

City of Tualatin

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September 23, 2014

PARTITION APPLICATION: FINDINGS AND RECOMMENDED DECISION

** APPROVAL WITH CONDITIONS **

Job Number: PAR 14-03, 8635 Sagert

Location: 8635 SW Sagert Street, TLID 2S123DD01900

Applicant: Brian Bussanich

PO Box 4183

Tualatin, OR 97062

Owners: Brian Bussanich

PO Box 4183

Tualatin, OR 97062

BACKGROUND

On August 4, 2014 the Engineering Division received a development application to partition 8635 SW Sagert Street, TLID 2S123DD01900, into two parcels as indicated on Attachment 1. The development application meets the requirements for partitioning pursuant to the City's partitioning standards in the Tualatin Development Code (TDC), Section 36.200. It is the City Engineer's recommended decision to grant approval with conditions.

The proposed partition contains approximately 0.33 acres (14,375 square feet) and will consist of Parcels 1 and 2, which are to be approximately 6,110 square feet and 8,075 square feet, respectively.

There were no letters of comment submitted during the Comment Period by neighboring property owners.

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FINDINGS

- 1. The development application was submitted on August 4, 2014. The subject property 8635 SW Sagert Street, TLID 2S123DD01900. The site location is west of SW 86th Avenue and north of SW Sagert Street. The property owner and applicant is Brian Bussanich.
- <u>2.</u> TDC 31.060 defines "partition land" to mean "to divide land into two or three parcels of land within a calendar year", as set forth in ORS 92.010.

The proposed partition divides the subject property into two parcels. The requirement is met.

<u>3.</u> The subject property is located within the RL (Low Residential) Planning District, which is described in Chapter 40 of the TDC.

4. Lot Size

TDC 40.050 The minimum lot area shall be an average of 6,500 square feet.

The submitted drawing shows Parcels 1 and 2 are to be approximately 6,110 square feet and 8,075 square feet. With an average of approximately 7,070 square feet all lots meet or exceed the minimum size requirements. The requirement is met.

5. Lot Width

TDC40.050 (2)The average lot width shall be at least 30 feet.

The average lot widths for Parcels 1 and 2 are approximately 66 and 118 feet, respectively, greater than the minimum of 30 feet. The requirement is met.

6. Lot Frontage

TDC 40.050

(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.

Parcels 1 and 2 both have frontage widths of approximately 66 and 118 feet, respectively, on SW Sagert Street, greater than the minimum of 50 feet. The requirement is met.

7. Building Setbacks

TDC 40.070

- (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.

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- (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.

The proposed side yard setback to the existing home is 5.4 feet, greater than the minimum of 5 feet. This requirement is met.

8. Transportation & Access

- TDC 74.210 (1) The additional right-of-way necessary to comply with the Transportation Element 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.
- TDC 73.400 (5)...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,...
- TDC 74.420 (6) All required street improvements shall include curbs, sidewalks, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.

The subject property has frontage along SW Sagert Street.

SW Sagert Street

SW Sagert Street is a City of Tualatin facility designated as a Major Collector street, which has a right-of-way width of 74 feet with:

- 50 feet of pavement consisting of two 12-foot travel lanes, one 14-foot center turn lane, and two 6-foot bike lanes
- 6-foot sidewalks
- 6-foot planter strip with trees, curb, gutter, and streetlights

The right-of-way width of SW Sagert Street south of centerline appears to be 38 feet along the frontage of the subject property and is improved with sidewalks, bike lanes, and two travel lanes. By creating only two parcels, the impacts of the proposed development are minimal; as a result, dedication of additional right-of-way needed for full build-out is not required. In an effort to further the Transportation Plan goals and to match the right-of-way of surrounding development, the applicant shall dedicate the additional right-of-way to provide a total of 39 feet from the centerline of SW Sagert Street. The plans show this amount of dedication. This is acceptable. The applicant will need to submit final plans that show a total dedication of 39 feet from centerline of SW Sagert Street, for review and approval. The applicant will need to dedicate 39 feet from centerline of SW Sagert Street, for review and approval.

The plans show an existing 20-foot wide access to SW Sagert Street for Parcel 1 and a nearby 23-foot proposed access for Parcel 2. In order to have access to SW Sagert Street, Parcel 2 needs to share the access with Parcel 1. Residential accesses for three or more garages can be up to 37 feet wide. The plans do not reflect a shared access.

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The applicant will need to submit revised plans that show a shared access to SW Sagert Street for both parcels up to 37 feet wide, for review and approval. The applicant will need to submit a shared access agreement for the access to SW Sagert Street, for review and approval.

SW 86th Avenue

SW 86th Avenue to the north of SW Sagert Street through Logan House Estates Subdivision is a City of Tualatin facility designated as a Local street, which has a right-of-way width of 46 feet and includes:

- 28 feet of pavement and gutters
- 4-foot curbside planter strips with curbs, streetlights, and trees
- 5-foot sidewalks

The plans do not show construction of SW 86th Avenue at this time as access is obtained through a shared driveway to SW Sagert Street. The plans show reservation of 23 feet from centerline. This is acceptable. The applicant will need to submit final plans that show reservation of 23 feet from centerline for SW Sagert Street, for review and approval.

Prior to Issuance of a Public Works Permit:

- The applicant shall submit final plans that show a total dedication of 39 feet from centerline of SW Sagert Street, for review and approval.
- The applicant shall submit revised plans that show a shared access to SW Sagert Street for both parcels up to 37 feet wide, for review and approval.
- The applicant shall submit final plans that show reservation of 23 feet from centerline for SW Sagert Street, for review and approval.

Prior to issuance of a Certificate of Occupancy:

- The applicant shall dedicate 39 feet from centerline of SW Sagert Street, for review and approval.
- The applicant shall submit a shared access agreement for the access to SW Sagert Street, for review and approval.

9. Water, Sanitary Sewer, Storm Drainage, Water Quality, Fire and Life Safety, & Erosion Control

TDC 74.610

- (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.

TMC 3-3.040 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.

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TDC 74.610 (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.

TDC 74.620

- (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 pro-posed 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.

TDC 74.630

- (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.
- (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 ex-tend 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.
- TDC 74.640 (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.
- 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.
- TDC 74.650 (3) requires the applicant to submit a maintenance plan for the public water quality facilities to the City for review and approval prior to issuance of the Public Works Permit.

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TDC 74.650 (3) requires the applicant to submit an erosion control plan for City and CWS review and approval prior to issuance of a Public Works Permit. In order to reduce the amount of sediment discharged in to the public storm system, erosion control measures are required during construction.

TDC 74.650 Water Quality, Storm Water Detention and Erosion Control (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 the Unified Sewerage Agency.

The submitted plans show existing sanitary and water services for the existing home. The existing home had a stormwater infiltration device and as this is an existing home this is acceptable. The vacant lot shows a potential building footprint with proposed laterals for sanitary sewer and water services. This is acceptable. The applicant will need to submit final plans that show sanitary sewer and water laterals serving the vacant lot, for review and approval.

Stormwater from the vacant lot is shown to be flow to a stormwater infiltration device similar to the existing home's lot. Development is required to have treatment and appropriate detention/retention of stormwater per Clean Water Services standards. For a single family home a total of 159 square feet of private Low Impact Development Approach treatment with 25 year detention if connecting to the public stormwater system or 100 year retention could be appropriate. The applicant will need to submit revised plans that show appropriate private treatment and detention/retention of stormwater on the vacant lot, for review and approval.

Note: The existing home will need to obtain a water quality permit to construct the private stormwater treatment facility prior to recording the plat. The new lot will need to obtain a water quality permit and construct the private stormwater treatment facility prior to Building Permit issuance for new construction.

Prior to Issuance of a Public Works Permit:

• The applicant shall submit final plans that show sanitary sewer and water laterals serving the vacant lot, for review and approval.

Prior to Issuance of a Water Quality Permit for the vacant lot:

• The applicant shall submit revised plans that show appropriate private treatment and detention/retention of storm water on the vacant lot, for review and approval.

Prior to Issuance of a Building Permit for the vacant lot:

• The applicant shall obtain a water quality permit for the vacant lot.

10. Issuance of Building Permits and Copy of Recorded Plat

- TDC 36.090 (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.
- TDC 36.276 (3) states that no building permits shall be issued on the subject property until such time the applicant obtains and delivers to the City a Mylar copy of the recorded partition plat.

TDC 36.270 Partition Plat.

(1) ...within 24 months after the issuance of the final decision, the applicant shall cause the site to be surveyed and a partition plat prepared and supplemental information submitted to the City Engineer in conformance with the final decision and this Chapter.

A mylar copy of the recorded partition plat will need to be delivered to the City prior to occupancy. The applicant will need to submit a mylar copy of the recorded partition within 24 months of the date of the final decision.

Prior to issuance of a Certificate of Occupancy:

- The applicant shall submit a mylar copy of the recorded partition within 24 months of the date of the final decision.
- Public improvements shall be complete and accepted by resolution of the City Council.

11. Stormwater Connection Permit:

TDC 74.650 Water Quality, Storm Water Detention and Erosion Control (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 the Unified Sewerage Agency.

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The applicant has submitted a letter from Clean Water Services serving as a Service Provider Letter indicating that this project does not have Sensitive Areas near the site. In the SPL the applicant has received an initial response indicating that their proposed development meets CWS requirements. CWS has submitted a Memorandum dated September 2, 2014, with review comments. The applicant will need to submit final plans that comply with the Service Provider Letter conditions and CWS Memorandum comments, for review and approval.

Note: The above requirement will be needed for both the existing home and the vacant lot.

Prior to Issuance of a Public Works Permit:

 The applicant shall submit final plans that comply with the Service Provider Letter conditions and Clean Water Services Memorandum comments, for review and approval.

Prior to Issuance of a Water Quality Permit for the vacant lot:

• The applicant shall submit final plans that comply with the Service Provider Letter conditions and Clean Water Services Memorandum comments, for review and approval.

12. Public Comment

There was one public comment during the comment period. The comment was concerning home construction rather than this partition which doesn't address residential construction. The comment was provided to the applicant.

RECOMMENDED DECISION

Based on the development application and the above findings, the requested partition is granted approval with the following conditions:

PRIOR TO ISSUANCE OF A PUBLIC WORKS PERMIT FOR THE EXISTING HOME:

- PFR 1 The applicant shall submit final plans that show a total dedication of 39 feet from centerline of SW Sagert Street, for review and approval.
- PFR 2 The applicant shall submit revised plans that show a shared access to SW Sagert Street for both parcels up to 37 feet wide, for review and approval.
- PFR 3 The applicant shall submit final plans that show reservation of 23 feet from centerline for SW Sagert Street, for review and approval.
- PFR 4 The applicant shall submit final plans that show sanitary sewer and water laterals serving the vacant lot, for review and approval.
- PFR 5 The applicant shall submit final plans that comply with the Service Provider Letter conditions and Clean Water Services Memorandum comments, for review and approval.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

- PFR 6 The applicant shall dedicate 39 feet from centerline of SW Sagert Street, for review and approval.
- PFR 7 The applicant shall submit a shared access agreement for the access to SW Sagert Street, for review and approval.
- PFR 8 The applicant shall submit a mylar copy of the recorded partition within 24 months of the date of the final decision.
- PFR 9 Public and water quality improvements shall be complete and accepted by resolution of the City Council.

PRIOR TO ISSUANCE OF A WATER QUALITY PERMIT FOR THE VACANT LOT:

- PFR 10 The applicant shall submit revised plans that show appropriate private treatment and detention/retention of stormwater on the vacant lot, for review and approval.
- PFR 11 The applicant shall submit final plans that comply with the Service Provider Letter conditions and Clean Water Services Memorandum comments, for review and approval.

PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE VACANT LOT:

PFR – 12 The applicant shall obtain a water quality permit for the vacant lot.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

PFR – 13 Public and water quality improvements shall be complete and accepted by resolution of the City Council.

APPEAL

This decision may be appealed by only those persons who raised issues during the initial 14-day comment period, which commenced August 22, 2014 and ended September 5, 2014. Issues must have been described with adequate clarity and detail to afford a decision maker an opportunity to respond to the issue. Requests for review of this decision must be received by the Engineering Division within the 14-day appeal period ending on October 7, 2014 at 5 PM. A request for review must be submitted on the form provided by the City as detailed in TDC 36.161.

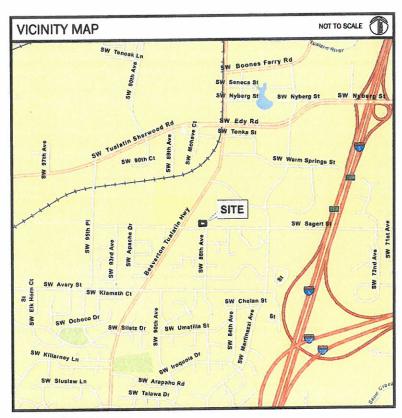
Sincerely,

Tony Doran, EIT

Engineering Associate

C: Matt Newman, NW Engineers, 3409 John Olsen Place, Hillsboro, OR 97124 Staab Clo Eve

8645 SW SAGERT STREET 2-PARCEL PARTITION



SITE INFORMATION

SITE INFORMATION			
APPLICANTS	NW ENGINEERS, LLC	SCHOOL DISTRICT:	TIGARD-TUALATIN, 23J
REPRESENTATIVE:	MATT NEWMAN 3409 NW JOHN OLSEN PLACE HILLSBORO, OREGON 97124 PH: 503-601-4401 FAX: 503-601-4402	STORM & SANITARTY SEWER:	CLEAN WATER SERVICES
APPLICANT/OWNER:	BRIAN BUSSANICH P.O. BOX 4183	WATER:	TUALATIN VALLEY WATER DISTRICT
	TUALATIN, OREGON 97062 503-655-4215	FIRE DISTRICT:	TUALATIN VALLEY FIRE OR RESCUE DISTRICT
REQUEST:	2-PARCEL PARTITION IN THE RL DISTRICT	REFUSE:	REPUBLIC SERVICES
SITE LEGAL DESCRIPTION:	TAX MAP 2S1 23DD TAX LOT 1900	ELECTRIC:	PORTLAND GENERAL ELECTRIC
	CITY OF TUALATIN, OREGON	TELEPHONE:	FRONTIER COMMUNICATIONS,
SIZE:	0.33 ACRES (PER SURVEY)		ETC.
LOCATION:	8635 SW SAGERT STREET TUALATIN, OR 97062		

INDEX OF DRAWINGS 1. COVR COVER SHEET 2. EXCD EXISTING CONDITIONS PLAN 3. PPLT PRELIMANARY PLAT PLAN 4. PSIT PRELIMINARY SITE & UTILITY PLAN

BENCH MARK

ELEVATIONS ARE BASED ON THE PUBLISHED ELEVATION PER WASHINGTON COUNTY SURVEY NO. GC.14-399. THE BENCHMARK IS A BRONZE DISK MARKED "TUALATIN" LOCATED IN A MONUMENT CASE AT THE NORTHWEST CORNER OF SW BOONES FERRY ROAD AND SW SAGERT STREET. THE BENCHMARK ELEVATION IS 190.3 FEET ON THE NGVD 1929 DATUM.



PROJECT TEAM

ENGINEER / PLANNER



NW ENGINEERS, LLC 3409 NW JOHN OLSEN PLACE HILLSBORO, OR 97124 PH: 503-601-4401 FAX: 503-601-4402

SURVEYOR



NORTHWEST SURVEYING, INC. 1815 NW 169th PLACE, SUITE 2090 BEAVERTON, OREGON, 97006 503-848-2127 SCOTT FIELD, P.L.S. ENGINEE

Engineering
& Planning
As Planning
Hilliacon, GR 97324

1125 1125 151 23DD 900 MALATIN, OREGON

P.O. BOX 4183

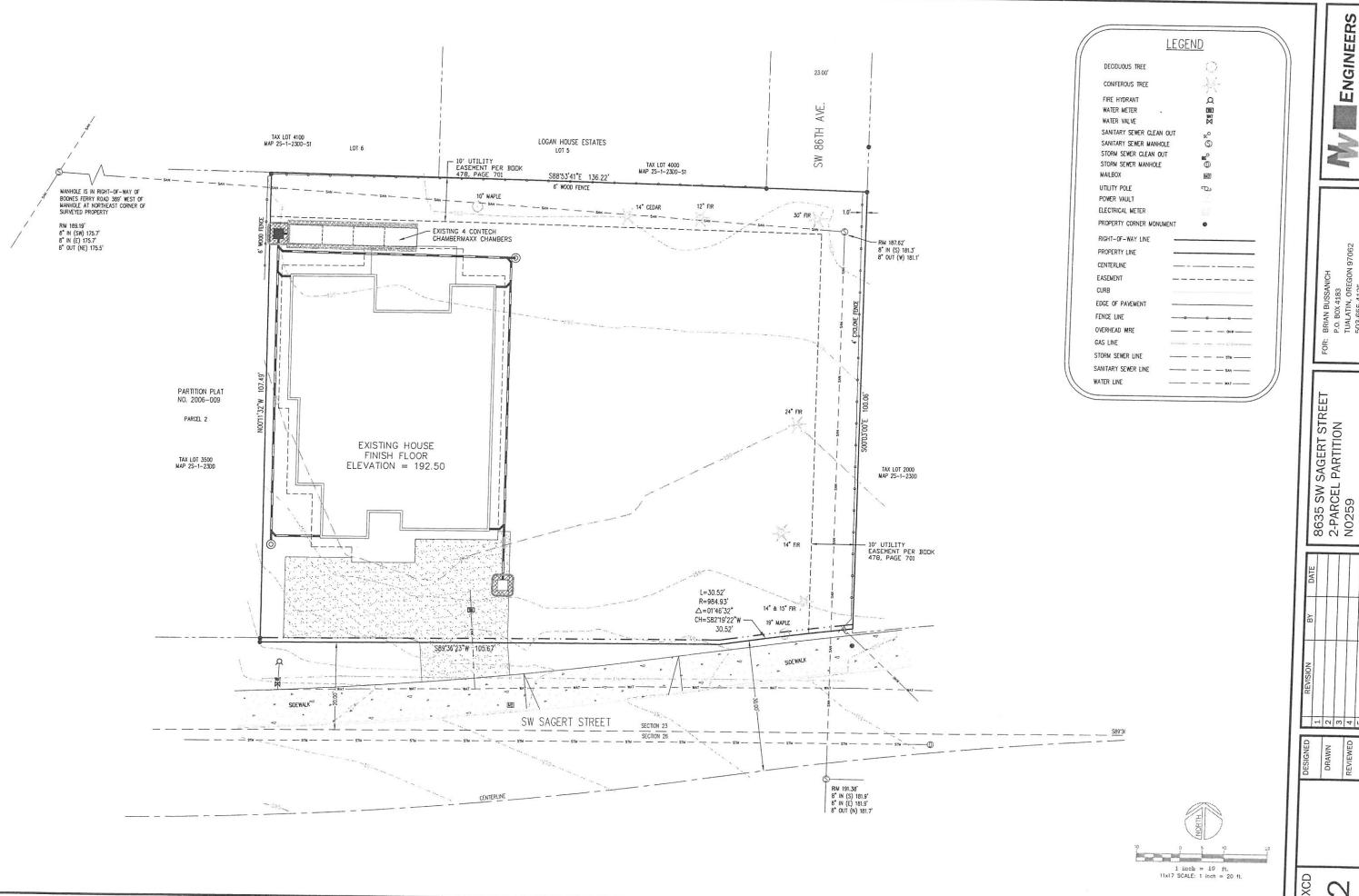
TUALATIN, OREGON 97C
503-655-4125

SITE: TAX MAP 2S1.23DD
TAX LOT 1900

2-PARCEL PARTITION N0259 COVER SHEET

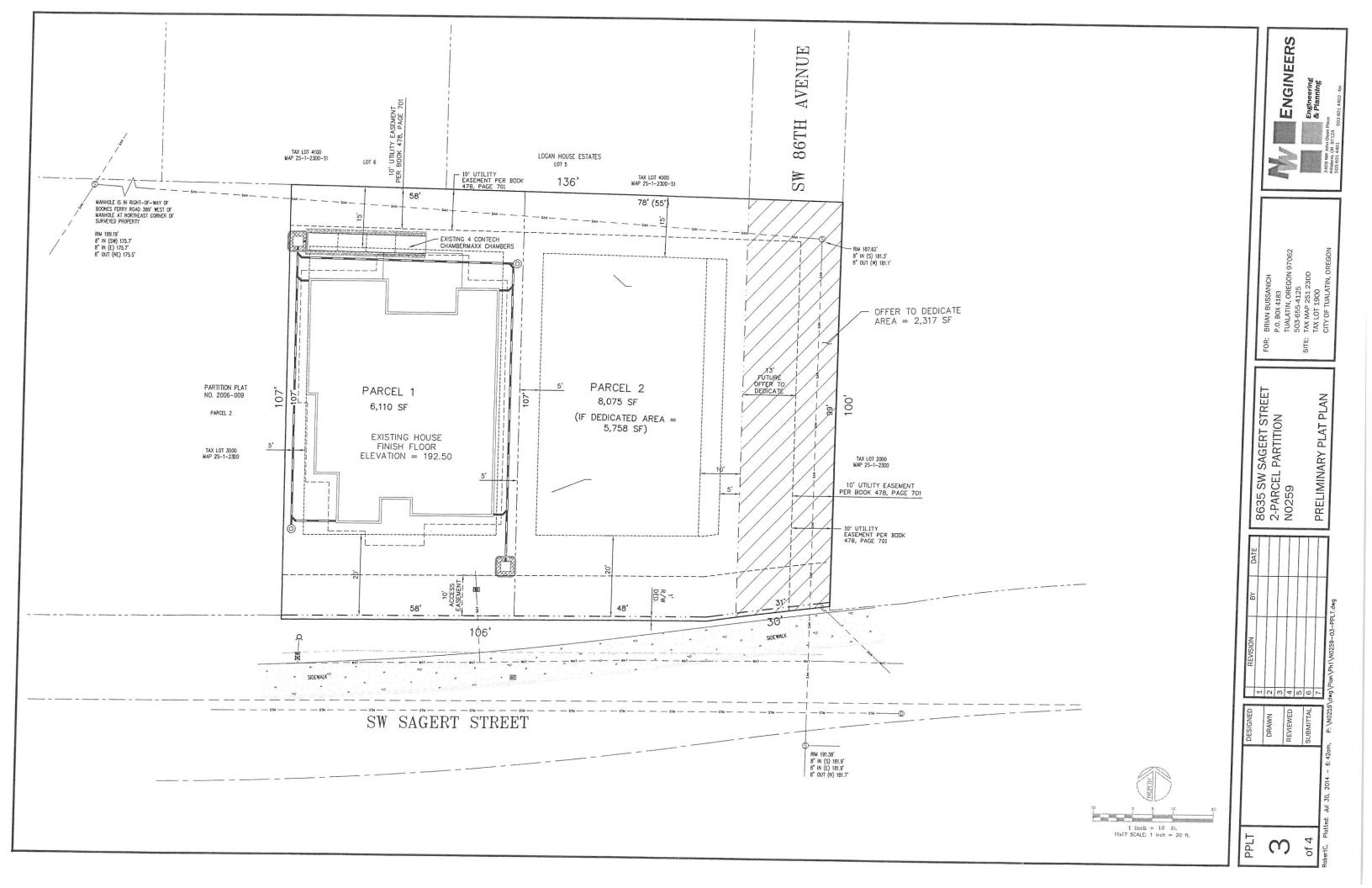
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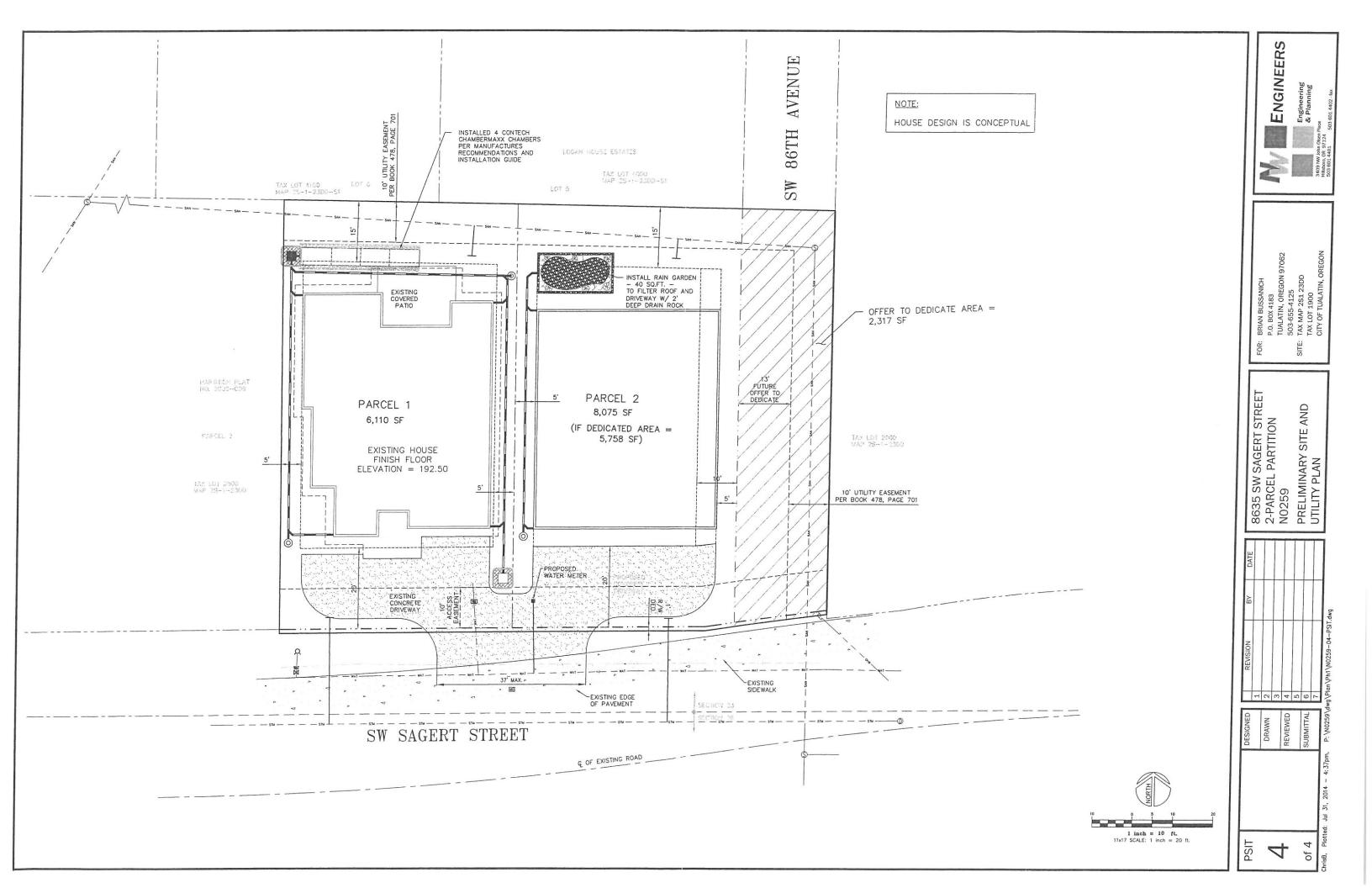
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EXISTING CONDITIONS

of 4





CleanWater Services

JEF V 4 2614 Line Common Section 18 BUYLDERS DEFARMASINT

CHY OF TUALATIN

MEMORANDUM

Date:

September 2, 2014

To:

Tony Doran, Engineering Associate, City of Tualatin

From:

Jackie Sue Humphreys Clean Water Services (the District)

Subject:

Sagert Street Partition, PAR-14-03, 2S123DD01900

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE AND PARTITION 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-l.
- 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.
- 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.
- 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. 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.

City Engineer
Attn: Tony Doran, engineering Associate
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin OR 97062-7092

Friday-September-5-2014

RE: property corner of SW Sagert St and SW 86th Ave

8635 SW Sagert Street TLID 2S123DD01900

Proposed subdivision PAR 14-03

August-4-2014 Notice given

August-24-2014 Notice received in the mail by nearby property owners

As we move to put in high density shelter we need to avoid ghetto building construction.

Tualatin experienced 113* day with a 114* temperature validated in Tigard.

When temperatures get high electricity tends to be at risk of failing.

The Smart grid is at higher risk from terrorists (per some big federal mucky-muck power) and higher risk from natural disasters of larger areas losing electricity than from the old grid.

People die in poorly planned small living units.

Circulation when no electricity is available is critical and inexpensive method to prevent deaths.

My voice of experience comes from a bad decision to purchase Anderson windows which when open provide zero air flow when open unless a breeze comes in at an exact direct angle. My double sash both sashes opening window provides air flow sometimes even when there is an imperceptible breeze.

Double sash windows can be adjusted to direct hot air back outside.

With working shutters they can be adjusted and used to help air flow cool the living spaces.

Windows need to provide cross flow of air for effectiveness.

Based on the difficult to read drawing on the notice it appears 1 if not both lots can be built to access all 4 directions of natural breezes.

We know to plan for earthquake because there is apparently a significant fault near Tigard. That is high risk of long periods without electricity.

Staab Clo Eve

CITY OF TUALATIN RECEIVED

SEP 0 5 2014