net of the Tracts, shall not exceed 7.5 dwelling units per acre.**

(2) The decision authority for partitions and subdivisions shall consider, but is not limited to, the following factors when determining if TDC 40.055(1)(b)(i - iii) are allowed:

(a) Does the Park and Recreation Master Plan designate the Tract for a greenway, pedestrian or bike path, public park, recreation, overlook or interpretive facility, or other public facility;

(b) Does the Tract include one or more designated Heritage Trees, or one or more significant trees;

(c) Does the Tract provide a significant view or esthetic element, or does it include a unique or intrinsically valuable element;

(d) Does the Tract connect publicly owned or publicly accessible properties;

(e) Does the Tract abut an existing park, greenway, natural area or other public facility;

(f) Does the Tract provide a public benefit or serve a public need;

(g) Does the Tract contain environmental hazards;

(h) Geologic stability of the Tract; and

(i) Future maintenance costs for the Tract.

(3) The following shall apply to small lots included in a partition or subdivision pursuant to (1) above:

(a) When a small lot abuts an existing lot in an approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the abutting lot. For example, a new small lot shall be no less than 5,500 square feet if it abuts an existing lot of 6,000 square feet; 5,600 square feet if it abuts an existing lot of 6,100 square feet; 5,700 square feet if it abuts an existing lot of 6,200 square feet; and so on, up to 5,999 square feet if it abuts an existing lot of 6,499 square feet.

(b) When a small lot is directly across a local street from an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the lot directly across the street. For purposes of this section, a small lot is directly across the street if one or more of its lot lines, when extended in a straight line across the local street, intersect the property line of the lot across the street.

(c) When a Tract or easement is between a small lot and an existing lot in a City approved and recorded subdivision or partition the small lot shall be separated from the existing lot by at least 50 feet.

(d) When a subdivision is constructed in phases, a small lot in a later phase may abut or be directly across a local street from an existing lot in an earlier phase.

FINDING:

The Applicant has proposed a 2.91 acre (127,760 square feet) tract which is wholly in the Natural Resource Overlay District. The Applicant has additionally proposed a 0.96 acre (41,818 square feet) tract for the purpose of the Saum Creek Greenway Trail. The two proposed tracts are to be dedicated to the City at the City's option. For the 168,578 square foot tract dedication, the Applicant is allowed 25 total small lots (168,578 square feet/6,500 square feet = 25.93 lots).

The Applicant has provided 16 small lots with a minimum square footage of 5,000 square feet and a maximum of 5,951 square feet. The average width of the proposed lots will meet the minimum average width of 30 feet. All proposed lots will have street frontage and will meet the minimum frontage requirement of 50 feet on a street and 30 feet around a cul-de-sac bulb. The maximum building coverage will not exceed 45 percent.

The lots proposed for the small lot allowance are lots 10, 33, 36, 41-43, 47-53 and 63-65.

The proposed 79 dwelling units result in a density of 7.0 dwelling units per net residential acre which is below the maximum of 7.5 dwelling units per acre.

The Park and Recreation Master Plan designates the area shown as Tract A as a greenway per subsection (a).

The Park and Recreation Master Plan designates the area shown as Tract B as a pedestrian path per subsection (a).

The applicant understands that based on the criteria of this section, ownership of Tracts A and B shall be determined by the City.

The Applicant is not proposing to locate any small lots abutting an existing lot in an approved or recorded subdivision or partition per subsection (a).

The Applicant is not proposing to locate any small lots directly across a local street from an existing lot in a City approved and recorded subdivision or partition per subsection (b).

The Applicant is not proposing to locate a tract or easement between any small lots and a City approved and recorded subdivision or partition per subsection (c)

The Applicant is not proposing a phased construction of the proposed subdivision (d).

This criterion is satisfied with conditions of approval PFR -43 and 53.

VI. TDC SECTION 40.070 SETBACK REQUIREMENTS FOR PERMITTED USES.

Except as otherwise provided, the setbacks for permitted uses shall be:

(1) The front yard setback shall be a minimum of 15 feet, except to an unenclosed porch, which shall be 12 feet.

(2) The setback to a garage door shall be a minimum of 20 feet.

(3) The side yard setback shall be a minimum of five feet.

(4) For a corner lot, the following provisions shall apply:

(a) one front yard setback shall be a minimum of 15 feet; it shall be determined by the orientation of the structure based on the location of the front door.

(b) the second front yard setback shall be a minimum of 10 feet.

(5) The rear yard setback shall be a minimum of 15 feet.

FINDING:

The plans show general possible footprints of structures with setbacks of 15 feet to the front and rear and 5 for the sides. All setback standards will be met at the time of building permit submittal. This criterion is satisfied with conditions of approval PFR 54.

VII. TDC SECTION 40.090 PROJECTIONS INTO REQUIRED YARDS.

Cornices, eaves, canopies, decks, sun-shades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and other similar architectural features may extend or project into a required front or rear yard setback area not more than three feet and into a required side yard not more than two feet, or into the required open space as established by coverage standards in this chapter.

FINDING:

Future structure projections into yards will be maximum of front or rear yard setback area not more than three feet and into a required side yard not more than two feet. This criterion is satisfied with conditions of approval PFR -55.

VIII. TDC SECTION 40.100 STRUCTURE HEIGHT.

Except as otherwise provided, the maximum structure height is 35 feet.

FINDING:

Future structure heights will be a maximum of 35 feet. This criterion is satisfied with conditions of approval PFR -56.

I. TDC CHAPTER 72: NATURAL RESOURCE PROTECTION OVERLAY DISTRICT (NRPO)

I. TDC SECTION 72.010 PURPOSE.

(1) To identify and protect by preservation and conservation the designated significant natural resources and Other Natural Areas. The designated significant natural resources are greenways and natural areas, which include the riparian areas and scenic areas of the Tualatin River and certain creeks and drainage swales, wetlands, upland forests, meadows, fish and wildlife resources, and the geologic features of the Tonquin Scablands. Significant Natural Resources are identified on the Significant Natural Resource List and Map TDC 72.013 and Map 72-3, TDC). The significant natural resources designated for protection are shown on Map 72-1, TDC. Other Natural Areas are identified on Figure 3-4 of the Parks and Recreation Master Plan.

(3) To provide public access to scenic and riparian areas, where appropriate, by designating pedestrian and bicycle path locations.

(4) To provide specific design standards for development adjacent to, and within, greenways and natural areas in order to preserve and conserve them, and provide mechanisms for the granting of easements or dedications for Greenways, and Natural Areas while allowing reasonable economic development of property adjacent to the greenways and natural areas.

FINDING:

A portion of the project site has been identified in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) Wetland and Natural Areas Inventory Environmental and Social Value Assessment as the location of a portion of Wetland W9. The wetland located on site is a Significant Natural Resource categorized as “high” in Fish Habitat Value, Hydrologic Control, and Water Quality.

The Wetland has been determined to be Significant. This criterion is satisfied.

II. TDC SECTION 72.013 SIGNIFICANT NATURAL RESOURCES.

The following natural resource sites identified in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory (December, 1995) are Significant Natural Resources:

Unit #	Resource #	Assessors Map and Tax Lot		
S	F9	Interstate 5 Hwy ROW		
S2	F5	21E30A01300 21E30B00200	21E30A01600 21E30B00600	21E30A01700 21E30B00100

FINDING:

The project site, tax lot 21E30B00600, has been identified as a natural resource site in the City of Tualatin Natural Resource Inventory and Local Wetlands Inventory. This criterion is satisfied.

III. TDC SECTION 72.020 LOCATION OF GREEN-WAYS AND NATURAL AREAS.

(1) The designated significant natural resources are the Greenways and Natural Areas on Map 72-1, which shows the general location of the NRPO District. The general locations of Other [n] Natural Areas are shown on the Recreation Resources Map (Figure 3-4) of the Parks and Recreation Master Plan.

(2) Lands in the Wetland Protection District (WPD) are subject to Chapter 71, and other applicable regulations, but not Chapter 72.

FINDING:

The southern portion of the project site has been identified on Map 72-1: Natural Resource Protection Overlay District (NRPO) and Greenway Locations as the location of the Saum Creek Greenway, a greenway protected in the NRPO. This criterion is satisfied.

IV. TDC SECTION 72.030 GREENWAYS.

(1) Greenways can exhibit diverse characteristics. Those along the Tualatin River and Hedges, Nyberg and Saum Creeks can be natural in some sections and have pedestrian and bike paths in other sections. Greenways in built-up areas such as in subdivisions are typically landscaped with lawn and often include concrete pedestrian/bike paths.

(3) Creek Greenways (NRPO-GC).

(a) Except as provided in Subsections (b-d), the NRPO-GC District shall have a width of 50 feet centered on the centerline of Hedges Creek from SW Ibach Street to the western boundary of the Wetlands Protection District and from the eastern boundary of the Wetlands Protection District to the Tualatin River, and centered on Nyberg Creek from SW Tonka Street to the Tualatin River.

(b) The NRPO-GC District shall have a width of 30 feet centered on the centerline of Nyberg Creek from SW Boones Ferry Road to SW Tonka Street.

(c) Property owners on opposite sides of a creek may enter into a written agreement to allow the NRPO-GC District to be off-center, but in no case shall it be less than 15 feet on one side of the creek. Such agreement shall be binding on property owners, their heirs and assigns; shall be approved by City Council and shall be placed on permanent file with the City Recorder.

(d) The NRPO-GC District shall have a width of 50 feet extending out from the top of the stream bank or from the upland edge of wetlands within the stream riparian area on the following creek sections:

- (i) Hedges Creek from SW 105th Avenue downstream to the private driveway culvert at the upper end of the fire pond at Tri-County Industrial Park,
- (ii) Hedges Creek from the fire pond dam's outlet at Tri-County Industrial Park downstream to SW Tualatin-Sherwood Road, and
- (iii) Saum Creek beginning east of I-5, just north of I-205 extending downstream to the Tualatin River, except:
 - (A) a width of 25 feet ex-tending out from the upland edge of wet-lands in the stream riparian area for the severely constrained properties shown on Map 72-1, and
 - (B) to the upland edge of the wetland in the stream riparian area adjacent to existing developed residential properties west of Atfalati Park shown on Map 72-1.

FINDING:

This site contains a portion of the area designated as the Saum Creek Greenway. This criterion is satisfied.

V. TDC SECTION 72.060 DEVELOPMENT RESTRICTIONS IN GREENWAYS AND NATURAL AREAS.

(1) Except as provided in Subsection (2), no building, structure, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development shall occur within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas.

(2) The following uses, activities and types of development are permitted within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas provided they are designed to minimize intrusion into riparian areas:

(a) Public bicycle or pedestrian ways, subject to the provisions of TDC 72.070.

(b) Public streets, including bridges, when part of a City approved transportation plan, and public utility facilities, when part of a City approved plan and provided appropriate restoration is completed.

(c) Except in Wetland Natural Areas, private driveways and pedestrian ways when necessary to afford access between portions of private property that may be bisected by a Greenway or Open Space Natural Area.

(d) Except in Creek Greenways and Wetland Natural Areas, outdoor seating for a restaurant within the Central Urban Renewal District, but outside of any sensitive area or its vegetated corridor.

(e) Public parks and recreational facilities including, but not limited to, boat ramps, benches, interpretive stations, trash receptacles and directional signage, when part of a City-approved Greenway or Natural Area enhancement plan.

(f) Landscaping, when part of a landscape plan approved through the Architectural Review process. City initiated landscape projects are exempt from the Architectural Review process. Landscaping in Greenways and Natural Areas shall comply with the approved Plant List in the Parks and Recreation Master Plan. When appropriate, technical advice shall be obtained from the Oregon Department of Fish and Wildlife, U.S. Soil Conservation Service, or similar agency, to ensure the proposed landscaping will enhance the preservation of any existing fish or wildlife habitats in the vicinity.

(g) Wildlife protection and enhancement, including the removal of non-native vegetation and replacement with native plant species.

(h) Except in Wetland Natural Areas, public boating facilities, irrigation pumps, water-related and water-dependent uses including the removal of vegetation necessary for the development of water-related and water-dependent uses, and replacement of existing structures with structures in the same location that do not disturb additional riparian surface.

(i) In Wetland Natural Areas, perimeter mowing and other cutting necessary for hazard prevention.

(3) The City may, through the subdivision, conditional use, architectural review, or other development approval process, attach appropriate conditions to approval of a development permit. Such conditions may include, but are not limited to:

- (a) Use of Greenways and Natural Areas for storm drainage purposes;**
- (b) Location of approved landscaping, pedestrian and bike access areas, and other non-building uses and activities in Greenways and Natural Areas;**
- (c) Setback of proposed buildings, parking lots, and loading areas away from the Greenway and Natural Area boundary.**

(4) Greenways and Natural Areas in which an access easement is owned by the City, but retained in private ownership, shall be maintained by the property owner in their natural state and may only be modified if a landscape and maintenance plan complies with the approved Plant List in the Parks and Recreation Master Plan, and has been approved through the Architectural Review process or by the Parks and Recreation Director when Architectural Review is not required.

(5) The Parks and Recreation Director shall be included as a commentor when a development application proposes dedication of Greenway or Natural Area property to the City or when development is pro-posed on Greenway or Natural Areas property maintained by the Parks and Recreation Department.

FINDING:

The Applicant is not proposing any buildings, structures, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development within the Greenway and Wetland. There are no proposed pedestrian ways that connect to the trail across wetlands or open space. The wetland and associate buffer is shown in a separate tract than the one for greenway and trail purposes.

In order to minimize intrusion into the riparian area, the proposed pathway will be constructed as detailed in Section 72.070, below. This criterion is satisfied.

VI. TDC SECTION 72.070 GENERAL GUIDELINES FOR PEDESTRIAN AND BIKE PATHS IN GREENWAYS.

To construct bike and pedestrian paths in greenways, the developer of the path shall adhere to the following guidelines, wherever practicable:

- (1) Incorporate trails into the surrounding topography.**
- (2) Provide viewing opportunities for special vistas, wetlands, and unique natural features.**
- (3) Protect existing vegetation to the greatest extent possible. In wooded areas meander paths through the woods to avoid significant trees. An arborist should be consulted to determine methods for minimizing impact of construction of paths near trees greater than 5 inch caliper as measured 4 feet above-grade.**
- (4) Replant trees in the vicinity where they were removed. Use native species as outlined in the approved plant list incorporated in the Parks and Recreation Master Plan.**
- (5) Minimize impact on wetland environments. Build paths above wetlands wherever possible. Use boardwalks, bridges or other elevated structures when passing through a wetland. Direct trails away from sensitive habitat areas such as nesting or breeding grounds.**
- (6) Provide interpretive opportunities along the trail. Use interpretive signage and displays to describe plant and animal species, nesting areas, wildlife food sources, and geologic, cultural and historic features.**
- (7) Provide amenities along the trail. Place benches, picnic tables, trash receptacles and interpretive signage where appropriate.**
- (8) Where paths are placed in utility corridors, path design should be coordinated with the City's Engineering and Building Department and Operations Department to allow utility maintenance.**

(9) Mitigate surface water drainage near wetlands and streams. Where hard surface trails occur adjacent to wetlands or creeks, provide, when appropriate, an open water system through swales, trench percolation, or on-site detention ponds to prevent erosion and negative impacts.

(10) Incorporate signage. Place properly scaled and sited regulatory and guide signs to instruct users on accessibility, local conditions, safety concerns and mileage information.

FINDING:

The City's Parks and Transportation System plans indicate that an extension of the Saum Creek trail will ultimately be constructed adjacent to Saum Creek, along the Southern boundary of the property. The applicant has created a tract on the preliminary plat which would provide a location and alignment for the extension of the trail and will enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Improvement Agreement. This criterion is satisfied with conditions of approval PFR -45.

VII. TDC SECTION 72.080 SHIFT OF DENSITY FOR RESIDENTIAL DEVELOPMENT ADJACENT TO GREENWAYS OR NATURAL AREAS.

(2) Small lots may be allowed in subdivisions and partitions in accordance with TDC 40.055 (RL District).

FINDING:

The applicant has provided responses for Section 40.055 (RL District) as a part of this narrative and the requirements are addressed in this decision. Sixteen (16) small lots are proposed in accordance with Section 40.055. This criterion is satisfied.

VIII. TDC SECTION 72.100 PARKS SYSTEMS DEVELOPMENT CHARGE (SDC) CREDIT.

Ordinance 833-91 establishes a System Development Charge for Parks in residential planning districts. The ordinance contains provisions for credits against the Parks SDC, subject to certain limitations and procedures. Credit may be received up to the full amount of the Parks SDC fee. Dedication of NRPO District Areas, Other Natural Areas or vegetated corridors located within or adjacent to the NRPO District listed in the SDC capital improvement list are eligible for a SDC credit. Dedication and improvement of bicycle and pedestrian paths may also be eligible for a SDC credit.

FINDING:

The Applicant may seek Parks SDC credits if required to construct a portion of the proposed Saum Creek Greenway pedestrian path.

This criterion is satisfied with conditions of approval PFR -50.

IX. TDC SECTION 72.110 EASEMENTS FOR PEDESTRIAN AND BICYCLE ACCESS.

In any portion of the NRPO District, the City may, through the subdivision, partition, conditional use, architectural review, or other applicable development approval process, require that easements for pedestrian and bicycle access and maintenance uses be granted as a condition of approval when said easements are necessary to achieve the purposes of the Parks and Recreation Master Plan, Greenways Development Plan, or Bikeways Plan.

FINDING:

As the NRPO is within a designated tract, further easements are unnecessary to achieve the purposes of the Parks and Recreation Master Plan, Greenways Development Plan and Bikeways Plan. The applicant will convey Tracts A and B by statutory warranty deed and execute and record Greenway easements covering the connecting pathway over the public sanitary sewer easement between Lots 69 and 70 prior to final plat approval.

This criterion is satisfied with conditions of approval PFR -43.

J. TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS

I. TDC SECTION 73.250 TREE PRESERVATION.

(1) Trees and other plant materials to be retained shall be identified on the landscape plan and grading plan.

(2) During the construction process:

(a) The owner or the owner's agents shall provide above and below ground protection for existing trees and plant materials identified to remain.

(b) Trees and plant materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.

(c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in TDC 31.060.

(d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

(e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.

(f) Tree root ends shall not remain exposed.

(3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.

(4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, nearby landscape materials. Native trees are encouraged

(5) Pruning for retained deciduous shade trees shall be in accordance with National Arborist Association "Pruning Standards For Shade Trees," revised 1979.

(6) Except for impervious surface areas, one hundred percent (100%) of the area preserved under any tree or group of trees retained in the landscape plan (as approved through the Architectural Review process) shall apply directly to the percentage of landscaping required for a development.

FINDING:

The applicant submitted a Tree Protection and Removal Plan (Sheet C105-C109) that identifies the locations of all trees on site eight inches or more in diameter. The CWS required easement boundary has been identified on the tree plan. Trees proposed for removal have also been identified. A tree assessment has been prepared and provided with this application.

The trees that are being proposed for removal as a part of this Subdivision Review are being removed to accommodate the construction of the proposed improvements for the subdivision plan. All tree removal is detailed in the included Arborist's report, as well as sheets C105 through C109. All proposed tree removal is necessary to construct the proposed improvements associated with the subdivision.

Trees in the Sequoia Ridge Natural Area shall be protected throughout construction. Applicant shall grant a conservation easement to preserve trees along east property lines of Tract F and Lot 79. City will accept a dedication of Tract F as Natural Area, if applicant plants it in northwest native trees, shrubs, and ground cover. There would be no compensation for the dedication of Tract F.

This criterion is satisfied with conditions of approval PFR -1, 10, and 46.

II. TDC SECTION 73.270 GRADING.

(1) After completion of site grading, top-soil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.

(2) All planting areas shall be graded to provide positive drainage.

(3) Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.

(4) Impervious surface drainage shall be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.

FINDING:

The applicant has submitted plans showing erosion control on sheets C116 to C119 for an area of approximately 20.9 acres. This criterion is satisfied with conditions of approval PFR -5 and 6.

III. TDC SECTION 73.280 IRRIGATION SYSTEM REQUIRED.

Except for townhouse lots, landscaped areas shall be irrigated with an automatic underground or drip irrigation system.

FINDING:

The plans indicate a water meter and splitting the water service in the planter strip for each lot, but don't clearly indicate that the landscaped areas will be irrigated. Irrigation is needed per TDC. This criterion is met with conditions of approval PFR -59.

TDC Section 73.370 Off-Street Parking and Loading.

(2) Off-Street Parking Provisions.

(a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City,

USE	MINIMUM MOTOR VEHICLE PARKING REQUIREMENT	MAXIMUM MOTOR VEHICLE PARKING REQUIREMENT	BICYCLE PARKING REQUIREMENT	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
<u>Residential Uses:</u>				
(i) Detached single-family dwelling, residential home, residential facilities (located in low density (RL) planning districts) Townhouse	2.00 vehicle parking spaces per dwelling unit, residential home or residential facility (stalls or spaces within a residential garage not included, except as approved in Architectural Review).	None	None Required	N/A

FINDING:

Future permits for building construction will show 2 onsite parking spaces per lot. This criterion is met with conditions of approval PFR -57.

IV. TDC SECTION 73.400 ACCESS.

(2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.

(3) Joint and Cross Access.

(b) A system of joint use driveways and cross access easements may be required and may incorporate the following:

(i) a continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

(ii) a design speed of 10 mph and a maximum width of 24 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

(iii) stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;

(iv) a unified access and circulation system plan for coordinated or shared parking areas.

(c) Pursuant to this section, property owners may be required to:

(i) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

(ii) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

(iii) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners;

(5) Lots that front on more than one street may be required to locate motor vehicle accesses on the street with the lower functional classification as determined by the City Engineer.

FINDINGS:

Lot 1 and Lot 2 will have frontage on SW Borland Road, a minor arterial. Motor vehicle access for lot 2 will be provided via a flag pole at least 20 feet wide to proposed SW 61st Terrace, a proposed local road. The 20-foot width will allow for a minimum 10-foot wide driveway with 5-foot setbacks to the property lines. This criterion is satisfied with conditions of approval PFR -15.

(6) Except as provided in TDC 53.100, all ingress and egress shall connect directly with public streets.

FINDINGS:

All lots shown on the Applicants plan have vehicular and pedestrian ingress and egress from private property to the public streets. This criterion is met.

(8) To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the City Engineer. Sidewalks approved by the City Engineer may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grades and alignment established by the City Engineer.

FINDINGS:

The proposed development will provide sidewalks along all street frontages, as shown on the attached Site Plan (Sheet C200). All proposed sidewalks will be constructed to City Standards. All shown sidewalks are of widths that meet standards, within right-of-way, and connect to any existing adjacent sidewalks. This criterion is satisfied.

(9) The standards set forth in this Code are minimum standards for access and egress, and may be increased through the Architectural Review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety, and general welfare.

(10) Minimum access requirements for residential uses:

(a) Ingress and egress for single-family residential uses, including townhouses, shall be paved to a minimum width of 10 feet. Maximum driveway widths shall not exceed 26 feet for one and two car garages, and 37 feet for three or more car garages. For the purposes of this section, driveway widths shall be measured at the property line....

FINDINGS:

Future building permits for each lot will show driveways widths a minimum of 10 feet wide and with a maximum for 26 feet for one or two car garages and 37 for three or more. This criterion is satisfied with conditions of approval PFR -58.

(11) Minimum Access Requirements for Commercial, Public and Semi-Public Uses.

...In all other cases, ingress and egress for commercial uses shall not be less than the following:

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
1-99	1	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only
100-249	2	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only
Over 250	As required by City Engineer	As required by City Engineer	As required by City Engineer

(13) One-way Ingress or Egress.

When approved through the Architectural Review process, one-way ingress or egress may be used to satisfy the requirements of Subsections (7), (8), and (9). However, the hard surfaced pavement of one-way drives shall not be less than 16 feet for multi-family residential, commercial, or industrial uses.

FINDINGS:

No one way ingress or egress is shown. This criterion is satisfied.

(14) Maximum Driveway Widths and Other Requirements.

(a) Unless otherwise provided in this chapter, maximum driveway widths shall not exceed 40 feet.

(b) Except for townhouse lots, no driveways shall be constructed within 5 feet of an adjacent property line, except when two adjacent property owners elect to provide joint access to their respective properties, as provided by Subsection (2).

(c) There shall be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Engineer.

(15) Distance between Driveways and Intersections.

Except for single-family dwellings, the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection.

(a) At the intersection of collector or arterial streets, driveways shall be located a minimum of 150 feet from the intersection.

(b) At the intersection of two local streets, driveways shall be located a minimum of 30 feet from the intersection.

(c) If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the 5-foot setback between the driveway and property line as required by TDC 73.400(14)(b).

(d) When considering a public facilities plan that has been submitted as part of an Architectural Review plan in accordance with TDC 31.071(6), the City Engineer may approve the location of a driveway closer than 150 feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision. The written approval shall be incorporated into the decision of the City Engineer for the utility facilities portion of the Architectural Review plan under the process set forth in TDC 31.071 through 31.077.

FINDINGS:

The Applicant is not proposing commercial use as a part of this development. The Applicant understands and acknowledges that the standards in this code are minimum standards for access and egress and they may be increased through the Architectural Review process. With construction of SW Sagert Street two 24-foot wide driveways for Tualatin Professional Center and one 24-foot wide driveway for MEI, both commercial uses, with access easement over Tract E are shown on the plan sheet C121. The west access for Tualatin Professional Center is approximately 75 feet from the intersection of SW 65th Avenue and SW Sagert Street and therefore access restricted to right-in/right-out as supported by the submitted Transportation Impact Analysis by Kittelson and Associates. The other two accesses are greater than 150 feet from the intersection and are not restricted. All accesses are greater than 30 feet from a intersection with a local street. For both lots, one access to each lot will need to be at least 32-foot wide. The access easement for MEI will need to match the width of the access. This criterion is satisfied with conditions of approval PFR -16.

(16) Vision Clearance Area.

(a) Local Streets - A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 10 feet from the intersection point of the right-of-way lines, as measured along such lines (see Figure 73-2 for illustration).

(b) Collector Streets - A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet (see Figure 73-2 for illustration).

(c) Vertical Height Restriction - Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction shall be permitted between 30 inches and 8 feet above the established height of the curb in the clear vision area (see Figure 73-2 for illustration).

FINDINGS:

The Applicant has illustrated the required vision clearance area triangle for each proposed intersection on the submitted plans and Figure 1 and Figure 2 submitted under Appendix F. All required vision clearance areas will be maintained. This criterion is satisfied.

(17) Major driveways, as defined in 31.060, in new residential and mixed-use areas are required to connect with existing or planned streets except where prevented by topography, rail lines, freeways, pre-existing development or leases, easements or covenants, or other barriers.

FINDINGS:

No major driveways are proposed. This criterion is satisfied.

K. TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS

I. TDC SECTION 74.120 PUBLIC IMPROVEMENTS.

(1) Except as specially provided, all public improvements shall be installed at the expense of the applicant. All public improvements installed by the applicant shall be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. No work shall be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and a Public Works Permit issued and the required fees paid.

FINDINGS:

A conceptual land use plan set has been submitted to show the proposed public water, sanitary sewer, and storm drainage facilities meeting City requirements to serve the proposed development. The public improvements additionally include public streets and trail with connections to public streets. This criterion is satisfied with conditions of approval PFR -39 and 48.

TDC Section 74.130 Private Improvements.

All private improvements shall be in-stalled at the expense of the applicant. The property owner shall retain maintenance responsibilities over all private improvements.

FINDINGS:

Onsite improvements related to relocating Tualatin Professional Center's parking lot out of public right-of-way as well as the masonry fences required in TDC 34.32-340 are private improvements. This criterion is satisfied with conditions of approval PFR -16 and 51.

II. TDC SECTION 74.140 CONSTRUCTION TIMING.

(1) All the public improvements required under this chapter shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

(2) All private improvements required under this chapter shall be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

FINDINGS:

The Applicant acknowledges the procedural requirements of this section. This criterion is satisfied with conditions of approval PFR -49.

III. TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.

The width of streets in feet shall not be less than the width required to accommodate a street improvement needed to mitigate the impact of a proposed development. In cases where a street is required to be improved according to the standards of the TDC, the width of the right-of-way shall not be less than the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

(1) For subdivision and partition applications, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width the additional right-of-way necessary to comply with TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G shall be shown on the final subdivision or partition plat prior to approval of the plat by the City. This right-of-way dedication shall be for the full width of the property abutting the roadway and, if required by the City Engineer, additional dedications shall be provided for slope and utility easements if deemed necessary.

(3) For development applications that will impact existing streets not adjacent to the applicant's property, and to construct necessary street improvements to mitigate those impacts would require additional right-of-way, the applicant shall be responsible for obtaining the necessary right-of-way from the property owner. A right-of-way dedication deed form shall be obtained from the City Engineer and upon completion returned to the City Engineer for acceptance by the City. On subdivision and partition plats the right-of-way dedication shall be accepted by the City prior to acceptance of the final plat by the City. On other development applications the right-of-way dedication shall be accepted by the City prior to issuance of building permits. The City may elect to exercise eminent domain and condemn necessary off-site right-of-way at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.

(4) If the City Engineer deems that it is impractical to acquire the additional right-of-way as required in subsections (1)-(3) of this section from both sides of the center-line in equal amounts, the City Engineer may require that the right-of-way be dedicated in a manner that would result in unequal dedication from each side of the road. This requirement will also apply to slope and utility easements as discussed in TDC 74.320 and 74.330. The City Engineer's recommendation shall be presented to the City Council in the preliminary plat approval for subdivisions and partitions, and in the recommended decision on all other development applications, prior to finalization of the right-of-way dedication requirements.

FINDINGS:

The submitted plans show a modified collector section for SW Sagert Street between proposed SW 63rd Avenue and the Sequoia Ridge including 32 feet of paved width, 6 foot planter strip and 5 foot sidewalks in either direction. The modified collector section is designed to transition SW Sagert Street to the residential uses found within the proposed development and within Sequoia Ridge to the east. The right-of-way width varies from 70.5 to 50 feet, narrowing to assist in traffic speed reduction and match existing street cross-sections. The transition and meander of SW Sagert Street south of PGE's lot is due to high power transmission line guy wires for existing poles. Relocation of guy wires to continue a wider and straighter path would require replacement of existing poles with new steel poles. The applicant worked towards a successful solution of PGE proposing to dedicate adequate right-of-way to include a planter strip and sidewalk to resemble our standard cross-section in exchange of continuing to allow PGE interim access to SW Borland Avenue for their maintenance vehicles.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder. The City Engineer determined this as an acceptable cross-section as it allows for construction of a modified cross-section south of SW Sagert Street to not adversely affect Atfalati Park and greenway to the south of the park. The cross-section reduces the major arterial cross-section from 5 to 3 lanes, but includes a 12-foot wide sidewalk on the east side as part of the connectivity between the Saum Creek Greenway Path to Tualatin River. The City believes this modification will not reduce Levels Of Service below code standards per the submitted traffic impact analysis.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area. The City Engineer determined this as an acceptable cross-section as it matches the width of right-of-way and street construction adjacent to Sequoia Ridge subdivision to the east, which doesn't encroach on a row of protected sequoia trees. The City believes this modification will not reduce Levels Of Service below code standards per the submitted traffic impact analysis.

In each of these cross-sections, unequal dedication is needed. This criterion is met.

(5) Whenever a proposed development is bisected by an existing or future road or street that is of inadequate right-of-way width according to TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G, additional right-of-way shall be dedicated from both sides or from one side only as determined by the City Engineer to bring the road right-of-way in compliance with this section.

FINDINGS:

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder. The City Engineer determined this as an acceptable cross-section as it allows for construction of a modified cross-section south of SW Sagert Street to not adversely affect Atfalati Park and greenway to the south of the park. The cross-section reduces the major arterial cross-section from 5 to 3 lanes, but includes a 12-foot wide sidewalk on the east side as part of the connectivity between the Saum Creek Greenway Path to Tualatin River. The City believes this modification will not reduce Levels of Service below code standards per the submitted traffic impact analysis.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area. The City Engineer determined this as an acceptable cross-section as it matches the width of right-of-way and street construction adjacent to Sequoia Ridge subdivision to the east, which doesn't encroach on a row of protected sequoia trees. The City believes this modification will not reduce Levels Of Service below code standards per the submitted traffic impact analysis.

(6) When a proposed development is adjacent to or bisected by a street proposed in TDC Chapter 11, Transportation Plan (Figure 11-3) and no street right-of-way exists at the time the development is proposed, the entire right-of-way as shown in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G shall be dedicated by the applicant. The dedication of right-of-way required in this subsection shall be along the route of the road as determined by the City.

FINDINGS:

The 2013 Tualatin Transportation System Plan designates SW Sagert Street as a "Minor Arterial" west SW 65th Avenue and as a "Minor Collector" where it extends through the property. According to the TSP Figure 2 and Table 3, the preferred width for a Collector Street is a 76-foot wide right-of-way.

The existing ROW of Sagert Street between SW 65th Avenue and SW Wampanoag Drive is 78 feet in width. As shown on the submitted plans, proposed improvements between SW 65th Avenue and Wampanoag Drive include widening the center turn lane to 12 feet, providing a 12 foot travel lanes in each direction, a 5 foot bike lane on the south side and a 4.9 foot wide bike lane on the north side, a 5.5 foot sidewalk on both sides of the street, 3.5 feet of landscaping on the south side and 17.5 feet of landscaping on the north side.

The Tualatin TSP designates the necessity to extend Sagert Street through the proposed development from SW 65th Avenue to the Sequoia Ridge subdivision to the east.

As shown on the submitted plans, the roadway improvements for SW Sagert Street between SW 65th Avenue and the proposed SW 63rd Terrace include a 12 foot center turn lane, 12 foot travel lanes in either direction, 6 foot bike lanes in either direction, 6 foot planter strip and 5 foot sidewalks in either direction. Right-of-way width varies due to existing development constraints north of the proposed development from 70.5 feet to 75 feet.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area.

New public streets within the development will have a 50-foot right-of-way with 32 feet of improvements from curb to curb. A 5 foot sidewalk and a 4 foot wide planter strip will be provided from the edge of the curb.

Washington County has jurisdiction of the west half of SW 65th Avenue. Clackamas County has jurisdiction of the east half of SW 65th Avenue and the entirety of SW Borland Road. SW Sagert Street plus all the proposed local streets are the jurisdiction of the City of Tualatin. Clackamas and Washington County submitted attached memorandums with requirements dated October 1, 2015 and October 8, 2015, respectively. The applicant will need to complete the requirements of both County's memorandums.

The plans show a 12-foot wide sidewalk on the east side SW 65th Avenue at the south end of the development extending to SW 65th Avenue. It is not clear that this is only for bicycle entrance from SW 65th Avenue as there is no crosswalk for pedestrian safety. The plans will show that this is for a bicycle entrance from SW 65th Avenue only and include a pedestrian barrier with appropriate tapering per AASTO code. The sidewalk should extend as far south to the property line as possible.

The plans show a sidewalk for SW Borland Road. On the west side it connects to the street which is unsafe. The sidewalk should connect across PGE's lot to the existing sidewalk to the west for safe connectivity.

This criterion is satisfied with conditions of approval PFR – 17, 18, 19, 20, and 21.

IV. TDC SECTION 74.310 GREENWAY, NATURAL AREA, BIKE, AND PEDESTRIAN PATH DEDICATIONS AND EASEMENTS.

(1) Areas dedicated to the City for Greenway or Natural Area purposes or easements or dedications for bike and pedestrian facilities during the development application process shall be surveyed, staked and marked with a City approved boundary marker prior to acceptance by the City.

(2) For subdivision and partition applications, the Greenway, Natural Area, bike, and pedestrian path dedication and easement areas shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

FINDINGS:

The areas proposed as dedication to the City for Greenway or Natural Area purposes have been surveyed, and will be staked and marked with a City approved boundary marker, per the requirements of subsection (1).

The areas proposed as dedication to the City for Greenway, Natural Area, bike and pedestrian path dedication and easement areas have been shown to be dedicated to the City on the final subdivision plat, per the requirements of subsection (2). This criterion is satisfied with conditions of approval PFR -42 and 43.

V. TDC SECTION 74.330 UTILITY EASEMENTS.

(1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities shall be granted to the City.

(2) For subdivision and partition applications, the on-site public utility easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; and

(3) For subdivision and partition applications which require off-site public utility easements to serve the proposed development, a utility easement shall be granted to the City prior to approval of the final plat by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.

(5) The width of the public utility easement shall meet the requirements of the Public Works Construction Code. All subdivisions and partitions shall have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines.

FINDINGS:

A 6-ft wide public utility easement (PUE) is indicated on the submitted plat along the frontage of each lot. A 15-foot wide sanitary sewer and public access easement is shown between lots 69 and 70 to provide access to an existing sanitary manhole. An access and utility easement is shown on lot 1 access and utility service for lot 2 will not be needed as there will be a flag for lot 2 to proposed SW 61st Terrace. All easements will meet city dimensional requirements and be shown on the final recorded plat.

5-foot wide public utility easements will be needed at the sides and rear of all lots. 15-foot wide public easements are needed for public sanitary sewer and/or stormwater lines over private property. This criterion is satisfied with conditions of approval PFR -22 and 42.

VI. TDC SECTION 74.340 WATERCOURSE EASEMENTS.

(1) Where a proposed development site is traversed by or adjacent to a watercourse, drainage way, channel or stream, the applicant shall provide a storm water easement, drainage right-of-way, or other means of preservation approved by the City Engineer, conforming substantially with the lines of the watercourse. The City Engineer shall determine the width of the easement, or other means of preservation, required to accommodate all the requirements of the Surface Water Management Ordinance, existing and future storm drainage needs and access for operation and maintenance.

(2) For subdivision and partition applications, any watercourse easement dedication area shall be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

(3) For all other development applications, any watercourse easement shall be executed on a dedication form submitted to the City Engineer; building permits shall not be issued for the development prior to acceptance of the easement by the City.

(4) The storm water easement shall be sized to accommodate the existing water course and all future improvements in the drainage basin. There may be additional requirements as set forth in TDC Chapter 72, Greenway and Riverbank Protection District, and the Surface Water Management Ordinance. Water quality facilities may require additional easements as described in the Surface Water Management Ordinance.

FINDINGS:

Tracts are provided which contain a portion of Saum Creek, as well as the associated buffer area and future pedestrian path. Easements are not necessary as the tracts provide the necessary protection and preservation of the watercourse. This criterion is satisfied with conditions of approval PFR -43.

VII. TDC SECTION 74.350 TRACTS.

A dedicated tract or easement will be required when access to public improvements for operation and maintenance is required, as determined by the City Engineer. Access for maintenance vehicles shall be constructed of an all-weather driving surface capable of carrying a 50,000-pound vehicle. The width of the tract or easement shall be 15-feet in order to accommodate City maintenance vehicles. In subdivisions and partitions, the tract shall be dedicated to the City on the final plat. In any other development, an access easement shall be granted to the City and recorded prior to issuance of a building permit.

FINDINGS:

A proposed Water Quality Tract is located adjacent to SW 65th Avenue, in the southwest corner of the Subject Property. Because it can be accessed directly from a public street, no easement is required to allow access for operation and maintenance.

An additional public water quality facility is shown within Tract B, intended to be provided for a greenway trail. The public water quality facility will be in a separate tract, and will be accessible from a public street via Tract D and B. No public stormwater easement is needed to cross the greenway tract for maintenance activities. Tract D will be dedicated for stormwater maintenance access.

The driving surface for maintenance vehicles are shown to be of asphalt and extend appropriately to be 5-feet beyond the public sanitary sewer manhole at the southwest corner of the project, but made of concrete end prior to the stormwater manholes prior to the public water quality facilities. Surfaces need to extend to the public water quality facilities. These surfaces will be concrete and constructed according to the Public Works Construction Code. This criterion is satisfied with conditions of approval PFR -23, 24, and 42.

VIII. TDC SECTION 74.410 FUTURE STREET EXTENSIONS.

(1) Streets shall be extended to the proposed development site boundary where necessary to:

- (a) give access to, or permit future development of adjoining land;**
- (b) provide additional access for emergency vehicles;**
- (c) provide for additional direct and convenient pedestrian, bicycle and vehicle circulation;**
- (d) eliminate the use of cul-de-sacs except where topography, barriers such as railroads or freeways, existing development, or environmental constraints such as major streams and rivers prevent street extension.**
- (e) eliminate circuitous routes. The resulting dead end streets may be approved without a turnaround. A reserve strip may be required to preserve the objectives of future street extensions.**

(2) Proposed streets shall comply with the general location, orientation and spacing identified in the Functional Classification Plan (Figure 11-1), Local Streets Plan (TDC 11.630 and Figure 11-3) and the Street Design Standards (Figures 74-2A through 74-2G).

(a) Streets and major driveways, as defined in TDC 31.060, proposed as part of new residential or mixed residential/commercial developments shall comply with the following standards:

(i) full street connections with spacing of no more than 530 feet between connections, except where prevented by barriers;

(ii) bicycle and pedestrian accessway easements where full street connections are not possible, with spacing of no more than 330 feet, except where prevented by barriers;

(iii) limiting cul-de-sacs and other closed-end street systems to situations where barriers prevent full street extensions; and

(iv) allowing cul-de-sacs and closed-end streets to be no longer than 200 feet or with more than 25 dwelling units, except for streets stubbed to future developable areas.

(3) During the development application process, the location, width, and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. The arrangement of streets in a subdivision shall either:

(a) provide for the continuation or appropriate projection of existing streets into surrounding areas; or

(b) conform to a street plan approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance of or conformance to existing streets impractical.

(4) The City Engineer may require the applicant to submit a street plan showing all existing, proposed, and future streets in the area of the proposed development.

(5) The City Engineer may require the applicant to participate in the funding of future off-site street extensions when the traffic impacts of the applicant's development warrant such a condition.

FINDINGS:

The Applicant proposes an east-west extension of SW Sagert Street that will extend between SW 65th Avenue and the Sequoia Ridge neighborhood to the east to provide connectivity. The Applicant also proposes the creation of a new north-south connection that will extend onto Borland Road to provide additional connectivity. A traffic study is included with this application detailing the proposed street extensions. The proposed streets all comply with the general location, orientation and spacing identified in the Functional Classification Plan, Local Streets Plan and Street Design Standards.

Full street connections are spaced less than 530 feet between connections. In addition to meeting this requirement, two bicycle and pedestrian accessways within Tracts will be dedicated to the City at the southeast and southwest corners of the development for access to the Saum Creek Greenway Trail. No cul-de-sacs or dead end streets are proposed and the extension of SW Sagert Street eliminates an existing dead end street.

This criterion is satisfied.

IX. TDC SECTION 74.420 STREET IMPROVEMENTS.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City' s Public Works Construction Code, subject to the following provisions:

(1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 shall be improved to standards as set out in the Public Works Construction Code.

(2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.

(3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.

(4) Where development abuts an existing street, the improvement required shall apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Engineer to ensure a smooth transition between a new improvement and the existing roadway (half-street improvement). Additional right-of-way and street improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement shall connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.

(5) If additional improvements are required as part of the Access Management Plan of the City, TDC Chapter 75, the improvements shall be required in the same manner as the half-street improvement requirements.

(6) All required street improvements shall include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.

(7) For subdivision and partition applications, the street improvements required by TDC Chapter 74 shall be completed and accepted by the City prior to signing the final subdivision or partition plat, or prior to releasing the security provided by the applicant to assure completion of such improvements or as otherwise specified in the development application approval.

(10) Streets within, or partially within, a proposed development site shall be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code.

(11) Existing streets which abut the proposed development site shall be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).

(12) Sidewalks with appropriate buffering shall be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.

(13) The applicant shall comply with the requirements of the Oregon Department of Transportation (ODOT), Tri-Met, Washington County and Clackamas County when a proposed development site is adjacent to a roadway under any of their jurisdictions, in addition to the requirements of this chapter.

(14) The applicant shall construct any required street improvements adjacent to parcels excluded from development, as set forth in TDC 74.220 of this chapter.

(15) Except as provided in TDC 74.430, whenever an applicant proposes to develop land with frontage on certain arterial streets and, due to the access management provisions of TDC Chapter 75, is not allowed direct access onto the arterial, but instead must take access from another existing or future public street thereby providing an alternate to direct arterial access, the applicant shall be required to construct and place at a minimum street signage, a sidewalk, street trees and street lights along that portion of the arterial street adjacent to the applicant's property. The three certain arterial streets are S.W. Tualatin-Sherwood Road, S.W. Pacific Highway (99W) and S.W. 124th Avenue. In addition, the applicant may be required to construct and place on the arterial at the intersection of the arterial and an existing or future public non-arterial street warranted traffic control devices (in accordance with the Manual on Uniform Traffic Control Devices, latest edition), pavement markings, street tapers and turning lanes, in accordance with the Public Works Construction Code.

(16) The City Engineer may determine that, although concurrent construction and placement of the improvements in (14) and (15) of this section, either individually or collectively, are impractical at the time of development, the improvements will be necessary at some future date. In such a case, the applicant shall sign a written agreement guaranteeing future performance by the applicant and any successors in interest of the property being developed. The agreement shall be subject to the City's approval.

(17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.

(18) Pursuant to requirements for off-site improvements as conditions of development approval in TDC 73.055(2)(e) and TDC 36.160(8), proposed multi-family residential, commercial, or institutional uses that are adjacent to a major transit stop will be required to comply with the City's Mid-Block Crossing Policy.

FINDINGS:

The Applicant's submitted plans show public street, storm drainage and sidewalk improvements in the SW 65th Avenue right-of-way, in compliance with these requirements.

SW Sagert Street will be fully constructed to meet applicable City street standards, extending east from the existing intersection and terminated at the existing stub that connects with SW Sequoia Drive.

SW Borland Road will be constructed in accordance with city standards.

All street improvements are detailed in the plan sheets submitted with this subdivision application. This criterion is satisfied.

X. TDC SECTION 74.425 STREET DESIGN STANDARDS.

(1) Street design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, and safety. They are necessary to ensure that the system of streets, as it develops, will be capable of safely and efficiently serving the traveling public while also accommodating the orderly development of adjacent lands.

(2) The proposed street design standards are shown in Figures 72A through 72G. The typical roadway cross sections comprise the following elements: right-of-way, number of travel lanes, bicycle and pedestrian facilities, and other amenities such as landscape strips. These figures are intended for planning purposes for new road construction, as well as for those locations where it is physically and economically feasible to improve existing streets

(3) In accordance with the Tualatin Basin Program for fish and wildlife habitat it is the intent of Figures 74-2A through 74-2G to allow for modifications to the standards when deemed appropriate by the City Engineer to address fish and wildlife habitat.

(4) All streets shall be designed and constructed according to the preferred standard. The City Engineer may reduce the requirements of the preferred standard based on specific site conditions, but in no event will the requirement be less than the minimum standard. The City Engineer shall take into consideration the following factors when deciding whether the site conditions warrant a reduction of the preferred standard:

(a) Arterials:

- (i) Whether adequate right-of-way exists**
- (ii) Impacts to properties adjacent to right-of-way**
- (iii) Current and future vehicle traffic at the location**
- (iv) Amount of heavy vehicles (buses and trucks).**

(b) Collectors:

- (i) Whether adequate right-of-way exists**
- (ii) Impacts to properties adjacent to right-of-way**
- (iii) Amount of heavy vehicles (buses and trucks)**
- (iv) Proximity to property zoned manufacturing or industrial.**

(c) Local Streets:

(i) Local streets proposed within areas which have environmental constraints and/or sensitive areas and will not have direct residential access may utilize the minimum design standard. When the minimum design standard is allowed, the City Engineer may determine that no parking signs are required on one or both sides of the street.

FINDINGS:

All local street construction is proposed according to the street design standards for the functional classification of the street. Right-of-way dedication and construction of improvements is proposed per the required standards.

The Tualatin TSP designates SW 65th Avenue as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 29 foot ROW dedication along 65th, for a total half-street width of 47 feet. Proposed improvements include construction of a 12 foot center turn lane, as well as improving the east side of the street by widening the travel lane to 12 feet, constructing a 6 foot bike lane, a 7 foot planter strip, a 12 foot sidewalk and a 6 foot shoulder. The City Engineer determined this as an acceptable cross-section as it allows for construction of a modified cross-section south of SW Sagert Street to not adversely affect Atfalati Park and greenway to the south of the park. The cross-section reduces the major arterial cross-section from 5 to 3 lanes, but includes a 12-foot wide sidewalk on the east side as part of the connectivity between the Saum Creek Greenway Path to Tualatin River. The right-of-way width will be 88 feet, greater than the minimum of 70 feet. This criterion is satisfied.

The Tualatin TSP designates SW Borland Street as a Major Arterial with a right-of-way width of 98 feet, therefore a half street requirement of 49 feet from centerline. The submitted plans show a 24 foot right-of-way dedication along Borland, for a total half-street width of 40.9 feet. Proposed improvements include widening the center turn lane to 11.7 feet, as well as improving the south side of the street by maintaining a 10 foot travel lane, constructing a 4.2 foot bike lane, 5 foot planter strip, 5 foot sidewalk and 14.7 foot landscaping area. The City Engineer determined this as an acceptable cross-section as it matches the width of right-of-way and street construction adjacent to Sequoia Ridge subdivision to the east, which doesn't encroach on a row of protected sequoia trees. The right-of-way width will be 88 feet, greater than the minimum of 70 feet. This criterion is satisfied.

The submitted plans show a modified collector section for SW Sagert Street between proposed SW 63rd Avenue and the Sequoia Ridge including 32 feet of paved width, 6 foot planter strip and 5 foot sidewalks in either direction. The modified collector section is designed to transition SW Sagert Street to the residential uses found within the proposed development and within Sequoia Ridge to the east. The right-of-way width varies from 70.5 to 50 feet, narrowing to assist in traffic speed reduction and match existing street cross-sections. The transition and meander of SW Sagert Street south of PGE's lot is due to high power transmission line guy wires for existing poles. Relocation of guy wires to continue a wider and straighter path would require replacement of existing poles with new steel poles. PGE and the applicant worked towards a successful solution of PGE proposing to dedicate adequate right-of-way to include a planter strip and sidewalk to resemble our standard cross-section in exchange of continuing to allow PGE interim access to SW Borland Avenue for their maintenance vehicles. The right-of-way width will vary from 70.5 down to 50 feet, less than the minimum of 62 feet to connect to the existing width of SW Sagert Street to the east within Sequoia Ridge Subdivision. This criterion is satisfied.

The submitted plans show a modified arterial section for SW Sagert Street to the west of SW 65th Avenue adjacent to Atfalati Park. This section will be improved to add bike lanes from the intersection of SW 65th Avenue and SW Sagert Street to the existing bike lanes to the west. The cross section width will be 78 feet, greater than the minimum of 70 feet to not adversely affect Atfalati Park. The plans do not clearly show how the existing hedge at the north property line will remain. The applicant will need to show on plans and in narrative how adjacent park lands (Atfalati Park) will be restored subsequent to 65th Ave. and Sagert St. road widening (e.g., tapering grades, salvaging and replanting trees, irrigation). This criterion is met with conditions of approval PFR – 18.

XI. TDC SECTION 74.430 STREETS, MODIFICATIONS OF REQUIREMENTS IN CASES OF UNUSUAL CONDITIONS.

(1) When, in the opinion of the City Engineer, the construction of street improvements in accordance with TDC 74.420 would result in the creation of a hazard, or would be impractical, or would be detrimental to the City, the City Engineer may modify the scope of the required improvement to eliminate such hazardous, impractical, or detrimental results. Examples of conditions requiring modifications to improvement requirements include but are not limited to horizontal alignment, vertical alignment, significant stands of trees, fish and wildlife habitat areas, the amount of traffic generated by the proposed development, timing of the development or other conditions creating hazards for pedestrian, bicycle or motor vehicle traffic. The City Engineer may determine that, although an improvement may be impractical at the time of development, it will be necessary at some future date. In such cases, a written agreement guaranteeing future performance by the applicant in installing the required improvements must be signed by the applicant and approved by the City.

(2) When the City Engineer determines that modification of the street improvement requirements in TDC 74.420 is warranted pursuant to subsection (1) of this section, the City Engineer shall prepare written findings of modification. The City Engineer shall forward a copy of said findings and description of modification to the applicant, or his authorized agent, as part of the Utility Facilities Review for the proposed development, as provided by TDC 31.072. The decision of the City Engineer may be appealed to the City Council in accordance with TDC 31.076 and 31.077.

(3) To accommodate bicyclists on streets prior to those streets being upgraded to the full standards, an interim standard may be implemented by the City. These interim standards include reduction in motor vehicle lane width to 10 feet [the minimum specified in AASHTO's A Policy on Geo-metric Design of Highways and Streets (1990)], a reduction of bike lane width to 4-feet (as measured from the longitudinal gutter joint to the centerline of the bike lane stripe), and a paint-stripped separation 2 to 4 feet wide in lieu of a center turn lane. Where available roadway width does not provide for these minimums, the roadway can be signed for shared use by bicycle and motor vehicle travel. When width constraints occur at an intersection, bike lanes should terminate 50 feet from the intersection with appropriate signing.

FINDINGS:

Approved modifications to the cross-section of SW Sagert Street east of the intersection of proposed SW 61st Terrace include a median to help identify a separation with the existing Sequoia Ridge subdivision and to encourage traffic to turn north to SW Borland Road and a reduced cross-section from west to east to transition into the existing width of SW Sagert Street.

The Applicant has submitted a design modification request to Clackamas County regarding the proposed access of a local street on SW Borland Road, an arterial. The Applicant has also submitted a design modification request to Clackamas County regarding the sidewalk at the intersection of SW Sagert Street and SW 65th Avenue. This criterion is satisfied with conditions of approval PFR -17.

XII. TDC SECTION 74.440 STREETS, TRAFFIC STUDY REQUIRED.

(1) The City Engineer may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Engineer determines that such a study is necessary in connection with a proposed development project in order to:

(a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or

(b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.

(2) The required traffic study shall be completed prior to the approval of the development application.

(3) The traffic study shall include, at a minimum:

(a) an analysis of the existing situation, including the level of service on adjacent and impacted facilities.

(b) an analysis of any existing safety deficiencies.

(c) proposed trip generation and distribution for the proposed development.

(d) projected levels of service on adjacent and impacted facilities.

(e) recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.

(f) The City Engineer will determine which facilities are impacted and need to be included in the study.

(g) The study shall be conducted by a registered engineer.

(4) The applicant shall implement all or a portion of the improvements called for in the traffic study as determined by the City Engineer.

FINDINGS:

A traffic study conducted by Kittleson and Associates, Inc. has been provided as a part of this Subdivision Application. The study included analysis of the level of service at intersections determined by the City Engineer with existing and future development, safety, trip distribution, and recommendations of improvements. This criterion is satisfied.

XIII. TDC SECTION 74.450 BIKEWAYS AND PEDESTRIAN PATHS.

(1) Where proposed development abuts or contains an existing or proposed bikeway, pedestrian path, or multi-use path, as set forth in TDC Chapter 11, Transportation Figure 11-4, the City may require that a bikeway, pedestrian path, or multi-use path be constructed, and an easement or dedication provided to the City.

(2) Where required, bikeways and pedestrian paths shall be provided as follows:

(a) Bike and pedestrian paths shall be constructed and surfaced in accordance with the Public Works Construction Code.

(b) The applicant shall install the striping and signing of the bike lanes and shared roadway facilities, where designated.

FINDINGS:

The site includes a tract which will be created to contain a public pathway along the Saum Creek Greenway. The Applicant will work with the City to provide a tract to contain the proposed pedestrian pathway. The Applicant may also work with the City regarding the construction of the proposed pathway, subject to the availability of credits for System Development Charges.

The applicant shall construct on the Saum Creek Greenway Trail from 65th Ave. to the Venetia development property with connections as shown on the attached Saum Creek Greenway Trail Alignment Plan, an historical interpretive display, required vegetative enhancement and mitigation, and related greenway signage. Final design and construction standards for the pathway and related facilities shall be approved by the Community Services Director.

Applicant shall enter into an Improvement Agreement substantially like the attached draft Saum Creek Greenway Trail Improvement Agreement with City to construct the Saum Creek Greenway Trail and related improvements in accordance with the attached Deal Points summary no later than final plat approval.

Show the required maintenance access for 65th Ave. pump station on site plans.

This criterion is satisfied with conditions of approval PFR -19, 43, and 45.

XIV. TDC SECTION 74.460 ACCESSWAYS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SUBDIVISIONS AND PARTITIONS.

(1) Accessways shall be constructed by the applicant, dedicated to the City on the final residential, commercial or industrial subdivision or partition plat, and accepted by the City.

(2) Accessways shall be located between the proposed subdivision or partition and all of the following locations that apply:

(a) adjoining publicly-owned land intended for public use, including schools and parks. Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland;

(b) adjoining arterial or collector streets upon which transit stops or bike lanes are provided or designated;

(c) adjoining undeveloped residential, commercial or industrial properties;

(d) adjoining developed sites where an accessway is planned or provided.

(3) In designing residential, commercial and industrial subdivisions and partitions, the applicant is expected to design and locate accessways in a manner which does not restrict or inhibit opportunities for developers of adjacent property to connect with an accessway. The applicant is to have reasonable flexibility to locate the required accessways. When developing a parcel which adjoins parcels where accessways have been constructed or approved for construction, the applicant shall connect at the same points to provide system continuity and enhance opportunities for pedestrians and bicyclists to use the completed accessway.

(4) Accessways shall be as short as possible, but in no case more than 600 feet in length.

(5) Accessways shall be as straight as possible to provide visibility from one end to the other.

(6) Accessways shall be located and improved within a right-of-way or tract of no less than 8 feet.

(7) Where possible, accessways shall be combined with utility easements.

(8) Accessways shall be constructed in accordance with the Public Works Construction Code.

(9) Curb ramps shall be provided wherever the accessway crosses a curb and shall be constructed in accordance with the Public Works Construction Code.

(10) The Federal Americans With Disabilities Act (ADA) applies to development in the City of Tualatin. Accessways shall comply with the Oregon Structural Specialty Code's (OSSC) accessibility standards.

(11) Fences and gates which prevent pedestrian and bike access shall not be allowed at the entrance to or exit from any accessway.

(12) Final design and location of accessways shall be approved by the City.

(13) Outdoor Recreation Access Routes shall be provided between a subdivision or partition and parks, bikeways and greenways where a bike or pedestrian path is designated.

FINDINGS:

Accessways have been planned for and will be located according to the standards of this section. The Applicant intends to work with the City regarding the construction of the trail through the construction documentation process.

The 15-foot wide public sanitary sewer and access easement with 12-foot wide maintenance path between lots 69 and 70 is shown in the location that the access is provided for the residents of the subdivision and the public to access the future public path along Saum Creek to the southeast. The 12-foot width exceeds the 8-foot minimum requirement, is less than 600 feet in length, is straight.

Tract C is shown to contain a public stormwater facility and will be dedicated to the City. A 12-foot wide concrete stormwater maintenance path will extend from the local street to the facility and serve as the beginning of an accessway connecting to SW 65th Avenue to the west. The accessway is shown as a 6-foot wide gravel trail. This accessway will be concrete and 8 feet wide. This criterion is satisfied with conditions of approval PFR – 26 and 45.

XV. TDC SECTION 74.470 STREET LIGHTS.

(1) Street light poles and luminaries shall be installed in accordance with the Public Works Construction Code.

(2) The applicant shall submit a street lighting plan for all interior and exterior streets on the proposed development

FINDINGS:

The project plan shows street lights. This criterion is satisfied.

XVI. TDC SECTION 74.475 STREET NAMES.

(1) No street name shall be used which will duplicate or be confused with the names of existing streets in the Counties of Washington or Clackamas, except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area.

(2) The City Engineer shall maintain the approved list of street names from which the applicant may choose. Prior to the creation of any street, the street name shall be approved by the City Engineer.

FINDINGS:

Proposed street names, as shown on the plat, are unique to this subdivision, except for the extension of existing streets. The street names and numbers conform to the established pattern in the surrounding area. Street name “E” is a placeholder for a street name from the approved list. The applicant will select a street name from the approved list. This criterion is satisfied with conditions of approval PFR -27.

XVII. TDC SECTION 74.480 STREET SIGNS.

(1) Street name signs shall be installed at all street intersections in accordance with standards adopted by the City.

(2) Stop signs and other traffic control signs (speed limit, dead-end, etc.) may be required by the City.

(3) Prior to approval of the final subdivision or partition plat, the applicant shall pay the City a non-refundable fee equal to the cost of the purchase and installation of street signs, traffic control signs and street name signs. The location, placement, and cost of the signs shall be determined by the City.

FINDINGS:

The plans show signalization of SW 65th Avenue and SW Sagert Street plus a stop control plan on sheet C015. Street name, speed limit, and traffic control signs are not indicated on the plans. The applicant will show street name, speed limit, and traffic control signs on final plans provide appropriate funds for signs. This criterion is satisfied with conditions of approval PFR -28, 29, 30, 31, and 39.

XVIII. TDC SECTION 74.485 STREET TREES.

(1) Prior to approval of a residential subdivision or partition final plat, the applicant shall pay the City a non-refundable fee equal to the cost of the purchase and installation of street trees. The location, placement, and cost of the trees shall be determined by the City. This sum shall be calculated on the interior and exterior streets as indicated on the final subdivision or partition plat.

(3) The Street Tree Ordinance specifies the species of tree which is to be planted and the spacing between trees.

FINDINGS:

The Applicant has provided a street tree planting plan along with the proposed development plans. The Applicant will provide appropriate funds for street trees in accordance with this Section.

The plans show Autumn Blaze Maple, Crimson King Maple, Scarlet Oak, and Greenspipe Linden within 4-foot wide planter strips, which are not approved. Approved street trees from the Street Tree Ordinance are required. Proposed street trees must be compatible with the 4-foot wide planter strips. Root barriers are required to be installed for trees that are within 10 feet of a public line or adjacent to a public sidewalk. Root barriers shall be 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk. This criterion is satisfied with conditions of approval PFR -25 and 32.

XIX. TDC SECTION 74.610 WATER SERVICE.

(1) Water lines shall be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans shall be submitted to the City Engineer for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the subject site, public water lines shall be extended by the applicant to the common boundary line of these properties. The lines shall be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.

(3) As set forth is TDC Chapter 12, Water Service, the City has three water service levels. All development applicants shall be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant shall be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.

FINDINGS:

The Applicant has submitted a Sanitary Sewer and Water Plan (Sheet Set C400-C404) showing how water lines will be installed to serve the proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1). Water service connections will be made as directed by the City Engineer, in accordance with subsection (3). Extension of the water service to undeveloped properties is not proposed, per subsection (2).

The plans show pairs of lots served by a single connection to a public water main that splits near the property line. Each lot must have a separate direct lateral to the public water main. Each lateral must be 1-inch in diameter. If needed, the applicant will need to install double check valve assemblies to meet the requirements of TMC 3-3.120(4).

The plans do not show extension of a public water line from within the proposed development south to adjacent undeveloped Tax Lot 21E30B 00700. This line will be extended to serve this undeveloped lot.

A Technical Memorandum for Hydraulic Modeling from Murray, Smith, and Associates dated July 12, 2015 evaluated the water service for this proposed subdivision and determined the proposed subdivision water distribution piping improvements are adequately sized and no recommended upsizing for system transmission needs are recommended.

This criterion is satisfied with conditions of approval PFR -3 and 33.

XX. TDC SECTION 74.620 SANITARY SEWER SERVICE.

(1) Sanitary sewer lines shall be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant shall extend public sanitary sewer lines to the common boundary line with these properties. The lines shall be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.

FINDINGS:

The applicant has submitted a Sanitary Sewer and Water Plan (Sheet Set C400-C404) showing how sanitary sewer lines will be installed to serve the proposed lots. Detailed plans and calculations will be submitted for review and approval prior to construction, in accordance with subsection (1). Extension of the sanitary sewer service to the SW 65th Avenue pump station extends past the south property line to serve undeveloped Tax Lot 21E30B 00700. Sanitary sewer calculations will be required to show adequate capacity of lines and the SW 65th Avenue pump station.

The project will construct a gravity sanitary sewer main from the existing off-site pump station at Sequoia Ridge Subdivision, through the proposed subdivision, and discharging to the existing off-site pump station on the west side of SW 65th Avenue south of Atfalati Park. The gravity main serving the upstream offsite development will be sized to accommodate the upstream areas. The existing pump station will need to be decommissioned and salvaged.

The plans show a public sanitary sewer line from proposed SW 61st Terrace to lot 2. In this specific instance a private lateral is required instead of a public line. This criterion is satisfied with conditions of approval PFR -47, 60, and 61.

XXI. TDC SECTION 74.630 STORM DRAINAGE SYSTEM.

(1) Storm drainage lines shall be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.

(2) The storm drainage calculations shall confirm that adequate capacity exists to serve the site. The discharge from the development shall be analyzed in accordance with the City's Storm and Surface Water Regulations.

(3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant shall extend storm drainage lines to the common boundary line with these properties. The lines shall be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the Tualatin Drainage Plan in TDC Chapter 14.

FINDINGS:

The Applicant has submitted a Street and Storm Plan (Sheet Set C210-C214) showing how storm drainage lines and a storm water management facility will be installed to serve each proposed lots. Detailed plans will be submitted for review and approval prior to construction, in accordance with subsection (1).

The Applicant has provided a detailed stormwater management report including calculations detailing the preliminary design for the system which will serve this site in accordance with subsection (2). The stormwater management plan and report has been designed to meet the requirements of this section.

Extension of the stormwater system is not proposed, per subsection (3). Undeveloped Tax Lot 21E30B 00700 topography will allow it to directly outfall into Saum Creek.

The plans show a public stormwater line from proposed SW 61st Terrace to lot 2. In this specific instance a private lateral is required instead of a public line. This criterion is satisfied with conditions of approval PFR -61.

XXII. TDC SECTION 74.640 GRADING.

(1) Development sites shall be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.

(2) A development applicant shall submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Engineer may require the applicant to remove all excess material from the development site.

FINDINGS:

The Applicant has prepared a site plan which illustrates the extent of the proposed development over the site. The proposed footprint of the development has been minimized to the greatest extent possible to provide access and utility services to the proposed lots and to avoid disturbances to natural topography and vegetation in accordance with subsection (1).

The Applicant has submitted a Grading and Erosion Control Plan (Sheet Set C115-119 and Sheet Set C120-C124) showing the proposed grading which will be primarily limited to street construction and the water quality facility. Grading on individual lots will be minimal. Drainage for new structures will be routed to the street with connections to the storm drainage system.

Grading on lots adjacent to the existing residential lots to the east and to the east side of PGE's lot are shown to end 15 feet from the property line retaining existing drainage patterns within this buffer. General site grading is shown to direct stormwater south to the two proposed public water quality facilities that release into Saum Creek wetland buffer via a public stormwater system within proposed right-of way including laterals for each lot. No narrative or profile of the stormwater system was provided to show that all crawl spaces will be served by gravity service. The applicant will submit plans and calculations that show all crawl spaces will be served by gravity stormwater service. This criterion is satisfied with conditions of approval PFR 5, 6, 36, and 62.

**XXIII. TDC SECTION 74.650 WATER QUALITY, STORM WATER
DETENTION AND EROSION CONTROL.**

The applicant shall comply with the water quality, storm water detention and erosion control requirements in the Surface Water Management Ordinance. If required:

(1) On subdivision and partition development applications, prior to approval of the final plat, the applicant shall arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be satisfied and obtain a Stormwater Connection Permit from Clean Water Services; or

(3) For on-site private and regional non-residential public facilities, the applicant shall submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant shall submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site shall occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

FINDINGS:

The Applicant has provided a Storm Drainage Report to demonstrate the feasibility of constructing a storm water quality treatment and detention pond within the Water Quality Tract, as indicated in the submitted plans.

The applicant has submitted a Service Provider Letter from Clean Water Services indicating that Sensitive Areas do not exist on-site. A CWS Memorandum was received dated September 30, 2015 for development on this site. The applicant will need to submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions, for review and approval. This criterion is satisfied with conditions of approval PFR -35.

XXIV. TDC SECTION 74.660 UNDERGROUND.

(1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities shall be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant shall make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.

(2) Any existing overhead utilities may not be upgraded to serve any proposed development. If existing overhead utilities are not adequate to serve the proposed development, the applicant shall, at their own expense, provide an underground system. The applicant shall be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements shall be submitted to the City Engineer for acceptance by the City prior to issuance of the Public Works Permit.

FINDINGS:

The Applicant acknowledges and will comply with the underground requirements of the Development Code and Public Works Code in constructing improvements for the proposed subdivision.

Aboveground utilities are only shown within SW Sagert Street and SW Borland Road right-of-way. PGE transmission lines exist north of proposed SW Sagert Street and within right-of-way south of Tualatin Professional Center. Two transmission lines are shown adjacent to this development within SW Borland Road right-of-way, one at the curb line on the south side and one crossing SW Borland Road from west of this development to east of this development. The lines shown are not shown to be undergrounded and no narrative identified the operation at 50,000 volts or above. The applicant will identify the operation voltage to be sufficient to remain aboveground or record a Street Improvement Agreement for undergrounding.

This criterion is satisfied with conditions of approval PFR -34.

XXV. TDC SECTION 74.670 EXISTING STRUCTURES.

(1) Any existing structures requested to be retained by the applicant on a proposed development site shall be connected to all available City utilities at the expense of the applicant.

(2) The applicant shall convert any existing overhead utilities serving existing structures to underground utilities, at the expense of the applicant.

(3) The applicant shall be responsible for continuing all required street improvements adjacent to the existing structure, within the boundaries of the proposed development site.

FINDINGS:

The Applicant is not proposing to retain any existing structures currently located on the site; therefore the standards of this section do not apply.

XXVI. TDC SECTION 74.700 REMOVAL, DESTRUCTION OR INJURY OF TREES.

It is unlawful for a person, without a written permit from the Operations Director, to remove, destroy, break or injure a tree, plant or shrub, that is planted or growing in or upon a public right-of-way within the City , or cause, authorize, or procure a person to do so, authorize or procure a person to injure, misuse or remove a device set for the protection of any tree, in or upon a public right-of-way.

FINDINGS:

Trees in the Sequoia Ridge Natural Area will be protected throughout construction. The Applicant will obtain any necessary Tree Removal Permits per City requirements and provide fees to the City for planting of street trees pursuant to Section 74.485. The applicant will need to show on plans and in narrative how adjacent park lands (Atfalati Park) will be restored subsequent to 65th Ave. and Sagert St. road widening (e.g., tapering grades, salvaging and replanting trees, irrigation). This criterion is satisfied with conditions of approval PFR – 10 and 18.

XXVII. TDC SECTION 74.720 PROTECTION OF TREES DURING CONSTRUCTION.

(1) During the erection, repair, alteration or removal of a building or structure, it is unlawful for the person in charge of such erection, repair, alteration or removal to leave a tree in or upon a public right-of-way in the vicinity of the building or structure without a good and sufficient guard or protectors to prevent injury to the tree arising out of or by reason of such erection, repair, alteration or removal.

(2) Excavations and driveways shall not be placed within six feet of a tree in or upon a public right-of-way without written permission from the City Engineer. During excavation or construction, the person shall guard the tree within six feet and all building material or other debris shall be kept at least four feet from any tree.

FINDINGS:

The above provisions will apply to ongoing care and maintenance of street trees following final plat recording and planting of street trees by the City of Tualatin.

Tree protection will be required during construction of the new public streets, utilities, and site grading. This criterion is satisfied with conditions of approval PFR -1 and 10.

XXVIII. TDC SECTION 74.740 PROHIBITED TREES.

It is unlawful for a person to plant a tree within the right-of-way of the City of Tualatin that is not in conformance with Schedule A. Any tree planted subsequent to adoption of this Chapter not in compliance with Schedule A shall be removed at the expense of the property owner.

XXIX. TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.

All trees, plants or shrubs planted in the right-of-way of the City shall conform in species and location and in accordance with the street tree plan in Schedule A. If the Operations Director determines that none of the species in Schedule A is appropriate or finds appropriate a species not listed, the Director may substitute an unlisted species.

FINDINGS:

The plans show a street tree and landscape planting plan on sheets L100-L103. The plans show Autumn Blaze Maple, Crimson King Maple, Scarlet Oak, and Greenspipe Linden within 4-foot wide planter strips, which are not approved. Approved street trees from the Street Tree Ordinance are required. Proposed street trees must be compatible with the 4-foot wide planter strips.

A narrow planted median is shown within SW Sagert Street east of proposed SW 61st Terrace to designate an entrance to the existing Sequoia Ridge Subdivision. The trees and shrubs must consist of unlisted species determined by the Operations Director.

Root barriers are required to be installed for trees that are within 10 feet of a public line or adjacent to a public sidewalk. Root barriers shall be 24-inch deep, 10-foot long root barrier centered on the tree trunk at the edge of the public easement or sidewalk.

Shrubs are shown within right-of-way on SW Borland Road. SW Borland Road is Clackamas County's jurisdiction. The applicant will obtain approval from Clackamas County for plantings in SW Borland Road right-of-way

This criterion is satisfied with conditions of approval PFR 25 and 32.

L. TDC CHAPTER 75: ACCESS MANAGEMENT

I. TDC SECTION 75.010 PURPOSE.

The purpose of this chapter is to promote the development of safe, convenient and economic transportation systems and to preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties.

II. TDC SECTION 75.030 FREEWAYS AND ARTERIALS DEFINED.

This section shall apply to all City, County and State public streets, roads and highways within the City and to all properties that abut these streets, roads and highways.

(1) Access shall be in conformance with TDC Chapter 73 unless otherwise noted below.

(2) Freeways and Arterials Designated. For the purposes of this chapter the following are freeways and arterials: ...

- (i) 65th Avenue from its intersection with Nyberg Street south to City limits;
- (j) Borland Road from 65th Avenue east to Saum Creek;...

(3) Applicability

(a) This chapter applies to all developments, permit approvals, land use approvals, partitions, subdivisions, or any other actions taken by the City Council or any administrative officer of the City pertaining to property abutting any road or street listed in TDC 75.030. In addition, any parcel not abutted by a road or street listed in TDC 75.030, but having access to an arterial by any easement or prescriptive right, shall be treated as if it did abut the arterial and this chapter applies. This chapter shall take precedence over any other TDC chapter and over any other ordinance of the City when considering any development, land use approval or other proposal for property abutting an arterial or any property having an access right to an arterial.

III. TDC SECTION 75.060 EXISTING DRIVEWAYS AND STREET INTERSECTIONS.

(1) Existing driveways with access onto arterials on the date this chapter was originally adopted shall be allowed to remain. If additional development occurs on properties with existing driveways with access onto arterials then this chapter applies and the entire site shall be made to conform with the requirements of this chapter.

(2) The City Engineer may restrict existing driveways and street intersections to right-in and right-out by construction of raised median barriers or other means.

FINDINGS:

SW Sagert Street east of SW 65th Avenue includes a median to restrict right-in/right-out movement approximately 220 feet long including taper to provide safety for turning movements within 150 feet of the intersection and adequate queue lengths for westbound left turning vehicles of 125 feet. This median restricts the west access from Tualatin Professional Center and proposed SW 64th Terrace. This restriction is identified in the Transportation Impact Analysis. This criterion is met.

IV. TDC SECTION 75.070 NEW INTERSECTIONS.

Except as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), all new intersections with arterials shall have a minimum spacing of ½ mile between intersections.

FINDINGS:

A new intersection with SW Borland Road is shown with proposed local street proposed SW 61st Terrace. This intersection is approximately 430 feet west of SW 60th Avenue and 940 feet east of SW 65th Avenue, both less than ½ mile spacing, but in a location similar to Figure 11-3. This criterion is met.

V. TDC SECTION 75.080 ALTERNATE ACCESS.

Except as provided in 75.090 all properties which abut two roadways shall have access on the lowest classification road-way, preferable on a local street.

FINDINGS:

All proposed lots are shown to have access to a local street, including those that abut higher classified SW 65th Avenue, SW Borland Road, and SW Sagert Street. This criterion is met.

VI. TDC SECTION 75.110 NEW STREETS.

(1) New streets designed to serve as alternatives to direct, parcel by parcel, access onto arterials are shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3). These streets are shown as corridors with the exact location determined through the partition, subdivision, public works permit or Architectural Review process. Unless modified by the City Council by the procedure set out below, these streets will be the only new intersections with arterials in the City. See map for changes

(2) Specific alignment of a new street may be altered by the City Engineer upon finding that the street, in the proposed alignment, will carry out the objectives of this chapter to the same, or a greater degree as the described alignment, that access to adjacent and nearby properties is as adequately maintained and that the revised alignment will result in a segment of the Tualatin road system which is reasonable and logical.

FINDINGS:

A new intersection with SW Borland Road is shown with proposed local street SW 61st Terrace. This intersection is approximately 430 feet west of SW 60th Avenue and 940 feet east of SW 65th Avenue, both less than ½ mile spacing, but in a location similar to Figure 11-3. The location on Figure 11-3 would be slightly offset from the Meridian Park Hospital's emergency access and necessitate right-in/right-out restriction. This would encourage residents from the Sagert Farm Subdivision to make use of local streets within Sequoia Ridge Subdivision when driving to/from the east. The point of connection shown proposed is slightly east of the center of the lot. This location allows for a full access intersection as it opposes the Meridian Park Hospital's emergency access which will allow residents to directly use SW Borland Road. This criterion is met.

VII. TDC SECTION 75.120 EXISTING STREETS.

The following list describes in detail the freeways and arterials as defined in TDC 75.030 with respect to access. Recommendations are made for future changes in accesses and location of future accesses. These recommendations are examples of possible solutions and shall not be construed as limiting the City's authority to change or impose different conditions if additional studies result in different recommendations from those listed below....

(9) 65TH AVENUE ...

(b) Borland Road to south city limits: A street connection will be constructed across from Sagert Street to serve property to the east of 65th Avenue.

(10) BORLAND ROAD

(a) Between 65th and the Entrance to Bridgeport School:

In this section of roadway, as the residential properties develop, all accesses to Borland shall be limited to street intersections. These street intersections shall be spaced a minimum of 500 feet apart. All development in this area shall be interconnected so there are no dead-end entrances from Borland Road....

FINDINGS:

A new intersection with SW Borland Road is shown with proposed local street SW 61st Terrace. This intersection is approximately 430 feet west of SW 60th Avenue and 940 feet east of SW 65th Avenue, both less than ½ mile spacing, but in a location similar to Figure 11-3. The location on Figure 11-3 would be slightly offset from the Meridian Park Hospital's emergency access and necessitate right-in/right-out restriction. This would encourage residents from the Sagert Farm Subdivision to make use of local streets within Sequioa Ridge Subdivision when driving to/from the east. The point of connection shown proposed is slightly east of the center of the lot. This location allows for a full access intersection as it opposes the Meridian Park Hospital's emergency access which will allow residents to directly use SW Borland Road. This criterion is met.

VI. ATTACHMENTS

The record includes all submitted materials that may be requested for viewing at the Planning Counter. The following which can be downloaded from the City of Tualatin's webpage:

Notice
Preliminary Land Use Plans
Narrative
Application
Title Report
Neighborhood Meeting May 2014
Neighborhood Meeting December 2014
Neighborhood Meeting January 2015
Tualatin Professional Center Meeting Minutes
Tualatin Professional Center Sagert St Clack County Recorded Doc 84-16656-7
MEI Building Meeting Minutes
PGE Meeting Notes
Arborist Report
Traffic Study
Clackamas County Modification Request Submittal - Borland
Clackamas County Modification Request Submittal - Sagert & 65th Modification
Geotechnical Report Addendum
Stormwater Report
Clean Water Services Service Provider Letter
Agency Requirements (also attached)
Citizen Comments With Developers Response (also attached)
Saum Creek Greenway Trail Improvement Agreement
Technical Memorandum for Hydraulic Modeling from Murray, Smith, and Associates



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

Memorandum

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

TO: Tony Doran, City of Tualatin

FROM: Clackamas County Traffic Engineering and Development Review,
Robert Hixson *Robert Hixson*

DATE: October 1, 2015

RE: SB15-0002, Sagert Farms subdivision
Located near the southeasterly corner of Borland Road and 65th Avenue

Traffic Engineering and Development Review staff have visited the site and reviewed the submitted materials. We have the following comments:

Facts and Findings:

1. Following review of the submitted materials, Engineering staff are generally in agreement with the details illustrated on the plan set (dated 8-11-15) for improvements to Borland Road and 65th Avenue (easterly half) which are under the jurisdiction of Clackamas County.
2. On sheet C211, Engineering staff recommends that the applicant maximize the sidewalk width within the existing right-of-way of 65th Avenue at the northeast corner of 65th Avenue and Sagert Street.
3. On Sheet C220, Engineering staff recommends that the six-foot wide sidewalk along the Borland Road frontage be carried through the southerly curb ramps. Southerly from the southerly curb ramps, the sidewalk may transition to a five-foot width.
4. Two Design Modifications are included in the submitted materials. Clackamas County hereby approves the two Design Modification requests. Clackamas County will allow the proposed intersection of a new local street (SW 61st Terrace) with Borland Road. In addition, Clackamas County will allow the proposed modification request related to sidewalk width on 65th Avenue at the northeasterly corner of 65th Avenue and Sagert Street due to the existing constraints which do not allow for a wider sidewalk.
5. Structural sections for roadway improvements to Borland Road and the portion of 65th Avenue under County jurisdiction shall comply with the requirements of Roadway Standards Drawing C100 for arterial streets, or City requirements if the City structural section improvement requires a more substantial structural section than the County's.

6. The new local street intersecting Borland Road, SW 61st Terrace, shall align with an existing hospital driveway located on the northerly side of Borland Road as illustrated on the submitted 8-11-15 plan set.
7. Borland Road travel lane widths, turn lane widths, and bike lane widths, shall be as illustrated on sheet C220, which is dated 8-11-15. Some striping modifications will be required and will be more specifically identified when Clackamas County performs a plan review of Borland Road striping during a plan review phase following approval of the subdivision.
8. Signing and striping plans for Borland Road and 65th Avenue shall be provided to Clackamas County for review and approval as part of a plan set submittal in anticipation of issuance of a Development Permit.
9. A Development Permit from Clackamas County will be required prior to initiation of construction of improvements within the Borland Road right-of-way and the portion of the 65th Avenue right-of-way under County jurisdiction.
10. The applicant shall provide adequate intersection sight distances of 445 feet both easterly and westerly along Borland Road at the intersection of SW 61st Terrace and Borland Road. Intersection sight distances shall be measured in accordance with Clackamas County Roadway Standards requirements.
11. The proposed right-of-way dedication along the Borland Road frontage is acceptable to Clackamas County.
12. Following completion of the construction of improvements, the applicant shall provide paper copies of AS-BUILT plans to Clackamas County for Borland Road right-of-way improvements and 65th Avenue right-of-way improvements. The AS-BUILT plans shall be drawn on full size plan sheets with all features drawn to scale and shall be signed and stamped by a Professional Engineer registered in the State of Oregon.
13. The use of public rights-of-way for construction vehicle and materials staging is not authorized by the Roadway Standards and poses a potentially deleterious effect of the proposed use, because it contributes to congestion, reduces sight distance, and occupies shoulders intended for emergencies and other purposes. To protect the public from such effects, the applicant shall be required to submit a construction vehicle management plan for review and approval by the County DTD, Construction and Development Section, before the County issues a Development Permit. This may be accomplished with adequate notes on the plans indicating that no material or vehicle staging will occur within the right-of-way.

Development Engineering recommended conditions of approval:

- 1) All frontage improvements in Clackamas County right-of-way shall be in compliance with *Clackamas County Roadway Standards* unless the County formally agrees in writing to an alternate standard, possibly a City standard.
- 2) The applicant shall obtain a Development Permit from Clackamas County Department of Transportation and Development prior to the initiation of any construction activities associated with the project.
- 3) The applicant shall design and construct improvements to Borland Road and 65th Avenue along the entire site frontages of the subject property in accordance with the 8-11-15 plan set.
- 4) Structural section for Borland Road or 65th Avenue improvements shall consist of seven and one-half inches of Level 2 Hot Mix Asphalt Concrete (HMAC), Performance Grade (PG) 70-22, ½" dense top lift over ¾" dense lower lift or lifts, placed in two and one-half inch thick lifts, over four inches of ¾"-0 aggregate leveling course, over 10 inches of 1-1/2"-0 aggregate base course, over geotextile fabric, over compacted undisturbed subgrade, or an alternate approved by County Engineering staff.
- 5) All curbs shall typically be type "C", or curb and gutter if curb line slope is less than one percent, if they carry, direct or channel surface water.
- 6) The applicant shall provide and maintain adequate intersection sight distances at the SW 61st Terrace intersection with Borland Road. Adequate intersection sight distance for drivers turning left into the site shall also be provided and maintained. In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct minimum sight distance requirements.
Plans submitted in anticipation of issuance of a Development Permit shall include an exhibit illustrating sight lines for the intersection to insure sight lines are not obstructed by street trees or any other objects along the southerly side of Borland Road. Minimum intersection sight distances, at the intersection shall be 445 feet, both easterly and westerly along Borland Road, measured 14.5 feet back from the edge of the travel lane.
- 7) Applicant shall comply with County Roadway Standards clear zone requirements in accordance with Roadway Standards section 245.
- 8) Prior to the initiation of construction activities, the applicant shall submit to Clackamas County Engineering Office:
 - a) A set of street improvement construction plans for Borland Road and 65th Avenue, including a striping and signing plan for Borland Road and 65th Avenue, for review, in conformance with *Clackamas County Roadway Standards* Section 140, to Deana Mulder in Clackamas County's Engineering Office and obtain written approval, in the form of a Development Permit.

- i) The permit will be for road, curb, sidewalk, drainage, and other street improvements.
 - ii) A fee is required for the permit and will be calculated according to the current fee structure in place at the time of the Development Permit application.
 - iii) The applicant shall have an Engineer, registered in the state of Oregon, design and stamp construction plans for all required improvements, or provide alternative plans acceptable to the Engineering Division.
- 9) Following completion of the construction of improvements, the applicant shall provide paper copies of AS-BUILT plans to Clackamas County for Borland Road right-of-way improvements and 65th Avenue right-of-way improvements. The AS-BUILT plans shall be drawn on full size plan sheets with all features drawn to scale and shall be signed and stamped by a Professional Engineer registered in the State of Oregon.

S:\DTD_Common\DEVLPMNT\Cities\Tualatin\2015\SB15-0002-TE-RH-SagertFarms

MEMORANDUM

CITY OF TUALATIN
RECEIVED
OCT 05 2015
ENGINEERING &
BUILDING DEPARTMENT

Date: September 30, 2015
To: Tony Doran, Engineering Associate, City of Tualatin
From: Jackie Sue Humphreys, Clean Water Services (the District)
Subject: Sagert Farms Subdivision, SB15-0002, 21E30B 00600

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE AND PLAT RECORDING

A Clean Water Services (the District) Storm Water Connection Permit Authorization must be obtained prior to plat approval and recordation. Application for the District's Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 07-20, (or current R&O in effect at time of Engineering plan submittal), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.2.b-1.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.

- e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.
- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Site contains a "Sensitive Area." Applicant shall comply with the conditions as set forth in the Service Provider Letter No. 15-000154, dated May 21, 2015.
- i. Developer shall be required to preserve a corridor separating the sensitive area from the impact of development. The corridor must be set aside in a separate tract, not part of any buildable lot and, shall be subject to a "Storm Sewer, Surface Water, Drainage and Detention Easement over its entirety", or its equivalent.
- j. Detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.
- k. Prior to any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits.
- l. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute the District's approval of storm or sanitary sewer compliance to the NPDES permit held by the District. The District, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.



September 18, 2015

City of Tualatin
Tony Doran – Engineering Associate
18880 SW Martinazzi Ave.
Tualatin, OR 97062

Re: SB15-0002, Sagert Farms

Tax Lot ID#'s: 21E30B 00300 & 21E30B 00600

Dear Tony,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

FIRE APPARATUS ACCESS:

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. (OFC 503.1.1))
2. **ADDITIONAL ACCESS ROADS – ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS:** Developments of one- or two-family dwellings, where the number of dwelling units exceeds 30, shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3. Exception: Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the International Fire Code, access from two directions shall not be required. (OFC D107)
3. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Code Official), measured in a straight line between accesses. (OFC D104.3) Exception: Buildings equipped throughout with an approved automatic fire sprinkler system (the approval of this alternate method of construction shall be accomplished in accordance with the provisions of ORS 455.610(5).
4. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, “No Parking” signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read “NO PARKING - FIRE LANE” and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
5. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
 1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – parking is allowed on one side
 3. Greater than 32 feet road width – parking is not restricted

- 6. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
- 7. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
- 8. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 12%. When fire sprinklers* are installed, a maximum grade of 15% will be allowed.

0-12%	Allowed
13-15%	Special consideration with submission of written Alternate Methods and Materials request. Ex: Automatic fire sprinkler (13-D) system* in lieu of grade.
16-18%	Special consideration on a case by case basis with submission of written Alternate Methods and Materials request Ex: Automatic fire sprinkler (13-D) system* plus additional engineering controls in lieu of grade.
Greater than 18%	Not allowed**

*The approval of fire sprinklers as an alternate shall be accomplished in accordance with the provisions of ORS 455.610(5) and OAR 918-480-0100 and installed per section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the Oregon Fire Code (OFC 503.2.7 & D103.2)

** See Forest Dwelling Access section for exceptions.

- 9. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
 1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width), or two 10 foot sections with a center post or island.
 2. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
 3. Electric gates shall be equipped with a means for operation by fire department personnel
 4. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
- 10. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
- 11. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Code Official. See Application Guide Appendix A for further information. (OFC 503.4.1).

FIREFIGHTING WATER SUPPLIES:

- 12. **MUNICIPAL FIREFIGHTING WATER SUPPLY EXCEPTIONS:** The requirements for firefighting water supplies may be modified as approved by the fire code official where any of the following apply: (OFC 507.5.1 Exceptions)
 1. Buildings are equipped throughout with an approved automatic fire sprinkler system (the approval of this alternate method of construction shall be accomplished in accordance with the provisions of ORS 455.610(5)).
 2. There are not more than three Group R-3 or Group U occupancies.
- 13. **SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2)
- 14. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

FIRE HYDRANTS:

15. **FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS:** Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
16. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the fire code official. (OFC C102.1)
17. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)
18. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)

If you have questions or need further clarification, please feel free to contact me at (503) 649-8577.

Sincerely,



Ty Darby
Deputy Fire Marshal II

Cc: file



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 · FAX: (503) 846-7620

October 8, 2015

Tony Doran
City of Tualatin
Engineering Division
22560 SW Pine Street
Sherwood, OR 97140
No. of pages: 4 (via Email)

RE: **Sagert Farms Subdivision**
City File Number: **SB15-0002**
Tax Map and Lot Number: **2SE30B0 300 & 600**
Location: **20130 SW 65th Avenue**

Washington County Department of Land Use and Transportation has reviewed the proposed development application to divide the subject tax lots into 79 single-family lots. The lots will have access to SW Borland Road via SW 61st Terrace and SW 65th Avenue via the extension of SW Sagert Street.

COMMENTS

1. Washington County Road Design and Construction Standards require that adequate sight distance be certified at all new intersections.

The applicant will be required to provide certification from a registered professional engineer that adequate intersection sight distance exists in both directions (or can be obtained pursuant to specific improvements) at the intersection of SW 65th Avenue, SW Sagert Street and SW Sagert Street extension. (Clackamas County)
2. The statewide Transportation Planning Rule requires provision for adequate transportation facilities in order for development to occur. Accordingly, the County has classified roads and road segments within the County system based upon their function. The current Transportation Plan (regularly updated) contains adequate right-of-way, road width and lane provision standards based upon each roadway's classification. Subject

right of way is considered deficient if half-width of the existing right of way does not meet that determined necessary within the County's current transportation plan.

The applicant shall dedicate additional right-of-way that is required to construct the traffic mitigation measures indicated in the submitted Transportation Impact Analysis (Kittleson & Associates – June 2, 2015/Updated August 6, 2015) and the City of Tualatin's Notice of Decision. (Clackamas County)

3. ***Washington County Traffic Engineering staff has reviewed the Traffic Impact Analysis (Kittleson & Associates – June 2, 2015/updated August 6, 2015) submitted for this development proposal for compliance with R&O 86-95. The County concurs with the traffic mitigation measures included in the applicant's Traffic Impact Analysis (pages 30 - 32) and supplemental access report (page 19). The applicant will need to coordinate with Washington County, Clackamas County and the City of Tualatin for all permitting, inspections, and approvals.***

REQUIRED CONDITIONS OF APPROVAL

IMPORTANT:

*Road improvements required along site frontage shall apply to frontage of all land within the subject site that abuts the County roadway. **The subject site shall be considered to include:** any lot or parcel to be partitioned or otherwise subdivided (regardless of whether it contains existing structures or not); **and** any contiguous lots or parcels that constitute phases of the currently proposed development.*

*If the applicant proposes to develop the project in phases, all County-required frontage improvements must be constructed with the first phase. In addition, off-site improvements **warranted** by the first phase must also be completed with the first phase.*

I. PRIOR TO ISSUANCE OF A BUILDING PERMIT BY THE CITY OF TUALATIN:

A. The following shall be recorded with Clackamas County/City of Tualatin/Washington County, as required:

1. Additional right-of-way that will be required to meet conditions identified in the County Traffic Engineer's review of the submitted Transportation Impact Analysis (Kittleson & Associates – June 2, 2015/updated August 6, 2015). Note: Coordination with Clackamas County and the City of Tualatin will be required prior to recordation of any easement dedications (*Contact Scott Young, Washington County Survey Division: 846-7933*).

B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:

1. Completed "Design Option" form.
2. **\$10,000.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections,

as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. A copy of the City/County Land Use Approval (Notice of Decision), signed and dated.
 4. Three (3) sets of complete engineering plans for construction of the following public improvements:
 - a. Signalization of the intersection of SW Sagert Street, SW Sagert Street extension and SW 65th Avenue to County standards in coordination with Clackamas County and City of Tualatin.
 - b. Modification of the SW Borland Road/SW 65th Avenue signal to County standards in coordination with Clackamas County and City of Tualatin.
 - c. Connection of SW Sagert Street extension to SW Sagert Street and SW 65th Avenue.
 - d. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the intersection of SW Sagert Street, SW Sagert Street extension and SW 65th Avenue.
 - e. All improvements within SW 65th Avenue right-of-way, including required traffic mitigation measures identified in the City of Tualatin's Notice of Decision (coordinate with Clackamas County/City of Tualatin).
- C. Obtain a Washington County **Facility Permit** upon completion of the following:
1. Obtain **APPROVED** plans from the Washington County Engineering Division and provide a financial assurance for the construction of the public improvements listed in conditions **I.B.4**.

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B**.

*The **Facility Permit** allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner.*

Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.

II. PRIOR TO OCCUPANCY:

Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:

- A. The road improvements required in condition **I.B.4.** above shall be completed and accepted by Washington County.

Requirements identified within this letter are considered by the County to be minimum warranted improvements (and/or analyses) that are necessitated by the proposed development, therefore it is requested that they be conveyed to the applicant within the City's Approval document. Please send a copy of the subsequent Final City Notice of Decision and any appeal information to the County.

Thank you for the opportunity to comment. If you have any questions, please contact me at 503-846-7639.

Naomi Vogel
Associate Planner

Cc: Traffic Services Section
Paul Seitz, Assurances Section
Transportation File

September 24, 2015

To:
City Engineer
Attn: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Tony,
I am writing regarding the proposed subdivision **SB15-0002, Sagert Farms**. My property, **6035 SW Sequoia Drive, Tualatin, OR 97062**, abuts the proposed development. I have concerns regarding 2 large trees that are included in the arborist report.

I have sent communication to the site proposal Arborist. I have attached that letter to this e-mail (I will also send to you via USPS). I ask that you review the letter and my concerns as well. I will contact Mike Loomis of Lennar Northwest, Inc as well. I appreciate all that Lennar has done to address the neighborhood concerns to this point and hope these additional concerns can be addressed.

Thank you,
Bob Nelson
6035 SW Sequoia Dr.
Tualatin, OR 97062
503-307-3127
nelson@pacificu.edu

CITY OF TUALATIN
RECEIVED
SEP 28 2015
ENGINEERING &
BUILDING DEPARTMENT

September 24, 2015

Morgan Holen
Morgan Holen & Associates

Morgan,
I am a homeowner with a property that abuts a proposed subdivision in which you were consulted to do a Tree Assessment Report. Trees on my property were included in your report. I have a few questions.

Sagert Farm Subdivision – Tualatin, Oregon
Tree Assessment Report
May 10, 2015.

My biggest concern is regarding tree # 10982 (Redwood; 66" DBH; 28' C-Rad; Excellent condition). The tree is mostly on my property, but may have some trunk in the subject property. You recommended the tree for "retain". This tree has the largest DBH of all surveyed trees.

1. Why did you not give the recommendation to "Protect off-site tree" for tree # 10982? You gave tree #10979 (redwood with 10" DBH) 100' to the north the recommendation of "Protect off-site tree", but not tree #10982.
2. What is the recommended setback distance for construction activity (grading, earthmoving, foundations, nonporous surfaces) from a large redwood tree? I assume if is no closer than the dripline – but I would like your professional opinion.

The second tree I am concerned about is tree #10981 (Douglas Fir; 30" DBH; 24' C-Rad; Good condition).

1. What is the recommended construction setback for this Douglas Fir (tree # 10981)? Is it at the dripline?
2. Will tree #10981 be exposed to additional windthrow when tree #10978, 10977, and #10980 are removed?

The submitted plans appear to indicate that the tree protection fencing is only 15' from the Redwood and 20' from the Douglas Fir. I do not want the trees in, or near, my property to be at risk of harm due to construction or the new development. I would like to find out what the best practice is to maintain the integrity of existing large trees. They are very large and in close proximity to my family's home (and soon 2 more homes). These trees could present a major threat of danger if their health is compromised. Also, the cost of removal would exponentially rise after construction is complete.

Thank you in advance for your assistance in addressing my questions/concerns.

Sincerely,
Bob Nelson
6035 SW Sequoia Dr.
Tualatin, OR 97062
503-307-3127
nelson@pacificu.edu



Tree #10982 (redwood, 66"DBH, 28' C-Rad, Excellent Condition, "retain")



Tree #10981 (douglas fir, 30" DBH, 24'C-Rad, Good Condition, "retain")

SEP 25 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION

September 24, 2015

City Engineer
ATTN: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR, 97062-7092

RE: Sagert Farms

Dear Tony;

My name is Nancy Falconer and I own the second house, (6075 SW Sequoia Dr.) south of the newly proposed Sagert St. extension onto Sequoia Dr.
My backyard property line abuts the proposed Sagert Farms Development.

These are my concerns:

- 1) The grading of the lots on SW 61st Terrace that abut my property on the west, specifically:
 - a) How will the current elevation along my property line where it meets the field be modified. My property is built UP to your property line and my concern is potential water run off causing erosion of my existing landscaping should this adjacent elevation be modified.
 - b) If modified from existing condition, what plan is in place to create proper drainage AWAY from my property and/or what type of wall is proposed to protect and keep the current condition of my landscaping intact?
- 2) Fence: What plan is there for a privacy fence to be installed and what material is suggested for use?
- 3) Traffic: How will this newly proposed project effect the traffic in Sequoia Ridge? And, what are the plans to encourage use of planned ingress/egress to and from Sagert Farms.

I would appreciate having answers to these concerns from Tualatin City engineer, Tony Duran, or Andrew Tull, 3J Consulting, Inc.

Thank you,



Nancy Falconer

njfalconer@frontier.com

503 692 5906 or cell, 503 201 8059

October 1, 2015

BY E-MAIL (tdoran@ci.tualatin.or.us) AND FIRST CLASS MAIL

City Engineer
Attn: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Re: Sagert Farms proposed subdivision, 20130 SW 65th Avenue
Your file no. SB15-0002
Our client: Tualatin Professional Center Condominium Owners Association
Our file no. 4212.002

Dear Mr. Doran:

I am submitting these comments on the Sagert Farms application on behalf of Tualatin Professional Center Condominium Owners Association, the owners' association for the Tualatin Professional Center, an office property immediately north of the proposed subdivision.

The Association does not oppose the application itself, but does ask the city to require the applicant to make one change in the alignment of Sagert Street for the better safety of Tualatin Professional Center and the patients of the health care providers at the Center.

Sagert Street east of 65th Avenue is a half-street that also provides access to the two south driveways of the Center and the seven parking spaces in between. The Center is a cluster of four office buildings in the center of the property, with a parking lot on the east, another parking lot on the west, and seven parking spaces on the Center property, accessed directly from Sagert Street. The east parking lot and the west parking lot do not connect internally, and because of the steep grades at the north end of the Center, they cannot be connected on the north side.

The applicant proposes to eliminate the seven private parking spaces that currently access Sagert Street directly and to expand Sagert Street so as to eliminate eastbound access to the west parking lot. Patients and visitors to the west side of the Center would have to drive east on Sagert Street, turn right on the proposed 64th Terrace, and loop back on 63rd Terrace to access their destination, routing business traffic through the residential neighborhood. The enclosed Map 1 shows Lennar's proposed access route to the offices in the Center that use the west parking lot.

Such a convoluted access to the west side of the Center would run counter to several of the objectives of Tualatin's adopted Transportation System Plan, including the objectives of reducing trip length, facilitating efficient access for employees and customers to and from commercial lands, ensuring that emergency vehicles are able to provide services throughout the

Mr. Tony Doran
City of Tualatin
October 1, 2015
Page 2

city to support a safe community, and considering negative effects of alternatives on adjacent residential and business areas.

One awkwardness in the application is that Lennar proposes to remove some improvements that are on the Center property, such as the rock retaining wall that supports the Center's east parking lot (item 13 on Sheet C111 of the plans), the seven parking spaces (item 1 on Sheet C111), the storm drain (item 8 on Sheet C111). Another awkwardness is that Lennar proposes to place some temporary inlet protection around drains on the Center property (item 2 on Sheet C121) and, I think, to close the Center's access to Sagert Street during construction (item 3 on Sheet C121, "construct/maintain stabilized construction entrance per city std. drawings"). The existing Sagert Street is not simply a private driveway within a public street, but represents a half-street which the developer of the Center paid for.

The owners at the Center can, however, accommodate the proposed subdivision's reduction of their access, if the design of Sagert Street is modified slightly to provide a private accessway just north of Sagert Street between the west and east parking lots. If Sagert Street is built a few feet farther south – a few feet farther from the south building at the Center – then there will be enough room to put a two-lane driveway between the east and west parking lots, using a combination of public and private property. The new accessway would provide communication between the two lots and allow the Center to close the west driveway on Sagert (or to make it right-in, right-out only), because the east driveway would be accessible from either direction and cars entering there could get to and from both parking lots and all parts of the Center. The enclosed Map 2 shows the adjusted Sagert Street and the new connector in blue.

This connector may require a variance from city standards, but Lennar's proposal also requires a variance from city standards for minor collector streets, so the additional variance should not be an obstacle. TDC §75.140 allows commercial uses with 70 feet or more of frontage to have driveways onto minor collectors. Chapter 75 and the TSP imply that the city prefers to have landowners use combined accesses so that collector and higher streets have fewer driveways, not more, so the Center's proposal is consistent with the city's goals.

Thank you for considering the problems of providing safe and efficient access to the health care providers and unit owners at the Tualatin Professional Center.

Very truly yours,

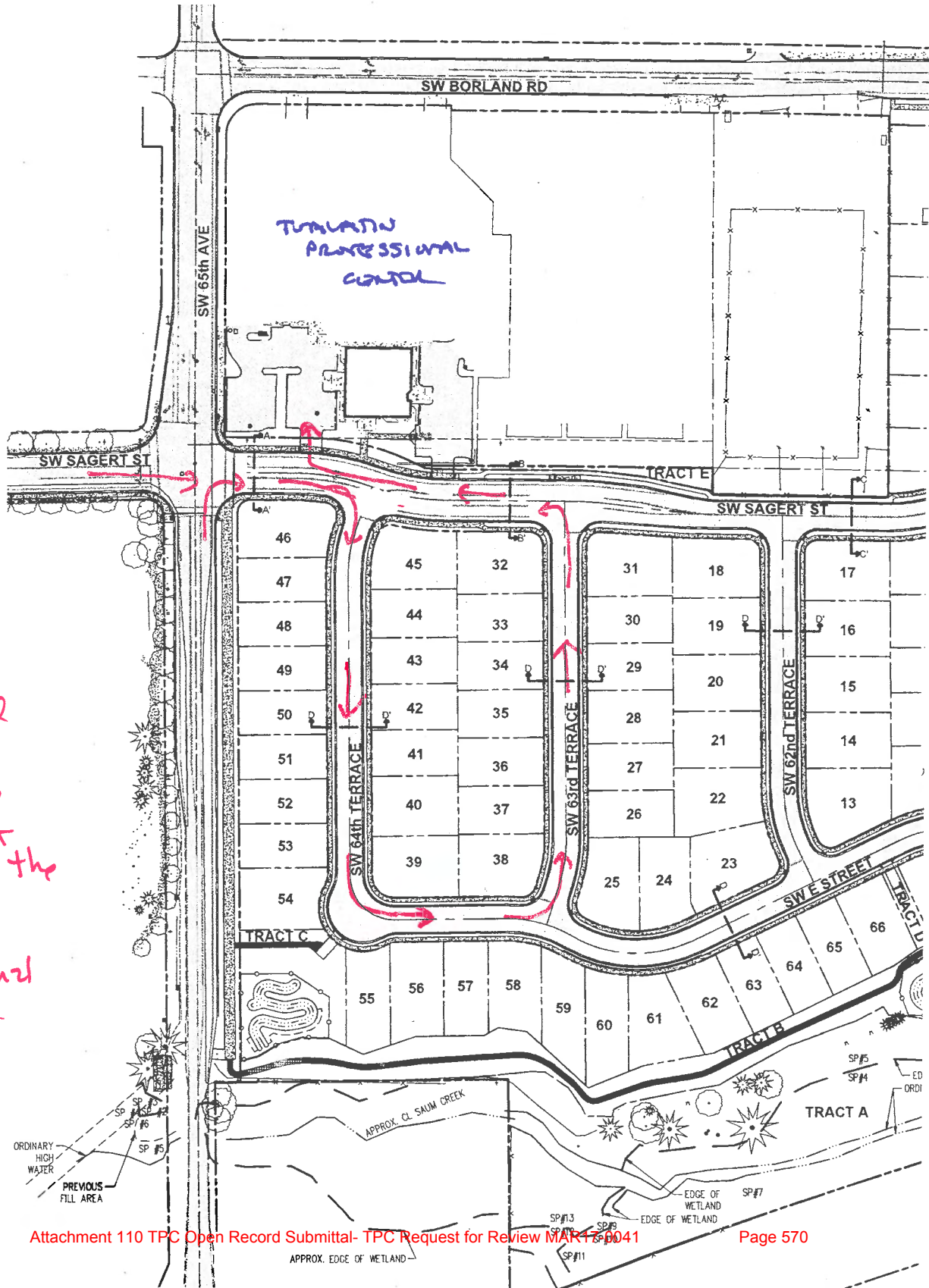
FOLAWN ALTERMAN & RICHARDSON LLP



Dean N. Alterman
dean@farlawfirm.com

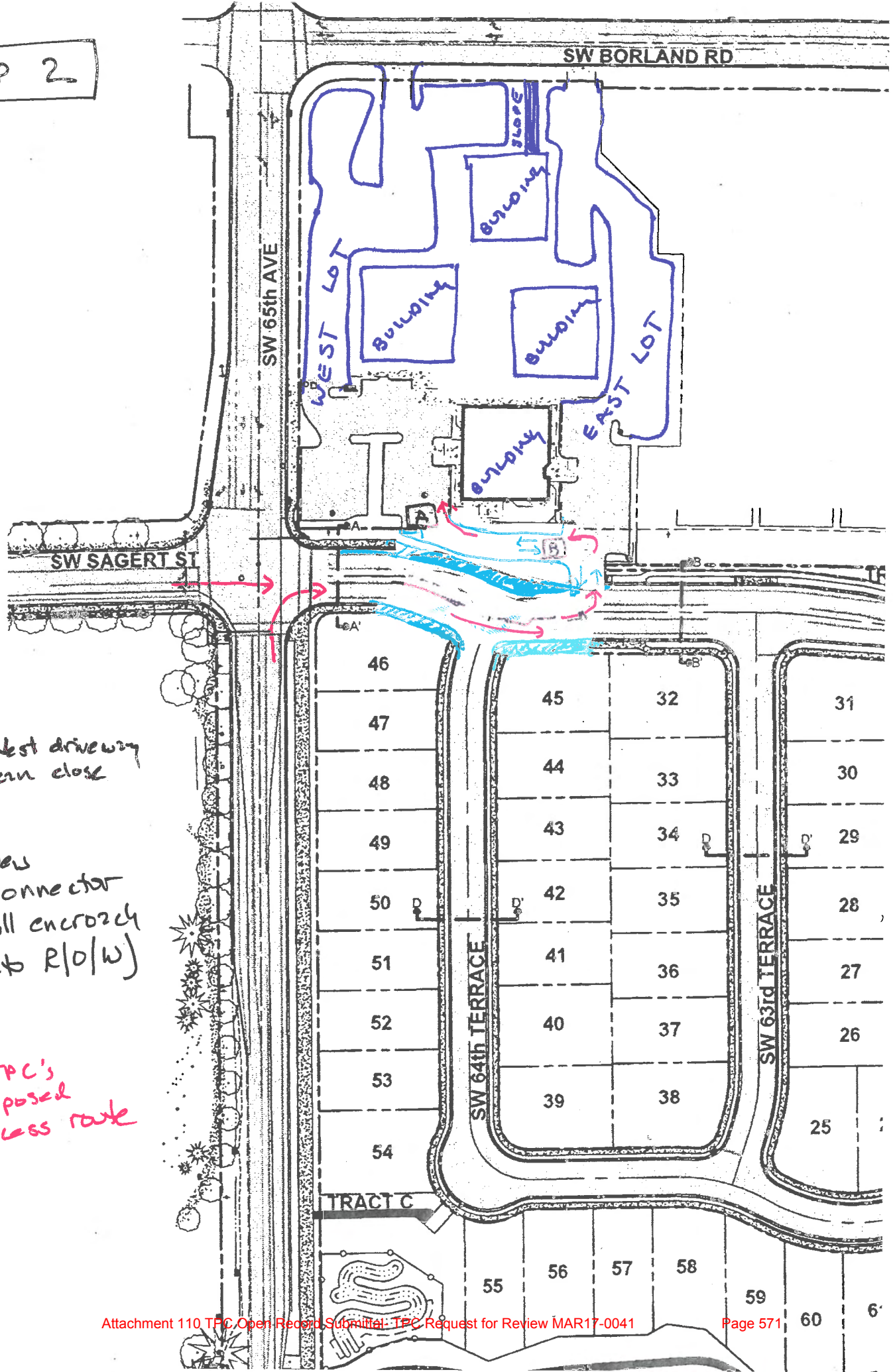
Enclosures: Map 1, Map 2
Copy: Tualatin Professional Center directors (with enclosures)

MAP 1



Lennar's proposed access route to the west part of the Tuzlabin Professional Center

MAP 2



A West driveway can close

B New connector (will encroach into R/O/W)

→ TPC's proposed access route



DAVID R. TENHULZEN, MD, DMD, PC
Physician, Surgeon, and Dentist
Oral & Maxillofacial Surgery

*Board Certified by the American Board of Oral and Maxillofacial Surgery
Fellow of the American Association of Oral and Maxillofacial Surgeons*

10/01/2015

City of Tualatin

Attn: Tony Doran, Engineering Associate

To Whom it May Concern:

I have been providing health care to the citizens of Tualatin and the surrounding communities for over 31 years at this same location. The proposal submitted for development of the Sagert farm will severely restrict access to our place of business. Not only will this impact my patients and my business in a negative manner, it will also restrict access to fire services, ambulance services and all other emergency services. I do not feel it is in the best interest of the people of this community or the business owners of the Tualatin Professional Center to restrict access in this manner.

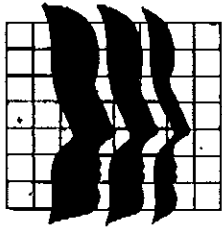
I would therefore encourage all those involved with the Sagert farm development to alter the proposed plan in whatever way possible so as to alleviate its destructive impact on the Tualatin Professional Center.

Sincerely,

David R. TenHulzen, MD, DMD, PC

6464 S.W. Borkind Road, Suite 10-3
Tualatin, Oregon 97062
(503) 692-5654
FAX (503) 692-9220
www.drtenhulzen.com

FAX COVER SHEET



Maxillofacial Surgery Associates
 David R. TenHulzen MD, DMD
 6464 SW Borland Rd., Suite D-3
 Tualatin, OR 97062
 Phone: (503)692-5654
 Fax: (503)692-9220

Send to: <i>City of Tualatin</i>	From: <i>Dr. Tenhulzen</i>
Attention: <i>Tony Doran</i>	Date: <i>10-01-2015</i>
Fax Number: <i>503-692-0147</i>	

- Urgent
- Reply ASAP
- Please comment
- Please review
- For your information

Total pages, including cover: 2

Comments:

Please call the office to confirm receipt of letter.

September 28, 2015

City Engineer
Att: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

RE: SB15-0002, Sagert Farms

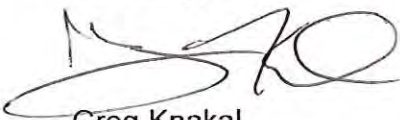
Dear Tony:

It is great to see that Tualatin is continuing to grow! I live at 6065 SW Sequoia Drive or the backside of the proposed development. My only concerns have to do with traffic. I am assuming the two traffic lights that I have highlighted on the attached form will be synched together so that these two intersections will flow properly?

Also will they be adding speed bumps through the new development to discourage cars from cutting through or do you feel the number of stop signs that are being installed will be adequate to keep this from happening? Lastly, it appears there is a proposed landscape median that will be installed near lot 75 that leads into the Sequoia Ridge development. I am hoping this is true as I think it is a nice feature.

Thank you for your time and for making Tualatin a great place to live.

Sincerely,



Greg Knakal
6065 SW Sequoia Drive
Tualatin, OR 97062
(503) 348-9483

CITY OF TUALATIN
RECEIVED

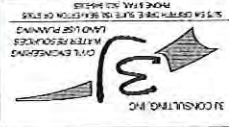
OCT 01 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF TUALATIN
RECEIVED

OCT 02 2015

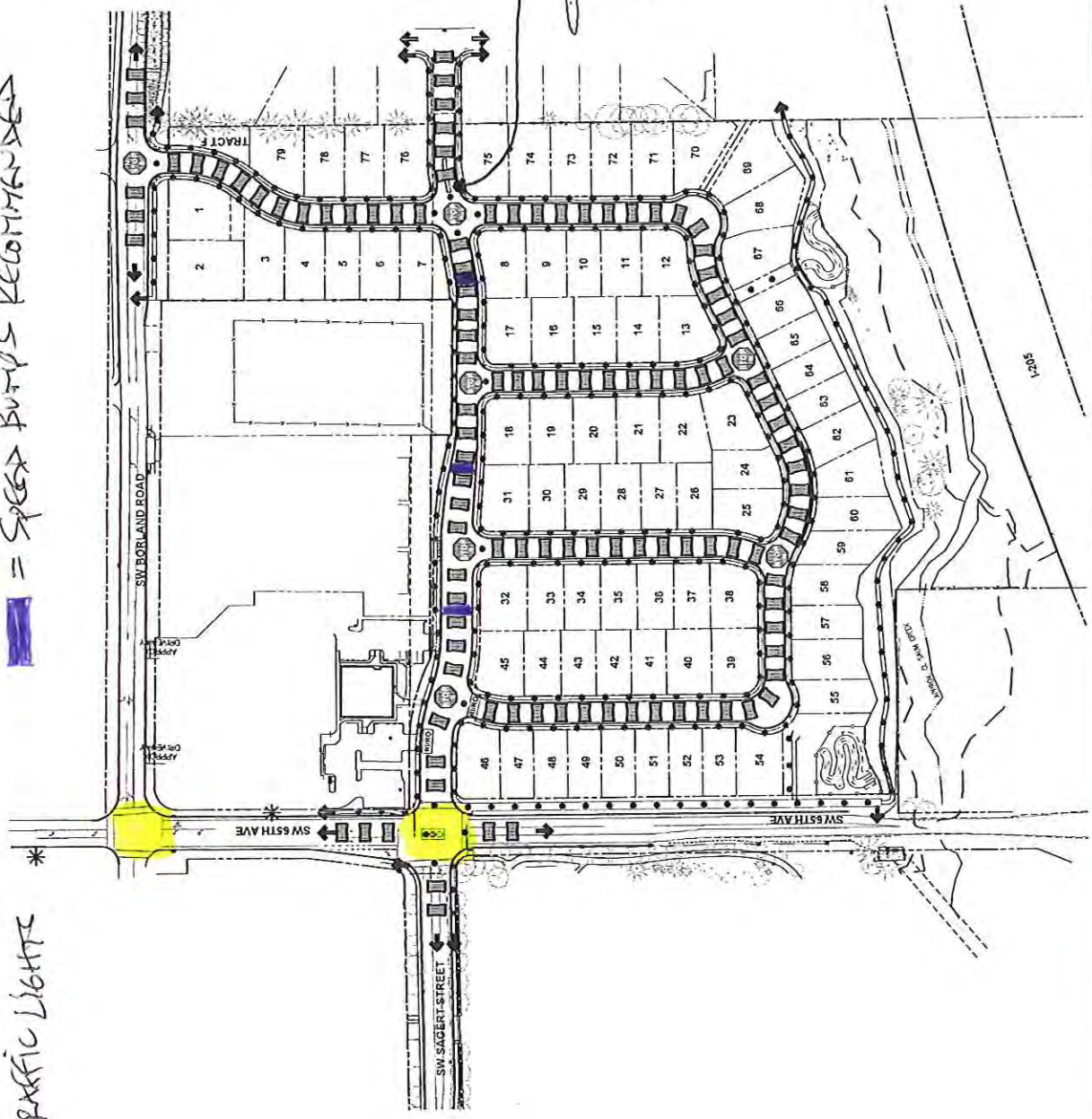
ENGINEERING &
BUILDING DEPARTMENT



- LEGEND**
- BOUNDARY LINE
 - EXISTING BOULEVARD
 - EXISTING CENTERLINE
 - EXISTING LOT LINE
 - LOT LINE
 - RIGHT-OF-WAY
 - ROAD CENTERLINE
 - AUTOMATIC CIRCULATION
 - PEDESTRIAN CIRCULATION
 - TRANSIT STOP
 - RIGHT-IN - RIGHT-OUT CONTROL
 - STOP CONTROL - SOUTH
 - STOP CONTROL - NORTH
 - STOP CONTROL - ALL WAY
 - CIRCULATION CONTROLLER TO EXISTING TRAFFIC SYSTEM
 - SIGNALIZED INTERSECTION

TRAFFIC LIGHTS

SPGA BURNS RECOMMEND



= IS THIS
 A LANDSCAPE
 HIGHWAY?



Scale: 1 inch = 40 feet



City of Tualatin
Tony Doran,
Engineering Associate
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

10/01/2015

RE:
SB15-0002
Proposed Subdivision, Sagert Farms
20130 SW 65th Avenue TLID 2SE30B #300 & 600

Dear Mr. Doran

As you may recall, I am the Managing Agent of the Tualatin Professional Center property at 6464 SW Borland Rd, Tualatin, Oregon 97062.

The Sagert Farm Development, as presented, adversely affects all of the owners of Tualatin Professional Center in several ways. As proposed, the west side of the Center will have a right-in and right-out access off of the proposed eastbound extension of Sagert Road. The west side of the Center has only one other entrance, which is on Borland Road, which is also a right-in, right-out street to parking lot access.

The proposal removal of 14 parking spaces from the Center, alone, is detrimental to all of the property owners, as well as the patients of Tualatin Professional Center.

Additionally, as proposed, 88 of the 148 spaces that would remain at the Center would be on the west side of the complex. This is nearly two thirds of all the Center parking that would be limited by two right-in, right-out accesses only.

It will be nearly impossible for the owners at the Center to give access instructions to their patients for two thirds of the Center Parking. There is no practical way to explain to patients how they would have to enter the Sagert Farms subdivision driving eastward, then turn around and come into the west side of the Center on Sagert westbound. Many of the patients are elderly, and many of the patients are not regularly on the property.

Lennar homes, a for profit company, would be enriching itself at the detriment of Tualatin Professional Center. As it stands, I must object to the Sagert Farms Proposed Subdivision SB15-0002

James Marlow
Managing Agent,
Tualatin Professional Center
P.O. Box 10573
Portland, Oregon 97296



James Page Walker, D.D.S., P.C.
Specialist in Endodontics

9/30/2015

City of Tualatin
Attn: Tony Doran, Engineering Associate
18880 SW Martinazzi Ave
Tualatin, OR 97062

CITY OF TUALATIN
RECEIVED

OCT 01 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Lennar is proposing a development that would cause significant economic damage to my practice and the value of my investment in the Tualatin Professional Center (TPC).

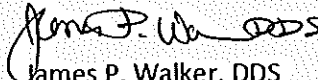
While they initially presented that they intended to be "good neighbors", their proposals and discussions have demonstrated alternative intentions. Although TPC has presented several very reasonable proposals for the proposed access to the development from 65th, none of them have been adopted. Consistently, their concerns for a few hundred thousand dollars of additional profit have always been more important than the millions of dollars invested in TPC. At our last meeting we were advised by their legal counsel that in essence "we will hurt you, it is just your choice about how much", hardly an honest approach to collaborative efforts. Additionally, in reviewing their Land Use Application, it is apparent they have withheld important information, demonstrating a lack of "good-faith" disclosure.

My main concerns are:

- 1) The restriction of access to the south-west and south-east parking areas of TPC during and after construction
- 2) The taking of TPC land without merit or compensation to the owners of TPC
- 3) The encumbrance of TPC land that will materially harm the professional practices located there
- 4) There is a lack of full disclosure. Therefore, there may be additional plan elements that are averse to me that I am not aware of.

I also would like to point out that the only stated basis of the driveway encumbrance is presented in the form of a contact between the city and the original TPC developer that clearly states that agreement expired nearly twenty-six and a half years ago on May 13th 1989. If the city or the Sagert family had intended to maintain this easement, they reasonably would have renewed that agreement or exercised that right by building the street extension. Tualatin and the Sagert family revoked this easement by not performing either action and in fact demonstrated their removal of this easement, by allowing TPC to openly and continuously use, improve and maintain the driveways and parking.

Sincerely


James P. Walker, DDS

September 27, 2015

CITY OF TUALATIN
RECEIVED
OCT 01 2015
ENGINEERING &
BUILDING DEPARTMENT

City Engineer
Attn: Tony Doran, Engineering Associate
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, Oregon 97062-7092

Dear Mr. Doran

Thank you for the opportunity to comment on the notice of application of submittal regarding the development of Sagert Farms (SB15-0002).

My family and I live at 6085 SW Sequoia Drive, directly backing the proposed development on the east side. We have lived here for 8 years, and are very interested in the approach taken to develop this property. We have attended each of the meetings held with the public, by 3J Consulting and Lennar Homes. We appreciated their presentations, and taking under advisement our comments and the comments of others. I wish to make some of the comments I have shared with them here, as well as some other comments, in order to protect our interests and document the understanding we have regarding the development.

We understand that there will be no zoning change sought with respect to this development. We appreciate the developer's decision to build within the current zoning, and to avoid seeking to place more homes in the area than is allowed under current zoning.

The builder has represented that they will be mindful of the neighbors during construction, including keeping traffic and noise under control. We also understand that they will fence and landscape all of the properties.

We expressed that we would have appreciated some buffer between the new neighborhood and the existing neighborhood. We have a small back yard, and are concerned about how the new houses will fit in where the neighborhoods join. We understand that the developers are not proposing a greenspace or similar arrangement, but hope that they will make every reasonable effort to account for a smooth transition, and a layout of homes that does everything possible to ensure that our property is not unreasonably changed through the placement of the new homes.

I also want to comment on the trees that sit along the property line in our back yard. We believe they are mulberry trees, and they attract a great diversity of wildlife, and add scenic value and shade to the neighborhood. We understand that they have been identified to be protected. We expect that they will be, including maintenance of tree protection fencing during construction, and that no new construction or other activities would be allowed to damage them or their root systems, which would decrease the health of the trees, or cause us financial or other harm. We expect that we would be consulted if, for

any unexpected reason, the developer was required to take on any activities that could affect the trees, including trimming or digging near the roots.

We, and many others at the public meetings, expressed concern about the traffic flows through our neighborhood that may come about because of the new development. We are very concerned that traffic will cut through from Borland to Sagert across our existing neighborhood. If this happens, it could impose safety risks, increase noise, and change the feel of our neighborhood. We expect the city and developers to be mindful of this risk, which was expressed by numerous of our neighbors, and would ask that everything appropriate be done to monitor this situation and take any actions necessary to keep it under control. We have noticed and appreciate the installation of a four-way stop that is likely meant to address this situation to some extent.

Thank you for your consideration of these comments.

Sincerely,



Mark Thompson
6085 SW Sequoia Drive
Tualatin, Oregon 97062
503-691-1987

October 16, 2015

City of Tualatin
Tony Doran, EIT
Engineering Associate
18880 SW Martinazzi Avenue
Tualatin, OR 97062

**Sagert Farm Subdivision
SB15-0002
Tualatin, Oregon**

Dear Tony,

This letter has been prepared in order to respond to several public comments which have been received during the open comment period associated with the Sagert Farm Subdivision (SB15-0002). We appreciate the fact that the public is interested in this application and acknowledge that many of the comments received are generally positive and constructive in nature. As you know this project has been active for nearly 2 years and our team has made a genuine effort to reach out to our neighbors and listen to their comments during that time frame. As a result of this ongoing effort, several of our neighbor's suggestions have been included within the subdivision plans.

The following is a summary of the comments received in each of the letters submitted during the comment period followed by a response from the Applicant:

Mr. Bob Nelson Letter – September 24, 2015

Mr. Nelson raised concerns about tree numbers 10982, 10979, 10982, 10981, 10978, 10977, and 10980.

Applicant's Response Mr. Nelson raised some very good and detailed questions regarding tree protection along the project's boundary with Mr. Nelson's property. Due to the specificity of Mr. Nelson's questions, the project's arborist, Morgan Holen, has prepared a response which addresses each of Mr. Nelson's concerns in detail. This response has been attached hereto.

Mrs. Nancy Falconer – September 24, 2015

Ms. Falconer raised the following concerns:

1. The grading of lots on SW 61st Terrace with particular regard for erosion control, landscaping, and changes to the existing retaining wall.
2. Fencing – will a privacy fence be installed along the shared property line? If so, what material will be used?
3. Traffic – How will the new project affect traffic in Sequoia Ridge and what has been proposed to encourage the planned ingress/egress to and from the project?

Applicant's Response Regarding grading along the lots on SW 61st Terrace, we note that there are some grading challenges associated with the extension of Sagert near to SW 61st Terrace due to the presence of an existing berm located along the Sagert Road alignment. The project's team will work diligently to complete the required extension while minimizing impacts to adjoining private properties. If any temporary impacts or transitioning features are required, Lennar will work directly with the neighbors

through the construction plan review and site construction process to minimize impacts and to repair and replace any impacted landscape areas.

Regarding fencing, where existing fences exist along shared property lines, these will be evaluated as to whether they are of sufficient quality for retention. Where fences are found to be in need of replacement, Lennar will contact adjoining property owners and work out arrangements to replace fencing with new fencing materials.

Regarding the impacts on traffic within Sequoia Ridge, Lennar has prepared and submitted a detailed Traffic Impact Analysis with the land use application. This report is available within the City's submission materials and is present on the City's website. Lennar has gone to great lengths to make the potential for cut-through traffic into Sequoia Ridge unappealing to vehicular traffic. While a single connection to Sequoia Ridge is proposed at the west bound stub street within the Sequoia Ridge Neighborhood, this intersection has been provided with a preliminary design for a central median. The central median will have a traffic calming effect by narrowing down the travel lanes for vehicles moving in each direction. The first intersection to the west of the project's connection to Sequoia Heights will also be provided with a full four way stop. These traffic calming measures and the circuitous nature of Sagert, Sequoia Drive, and SW 60th Avenue should reduce the potential for cut-through traffic between Sagert Farms and Sequoia Ridge.

Dr. David R. TenHulsen, MD, DMD, PC – October 1, 2015

Dr. TenHulsen's letter addresses the restriction of access from Sagert Road for existing patients, ambulance, and fire service to the Tualatin Professional Center.

**Applicant's
Response**

The parking lot for the Tualatin Professional Center will be impacted by the extension of Sagert however, these impacts are necessary as the eastbound extension of Sagert from SW 65th Avenue has been contemplated since the Tualatin Professional Center was constructed. Lennar is proposing an extension which will occur only within the existing Sagert right-of-way. The alignment of Sagert is fixed by the virtue of existing improvements to the west of 65th Avenue as was discovered during the process of trying to push the Sagert alignment to the south as much as possible after the concerns of TPC were raised. The impacted portion of the TPC parking lot was constructed, not on the TPC's property, but within the public right-of-way. TPC did not construct this half street improvement at the time of its construction, rather, Lennar is shouldering the costs for the full width of the improvement. Lennar has also proposed to reconstruct the existing driveway and new landscaping along TPC's frontage, following the completion of the construction of the Sagert extension. We note that the parking configuration and access situation is less than ideal for access to the eastern and western lots however, the eastern parking lot will be provided with a left-turn from Sagert and both parking lots will continue to have access from Borland Road.

The proposed reconfigurations will take some time for patients to adjust to but we believe the changes are reasonable given TPC's situation.

Mr. Greg Knakal – September 28, 2015

Mr. Knakal inquired as to whether or not the two signals (one existing and one proposed) along Borland and 65th Avenue would be coordinated to provide synchronized movements. Mr. Knakal also inquired as to whether speed bumps would be installed along the extension of SW Sagert.

Applicant's Response The new signal at SW Sagert and SW 65th and the existing signal at SW Borland and SW 65th Avenue will be coordinated to work in tandem to move traffic as efficiently as possible through both intersections.

Lennar and the City have discussed the concept of placing speed cushions or speed bumps within the development along SW Sagert. Both the City and Lennar are in agreement that they are likely not necessary. Instead of speed bumps, Lennar will be installing a four way stop at the intersection of SW Sagert and SW 61st Avenue and a central median near the intersection of SW Sagert and SW 61st Terrace. These improvements should have the effect of calming traffic along SW Sagert.

Mr. James Marlow – October 1, 2015

Mr. Marlow felt that the Tualatin Professional Center was adversely affected by the proposed development. The center has a limited number of access points and the Borland Road entrance only provides right-in/right-out access. The proposal will remove a total of 14 parking spaces from the Center's parking lot. Nearly two thirds of the remaining spaces (88 of 148 remaining spaces) will only be accessed by right-in/right-out access points. Providing instructions to patients trying to access the site will be difficult to explain.

Applicant's Response The parking lot for the Tualatin Professional Center will be impacted by the extension of Sagert however, these impacts are necessary as the eastbound extension of Sagert from SW 65th Avenue has been contemplated since the Tualatin Professional Center was constructed. Lennar is proposing an extension which will occur only within the existing Sagert right-of-way. The alignment of Sagert is fixed because of the location of the existing improvements to the west of 65th Avenue. Lennar did discuss this potential solution with the City but intersection alignment is critical to ensuring safe movement for vehicles. The impacted portion of the TPC parking lot was constructed, not on the TPC's property, but within the public right-of-way. TPC did not construct this half street improvement at the time of its construction, rather, Lennar is shouldering the costs for the full width of the improvement. Lennar has also proposed to reconstruct the existing driveway and new landscaping along TPC's frontage, following the completion of the construction of the Sagert extension. We note that the parking configuration and access situation is less than ideal for access to the eastern and western lots however, the eastern parking lot will be provided with a left-turn from Sagert and both parking lots will continue to have access from Borland Road.

The proposed reconfigurations will take some time for patients to adjust to but we believe that the changes are reasonable given TPC's situation.

Mr. Dean Alterman on behalf of the Owners of the Tualatin Professional Center – October 1, 2015

Mr. Alterman does not oppose the proposed land use application but would request a change to the preliminary circulation plan to provide for better safety for the patients of the health care providers at the Center.

He states the circulation within the Center is limited from east to west – a significant grade change exists at the northern end of the property, preventing east/west circulation. Eastbound access to the

western parking lot would be eliminated as part of Lennar's proposed subdivision plan and because of the proposed improvements to SW Sagert.

The proposed change runs afoul of several provisions of the City's Transportation System Plan including the objectives of reducing trip length, facilitating efficient access and customers to and from commercial lands, ensuring that emergency vehicles are able to provide services throughout the City to support a safe community, and considering negative effects of alternatives on adjacent residential and business areas.

Lennar proposes to remove some improvements that are located on the Center property, such as the rock retaining wall that supports the Center's east parking lot, seven parking spaces, and a storm drain. Lennar also proposes to locate a temporary inlet protection around drains on the center property and a stabilized construction entrance.

The owners of the TPC can support a proposed reduction of their access if the design of Sagert Street is modified slightly to provide a private accessway just north of Sagert Street between the west and east parking lots. If Sagert Street is built a few feet farther south, then there will be enough room to place a two-way driveway between the east and western parking lots, using a combination of public and private property. The new accessway would enable movement between the two parking areas.

The new connector may require a variance from City standards but Lennar's proposal also requires a variance from City standards for minor collector streets, so the additional variance should not be an obstacle. TDC 75.140 permits commercial uses with 70 feet or more of frontage to have driveways onto minor Collector streets. Chapter 75 and the TSP imply that the City prefers to have landowners use combined accesses so that collector and higher classification streets have fewer driveways, not more, so the Center's proposal is consistent with the City's goals.

**Applicant's
Response**

The proposed improvements will remove one movement from the existing access from the Tualatin Professional Center's movement by preventing a left turn from SW Sagert into the center's western parking lot. Access via right turns will still be permitted and the property will still have access to the western parking lot from Borland. While we note that the owners of the TPC speculate that a northern connection point for the parking lot is not possible, without an engineering analysis, this conclusion is premature. We note that the owners of the TPC have not consulted with a professional engineer to analyze any on-site construction options to improve circulation following the loss of the unrestricted use of the Sagert right-of-way.

Lennar proposes to make improvements within the existing Sagert right-of-way to allow for the construction of the anticipated public street. This improvement will require impacts to the existing parking lot for the center beyond the edge of the existing right-of-way, as a significant portion of the center's southern parking lot is currently located within the right-of-way. Lennar has proposed the inlet protection and the stabilized construction entrance, and additional improvements to TPC's property in order to leave the reconstructed parking lot in a repaired state. These improvements are shown on the proposed preliminary construction plans. Lennar is committed to 1) repairing the impacts to the TPC site in a manner which will re-establish the parking areas to the extent they can be retained, 2) re-establish the site's access from Sagert in a manner which is acceptable to the City, and 3) protect the TPC's property during the construction process from erosion and heavy equipment impacts. The proposed temporary construction and erosion control activities would be considered to be best management practices for sites with existing infrastructure during construction activities.

Lennar has explored a number of options for the redesign of the access to the site's southern parking lots. The proposed design submitted by the owners of the TPC is similar to another design which was not supported by the City's staff, nor by Lennar's transportation consultants. Lennar and Lennar's engineer have suggested on several occasions that the owners of the TPC should engage a professional engineer to review options for safe functional access to and throughout the center's property and this recommendation continues to stand.

The proposed improvements to SW Sagert represent not a variance, but an allowed modification to the City's standard improvements for a Minor Collector. The proposed modifications have been proposed to respond to several site specific concerns related to safety, decreased parking/increased impacts, the speed of traffic moving along Sagert, and the re-classification of SW Sagert as a minor collector during a recent TSP update. The modifications benefit all three parties by reducing the impacts to both TPC and Lennar (adjusting the alignment as far south as possible, which is what is currently proposed), and also the City by beginning a narrowing of the roadway and creating a traffic calming effect. The proposed modifications have been evaluated by Lennar's traffic engineer and by the City Engineer. All of the proposed modifications are within the City Engineer's purview to enable and no formal variance application is necessary.

The City's Transportation System Plan (TSP) does permit access to a collector for sites with a minimum frontage of at least 70 feet. The TPC does have more than 70 feet of frontage and two access points will be provided, both to the east and western parking areas. The property will have access to the eastern parking area via a full access driveway. The western parking area will only have access via a right-in/right-out configuration due to safety concerns about the presence of a full access intersection. The previously requested full access point to the western parking lot would create an unsafe condition with the potential for conflicting turning movements and unsafe queuing onto 65th Avenue.

The proposed design of the center's revised access scenario has been well vetted by Lennar's traffic engineers and the City's Engineering staff. The City's TSP, while promoting combining of driveways, also places a very high regard upon safety and it is likely that the existing access points to the TPC property would not be approvable if the center were to re-apply with the same access points under today's codes and standards.

Lennar has stated at multiple points throughout this design process that they are committed to reducing the impact upon the TPC property where possible and that they are willing to repair the impacts to TPC's existing infrastructure to create a finished look to the revised parking area. Given the situation, Lennar is of the opinion that the loss of access for left turning vehicles to the western parking lot is the best possible outcome for the TPC's parking lot, given the location of the parking lot within the existing right-of-way.

Mr. Mark Thompson – September 27, 2015

Mr. Thompson appreciates the neighborhood outreach process and that this project will not involve a zone change. He would like to see a buffer along the existing homes to the east. Mr. Thompson is of the understanding that the "mulberry trees" along the shared property line are intended to be protected. He also wishes to ensure that tree fencing is maintained to prevent damage to these trees and would request consultation if these trees were required to be removed to accommodate construction. There is concern about the potential for cut-through traffic from Borland to Sagert through the existing Sequoia Heights neighborhood, however the four way stop proposed along Sagert is appreciated.

Applicant's Response Lennar has proposed to install tree fencing along the trees which have been identified for retention within the development. Lennar's arborist has recommended that site construction activities which occur near to trees or tree protection fencing be carried out only with on-site observation from the project's arborist. Lennar is prepared to involve the project's arborist if any trees which are identified for construction may require removal during construction activities.

Dr. James Walker, DDS, PC – September 30, 2015

Dr. Walker is concerned Lennar's proposal will damage his practice and investment in the Tualatin Professional Center. He states that the TPC has presented several reasonable proposals for access to TPC from SW 65th and legal counsel for Lennar presented that "we will hurt you, it is just your choice about how much". He believes it is apparent that information has been presented in the land use application which was withheld from TPC, representing a lack of good-faith.

His primary concerns are as follows:

1. Restriction of access to the southwest and southeast parking areas.
2. The taking of TPC land without merit or compensation to the owners of TPC.
3. There is a lack of full disclosure. Additional plan elements may be proposed which I am not aware of.
4. The driveway encumbrance was required by a contract between the TPC developer and the City. The contract expired on May 13th 1989. If the City or Sagert intended to maintain this easement, they should have renewed that agreement or exercised that right by building the street section. Tualatin and the Sagert Family revoked this easement by not performing either option and by allowing TPC to use, maintain, and improve the driveways and the parking area.

Applicant's Response Lennar has made a genuine effort to coordinate the effects of the required and proposed extension of SW Sagert within the existing right-of-way along TPC's frontage with the owners of the TPC. This right-of-way, and the improvements which existed therein, were in place when the center was constructed. No change in value to the existing condominiums has occurred, an item of on-going concern has simply been triggered by a proposed development to construct a site using the existing right-of-way and the owners of the center are now required to deal with an existing condition which until now, had been dormant.

Lennar met with the owners of the TPC on three separate occasions (May 16, 2014, on February 20, 2015, and on June 12, 2015), to discuss options for the improvements to SW Sagert and to discuss the potential impacts to the western parking area. Facing an uncertain result during the initial meetings, Lennar and their consultants have worked diligently to reduce impacts to the TPC property throughout this process showing much more than just a good faith effort, but a genuine neighborly effort to accommodate the TPC site to the best of their ability given the constraints

Regarding the concerns listed within Dr. Walker's letter, we have the following responses:

1. The proposed access to the center from Sagert Street provides adequate but not perfect access to both parking lots. The proposed design would allow TPC to have full access to the eastern parking lot from Sagert Street. Only the western access point would be affected through the installation of a right-in/right out configuration has been proposed due to safety concerns. The site will retain the existing access to the western parking lot from Borland Road.
2. No right-of-way will be required to facilitate the construction of the Sagert Street Extension. The land upon which construction activities are proposed, is already existing right-of-way and not TPC's property.

3. Lennar has made significant efforts to examine a variety of options for the TPC's property and has arranged for several meetings to communicate these options. Lennar has made extraordinary efforts to accommodate the desires of the TPC's ownership group.
4. As a result of the negotiations between the City and the original developer of the TPC, the right-of-way necessary to complete the extension of SW Sagert was dedicated to the City in 1995 (Document Number 95-006450). The City has no obligation to renew or reaffirm its status as the owner of the City's right-of-ways.

Marion and Jim Ortman – October 13, 2015

The Ortman's raised concerns about commuters using Borland Road and SW 65th to get to I-205, which has increased traffic flow onto SW Sagert. The letter notes that the Ortman's were not able to attend any of the public meetings held for the project and wondered if there were going to be intersection improvements at Sagert/Borland/65th Avenue. They also wondered if any studies had been completed regarding the installation of a round-a-bout. They would also like to know what the current plans are for traffic control at the 65th and Sagert intersection.

Applicant's Response

Lennar completed a series of public meetings and consultations to explain the proposed transportation improvements and the subdivision process. Lennar also completed a detailed transportation impact analysis which is available on the City's website for review. Several comments received from the neighbors who attended the meetings which specifically requested traffic calming measures were incorporated into the proposed development and transportation system. Among these were four way stops along Sagert through the development, and a central median to calm traffic, just before the connection to the existing portion of Sagert within Sequoia Ridge.

SW Sagert and SW 65th will receive a new full traffic signal as a result of the development. This traffic signal will be coordinated to work in tandem with the signal at SW 65th and Borland Road. The signals will be coordinated to allow traffic to move through both intersections as efficiently as possible. The Traffic Impact Analysis submitted with the land use application indicates that residents can expect a level of slight improvement of the function of both intersections as a result of the off-site improvements.

Please feel free to give me a call if you have any questions or need any additional clarification.

Sincerely,



Andrew Tull
Principal Planner
3J Consulting, Inc.

Attached: Arborist's Response Memorandum – September 29, 2015

Copy: Mr. Mike Loomis, Lennar
Mr. Mike Anders, Lennar
Mr. John Howorth, 3J Consulting, Inc.
Mrs. Kelly Hossani, Miller Nash Graham & Dunn, LLP
File

DATE: September 30, 2015
TO: Andrew Tull, 3J Consulting
FROM: Morgan Holen, Project Arborist
RE: Sagert Farms – Arborist Response to September 24, 2015 Letter from Bob Nelson

MHA15017

This memorandum is provided in response to the questions and concerns presented in the September 24, 2015 letter from Bob Nelson who lives at 6035 SW Sequoia Drive in Tualatin, directly adjacent to the Sagert Farms project site. Excerpts from Mr. Nelson’s letter are included below in bold type; responses from the project arborist follow each question or concern.

Why did you not give the recommendation to “Protect off-site tree” for tree # 10982? You gave tree #10979 (redwood with 10” DBH) 100’ to the north the recommendation of “Protect off-site tree”, but not tree #10982.

The difference has to do with how tree survey points appear on the tree survey drawing that was used to conduct the tree inventory fieldwork. The tree inventory data includes recommendations to “protect off-site tree” for trees with survey points located completely off-site or on property boundaries, while recommendations for trees with survey points located on-site were classified as either “retain” or “remove”. The survey point for tree 10982 is shown on-site, although the trunk of the tree is large enough to cross over onto Mr. Nelson’s property. The survey point for tree 10979 is shown on the property boundary, therefore this tree was classified as “protect off-site”. Regardless, both trees are recommended for preservation with protection during construction.

What is the recommended setback distance for construction activity (grading, earthmoving, foundations, nonporous surfaces) from a large redwood tree? I assume if is no closer than the dripline – but I would like your professional opinion.

and

The second tree I am concerned about is tree #10981 (Douglas Fir; 30” DBH; 24’ C-Rad; Good condition). What is the recommended construction setback for this Douglas Fir (tree # 10981)? Is it at the dripline?

We recommend construction encroachment no closer than one half the crown radius distance limited to one quadrant of the total root zone and arborist oversight of work that is necessary within the encroachment area to supervise construction and provide on-the-ground recommendations to minimize tree root impacts. The crown radius along the west side of tree 10982 measured 28-feet. Therefore, encroachment should be limited to no closer than 14-feet beneath the dripline; this is where tree protection fencing is illustrated on the tree protection plan. The crown radius along the west side of tree 10981 measured 24-feet. Therefore, encroachment should be limited to no closer than 12-feet beneath the dripline; tree protection fencing is illustrated at 14-feet on the tree protection plan.

The project arborist should supervise work that is necessary beneath the dripline within the allowable encroachment area to evaluate potential root impacts and provide recommendations as needed to avoid critical root impacts. Such oversight, recommendations, and implementation of the arborist’s recommendations should be documented in tree protection monitoring reports submitted to the developer.

The tree protection recommendations provided on pages 5 and 6 of our May 10, 2015 Tree Assessment Report specify that construction that is necessary beneath protected tree driplines should be monitored by the project arborist and note that it is the developer's responsibility to coordinate with the project arborist as needed prior to working beneath the dripline of any protected tree. These recommendations should be translated as specifications onto the tree protection plan; this could be required by the City as a Condition of Approval.

Considering the species and general condition of both trees, the tree protection recommendations provided allow for limited encroachment within the dripline area, while providing sufficient protection during construction.

Will tree #10981 be exposed to additional windthrow when tree #10978, 10977, and #10980 are removed?

During the tree inventory fieldwork, trees were evaluated in terms of potential impacts from exposure by adjacent tree removal. Trees 10977 and 10978 are planned for removal for construction. Tree 10980 is an off-site Douglas-fir with a unique treatment classification: "re-evaluate at the time of adjacent tree removal". The May 10, 2015 Tree Assessment Report states that tree 10980 "is an 18-inch diameter Douglas-fir located in the City's open space tract east of the project site in the northeast area. This tree is intermediate in crown class and the proposed removal of two on-site Douglas-firs (#10977 and #10978) for construction on lot 78 is likely to expose this tree resulting in an increased risk of windthrow. Therefore, tree #10980 should be re-evaluated by a qualified arborist at the time of clearing in terms of hazard risk potential and removal may be recommended. The applicant should coordinate with the City to obtain authorization to remove this tree if it is determined that the tree presents a foreseeable threat of danger after being exposed by adjacent tree removal" (pages 3-4).

Tree 10981 was classified as "retain" and no significant negative impacts are anticipated from exposure by adjacent tree removal. The nearby trees planned for removal are not in direct competition with this tree, nor do they provide important shelter for this tree from predominant winds. Tree 10981 has relatively good structure, including good taper and height to diameter and live crown ratios, which are all indicators of stability. The tree protection recommendations provided on pages 5 and 6 of our May 10, 2015 Tree Assessment Report specify that stumps of removed trees located within 30-feet of protected trees should be removed under the direction of the project arborist to help minimize underground impacts to potentially interconnected roots. Again, these recommendations should be translated as specifications onto the tree protection plan, which could be required by the City as a Condition of Approval. We also anticipate the opportunity to visually assess protected trees following tree removal activities and would document any concerns or recommendations as needed.

The submitted plans appear to indicate that the tree protection fencing is only 15' from the Redwood and 20' from the Douglas Fir. I do not want the trees in, or near, my property to be at risk of harm due to construction or the new development. I would like to find out what the best practice is to maintain the integrity of existing large trees. They are very large and in close proximity to my family's home (and soon 2 more homes). These trees could present a major threat of danger if their health is compromised. Also, the cost of removal would exponentially rise after construction is complete.

The tree protection plan specifies tree protection fencing to be installed at the 15-foot rear yard setback along the eastern property boundary. The tree protection measures recommended in our May 10, 2015 Tree Assessment Report will provide sufficient tree protection while allowing limited construction

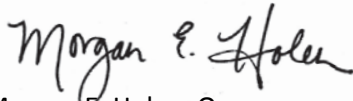
encroachment beneath protected tree driplines. However, it is the developer's responsibility to ensure that the tree protection plan is followed. The tree protection recommendations provided on pages 5 and 6 of our May 10, 2015 Tree Assessment Report note that "The project arborist should supervise proper execution of this plan during construction and will be available on-call. It is the developer's responsibility to coordinate with the project arborist as needed." Furthermore, "After the project has been completed, the project arborist should provide a final report that describes the measures needed to maintain and protect the remaining trees." Translating these recommendations onto the tree protection plan as specifications is again suggested.

We have worked with Lennar on numerous development projects to provide on-the-ground assistance and document tree protection plan implementation and look forward to providing consulting arborist assistance during the construction phase of the Sagert Farms project. Arborist site visits will be documented in monitoring reports that Lennar may provide to Mr. Nelson and other interested parties upon request. The condition of tree protection measures and implementation of arborist recommendations will be described in these reports. If, at any time, unforeseen or unnecessary construction impacts were to occur to any protected tree, it would be documented in these reports along with recommendations for remedial treatments. The trees planned for retention can be adequately protected during construction so long as the tree protection plan is implemented with the recommendations provided in the May 10, 2015 Tree Assessment Report.

We want to thank Mr. Nelson for reviewing the tree protection plan and submitting his written comments to us with the opportunity to respond.

Please contact us if you have questions or need any additional information.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Owner
ISA Certified Arborist, PN-6145A
ISA Tree Risk Assessment Qualified
Forest Biologist

Meeting Minutes – TPC Meeting

Meeting Date: February 20, 2015
 Project: Sagert Farms Subdivision
 3J No.: 13159
 Location: Tualatin Professional Center

Attendee	Company	Phone
James Marlow	TPC	503-544-9776
Dean Delavan	TPC	503-860-2091
Cindy Walker	TPC	
Jim Walker	TPC	
Anjali Rosenbloom	TPC	503-784-9724
Cheryl Owens	TPC	503-680-1206
David TenHulzen	TPC	503-692-5654
Gary Owings	TPC	
Mike Loomis	Lennar	360-258-7900
Mike Anders	Lennar	360-258-7900
John Howorth	3J	503-946-9365 x201
Dave Rouse	City of Tualatin – City Engineer	503-691-3026
Tony Doran	City of Tualatin – Engineering Associate	503-691-3035
Clare Fuchs	City of Tualatin – Senior Planner	503-691-3027

The following is a record of the meeting between the Sagert Development Team and the Tualatin Professional Center owners on February 20, 2015.

Topic	Comment
Sagert Street Extension Alignment	<ul style="list-style-type: none"> Overview of the alignment of the Sagert Street extension was discussed. Existing right-of-way dedicated by the TPC development in 1983 was 30-ft with a 250-ft centerline radius required by the City. Improvements are within the existing dedicated right-of-way.
Design Alternatives for Access to Sagert	<ul style="list-style-type: none"> Owners concerned about access to the east and west lots if Sagert removes the circulation capability on site. Owners would like to push the road onto Lennar's side to avoid disruption to their site. Owners would like to maintain a left turn movement into the western lot. Owners would like to maintain full access into the eastern lot.
Design Alternatives for maintaining parking count and circulation	<ul style="list-style-type: none"> Any design that minimizes the loss of parking is desirable. Parking close to the individual medical offices is a desire as well since patients are typically under sedation after treatments. Circulation around the south side of the buildings is desirable to maintain.
Future Considerations along	<ul style="list-style-type: none"> It was pointed out that any future site improvement may trigger the north access driveways to be closed off due the proximity to the

Borland	intersection and the classification of Borland Road. <ul style="list-style-type: none">• Design team pointed out opportunities that may be beneficial to explore now that the neighbor to the east is under a condition to close off their access to Borland as well.• Option onsite may include removing the 10-ft wall along the north end of the site. Further investigation may show that the cost of this revision to the site may not impact the existing building foundation and be less expensive than anticipated.• The Mei Medical Building owner may be interested in discussing a cross access and cross parking agreement.
Items for Follow-up	<ul style="list-style-type: none">• City and Lennar to review options for maintaining more access for the westerly parking lot within City codes and standards. This may require a closer review of the traffic analysis prepared by Lennar's design team.• Lennar to work with City on final alignment of Sagert.

- - - END OF DOCUMENT - - -



2550
2550

AGREEMENT

H-21

THIS AGREEMENT, made and entered into this 14th day of May, 1984, by and between CITY OF TUALATIN, a municipal corporation in Washington County, Oregon, hereinafter referred to as "CITY," and CONSOLIDATED ASSET GROUP, INC., hereinafter referred to as "DEVELOPER,"

WITNESSETH:

WHEREAS, the DEVELOPER received approval for a development from the CITY; and

WHEREAS, Land Partition (LP-83-01), approved by the City Council of Tualatin on March 28, 1983, contains certain conditions relative to half-street improvements in S.W. 65th Avenue and S.W. Sagert Street, and

IN CONSIDERATION of the mutual promises, covenants and undertakings, IT IS AGREED:

Section 1: The DEVELOPER agrees to deposit with the CITY the sum of \$15,613.95. This amount is equal to the cost of construction that would have been incurred by the DEVELOPER had the improvements to S.W. 65th Avenue and S.W. Sagert Street been constructed at the time the project was developed. The improvements required to be constructed in S.W. 65th Avenue and S.W. Sagert Street are adjacent to the Tualatin Professional Center are as follows:

- Widening of the pavement to provide a 20-foot half-street improvement along S.W. Sagert Street and 22-foot half-street improvement along S.W. 65th Avenue from the centerline of the road, installation of curbs

84 16657

and gutters and sidewalks, street trees and street lights along S.W. 65th Avenue and S.W. Sagert Street, reconstruction of portions of S.W. 65th Avenue deemed to be of inadequate structural section to handle the projected traffic loads on S.W. 65th Avenue, and to make adjustments in the horizontal and vertical alignment as necessary to construct S.W. 65th Avenue in a safe manner.

Section 2: The funds deposited with the CITY shall be retained by the CITY and all interest earned on this money shall be used for the construction of the improvements described in this agreement.

Section 3: CITY agrees to use the funds deposited by DEVELOPER and all interest accrued on said funds in the following manner:

1. CITY may construct a half-street improvement required of DEVELOPER using the funds deposited and interest accrued thereon.
2. CITY may combine the funds deposited and interest accrued thereon from DEVELOPER with other funds available to the CITY for construction of a City sponsored project.
3. CITY may combine the funds deposited and interest accrued thereon with funds derived from a local improvement district for the improvement of S.W. 65th Avenue and S.W. Sagert Street.

Section 4: If the CITY constructs a half-street improvement as discussed above in Section #1 above, the CITY will keep a detailed cost accounting of the project, the excess funds upon completion of the project, and these funds

2

will be returned to the DEVELOPER. If the total construction costs exceed the amount deposited by the DEVELOPER, the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

Section 5: If the CITY combines funds with other funds for City projects as in 2(2) above, CITY will determine an appropriate assessment method for properties that would be included in a local improvement district had one been formed. If the amount that would be assessed to DEVELOPER is less than the amount deposited by DEVELOPER and interest accrued on said deposit and the CITY will refund the difference back to DEVELOPER. If the total cost exceeds the amount deposited by the DEVELOPER the CITY will bill the DEVELOPER and the DEVELOPER agrees to pay the CITY within 60 days of receipt of the bill.

The CITY and DEVELOPER agree that the maximum obligation of the DEVELOPER under Sections 4 and 5 is 10% more than the amount deposited plus interest earned under Section 2 of this agreement.

Section 6: If the City forms a Local Improvement District to construct the improvements covered by this agreement and if assessment against this property is less than the total of the funds deposited by DEVELOPER, and interest accrued thereon, the CITY will refund to DEVELOPER the difference. If the assessment determined by the CITY is greater than the funds deposited and interest accrued thereon by DEVELOPER, DEVELOPER will pay the additional amount over the amount deposited and interest accrued thereon. This additional amount will be eligible for Bancroft Bond financing. If the CITY forms a Local Improvement District to construct the improvements covered by this agreement, the DEVELOPER may elect to Bancroft the entire assessment and receive a refund of the amount deposited in Section 1 of this agreement with the interest accrued in Section 2.

3

PAGE THREE

H.2 C
Section 7: The DEVELOPER agrees that by execution of this agreement, he will not remonstrate against the formation of a local improvement district to construct improvements to S.W. 65th Avenue and S.W. Sagert Street.

Section 8: This agreement shall be in effect for a period of five (5) years from its enactment. If at the end of five (5) years the CITY has not used funds deposited and interest accrued by DEVELOPER for the improvement of S.W. 65th Avenue and S.W. Sagert Street, then the funds and interest shall be returned to DEVELOPER.

Section 9: It is intended by the parties that all promises to be performed by DEVELOPER shall be covenants, conditions and restrictions running with the title to the property and shall be binding upon DEVELOPERS, their successors in interest and assigns.

Section 10: Promptly after its execution by the parties, this agreement shall be recorded in the records of Washington County to provide public notice of the conditions, covenants and restrictions against the title to the property imposed by this agreement.

Section 11: The DEVELOPER agrees that the driveway improvements to S.W. Sagert Street are temporary in nature and agrees to maintain said driveway improvements at his expense.

Section 12: Land Partition (LP-83-01) contains certain conditions relative to half-street improvements along S.W. Borland Road.

4

PAGE FOUR

1. Said improvements have been completed to the satisfaction of the CITY.
2. DEVELOPER is required to submit to the CITY a maintenance bond in the amount of 15% of the cost of said half-street improvements as guarantee against any defects in materials and workmanship for a period of (1) year from the date of this agreement, DEVELOPER agrees to deposit the sum of \$3750.00 in substitution for said maintenance bond.
3. CITY agrees to use said deposit to correct any defects in materials and workmanship for a period of (1) year from the date of this agreement.
4. CITY agrees to refund the balance of the deposit plus any interest accrued on the initial deposit to the DEVELOPER at the end of the (1) year period.

IN WITNESS WHEREOF, the parties have executed this agreement to be effective on the date first above mentioned.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY Stephen A. Rhodes
City Recorder

DEVELOPERS:

[Signature]

5

PAGE FIVE

SUBSCRIBED AND SWORN to before me this 29th day of March, 1983. H-2C

Mary A. Wood
Notary Public for Washington

My commission expires: 6-1-86

STATE OF WASHINGTON
County of Clark
I, _____, Notary Public for the State of Washington,
do hereby certify that the foregoing is a true and correct
copy of the instrument of writing as recorded for
recording in the records of said County at

1983 MAY 17 PM 1:56

Witness my hand and seal, affixed
Juanita M. Olin
JUANITA M. OLIN
County Clerk
Recorder Certificate
CCP 64 S-4 16657



6

PAGE SIX

550
5-56

H-2C

RESOLUTION NO. 1408-84

A RESOLUTION AUTHORIZING THE MAYOR AND CITY RECORDER
TO EXECUTE AN AGREEMENT WITH CONSOLIDATED ASSET GROUP

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON,
that:

Section 1: That the agreement (attached hereto) between the Consolidated
Asset Group and the City of Tualatin is for the purpose of half-street
improvements in S.W. 65th Avenue and S.W. Sagert Street adjacent to the
Tualatin Professional Center Development.

Section 2: That the Mayor and City Recorder are authorized to execute
the attached agreement and record said agreement on the Clackamas County
Book of Records.

INTRODUCED AND ADOPTED this 9th day of April, 1984.

CITY OF TUALATIN, OREGON

BY [Signature]
Mayor

ATTEST:

BY [Signature]
City Recorder



STATE OF OREGON)
County of Clackamas)
I, Juanita N. Orr, County Clerk, Ex-Officio
Recorder of Conveyances of the State of Oregon,
for the County of Clackamas, do hereby certify
that the instrument of writing was received for
recording in the records of said County at

1984 MAY 17 PM 1:56



Resolution No. 1408-84

84 16656

James Page Walker, D.D.S., P.C.
Specialist in Endodontics

12/17/2017

Mayor Ogden and Members of the City Council
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062
Re: Tualatin Professional Center's Request for Review of MAR 17-0041

Dear Mayor Ogden and Members of the City Council,

I am writing this letter in support of Tualatin Professional Center's effort to have our building plans approved as submitted, and to point out the impact of the Staff's new design requirements.

From the beginning of this process, your staff assured us that the City would require Lennar to repair our driveway access in order for them to be approved for their development. Plans were presented to us describing the design of the repair and review meetings were held. We consistently approved of the overall presented design except for the access design of the west driveway. Throughout this process, we were never told that we would have to apply for a separate Architectural review or that the presented design would not be approved. We also didn't expect Lennar to renege on their promise to repair our driveways.

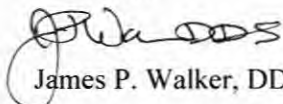
Beyond the hostility of the process, there is a significant level of unjust quality to this situation. The codes that the City Staff are trying to apply to our repair design appear to have been adopted prior to Lennar's application. Clearly the persons that reviewed the Lennar plans were aware of these codes and made a conscious decision that they either did not apply, or the plans met those guidelines. The impact of imposing these additional restrictions is tremendous.

The supply of full use parking stalls serving the east side of the D building will be reduced in half, from 20 stalls to 10. The number of stalls on the west side of the D building will decrease by 35%, and overall TPC's full use parking supply will decrease by 18%. The impact to the patients and practices on the east side is especially significant as this parking lot consistently is utilized to capacity in its current form.

Almost all of our patients, travel to their appointments in cars. This is because they are generally having surgical procedures, are sedated, and/or are elderly. They are not citizens that can use public transportation for these appointments. For their safety, they need to be able to have a reasonable and minimal distance to walk from their car to the office they are visiting. This is as true today as it was in 1983, and as it will be in 2050.

Please direct your staff to approve the TPC MAR application as submitted except for an allowance of widening the walkway to a six-foot width.

Sincerely,


James P. Walker, DDS



MEMORANDUM

CITY OF TUALATIN

DATE: December 18, 2017

TO: City Council Commissioners

FROM: Sean Brady, City Attorney
Erin Engman, Assistant Planner

SUBJECT: Open Record- Request for Review of MAR17-0041, Tualatin Professional Center Driveway Adjustment land use decision located at 6464 SW Borland Road

Background

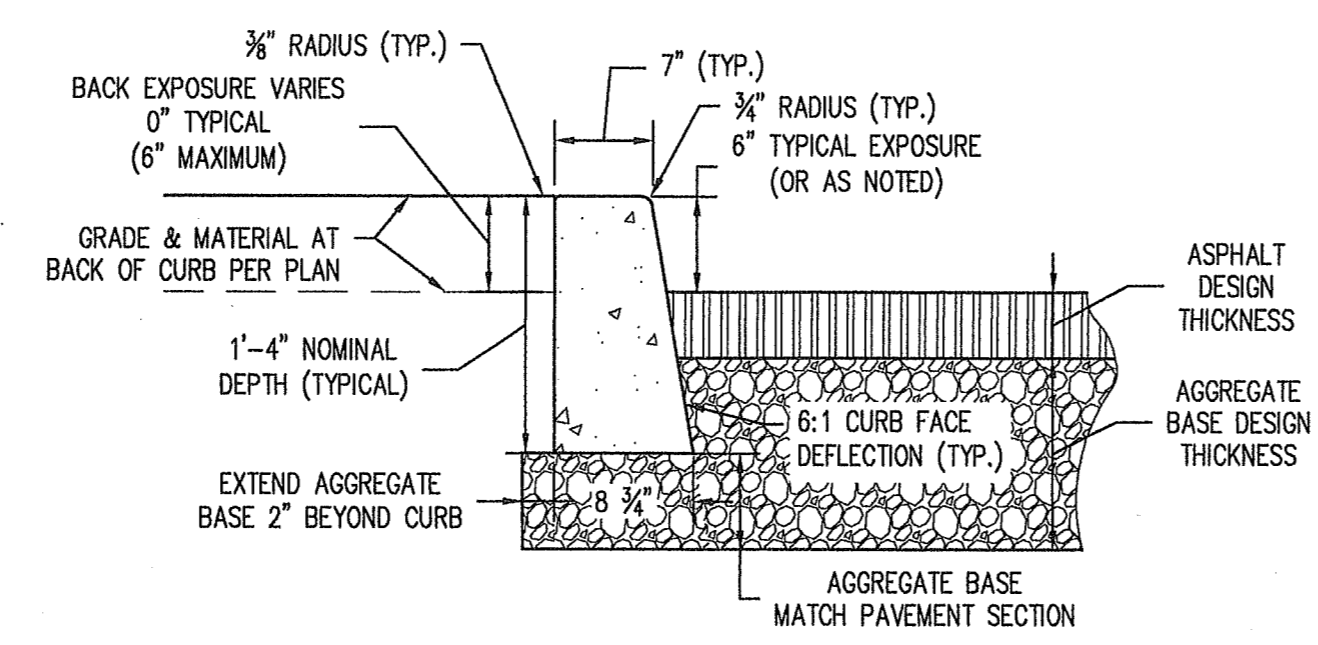
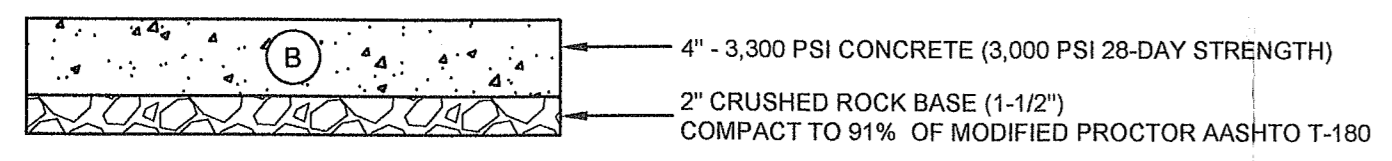
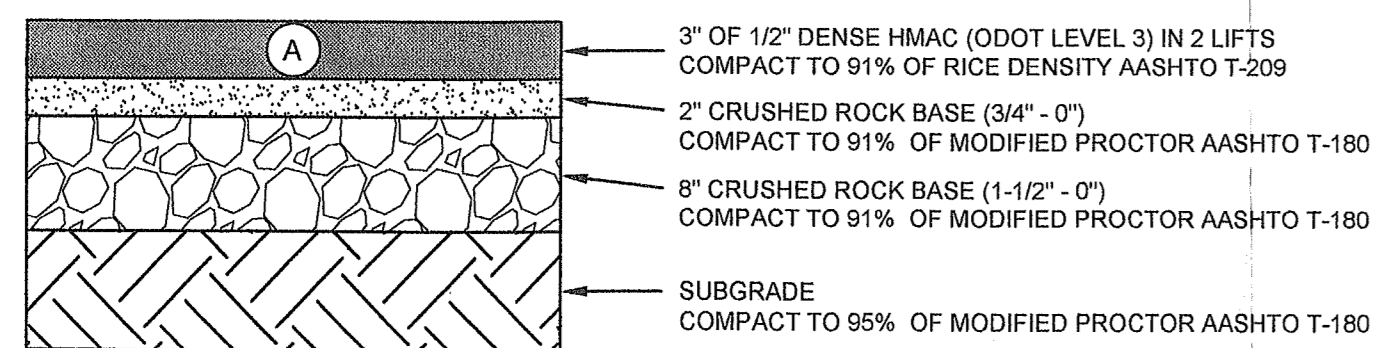
Request for Review of MAR 17-0041, Tualatin Professional Center Driveway Adjustment was discussed at the City Council public hearing held on December 11, 2017. During this hearing, the Tualatin Professional Center's (TPC) legal representative, Dorothy S. Cofield, had asked to leave the MAR17-0041 record open.

Clarifications

Staff would like to add the following clarifications to the record:

- The Tualatin Professional Center had stated that Sheet C220 was reviewed and accepted under the SB15-0002 Sagert Farm land use decision during their testimony at the December 11th hearing. Staff would like to correct their statement. SB15-0002 was deemed completed on September 14, 2015 and approved on December 3, 2015. The attached Sheet C220 is dated August 19, 2016 and was submitted as a construction document for the Sagert Street right-of-way. To summarize, Sheet C220 was never submitted as part of the SB15-0002 land use review.
- Ms. Cofield had claimed that her Public Records Request was not fulfilled during the hearing. Staff has attached an email exchange between Ms. Cofield and Sean Brady, dated September 22, 2017. In this email Ms. Cofield states, "This resolves TPC's public record request."

Attachments: Sheet C220
Email exchange dated September 22, 2017

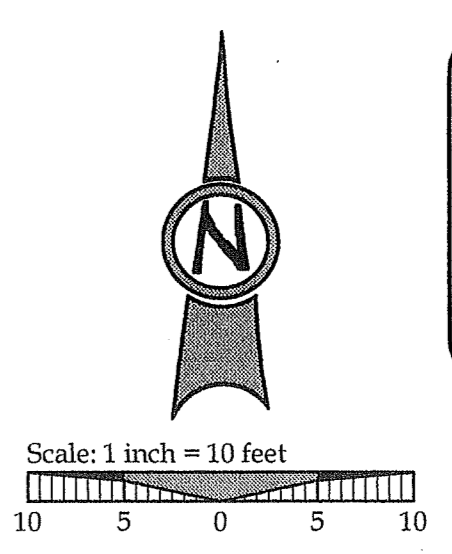


- GENERAL NOTES:**
1. CONCRETE TO BE 3300 PSI TYPE IA PORTLAND CEMENT CONCRETE (28-DAY STRENGTH)
 2. MAXIMUM CONTRACTION JOINT SPACING TO BE 15FT
 3. CONTRACTION JOINTS SHALL BE PROVIDED BY INSERTING A THIN, OILED STEEL SHEET INTO THE FRESH CONCRETE TO FORCE COARSE AGGREGATE AWAY FROM THE JOINT.
 4. INSERT STEEL SHEETS TO 1/2 CURB DEPTH.
 5. REMOVE STEEL SHEETS AFTER INITIAL SET, PRIOR TO REMOVAL OF FRONT CURB FORM.
 6. ALIGN CURB JOINTS TO ADJACENT SIDEWALK OR DRIVEWAY CONCRETE SURFACE JOINTS.
 7. ALL JOINT EDGES AND SCORING TO BE TOOLED
 8. AGGREGATE BASE MATERIAL TO CONFORM TO SPECIFICATIONS OF PAVEMENT DESIGN, BY OTHERS

- SPOT GRADE ABBREVIATIONS**
- (P)XXXXXX (EXISTING) SPOT GRADE, PAVEMENT
 - PXXXXXX PROPOSED SPOT GRADE, PAVEMENT
 - CXXXXXX PROPOSED SPOT GRADE, CONCRETE
 - BCXXXXXX PROPOSED SPOT GRADE, BOTTOM FACE OF CURB

- DEMOLITION KEY NOTES**
- 1 REMOVE STANDARD CURB AND DISPOSE OF OFF SITE.
 - 2 REMOVE EXISTING PAVEMENT WITHIN WORK LIMITS SHOWN, AND DISPOSE OF OFF SITE.
 - 3 REMOVE RETAINING WALL AND DISPOSE OF OFF SITE.

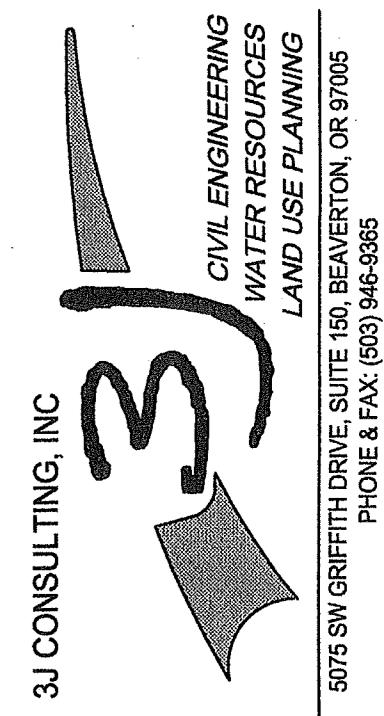
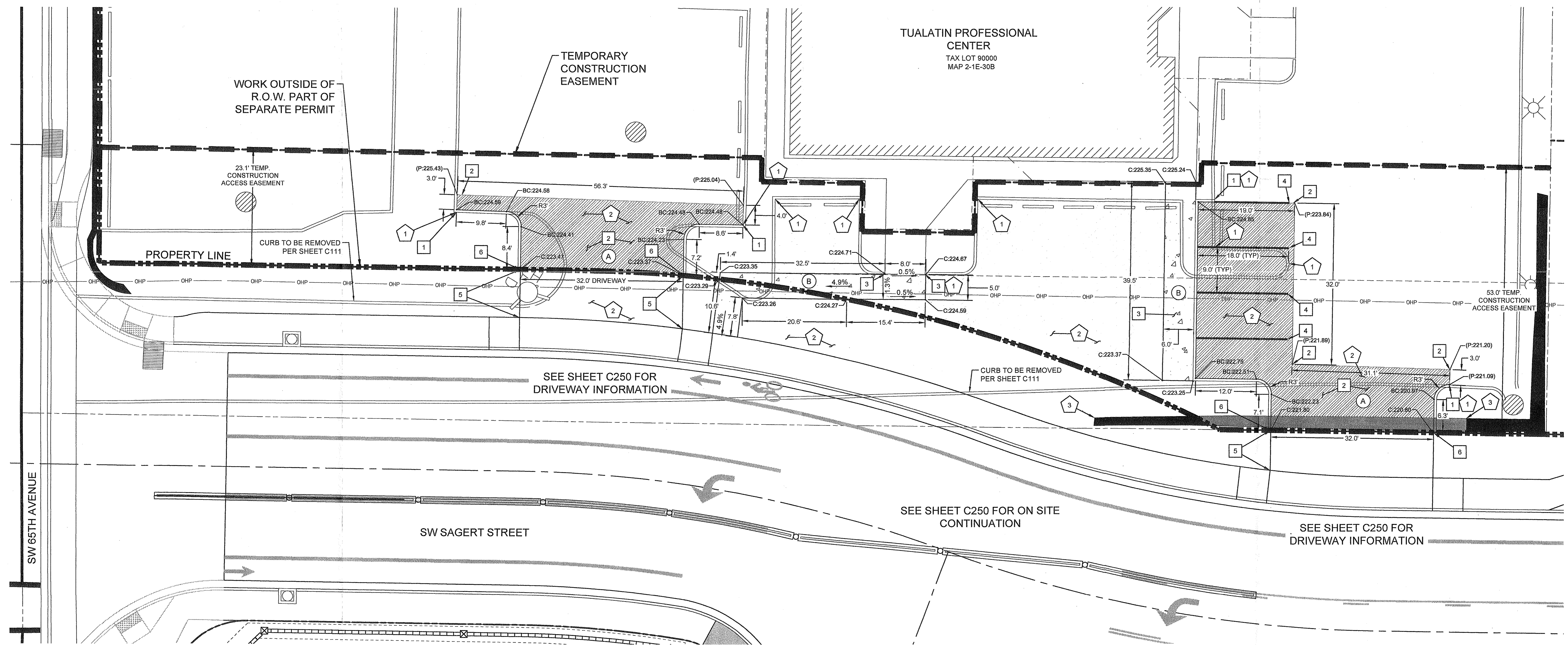
- CONSTRUCTION KEY NOTES**
- 1 CONSTRUCT STANDARD CURB PER DETAIL THIS SHEET.
 - 2 CONSTRUCT ASPHALT PAVING TO GRADES & DIMENSIONS SHOWN, PER PAVEMENT SECTION SHOWN THIS SHEET.
 - 3 CONSTRUCT CONCRETE WALKWAY TO GRADES & DIMENSIONS SHOWN, PER "NON-VEHICULAR CONCRETE PAVING" SECTION SHOWN THIS SHEET.
 - 4 INSTALL 4" WIDE WHITE LATEX PARKING LOT PAINT STRIPE AS SHOWN
 - 5 PROVIDE CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. DWG. 441
 - 6 END STANDARD CURB.



PERMIT SET

REVISION SUMMARY	BY	DATE
PERMIT COMMENTS	JTE	07/27/16
PERMIT COMMENTS	JTE	07/27/16
PERMIT COMMENTS	JTE	08/19/16

TPC ACCESS RECONFIGURATION
SAGERT FARM SUBDIVISION
 CONSTRUCTION DOCUMENTS
 LENNAR NORTHWEST, INC.
 TUALATIN, OR



3J JOB ID # | 13159
 LAND USE # | SB15-0002
 TAX LOT # | 251E30B 300 & 600
 DESIGNED BY | JTE, CKW, JCP
 CHECKED BY | JCH, RGW

SHEET TITLE
TPC ACCESS
 SHEET NUMBER
C220

Sean Brady

From: Dorothy Cofield [cofield@hevanet.com]
Sent: Friday, September 22, 2017 7:32 AM
To: Sean Brady
Cc: 'James P Walker, DDS'; mseitz@fwwlaw.com; 'Matt Johnson'
Subject: Emailing: RE Public Records Request for LP 83-01 city attorney links
Attachments: RE Public Records Request for LP 83-01 city attorney links.msg

Hi Sean,
I reviewed the links you sent and yes, the LP 83-01 decision was in the link. This resolves TPC's public record request.
Thank you.

Dorothy S. Cofield
Attorney at Law
1001 SW 5th Avenue
Suite 1100
Portland, Oregon 97204
COFIELD LAW OFFICE
T: 503.675.4320
C: 503.709.9859
www.cofieldlanduse.com

Your message is ready to be sent with the following file or link attachments:

RE Public Records Request for LP 83-01 city attorney links

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Sean Brady

From: Sean Brady [sbrady@tualatin.gov]
Sent: Thursday, September 21, 2017 3:52 PM
To: Dorothy Cofield
Subject: RE: Public Records Request for LP 83-01

Hi Dorothy,

Anything that was part of the subdivision record is online. Here is the original application materials.

<https://www.tualatinoregon.gov/communitydevelopment/sb15-0002-sagert-farm>

Here is all of the Council Request for Review/Appeal materials.

http://destinyhosted.com/agenda_publish.cfm?id=88252&mt=ALL&get_month=1&get_year=2016&dsp=agm&seq=2028&rev=0&ag=618&ln=9264&nseq=&nrev=&pseq=&prev=#

Here is what is listed as LP 83-01 as part of the Council Request for Review/Appeal materials.

http://destinyhosted.com/tualadocs/2016/CCREG/20160125_621/2028_105C%20LP%2083-01%20Documents.pdf

If this satisfies your public record request, please let me know. Thank you.

Sean T. Brady

City Attorney

City of Tualatin | Legal Services

18880 SW Martinazzi Avenue

Tualatin, OR 97062-7092

503.691.3015 | Fax: 503.692.0147

www.tualatinoregon.gov

sbrady@tualatin.gov

From: Dorothy Cofield [mailto:cofield@hevanet.com]
Sent: Thursday, September 21, 2017 3:32 PM
To: Sean Brady
Cc: jpw@tualatinendo.com; 'Matt Johnson'; mseitz@fwwlaw.com
Subject: RE: Public Records Request for LP 83-01

Hi Sean,

Any chance it would be in the Lennar Sagert Farms Subdivision file?

Best,

Dorothy S. Cofield

Attorney at Law

1001 SW 5th Avenue

Suite 1100

Portland, Oregon 97204

COFIELD LAW OFFICE

T: 503.675.4320

C: 503.709.9859

www.cofieldlanduse.com

Hi Dorothy,

Thank you for the email. I believe our Deputy City Recorder responded, but I will double-check with our Planning Department to see if they are searching the archives for the documents you requested. I can let you know more on the status tomorrow. Thank you.

Sean T. Brady

City Attorney

City of Tualatin | Legal Services

18880 SW Martinazzi Avenue

Tualatin, OR 97062-7092

503.691.3015 | Fax: 503.692.0147

www.tualatinoregon.gov

sbrady@tualatin.gov

From: Dorothy Cofield [<mailto:cofield@hevanet.com>]

Sent: Wednesday, September 20, 2017 1:35 PM

To: Sean Brady

Cc: 'Margot Seitz'; 'James P Walker, DDS'

Subject: Public Records Request for LP 83-01

Hi Sean,

My client, TPC, made a public records request for the above-referenced partition associated with the TPC property last week (9.14.17).

We have not heard back from the city recorder.

Could you facilitate us getting this file since time is important right now to get TPC's accesses up and running.

Thank you.

Dorothy S. Cofield

Attorney at Law

1001 SW 5th Avenue

Suite 1100

Portland, Oregon 97204

COFIELD LAW OFFICE

T: 503.675.4320

C: 503.709.9859

www.cofieldlanduse.com



Dorothy S. Cofield,
Attorney at Law

To: Tualatin City Council

Subject: Tualatin Professional Center's Request for Review (MAR17-0041)

Property Address: 6464 SW Borland Road, Tualatin, OR 97062

Date: December 8, 2017

Background Information

- Two southern accesses to the Tualatin Professional Center were reconfigured due to the Farm's subdivision approval (SB15-0002) and construction of Sagert Road to serve the new subdivision. *See Attached Exhibit 1 C220.*
- Tualatin Professional Center appealed the plan for its two southern accesses in SB 15-0002 to the City Council because of the imposition of a "right-in/right-out" for the southwest access and lost its appeal. *See Request for Review SB 15-0002 Staff Report, January 25, 2016.*
- The City Council approved the Lennar C220 access plan and declared that Tualatin Professional Center would have substantially similar access as compared to its current condition. *See SB 15-0002 Findings Related to Tualatin Professional Center, p. 73-74.*
- When Tualatin Professional Center submitted its construction plans to restore the two southern accesses consistent with C220, the planning staff imposed new requirements from Tualatin Development Code (TDC) 73.400(11) that causes Tualatin Professional Center to lose approximately nineteen additional parking spaces due to the imposition of a 50-foot driveway aisle for the two southern accesses. *See Attached Exhibit 2.*

Issues on Review

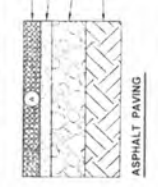
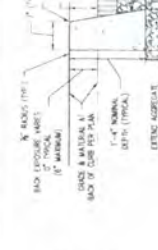
- Tualatin Professional Center seeks to restore the two southern accesses approved in SB15-0002 and as designed in its construction plans prepared by KPFF Engineering. *See Attached KPFF C-100 Construction Sheet.*
- Planning Staff incorrectly applied TDC 73.400(11) to Tualatin Professional Center's the KPFF submitted construction plans because there is no "increase" to ingress or egress, just restoration of previously approved accesses in SB 15-0002.

- Transportation Engineer Chris Clemow confirmed the proposed 25-foot driveway throat lengths are **substantially similar** to the 25-foot driveway throat lengths in the preliminary plat approval for SB15-0002. *See Attached* Clemow Associates Letter dated 11/28/17.
- Transportation Engineer Clemow confirmed the “**driveways can operate in a safe and efficient manner**” and “**25-foot driveway throat lengths are anticipated to be sufficient to accommodate existing development traffic.**”
- The MAR 17-0041 additional land use review requirements are not necessary as the Tualatin Professional Center is afforded “**substantially similar access as compared to its current condition.**” (Tualatin Staff Report)
- Transportation Engineer Clemow confirmed the previously approved accesses and proposal to restore the two accesses are **substantially similar** plans (Clemow Letter dated 11/28/17).
- TPC has sustained time delays and damages due to the closure and unwarranted changes to the southern accesses as approved in C220 as part of the Sagert Farms Subdivision Preliminary Plat Approval Decision.
- The City Council should grant the relief requested in Tualatin Professional Center’s request for review narrative letter (Cofield Law Office Letter to Tualatin City Council dated October 26, 2017), deleting the 50-foot driveway aisle requirement and order the approval of the KPFF constructions plans as submitted to the City.



- DEMOLITION KEY NOTES**
- 1 REMOVE STANDARD CURB AND DEPOSE AT OFF-SITE
 - 2 REMOVE EXISTING PAVEMENT WITHIN APPROXIMATELY KNOWN AND DISPLAY OF IMPACT SITE
 - 3 REMOVE RETAINING WALL AND DEPOSE AT OFF-SITE

- CONSTRUCTION KEY NOTES**
- 1 CONSTRUCT STANDARD CURB PER DETAIL THIS SHEET
 - 2 CONSTRUCT ASPHALT PAVING TO GRADE & DIMENSIONS SHOWN
 - 3 CONSTRUCT ASPHALT PAVING TO GRADE & DIMENSIONS SHOWN
 - 4 CONSTRUCT CONCRETE DRIVEWAY TO MATCH EXISTING DRIVEWAY PER CITY STD. SPEC. 441
 - 5 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 6 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 7 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 8 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 9 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 10 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 11 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 12 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 13 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 14 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 15 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 16 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 17 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 18 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 19 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441
 - 20 CONSTRUCT CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER CITY STD. SPEC. 441



SPOT GRADE ABBREVIATIONS

- EXISTING SPOT GRADE PAVEMENT
- PROPOSED SPOT GRADE PAVEMENT
- PROPOSED SPOT GRADE CONCRETE
- PROPOSED SPOT GRADE BOTTOMFACE TO CURB

GENERAL NOTES

1. CONCRETE TO BE 3000 PSI TYPE I PORTLAND CEMENT CONCRETE (28-DAY STRENGTH).
2. CONSTRUCTION JOINTS SHALL BE PROVIDED BY INSERTING A WELDABLE STEEL SHEET.
3. INSERT STEEL SHEETS TO 1/2 CURB DEPTH.
4. REMOVE EXISTING CURB, PREP TO REMOVAL OF REPORT CURB FORM.
5. ALL JOINT LOGS AND SCORING TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
6. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
7. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
8. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
9. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
10. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
11. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
12. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
13. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
14. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
15. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
16. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
17. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
18. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
19. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.
20. CURB TO BE TOOK FOR CURB CONCRETE SURFACE JOINTS.

STANDARD CURB

SEE SHEET C250 FOR ON-SITE CONTINUATION

SEE SHEET C250 FOR DRIVEWAY INFORMATION

SEE SHEET C250 FOR DRIVEWAY INFORMATION

SEE SHEET C250 FOR DRIVEWAY INFORMATION

SEE SHEET C250 FOR DRIVEWAY INFORMATION

SEE SHEET C250 FOR DRIVEWAY INFORMATION

SEE SHEET C250 FOR DRIVEWAY INFORMATION

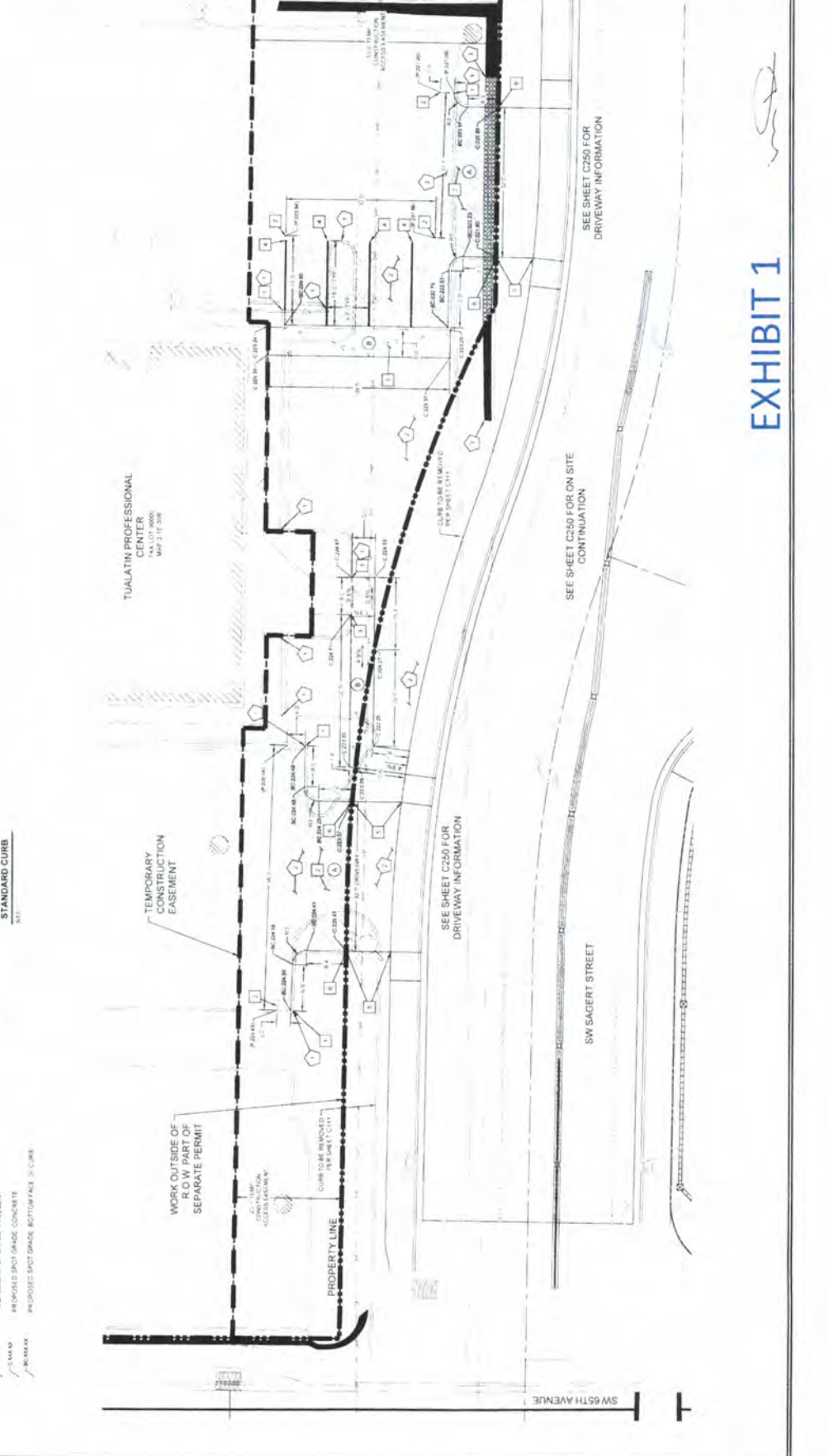


EXHIBIT 1



November 28, 2017

Cofield Law Office
Attention: Dorothy S. Cofield
1001 SW 5th Avenue, Suite 1100
Portland, Oregon 97204

Re: Tualatin Professional Center – Tualatin, Oregon
Site Access Evaluation

City of Tualatin File Number MAR 17-0041
C&A Project Number 20171004.00

Dear Ms. Cofield,

This transportation analysis supports the proposed restoration of the access drives at the Tualatin Professional Center at 6464 SW Borland Street, Tualatin, Oregon. This analysis specifically addresses the proposed driveway throat length.

As depicted in the Tualatin Professional Center Parking Lot Improvements plan set, the SW Sagert Street north curb face is shifted north, resulting in the two driveway throat lengths being approximately 25 feet. We have also been provided with the Sagert Farms Subdivision plan for the two restored accesses (Sheet C-220), which is substantially similar to the Tualatin Professional Center plan, and both plans depict 25-foot driveway throat lengths. Based on our review of these plans and the following materials presented in this letter, the driveways can operate in a safe and efficient manner.

The National Cooperative Highway Research Program (NCHRP) Report 659 *Guide for the Geometric Design of Driveways* contains guidelines for driveway design and complements the American Association of State Highway Transportation Officials (AASHTO) *Policy on the Geometric Design of Streets and Highways* and the AASHTO *Access Management Manual*. The NCHRP Guide states driveway design is affected by setting and land use, and consideration needs to be given to development density, spacing of parallel and intersecting streets, levels of bicycle and pedestrian traffic, and availability of public transit service. For the Tualatin Professional Center driveways, in a suburban environment with a commercial land use, motor vehicles are the predominate transportation mode with few bicycles and pedestrians. As such, the relative importance of motor vehicles is high and the other modes is low. Additionally, the design vehicle is a passenger car and there is seldom more than one vehicle entering or exiting the site at one time.

The NCHRP Guide further states, "Driveway throat length is the distance from the outer edge of the traveled way of the intersecting roadway to the first point along the driveway at which there are conflicting vehicular traffic movements." And, "Throat length must be long enough to avoid internal site conflicts associated with crossing or weaving movements. It also must be adequate to avoid spillback onto the public road or internal circulation system."

Based on materials contained in the NCHRP Guide, the minimum driveway throat length is the sum of three values:

- 1) Design vehicle length,
- 2) A front buffer, and
- 3) A rear clearance.

For the subject driveways, the passenger car is the design vehicle with an AASHTO defined length of 19 feet, the front buffer is 2-3 feet, and the rear clearance is 2 feet, resulting in a total throat length of 23-24 feet. As such, the proposed Tualatin Professional Center 25-foot driveway throat lengths are anticipated to be sufficient to accommodate existing development traffic.

Sincerely,

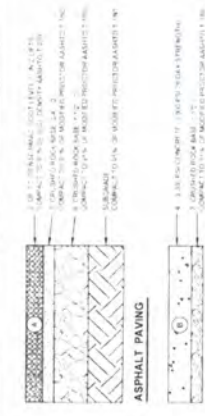
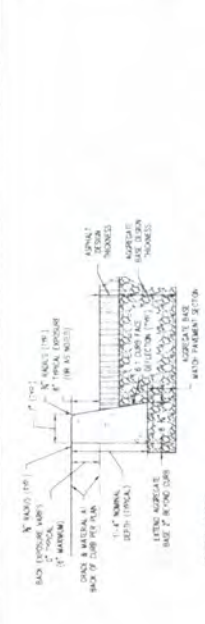


Christopher M. Clemow, PE, PTOE
Transportation Engineer

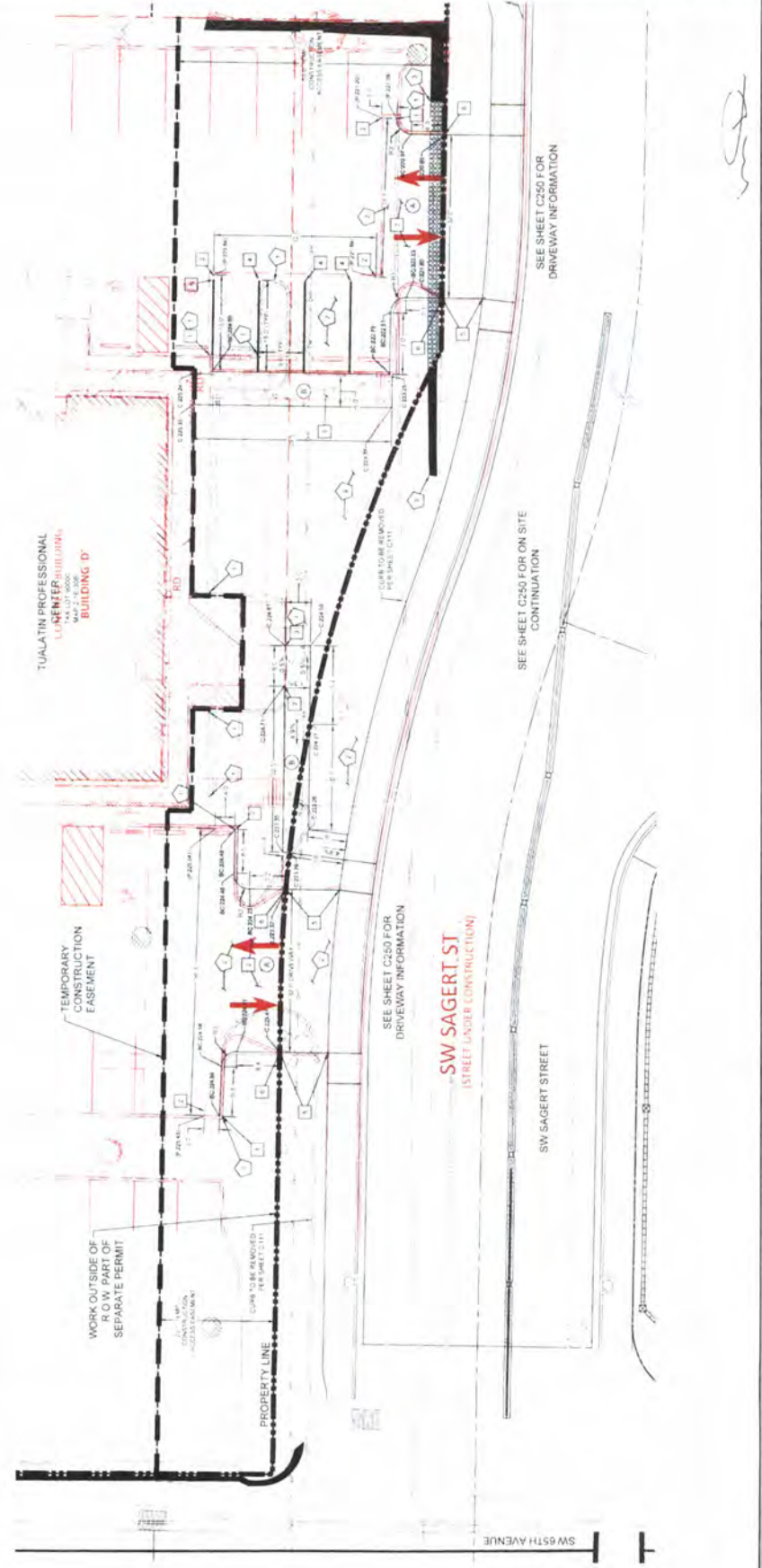




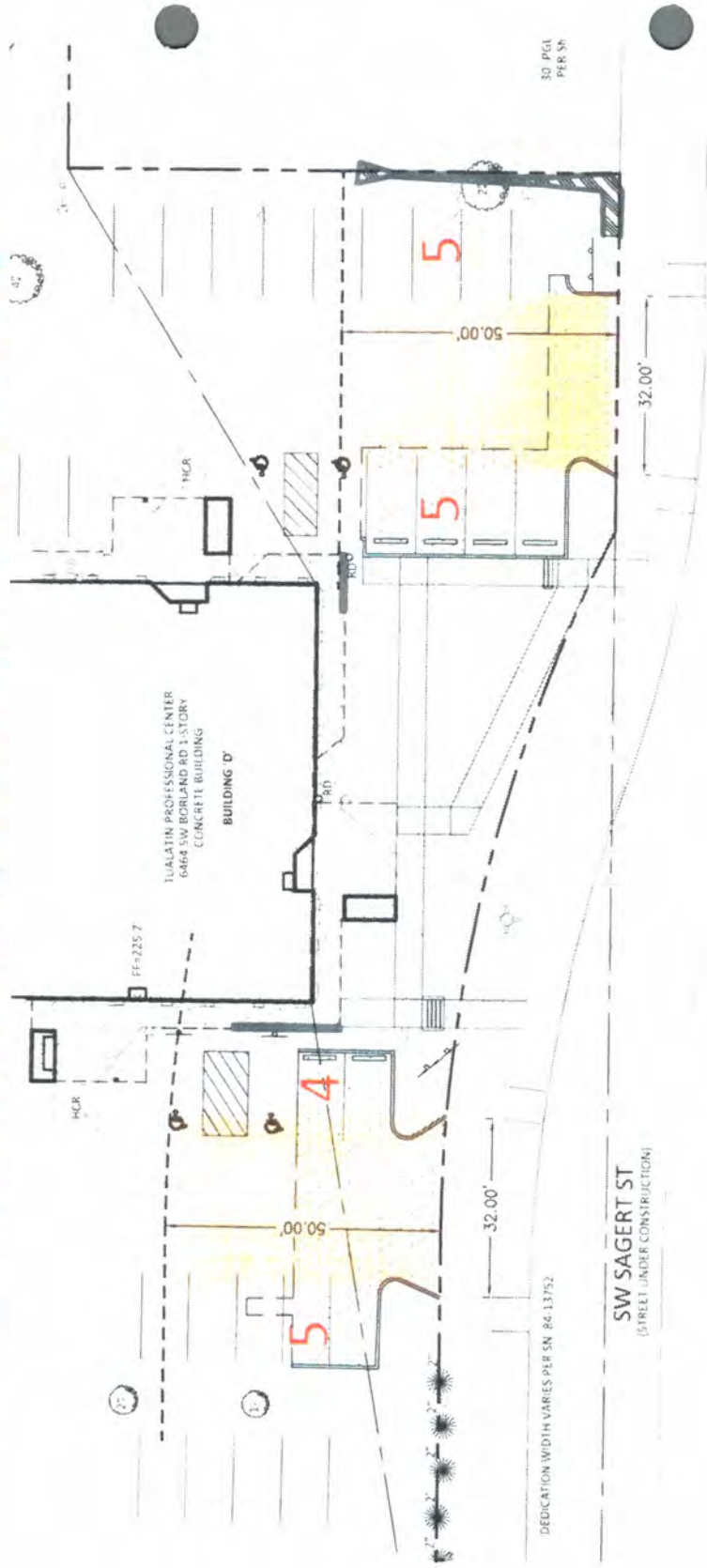
- DEMOLITION KEY NOTES**
- 1 REMOVE STANDARD CURB AND DISPOSE OF OFF SITE
 - 2 REMOVE EXISTING PAVEMENT WITHIN VEHICLE LANE AND DISPOSE OF OFF SITE
 - 3 REMOVE RETAINING WALL AND DISPOSE OF OFF SITE
- CONSTRUCTION KEY NOTES**
- 1 CONSTRUCT STANDARD CURB PER DETAIL, THIS SHEET
 - 2 CONSTRUCT ASPHALT PAVING TO GRADES & DIMENSIONS SHOWN PER APPROPRIATE SECTION
 - 3 CONSTRUCT SPOT GRADE WITH 10% SLOPE TO DRAINAGE DITCHES PER 17-027-18-01
 - 4 NON-VEHICULAR CONCRETE TO GRADES & DIMENSIONS SHOWN PER 17-027-18-01
 - 5 INITIAL 4" THICK WHITE LAYER FINISH TO GRADES & DIMENSIONS SHOWN PER 17-027-18-01
 - 6 FINISH CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY AS SHOWN PER DETAIL C200-441
 - 7 FINISH STANDARD CURB



- SPOT GRADE ABBREVIATIONS**
- 1 EXISTING SPOT GRADE PAVEMENT
 - 2 PROPOSED SPOT GRADE PAVEMENT
 - 3 PROPOSED SPOT GRADE CONCRETE
 - 4 PROPOSED SPOT GRADE BOTTOM FACE OF CURB
- GENERAL NOTES**
- 1 CONCRETE TO BE 3500 PSI TYPE I/A PORTLAND CEMENT CONCRETE (28-DAY STRENGTH)
 - 2 CONSTRUCTION JOINTS SHALL BE PROVIDED BY ADAPTING A TYPICAL STEEL SHEET
 - 3 ALL JOINTS SHALL BE FINISHED WITH AN APPROVED AGGREGATE AREA FROM THE JOINT
 - 4 REMOVE STEEL SHEET TO 1/2" CURB AND DISPOSE AGGREGATE AREA FROM THE JOINT
 - 5 INITIAL 4" THICK WHITE LAYER FINISH TO GRADES & DIMENSIONS SHOWN PER 17-027-18-01
 - 6 ALL JOINT LEVELS AND SLOPING TO BE TOLERABLE TO CURBWAY CONCRETE SURFACE JOINTS
 - 7 INVESTIGATE BASE MATERIAL TO CONFORM TO SPECIFICATIONS OF PAVEMENT DESIGN BY ENGINEER



Drive Aisle Access that meets 73.400 (11)



19 existing parking stalls impacted

Exhibit 2





Dorothy S. Cofield,
Attorney at Law

December 18, 2017

City Council
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
VIA:

*Re: RESPONSE TO CITY ATTORNEY MEMORANDUM –
Appeal to Tualatin City Council of Minor Architectural Review (MAR17-0041) Tualatin
Professional Center, 6464 SW Borland Road, Tualatin, OR 97062*

Dear Tualatin City Council,

This letter is in response to the City Attorney Sean Brady and Assistant Planner Erin Engman's Memorandum that our office received this evening after receipt of TPC's submission consisting of a letter to the City Council and the record from the Lennar SB 15-0002 proceeding, including the preliminary plan for the Tualatin Professional Center's southern accesses. See Record Submission Dated December 18, 2017, Transmittal Letter to Erin Engman (consisting of two CDs and a Flash Drive and their contents). This Response Letter is being sent while the first open record period is still open. See Attached E-Mail from Aquilla Hurd-Ravich, dated December 15, 2017. The applicant, TPC, asks that the record remain open an additional seven (7) days to respond in full to the Memorandum which is "new" evidence. ORS 197.763(6)(c).

The Memorandum states, for the first time, that the C220 Sheet was reviewed and accepted after the SB 15-0002 Sagert Farm land use decision even though TPC has been arguing since October, 2017 that C220 was a preliminary plan sheet. For the first time, the City Attorney and Planning Staff explain that C220 is an approved construction plan to restore the Sagert Street right-of-way. However, it does much more than construct the Sagert Street right-of-way. In C220, the city engineer approved the two TPC southern accesses and did not require a Minor Architectural Review (MAR) or impose the six additional conditions, which are the subject of this Request for Review. See Record 103.

TPC's arguments remain the same. Sheet C220 was taken off of the preliminary plan sheet C211 which is the street and storm plan for proposed Sagert Street. Sheet 250 (the demolition plan for the TPC existing accesses and the intended restored accesses) is part of the preliminary plans. See Cofield Submission, Dated December 18, 2017.

While C211 does not have the level of detail in Sheet C220, it clearly shows the proposed plan for the TPC property as having the same depth throat as has been approved in C220, as a construction plan. See Record Submission, Preliminary Plan, C211. It does not require a 50-foot throat access; it does not require landscaping along the driveways for 25 feet; it does not require internal parking lot landscaping and landscaping along the perimeter of Building D. In sum, it approves TPC's southern accesses without a Minor Architectural Review.

C211 states on it that “NOTE THIS AREA [TPC property] TO BE DESIGNED IN CONJUNCTION WITH TPC OWNER’S REPRESENTATIVE IMPROVEMENTS SHOWN ARE NOT FINAL.

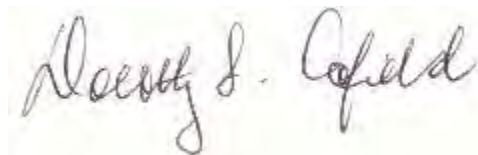
It appears that Lennar did design the two southern accesses for TPC in C220 and the city engineer approved them on August 19, 2016. The two approved accesses follow the preliminary plan in C211 and the demolition plan in C250. And as TPC has been arguing during this MAR process was forced upon them, the MAR process does not apply as evidenced by Lennar getting its construction plans for the TPC restored accesses with no requirement of the TDC access and landscaping standards the City is seeking to impose in its MAR 17-0004 Decision.

Per preliminary plan sheet C211 and 250; the findings in SB 15-002 and PFR 16 and 48, Lennar was supposed to design the two accesses “in conjunction” with TPC’s representative. To that end, Lennar provided TPC with a construction easement that showed the two accesses as approved by the City in SB 15-0002 and full restoration of TPC’s property. See Attached Negotiation Documents. The proposed construction easement shows that Lennar also relied and believed it could restore TPC’s property as part of the SB 15-0002 preliminary plan approval and no further land use reviews were required to reconstruct the two TPC accesses.

When TPC, through no fault of its own, did not meet Lennar’s deadline of August 19, 2016 to accept the approved C220 plan and construction easement, the C211 NOTE was unenforced – leaving TPC to try and restore its two southern accesses and the city not honoring its tentative plan approval in SB 15-0002, approving the TPC accesses as shown on C211 and in the record of SB 15-0002. See Cofield Council Letter, p. 1-2.

Based on the approved C220 construction plan, there is no need for TPC to go through the MAR process because the two southern accesses have been designed and approved by the city engineer. Because the KPF construction plans submitted to the City are nearly identical to the approved C220 construction plan, the planning department must approve them.

Very truly yours,



Dorothy S. Cofield

Enclosures: As Stated

cc: Client
Matt Johnson
Margot Seitz
City Attorney

AFTER RECORDING, RETURN TO:

Lennar Northwest, Inc.
Attn: James C. Reinhart, Esq.
11807 NE 99th Street, Suite 1170
Vancouver, WA 98682

EASEMENT

DATE: August_____, 2016

PARTIES: Tualatin Professional Center Condominium Owners (“Grantor”)
Association, an Oregon mutual benefit non-profit corporation

AND: Lennar Northwest, Inc., a Delaware corporation (“Grantee”)

RECITALS

- A. Grantor is the condominium owners association formed and existing under Chapter 100, Oregon Revised Statutes, for the property described on Exhibit A attached hereto (the “Tualatin Property”), which was submitted to the condominium form of ownership as Tualatin Professional Center Condominium by declaration recorded on March 29, 1984 as Document No. 84 10272, Clackamas County Records. As the condominium owners association for the Tualatin Property, Grantor has the authority under ORS 100.405 to grant easements over the common elements of the Tualatin Property in accordance with that statute.
- B. Grantee owns the property described on Exhibit B attached hereto (the “Lennar Property”).
- C. A portion of SW Sagert Street, only partially developed, lies between the Tualatin Property and the Lennar Property. Grantor uses that portion of Sagert Street for access to SW 65th Avenue.
- D. Grantee intends to lay out and construct a subdivision on the Lennar Property, and for that purpose will extend Sagert Street east and south into the Lennar Property and construct street improvements, sidewalks, landscaping, and public utilities within the Sagert Street right of way (collectively the “Improvements”), which will have the effect of changing the access from the Tualatin Property to Sagert Street.

E. To better construct its improvements in Sagert Street (including Grantee's future dedication of the extension of Sagert Street), Grantee desires to access the southern portion of the Tualatin Property as shown on Exhibit C attached hereto ("Easement Area"), for the purpose of reconfiguring Grantor's access to Sagert Street to be compatible with the street itself.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, the parties agree as follows:

1. Grant of Easement. Grantor hereby grants and conveys unto Grantee a temporary nonexclusive easement (the "Easement") over, under, upon, and across the Easement Area for the following purposes:

- i) Removing certain improvements of Grantor that are within the current right-of-way of Sagert Street or are on the Easement Area and are necessary to accommodate the Improvements;
- ii) Installing two new driveways from the Tualatin Property to Sagert Street as shown on the attached Exhibit C;
- iii) Constructing two private sidewalks to connect the future Sagert Street sidewalk to the southernmost building on the Tualatin Property, also as shown on Exhibit C; and
- iv) Ingress and egress as necessary or desirable to accomplish the foregoing.

2. Construction. Grantee's use of the Easement Area shall be in compliance with all applicable laws and with Exhibit C attached hereto. Grantee, at Grantee's expense, shall: (i) obtain all plan approvals and permits from the City of Tualatin required for Grantee's use of the Easement Area; (ii) install and maintain temporary construction fencing as required; (iii) remove the existing retaining wall from the Easement Area; (iv) saw cut and remove the necessary portion of the existing pavement from the Easement Area indicated on Exhibit C; (v) saw cut and remove concrete curbing from the Easement Area; (vi) grade the Easement Area to provide a reasonable transition from Sagert Street to the remaining parking area of Grantor; (vii) install standard concrete curb and pavement in the Easement Area as shown on Exhibit C attached hereto; (viii) construct concrete sidewalk in the Easement Area as shown on Exhibit C attached hereto; (ix) cap any irrigation lines that are severed in the construction; and (x) remove construction debris and temporary fencing in the Easement Area when completed, so that when Grantee's work is complete the Easement Area will be laid out substantially as shown on the attached Exhibit C. Grantee will keep to a reasonable minimum the duration of any closure of Grantor's existing driveways to Sagert Street.

3. Authority. Grantor and Grantee represent to each other that each has a good and lawful right to enter into the Easement.

4. No Dedication. By granting to Grantee the temporary right to use the Easement Area for this purpose, Grantor is not making any dedication to the public.

5. Indemnification. Each party shall defend, indemnify, and hold the other party harmless from any claim, loss, or liability arising out of or in any way connected with such party's possession or use of the Easement Area or such party's conduct with respect to the Easement, except for liability arising out of the other party's gross negligence or intentional misconduct.

6. Breach. In the event either party fails to perform its obligations under the Easement, the other party shall be entitled to require such performance by suit for specific performance or, if appropriate, through injunctive relief. Such remedies shall be in addition to any other remedies afforded under Oregon law, including but not limited to damages. In the event of any litigation arising under the Easement (including any bankruptcy proceedings), the prevailing party shall recover from the other party the reasonable attorneys' fees to the prevailing party at arbitration, trial, or appeal, and review as determined by the court.

7. Binding Effect; Term and Expiration. The Easement granted hereunder takes effect on the date that this document is recorded, and will expire on the date that is the earlier of (a) two years after the date of recording, and (b) twelve (12) months after Grantee commences construction within the Easement Area. However, the expiration of the Easement will not terminate Grantee's obligation to Grantor to complete the work described in Section 2. Until it expires, the Easement shall run with the land as to all properties burdened and benefited by the Easement, including any division or partition of such property. On expiration of the Easement, any remaining interest of Grantee in the improvements that Grantee constructs in the Easement Area will become the property of Grantor. The rights, covenants, and obligations contained in the Easement shall bind, burden, and benefit each party's successors, assigns, permittees, lessees, mortgagees, or beneficiaries under a deed of trust.

8. Statutory Authority. Grantor grants this Easement over general common elements of the Tualatin Property and not over any limited common elements or individual units. Grantor grants this Easement under the authority of ORS 100.405(5) and 100.405(6)(a)(B)(i), having obtained the approval of a majority of the board of directors.

///

9. Integration. The Easement is the entire, final, and complete agreement of the parties pertaining to the Easement Area and supersedes and replaces all prior or existing written or oral agreements between the parties or their representatives relating to the Easement Area.

IN WITNESS WHEREOF, the parties have caused the Easement to be executed as of the day and year first written above.

Grantor:

Grantee:

Tualatin Professional Center Condominium
Owners Association,
an Oregon mutual benefit non-profit
corporation

Lennar Northwest, Inc.,
a Delaware corporation

By: _____
Name: Aaron D. Gorin
Title: President

By: _____
Name: Ryan M. Selby
Title: Vice President

And: _____
Dean I. Delavan
Secretary

[Notarizations on next page]

EXHIBIT A
Tualatin Property
Description

A tract of land situated in the Southwest one-quarter of Section 19, Township 2 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point which bears South $89^{\circ}36'27''$ East 320.00 feet from the Southwest corner of Section 19, T 2S R 1E, W.M. in Clackamas County, Oregon, said point being on the South line of Section 19; thence North $89^{\circ}36'27''$ West along the South line of Section 19, a distance of 64.24 feet to a point of curvature; thence along the arc of a 280.00 foot radius curve to the left through a central angle of $26^{\circ}45'52''$, an arc distance of 130.80 feet (The chord bears North $76^{\circ}13'31''$ West 129.61 feet to a point of tangency; thence North $89^{\circ}36'27''$ West a distance of 100.00 feet to a point in the East line of S.W. 65th Avenue, (Meridian Road); thence North $0^{\circ}14'37''$ West Parallel with the West Line of Section 19, a distance of 378.04 feet to a Point in the South line of SW Borland Road, (Market Road No. 4) thence South $89^{\circ}36'27''$ East along said South line 260.00 feet to a point; South $0^{\circ}23'33''$ West, at right angles to said South line a distance of 60.00 feet; thence South $44^{\circ}36'59''$ East 68.62 feet; thence South $0^{\circ}23'33''$ West 37.00 feet; thence South $89^{\circ}36'27''$ East 21.00 feet; thence South $0^{\circ}23'33''$ West 162.50 feet; thence North $89^{\circ}36'27''$ West 35.00 feet; thence South $0^{\circ}23'33''$ West a distance of 100.00 feet to the point of beginning. In the S.W 1/4 Section 19 T 2S R 1E W.M.

The property was submitted to the condominium form of ownership under the name of TUALATIN PROFESSIONAL CENTER CONDOMINIUM by declaration recorded on March 29, 1984 as document no. 84 10272, Clackamas County Records.

EXHIBIT B
Lennar Property
Description

Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL 1:

Part of the Northwest quarter of the Northwest quarter of Section 30, T.2.S.R.1.E. of W.M.

Beginning at the Northwest corner of Section 30, in T.2.S.R.1.E. of W.M., thence South on Section line 700.00 feet to an iron pipe; thence East 351.3 feet to the Northeast corner of a 21.3 foot strip of land conveyed to Peter J. Hillesland and Etna H. Hillesland, his wife, by deed recorded March 12, 1945, in book 340 of deeds page 396, records of Clackamas County, Oregon; thence south along the east side of said land 620.00 feet to the southeast corner thereof on the 1/16th section line; thence East on 1/16th section line 696.7 feet to an iron pipe at the southwest corner of a tract of land conveyed to R.A. Lee, by deed recorded Oct. 27, 1936 in book 234 page 293, Clackamas County records; thence North along the West line of the said Lee tract 1320.00 feet to an iron pipe on the section line; thence West on Section line 1048.00 feet to the place of beginning.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS HIGHWAY DIVISIONS, BY DECREE FILED IN CIRCUIT COURT SUIT #68-213;

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO PORTLAND GENERAL ELECTRIC COMPANY, an Oregon corporation, BY deed recorded 9-24-68, Fee No. 68 19723, Deed Records;

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE PUBLIC FOR ROADWAY PURPOSES IN DEED RECORDED 02-03-95, Fee No. 95-006447, Deed Records.

PARCEL 2:

Part of the Southwest quarter of the southwest quarter of Section 19 in T.2.S.R.1.E. of the Willamette Meridian, described as:

Beginning at an iron pipe which is East 788.00 feet from the Northwest corner of Section 30, in T.2.S.R.1.E. of the Willamette Meridian, thence North 441 feet to an iron pipe in the center of a road; thence East 260.00 feet to an iron pipe; thence South 441.00 feet to an iron pipe; thence west 260.00 feet to the place of beginning.

NOTE: This legal description was created prior to January 1, 2008.

EXHIBIT C
Easement Area Description

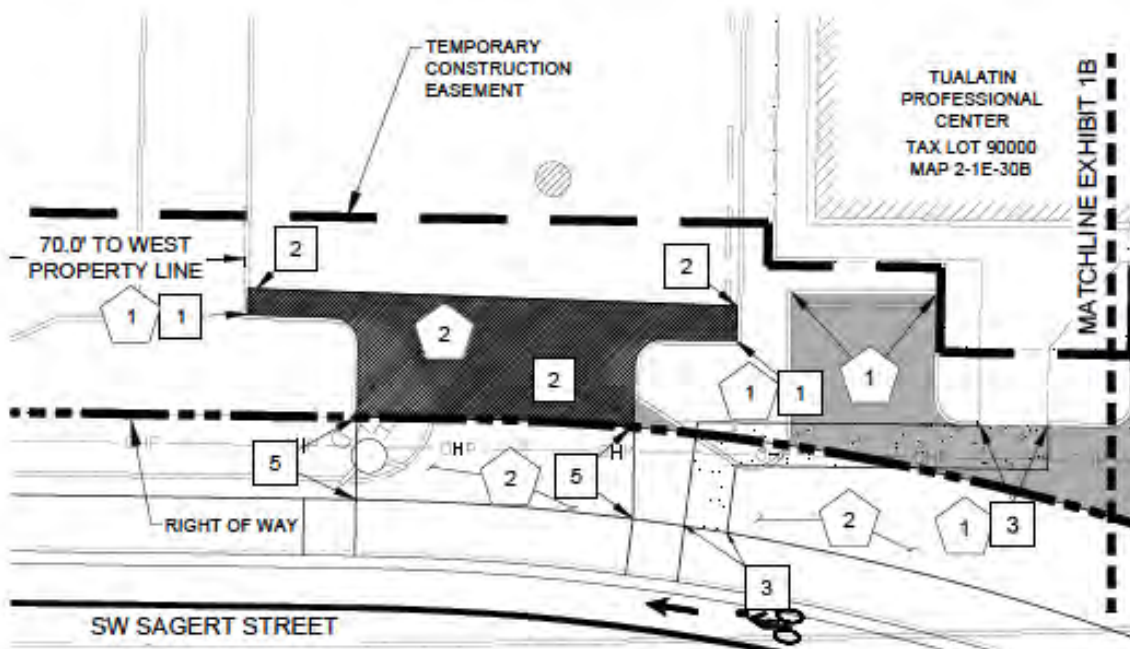
SEE ATTACHED

DEMOLITION KEY NOTES

- 1 REMOVE STANDARD CURB AND DISPOSE OF OFF SITE.
- 2 REMOVE EXISTING PAVEMENT WITHIN WORK LIMITS SHOWN, AND DISPOSE OF OFF SITE.
- 3 REMOVE RETAINING WALL AND DISPOSE OF OFF SITE.

CONSTRUCTION KEY NOTES

- 1 CONSTRUCT STANDARD CURB.
- 2 CONSTRUCT ASPHALT PAVING SECTION.
- 3 CONSTRUCT CONCRETE SIDEWALK.
- 4 INSTALL 4" WIDE WHITE LATEX PARKING LOT PAINT STRIPE AS SHOWN
- 5 PROVIDE CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY.

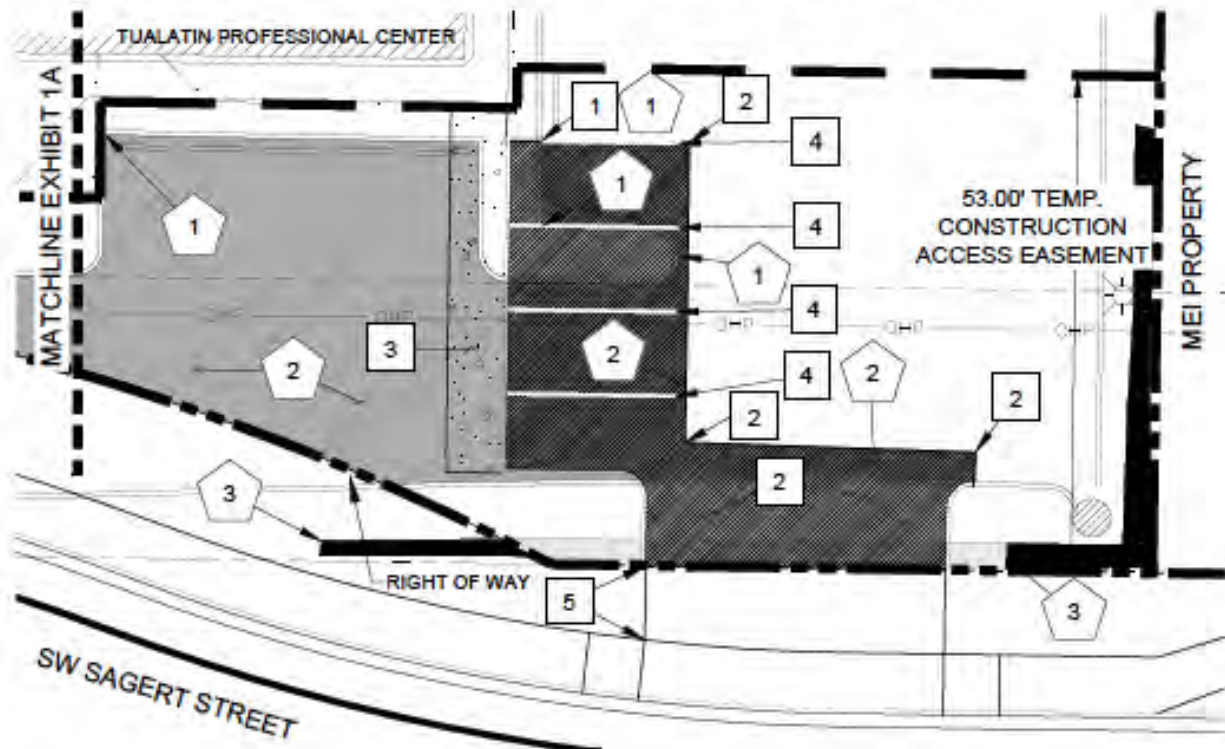


DEMOLITION KEY NOTES

- 1 REMOVE STANDARD CURB AND DISPOSE OF OFF SITE.
- 2 REMOVE EXISTING PAVEMENT WITHIN WORK LIMITS SHOWN, AND DISPOSE OF OFF SITE.
- 3 REMOVE RETAINING WALL AND DISPOSE OF OFF SITE.

CONSTRUCTION KEY NOTES

- 1 CONSTRUCT STANDARD CURB.
- 2 CONSTRUCT ASPHALT PAVING SECTION.
- 3 CONSTRUCT CONCRETE SIDEWALK.
- 4 INSTALL 4" WIDE WHITE LATEX PARKING LOT PAINT STRIPE AS SHOWN
- 5 PROVIDE CONCRETE DRIVEWAY CONNECTION TO RIGHT OF WAY.



Dorothy Cofield

From: Aquilla Hurd-Ravich <AHURD-RAVICH@tualatin.gov>
Sent: Friday, December 15, 2017 5:11 PM
To: cofield@hevanet.com
Cc: Sean Brady; Erin Engman
Subject: RE: TPC Appeal MAR 17-0041

Hi Dorothy,
The deadline for new material is Monday December 18, 2017 at 11:59pm.

Yes, please submit to Erin Engman and electronic copies are fine.

Thanks,

Aquilla Hurd-Ravich

503.691.3028

From: Dorothy Cofield [<mailto:cofield@hevanet.com>]
Sent: Friday, December 15, 2017 11:46 AM
To: Sean Brady
Cc: 'Emily Busse'
Subject: TPC Appeal MAR 17-0041

Hi Sean,
Thank you for calling this morning and discussing the TPC issues.
As soon as I hear back from the TPC Board on Monday I will let you know its decision about suspending the appeal.

For my own internal planning, the Council left the record open for seven days (to Monday, December 18th)
What is the cut-off time to accept additional documents into the Request for Review record?
Should I submit our additional documents to Erin Engman? Are hard copies or electronic ones best?

Thanks for getting back to me.

Dorothy S. Cofield

Attorney at Law

1001 SW 5th Avenue

Suite 1100

Portland, Oregon 97204

COFIELD LAW OFFICE

T: 503.675.4320

C: 503.709.9859

www.cofieldlanduse.com



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 01/08/2018

SUBJECT: Consideration of Recommendations from the Council Committee on Advisory Appointments

ISSUE BEFORE THE COUNCIL:

Consideration of appointments to the Tualatin Library Advisory Committee, Core Area Parking District Board, and the Tualatin Tomorrow Advisory Committee.

RECOMMENDATION:

Staff recommends the City Council approve the recommendations from the Council Committee on Advisory Appointments (CCAA).

EXECUTIVE SUMMARY:

The CCAA met and interviewed citizens interested in participating on City advisory committees. The Committee recommends appointing the following individuals:

Individuals	Board	Term
Laura Stewart	Tualatin Library Advisory Committee	New Appointment Term Expiring 10/31/20
Alan Feinstein	Tualatin Library Advisory Committee	Re-appointment Term Expiring 10/31/20
Hannah Watt	Tualatin Library Advisory Committee-Student	New Appointment Term Expiring 10/31/18
Maria Reyes	Tualatin Tomorrow Advisory Committee	Re-appointment Term Expiring 12/31/20
Larry McClure	Tualatin Tomorrow Advisory Committee	Re-appointment Term Expiring 12/31/20
Aaron Welk	Core Area Parking District Board	Re-appointment Term Expiring 12/31/20
Diana Emami	Core Area Parking District Board	Re-appointment Term Expiring 12/31/20

Bill Jordan	Core Area Parking District Board	Re-appointment Term Expiring 12/31/20
-------------	----------------------------------	--

Attachments: