



MEETING AGENDA
TUALATIN PLANNING COMMISSION

March 6, 2014; 6:30 p.m.
POLICE TRAINING ROOM
8650 SW TUALATIN ROAD
TUALATIN, OR 97062

1. **CALL TO ORDER & ROLL CALL**
Members: Alan Aplin, Chair, Mike Riley, Bill Beers, Jeff DeHaan, Cameron Grile, Nic Herriges, and Steve Klingerman

Staff: Aquilla Hurd-Ravich, Planning Manager
2. **APPROVAL OF MINUTES**
3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)**
Limited to 3 minutes
4. **ACTION ITEMS**
 - A. Consideration of a Variance for a Wireless Communication Facility (WCF) Maximum Allowable Height for Verizon Wireless in the Institutional (IN) Planning District at 8930 SW Norwood Road (Tax Map 2S1 35D, Tax Lot 107) (VAR-14-01)
 - B. Consideration of **Resolution 01-14TPC** for a Variance request by Verizon Wireless for Wireless Communication Facility (WCF) height that would allow a 10-foot extension to an existing 100-foot monopole cell tower, raising the total height to 110 feet (ft).
 - C. Consideration of Plan Map Amendment 14-01, amending Community Plan Map 9-1, to change the designation of two tax lots totaling 9.41 acres from General Commercial and Recreational Commercial to High Density Residential located at 17865 SW Pacific Highway (PMA-14-01)
5. **COMMUNICATION FROM CITY STAFF**
6. **FUTURE ACTION ITEMS**
7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**
8. **ADJOURNMENT**



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

FROM: Lynette Sanford, Office Coordinator

DATE: 03/06/2014

SUBJECT: **APPROVAL OF MINUTES**

ISSUE BEFORE TPC:

Attachments: TPC Minutes 2.20.2014



City of Tualatin

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UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF February 20, 2014

TPC MEMBERS PRESENT:

Bill Beers
Nic Herriges
Jeff DeHaan
Cameron Grile
Mike Riley
Steve Klingerman

STAFF PRESENT

Aquilla Hurd-Ravich
Cindy Hahn
Lynette Sanford

TPC MEMBER ABSENT: Alan Aplin

GUESTS:

1. CALL TO ORDER AND ROLL CALL:

Mr. Beers, Vice Chair, called the meeting to order at 6:31 pm. Roll call was taken.

2. APPROVAL OF MINUTES:

Mr. Beers asked for review and approval of the January 16, 2014 TPC minutes. MOTION by Riley SECONDED by Klingerman to approve the January 16, 2014 minutes. MOTION PASSED 6-0.

3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):

Cathy Holland, tualatincommercialcio@gmail.com spoke about the Oak Tree Business Park, Sites 28 and 29. Ms. Holland stated that as a representative of the Citizen Involvement Organization, she is working with the property owners and added that the Plan Text Amendment 14-01 will help some of them. Ms. Holland stated that this area she's referring to is in a light industrial zone with an urban renewal district overlay. She met with City staff to interpret the information and stated that in order to solve this, she will recommend to City Council a quasi-judicial Plan Text Amendment for these two specific blocks. Ms. Holland explained that the CCIO members are asking for additional analysis because this is restricting property owners from bringing in tenants. Blocks 28 and 29 are on Tualatin Sherwood Rd and were part of the downtown center plan that was left behind in the Plan Text Amendment.

Scott Miller, a Commercial Real Estate Broker, scottm@capacitycommerical.com, stated that there is a sense of urgency since these blocks are not leasable due to the

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

zoning.

4. ACTION ITEMS:

A. Consideration of Plan Text Amendment (PTA) 14-01 Amending Chapters 60, 61, and 62 of the Tualatin Development Code (TDC) to allow small-scale mixed uses and modifications to Chapters 34 and 69 to implement recommendations from Linking Tualatin. (Legislative Matter)

Cindy Hahn, Associate Planner, discussed the above referenced Plan Text Amendment which included a PowerPoint presentation. The purpose is to consider the PTA which will allow more flexibility with the ML (Light Manufacturing), MG (General Manufacturing) and MP (Park Manufacturing) districts, support transit, and help implement the Linking Tualatin Final Plan

Ms. Hahn stated that in June, 2013 the Linking Tualatin Final Plan was accepted. In November 2013, the draft code was presented to the Planning Commission and in December, 2013 it was presented to the City Council. The proposed amendments this evening are the same uses are previously mentioned, but at Council direction there are two differences: Restaurant or deli drive-up and drive through and the mixed uses incorporated into ML, MG, and MP districts have less reliance on the Industrial Business Park Overlay District. The three specific locations in the MG planning district are the Franklin Business Park, Meridian Business Park, and the PacTrust site. Ms. Hahn added that the industrial uses must be primary, it limits percentage of mixed uses, and limits an 80-foot setback to SW Tualatin Sherwood Rd and residential districts.

Ms. Hahn noted that if the Planning Commission recommends approving PTA-14-01, it will allow more flexibility in uses and supports transit. If they recommend denying the PTA, there will be no revision to the Tualatin Development Code. Other alternatives are to recommend the City Council approve with alterations, or continue to discuss and return at a later date.

Mr. Riley inquired about the Urban Renewal District. Ms. Hahn explained that the Urban Renewal District is no longer in existence but its plan and requirements are still in effect. Mr. Klingerman asked what is driving these changes. Ms. Hahn answered it's from the Linking Tualatin Plan which included a recommendation for more flexibility in industrial use for small scale commercial. The purpose of this is to have services for employees in these areas so they don't have to use their car, which may encourage them to take transit to and from work. It would also cut down on car trips from the industrial area into downtown at the lunch hour and other parts of the day. Ms. Hurd-Ravich added this will also increase employment density, which will make it more attractive to employers.

Mr. Herriges had concerns about the maximum gross floor areas and thought it may be a disadvantage for businesses. Mr. Riley inquired about the 80 foot setback requirement. Ms. Hurd-Ravich responded that the limit pertains to the SW Tualatin Sherwood Road and residential districts. Mr. DeHaan mentioned that it could be

problematic for businesses who want visibility. Mr. Riley inquired about drive through access for businesses and thought it could create a traffic issue. Mr. Herriges added that drive throughs are counterproductive to what we're trying to accomplish, which is public transit. Ms. Hurd-Ravich responded that the City Council's concern was that in industrial areas, there are varied shifts in a 24 hour period and there could be a security concern. Ms. Hurd-Ravich added that public transit is also not usually operating at that time, so the night shift workers will most likely drive their cars. Matt Hastie, Angelo Planning Group, stated there are currently no transit stops but in the Linking Tualatin Plan, there are recommendations for them. Mr. DeHaan stated that he is in favor of the PTA, which allows entrepreneurship, but is opposed to drive throughs. Scott Miller mentioned that drives throughs are a benefit to the retailer. He feels that in the daylight hours, most people will be walking. In the night hours, it's nice to have the option of driving. Mr. Grile added with drive throughs, you will have a higher trip count.

Ms. Hurd-Ravich asked about the possibility of altering the drive through option as a Conditional Use Permit. Mr. DeHaan answered affirmatively. Mr. DeHaan also brought up the issue of food carts and stated that those are the types of businesses that serve employees in an industrial area.

After a brief discussion, the Planning Commission recommended approval of PTA 14-01 with two code language changes: one to add language to acknowledge the allowance of mobile carts, and one to require a conditional use permit for drive-up or drive through facilities for restaurants or delis and branch banks or banking kiosks.

In addition, the Planning Commission recommended that City Council direct staff to initiate work on a subsequent Plan Text Amendment to TDC 34.013 to expand mobile food and flower vendors to include larger dimension mobile carts and pods. In the existing regulations, a mobile food or flower vendor may occupy no more than 16 square feet of ground area and may not exceed three feet in width, excluding wheels; six feet in length, including any handles; and no more than five feet in height, excluding any canopies, umbrellas, or transparent enclosure.

MOTION by Riley, SECONDED by DeHaan to approve PTA-14-01 with the two code language changes. MOTION PASSED 6-0.

B. 2013 Annual Report of the Tualatin Planning Commission

Ms. Hurd Ravich presented the 2013 Annual Report of the Planning Commission, which will be sent to City Council. Ms. Hurd-Ravich discussed the activities which include the review of three Plan Text Amendments. Mr. DeHaan stated that there should be an addition to the report that captures the Planning Commission presenting the Plan Text Amendments to the City Council.

Ms. Hurd-Ravich asked Mr. Beers to present the Linking Tualatin plan to City Council on March 10th, to which he agreed, and Mr. Riley agreed to present the 2013 Annual Report.

MOTION by DeHaan, SECONDED by Herriges to approve the TPC Annual Report with a sentence added that reads "After each Plan Text Amendment, a presentation was made to the City Council by a designated representative of the Planning Commission."
MOTION PASSED 6-0.

5. COMMUNICATION FROM CITY STAFF:

6. FUTURE ACTION ITEMS

Ms. Hurd-Ravich stated that the March 20th TPC meeting has been rescheduled to March 6th. At that time, the Variance application from Verizon Wireless will be discussed and the Plan Map Amendment for the Espedal property may be presented. The Sign Variance applications from the Nyberg Rivers development have not yet been submitted, but are expected in April or May.

7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION

Mr. Dehaan inquired about the Nyberg Rivers development. Ms. Hurd-Ravich responded that construction on Cabela's is underway. Other tenants will include Home Goods, New Seasons, LA Fitness, BJ's Brewhouse, and a small wood-fired pizza restaurant.

8. ADJOURNMENT

MOTION by RILEY SECONDED by Herriges to adjourn the meeting at 7:55 pm.
MOTION PASSED 6-0.

_____ Lynette Sanford, Office Coordinator



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

THROUGH: Aquilla Hurd-Ravich

FROM: Colin Cortes, Assistant Planner

DATE: 03/06/2014

SUBJECT: Consideration of a Variance for a Wireless Communication Facility (WCF)
Maximum Allowable Height for Verizon Wireless in the Institutional (IN) Planning
District at 8930 SW Norwood Road (Tax Map 2S1 35D, Tax Lot 107) (VAR-14-01)

ISSUE BEFORE TPC:

The issue before the Tualatin Planning Commission (TPC) is consideration of a Variance request. The request by Verizon Wireless to allow more than the maximum height for a Wireless Communication Facility (WCF) would allow a 10-foot extension to an existing 100-foot monopole cell tower, raising the total height to 110 feet (ft) and further above the permitted maximum of 50 ft.

RECOMMENDATION:

Staff recommends that the TPC consider the staff report and supporting attachments and direct staff to prepare a resolution consistent with its decision.

EXECUTIVE SUMMARY:

Description of Request

This matter is a quasi-judicial public hearing. This matter is a Variance request for a Wireless Communication Facility (WCF). The WCF is a monopole cell tower. The subject property is approximately 1.41 acres at 8930 SW Norwood Road (Tax Map 2S1 35D, Tax Lot 107) located in the Institutional Planning District (IN). A Vicinity Map is included as Attachment 101. The applicant is Verizon Wireless, represented by Allen R. Greene of Odelia Pacific, and the subject property owner is the City.

Tualatin Development Code ([TDC](#)) [33.010](#)(2) "Authorization to Grant or Deny Variances and Minor Variances" allows a request for a Variance from TDC [49.080](#) "Structure Height". The applicant proposes a 10-foot extension to the existing 100-foot WCF monopole, raising the total height to 110 feet (ft) and further above the permitted maximum of 50 ft to allow co-location of 12 new panel antennas and accessory electronic devices at the top of the extended monopole to provide needed coverage. In addition to the WCF, the developed property includes City of Tualatin Norwood Reservoir tanks B-1 and B-2 for potable water and the pump station for the tanks, which are operated by the Operations Department.

Staff and the applicant had a pre-application meeting on October 3, 2013. The applicant conducted a neighborhood/developer meeting on December 5, 2013 to explain the proposal to neighboring property owners and to receive comments. Three attendees besides staff signed in for the meeting. An attendee asked about electromagnetic fields, coverage, change to WCF appearance resulting from the project, and potential WCF equipment generator noise. The required [Architectural Review \(AR\)](#) would address these concerns, and approval of the VAR request would not substitute for AR.

The applicant submitted application materials that describe the Variance request and address the VAR approval criteria (Attachment 102). Staff has reviewed the application materials and included pertinent excerpts in the Analysis and Findings section of this report (Attachment 103). Oregon Revised Statutes (ORS) [227.178\(2\)](#) requires that the City take final action on a land use application, including resolution of all appeals under ORS 227.180, within 120 days after the application is deemed complete. The TPC hearing date of March 6, 2014 is the 29th day following completeness, and the 120th day is June 5, 2014.

Background

The City developed the site under Washington County jurisdiction and later annexed it via Annexation ANN-08-01 in 2008. Because a “water reservoir” and a “wireless communication facility” (WCF) are conditional uses pursuant to TDC Sections 49.030(3) and (5)(d) respectively and to make these uses legally conforming, the City approved Conditional Use Permit CUP-08-04 in 2008 and obtained approval to build a pump station for the reservoir via Architectural Review AR-08-16 and later to permit co-location of antennae on the WCF via AR-08-21. CUP-08-04 did not retroactively approve the WCF height that was 100 ft when the City had annexed it. Because the applicant requests to increase the legally non-conforming height of the existing WCF, a variance is necessary.

The last instance of a Variance for WCF height that the City granted was VAR-99-02 in 2000 for the City Operations Department site. The request is for the first quasi-judicial land use decision by the TPC following Plan Text Amendment PTA-11-11 and a corollary Tualatin Municipal Code (TMC) Chapter 11-1 revision that in 2012 converted the Tualatin Planning Advisory Committee (TPAC) into the TPC and empowered the TPC to decide on these five land use application types: Industrial Master Plan (IMP), Reinstatement of Use, Sign Variance (SVAR), Transitional Use Permit (TRP), and Variance (VAR).

Approval Criteria

The Tualatin Community Plan policies and TDC regulations that apply to the proposed conditional use in the ML Planning District include TDC:

Chapter 33 “Variances”, Sections [33.010](#) “Authorization to Grant or Deny Variances and Minor Variances”, Subsection (1)(a), and [33.025](#) “Criteria for Granting a Variance for a Wireless Communication Facility” Subsection (2); and Chapter 73 “Community Design Standards”, Section [73.460](#) “[WCF] Objectives”. Before granting the proposed VAR, the TPC must find:

- the TDC allows a Variance request, and
- the application submittal meets the two criteria listed in TDC [33.025\(2\)](#), that the City may grant a variance to the maximum allowable height for a WCF if the applicant demonstrates:
 - (a) It is technically not practicable to provide the needed capacity or coverage the tower is intended to provide at a height that meets the TDC requirements. The

needed capacity or coverage shall be documented with a Radio Frequency report; and,

(b) The collocation report, required as part of the Architectural Review submittal, shall document that existing WCFs, or a WCF for which an application has been filed and not denied, cannot be modified to provide the capacity or coverage the tower is intended to provide.

In summary, as the Analysis and Findings (Attachment 103) examines with respect to the criteria for granting a VAR, the Radio Frequency (RF) report demonstrates a height of 110 ft is necessary for needed coverage. Based on the application and the Analysis and Findings (Attachment 103), Wireless Communication Facility (WCF) Norwood Verizon (VAR-14-01), a proposal for a WCF height variance, meets the criteria of TDC 33.025(2).

OUTCOMES OF DECISION:

Approval of the Variance (VAR) request will result in the following:

1. The TPC directs staff to bring forward Resolution No. 01-14TPC approving the VAR.
2. The applicant is allowed to heighten the WCF to 110 ft, exceeding the maximum of 50 ft by 60 ft.

Denial of the VAR request will result in the following:

- The applicant is prohibited from heightening the WCF to 110 ft. .

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for the TPC are:

1. Approve the proposed Variance (VAR).
2. Deny the request for the proposed VAR with findings that state which criteria in Tualatin Development Code (TDC) 33.025(2) the applicant fails to meet.
3. Continue the discussion of the proposed VAR and return to the matter at a later date.

FINANCIAL IMPLICATIONS:

The Fiscal Year 2013/14 budget allocated revenue to process current planning applications, and the applicant submitted payment per the City of Tualatin Fee Schedule to process the application.

Attachments: 101. Vicinity Map
 102. Application Materials
 103. Analysis and Findings
 104. Slide Presentation

VAR-14-01: Wireless Communication Facility (WCF) Norwood Verizon - 8930 SW Norwood Rd

2S135D000107



Attachment 101
Vicinity Map

--- City Boundary

Parcels



RF1:3600

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". JS Dept.
Printed 2/12/2014



City of Tualatin

www.ci.tualatin.or.us

APPLICATION FOR VARIANCE

Community Development Dept - Planning Division
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062
503-691-3026

Case No. _____
Fee Rec'd. _____
Receipt No. _____
Date Rec'd. _____

PLEASE PRINT IN INK OR TYPE

Variance Requested From Section 33.025 (02) to allow a 10' extension to
the top of the existing 100' monopole for new Verizon antennas Planning District IN

As the applicant and person responsible for this application, I, the undersigned hereby acknowledge that I have read the instructions and information sheet and understand the requirements described therein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Applicant's Signature _____

Applicant's Name Allen (Skip) Greene, Agent for Odelia Pacific Phone 503-866-5111

Applicant's Address 6233 SW Orchid Dr Portland Oregon 97219-4982
(street) (city) (state) (ZIP)

Applicant is: Owner _____ Contract Purchase _____ Developer _____ Agent X

Other Odelia Pacific is Agent for Verizon Wireless

Assessor's Map # 2S135D Tax Lot #(s) 107

Address of Property 8930 SW Norwood Road Lot Area 1.4
acres

Existing Buildings (Number and Type) No buildings, 2 water tanks and 1 WCF monopole with 2 carriers

Owner's Name City of Tualatin Operations

Owner's Address 10699 SW Herman Rd Tualatin OR 97062
(street) (city) (state) (ZIP)

Owner recognition of application: _____


Signature of owner(s)

POR NORWOOD

**APPLICATION FOR WIRELESS COMMUNICATION FACILITY
VARIANCE**

**Application to City of Tualatin
Current Planning
18880 SW Martinazzi Ave
Tualatin, OR 97062**

**Applicant: Verizon Wireless
5430 NE 122nd Ave
Portland, OR 97230**

**Applicants Agent:
Odelia Pacific – John Scandola
1215 Fourth Ave, Ste 1900
Seattle, WA 98161
jscandola@odelia.com
P: 206-465-3935**

**Prepared by and Contact Person:
Allen R. Greene, Agent for Odelia Pacific
6233 SW Orchid Dr.
Portland, OR 97219
skip.greene@comcast.net
P: 503-866-5111**

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Application for Wireless Communication Facility Variance

I. PROPOSAL SUMMARY INFORMATION

Applicant's Project No.	POR NORWOOD
Applicant:	Verizon Wireless By Agent: Odelia Pacific, John Scandola 1215 Fourth Ave, Ste. 1900 Seattle, WA 98161 P: 206-465-3935
Prepared by and Contact Person:	Allen R. Greene Agent for Odelia Pacific 6233 SW Orchid Dr Portland, OR 97219 skip.greene@comcast.net P: (503) 866-5111
Property Owner:	City of Tualatin Operations 10699 SW Herman Rd Tualatin, OR 97062
Request:	Verizon Wireless proposes a 10' extension to the existing 100' Wireless Communication Facility (WCF) monopole to 110' tall to allow Verizon to collocate 12 new panel antennas and accessory electronic devices at the top of the extended monopole to provide the required service in this area. A 3-sector antenna array consisting of 4 antennas per sector is proposed and would be mounted on a new platform mount similar to the existing antenna mounts. A collocation at the available 76' radial center was considered but would not provide the required service level; therefore the extension is requested.
Location:	8930 SW Norwood Road Tualatin, OR 97062
Legal Description:	Tax Lot ID: 2S135D00107
Land Use Designation:	INST - Institutional; surrounded by FD-20 Washington Co.) to the north, east and south; Tualatin INST to the west.

II. DESCRIPTION OF PROJECT

A. Description of Site at Present

The property is a 1.4-acre level Institutional Zoned rectangular lot with two 50' tall City of Tualatin water tanks and a 100' tall steel Wireless Communication Facility (WCF) monopole with two existing Wireless carriers in the two top positions of the monopole. Their associated ground equipment is placed within the City owned fenced compound. Tall evergreen trees surround three sides of the lot while a shorter landscape buffer is on the west side of the lot providing buffering from the Horizon Christian High School that is also zoned Institutional.

B. Proposed Changes

Verizon Wireless has a significant gap in it's coverage in the area surrounding this location and is also experiencing overloaded WCF's on it's surrounding facilities. Verizon is proposing to extend the existing monopole 10' higher. The purpose of this 10-foot extension would be to provide the required coverage in this area of Tualatin and to connect to and offload capacity from the Five Corners, Muddy Water, I5/I205, Petes Mtn, Wilsonville and Sherwood sites. As cell phone usage has proliferated and especially as more and more people are utilizing smart phones and tablets connected through Verizon's antennas this is a common experience in the Tualatin Metropolitan area.

As indicated earlier, the existing 100' monopole would be extended to 110' with no antennas to exceed the 110' height. Verizon is proposing to install a 3 sector, 4 antennas per sector antenna array on an antenna support mount similar to the existing T-Mobile mount. Seven accessory electronic devices, 6 Remote Radio Units (RRU's) and 1 DC Surge Suppressor would be mounted behind the antennas as would be 6 Tower Mounted Amplifiers (TMA's).

No expansion of the existing fenced enclosure is proposed and the existing landscape buffer would not be disturbed. The antennas would be connected to the proposed ground-equipment using a combination of coaxial cable and hybrid cable that would be placed inside the monopole to hide them from view. More details of these facilities would be provided with the Architectural Review application, as would a specification sheet for a proposed diesel generator.

Electrical power and land-based telephone facilities are available on the property and would be constructed underground to provide power and telephone connection to the facility.

The site would be in operation seven days a week, 24 hours per day. The proposed site would be unmanned. It would not require water nor waste water treatment. No hazardous wastes would be generated. The antennas and electronic devices would be non-reflective and blend in with the existing antennas.

Minimal traffic would be generated during the construction phase. When operational, there would be approximately one visit per month by a technician for routine maintenance resulting in minimal impact on traffic flow. The technician would use the existing gravel parking area when performing this service.

Application for Wireless Communication Facility Variance

Section 33.025 Criteria for Granting a Variance for a Wire-less Communication Facility.

No variance to the separation or height requirements for wireless communication facilities shall be granted by the Planning Commission unless it can be shown that the following criteria are met. The criteria for granting a variance to the separation or height requirements for wireless communication facilities shall be limited to this section, and shall not include the standard variance criteria of Section 33.020, Conditions for Granting a Variance that is not for a Sign or a Wireless Communication Facility.

(2) The City may grant a variance to the maximum allowable height for a WCF if the applicant demonstrates:

(a) It is technically not practicable to provide the needed capacity or coverage the tower is intended to provide at a height that meets the TDC requirements. The needed capacity or coverage shall be documented with a Radio Frequency report; and,

*Due to the significant gap in service Verizon's original plan for this site was to collocate their antennas at the 76' radial center on the existing 100' monopole. After securing permission from Public Works to visit the site to do the design for the collocation and the ground-mounted equipment our RF Engineer determined the western water tank which is 50' tall and approximately 100' wide would reflect part of the western signal and his coverage objectives could not be met. The lower mounting height would also not project the signal in the other directions as far as required to connect to the surrounding sites as will be seen in the **EXHIBITS** in the **APPENDIX**. The tall, dense forest also impacts the signal with antennas at this lower level. Please see **SECTION B** in the **APPENDIX** for the RF justification letter identifying the need to extend the monopole. Also see **SECTION D** in the **APPENDIX** for email messages from surrounding residents regarding the lack of service in their homes and surrounding areas.*

*Please see **EXHIBIT 1** in **SECTION C** of the **APPENDIX** showing the proposed coverage area for the site. See **EXHIBITS 2** and **3** demonstrating the significant coverage gap in the area. These **EXHIBITS** show a view including all surrounding sites plus a close up view of the service gap with only a few of the surrounding sites show. Please note that in these and all other propagation maps the colors purple, blue and green provide very good service in all conditions and inside buildings or homes. The yellow areas represent fair coverage including some coverage inside buildings and homes; the red areas represent poor coverage particularly inside vehicles and homes while the white areas indicate no coverage at all. So the preponderance of coverage inside the elliptical area is fair to poor inside homes and vehicles as demonstrated by the large yellow and red areas.*

*Please see **EXHIBITS 7 through 9** showing the projected service at a 76' antenna radial center (note that the tip of the antennas would be at 80' since the proposed antennas are 8' tall). These propagation maps show the lack of full coverage in the area as seen by the small radius of the purple, blue and green colors and the Engineer determined we would have to mount the antennas higher for the required service.*

*Compare the previous **EXHIBITS** with **EXHIBITS 4 through 6** demonstrating coverage with the proposed 10' monopole extension. **EXHIBIT 7** compared to **EXHIBIT 4** show the service from this site only without showing the surrounding site coverage on them. The large increase in purple, blue*

Application for Wireless Communication Facility Variance

*and green demonstrate the necessity of the taller mounting height. **EXHIBITS 5 and 6** demonstrate the increased service coverage with the surrounding sites in a standard and enlarged view.*

*Please see **SECTION A** in the **APPENDIX** for photo simulations of three views demonstrating the minimal view impact of the monopole with the proposed 10' extension compared to the view of the existing 100' monopole. The views from the west would see the extension but since the antenna mount would be similar to the existing mounts the view impact would be small. Views from the south would also see the extension but due to the tall tree cover in the area the view impact would hardly be noticeable. Views from the north and west would not be impacted at all since the structure is not visible from these areas.*

(b) The collocation report, required as part of the Architectural Review submittal, shall document that existing WCFs, or a WCF for which an application has been filed and not denied, cannot be modified to provide the capacity or coverage the tower is intended to provide.

See the response to this code section below.

Section 73.470 Standards.

The following standards are minimum requirements for a wireless communication facility or wireless communication facility attached development. Development proposals shall meet or exceed these minimum requirements.

(7) No new wireless communication support structure shall be permitted unless the applicant submits a co-location report showing whether or not any existing tower or support structure within one-half mile of the proposed site can accommodate the applicant's proposed antennae. The report shall address the following:

(a) Do existing towers or support structures, or approved but not yet constructed towers or support structures located within the geographic area meet the applicant engineering requirements;

*As indicated above, the existing 100' monopole inside the water tank facility cannot meet Verizon's service requirements with a collocation at the 76' radial center. Please see **EXHIBITS 7 through 9** in **SECTION C** of the **APPENDIX** demonstrating the ineffectiveness of the antenna signal when mounted at this height. No other towers or support structures were found within a half-mile of this site.*

(b) Are existing towers or support structures of sufficient height to meet the applicant's engineering requirements;

*As indicated above, the existing 100' monopole inside the water tank facility is not sufficient but can meet the engineering requirements with the proposed 10' extension. Please see **EXHIBITS 4 through 6** in **SECTION C** of the **APPENDIX** demonstrating this point. Please see **SECTION A** in the **APPENDIX** for photo simulations of three views demonstrating the minimal view impact of the monopole with the proposed 10' extension compared to the view of the existing 100' monopole.*

(c) Do existing towers or support structures have sufficient structural strength to support the applicants proposed antennae and related equipment;

Application for Wireless Communication Facility Variance

Preliminary Engineering Analysis indicates the 100' monopole has sufficient strength for the proposed 10' extension and antenna array plus the required cable runs inside the structure.

(d) Would the applicant's proposed antennae cause electromagnetic interference with the antennae on the existing tower or support structure, or would existing antennae cause interference with the applicant's proposed antennae; and

The proposed antennas would not cause and would not be impacted by the existing two carriers antennas.

(e) Are there other limiting factors that render existing towers and support structures unsuitable or unavailable.

The height is the only limiting factor for the existing monopole. An Engineering firm has completed a structural analysis of a 10' extension of the monopole and the monopole and foundation are able to support the extension and proposed antennas. This analysis would be provided with the building application if this Variance request and the Architectural Review were approved.

1092

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS That MERLE PENNINGTON and DORTHEA PENNINGTON, husband and wife, hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by the CITY OF TUALATIN, a municipal corporation located in Washington County, Oregon, hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

Beginning at the Northeast corner of a tract of land conveyed to the Sherwood School District No. 88J by deed recorded in Book 804, page 820, Film Records, Washington County, Oregon; thence South along the East line thereof 676.5 feet to the Southeast corner of said tract to the true place of beginning of the herein described tract; thence continuing south along said East line extended Southerly 200.0 feet to a point; thence East on a line parallel with the South line of said School District tract extended Easterly 300.0 feet to a point; thence North on a line parallel with the East line of said School District extended Southerly 200.0 feet to a point; thence West 300.0 feet to the true place of beginning of the herein described tract.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that Grantor will warrant and forever defend the above granted premises and ever part and parcel thereof against the

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lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The Grantee is acquiring the hereinabove described property for the purpose of constructing, maintaining and operating a water tank reservoir and related facilities. As further consideration for the conveyance of said property by Grantor, the Grantee agrees:

- (1) To locate said reservoir tank and facilities upon the property herein conveyed in such a manner as to minimize the adverse affect, if any, upon the full use and enjoyment of the Grantor's property and surrounding the tract herein conveyed.
- (2) To retain and preserve all trees upon the site excepting those that must necessarily be severed and removed to allow construction of the tank and facilities.
- (3) To make appropriate and necessary landscaping improvements along the perimeter of the tract herein conveyed for the purpose of reasonably screening the tank and facilities.
- (4) To install and maintain at no cost to Grantor not less than 6.0 foot cyclone-type fencing around the perimeter of said tank and facilities.
- (5) To restrict the parking and location of vehicles (after construction is completed) to points within the fenced enclosure around said tank and facilities.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$5,250.00.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS Grantor's hand this 16 day of June, 1971.

Dorthea Pennington Merle Pennington

STATE OF OREGON)
County of Washington) ss.

June 16, 1971.

Personally appeared Merle Pennington and Dorthea Pennington

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Page Two - Warranty Deed

1092

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

Before me:

Jean J. Kamstra
Notary Public for Oregon.
My Commission expires: 3/4/12

STATE OF OREGON
County of Washington

I, Roger Thompson, Director of Records and Elections and Elsie, Recorder of Conveyances of said county, do hereby certify that the within instrument of writing was received and recorded in Book of Records No. 825 of said County.

Witness my hand and official seal this 12 day of July 1929 A.M. '71 Deputy

JUL 12 9 29 AM '71 Deputy
HP Smith

INDEXED

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City of Insulation
Box 426
Insulation, OR 97062

Page Three - Warranty Deed



**First American
Title Company**

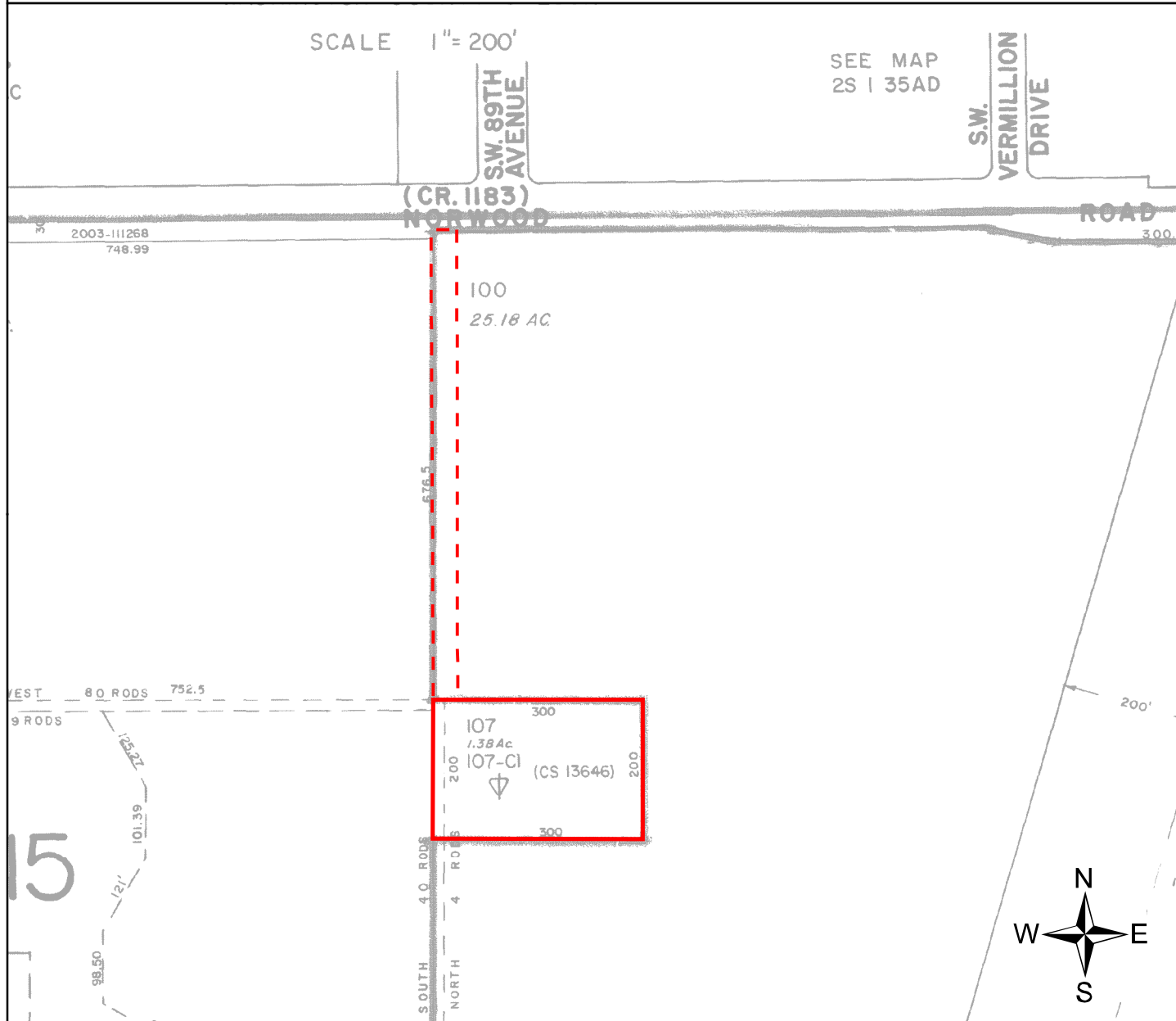
Reference No.: 610224

County: Washington

Location Map

Legend

- PARCEL I
- PARCEL II

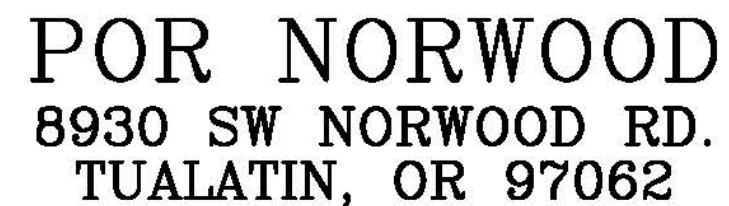


Tax ID: R560217

Short Legal: A Portion of SE ¼ of Section 35 T2S R1W

Map Not
To Scale

This map may or may not be a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. First American Title expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.



WDY INC.
6443 SW BEAVERTON HILLSDALE HWY #210
PORTLAND, OR 97221
OFFICE: (503) 203-8111
FAX: (503) 203-8122
CONTACT: JIM GIPE



12/10/13	12/17/13	01/09/14			
DNT	EK	GLS			
CD REVIEW	ZD FINAL	CD FINAL			

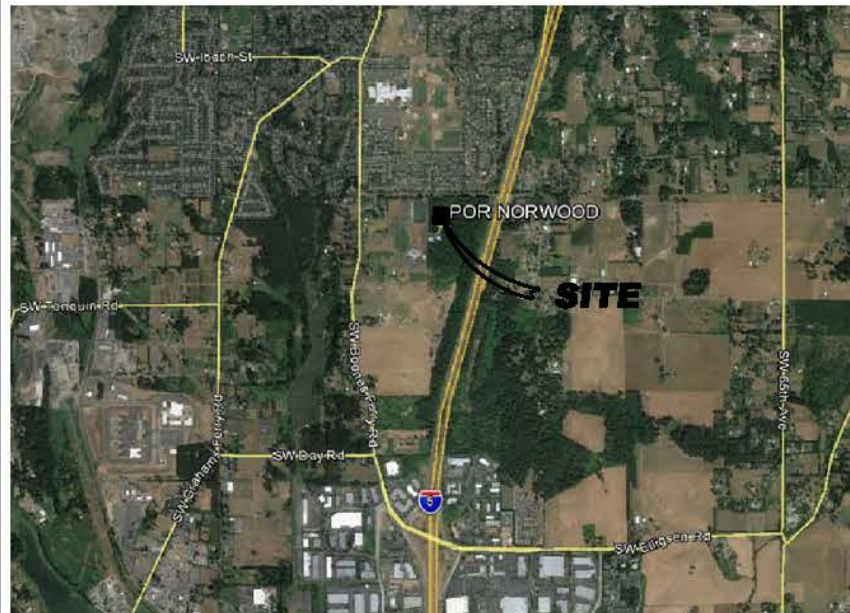
Date	By	Revisions
File no.		13-173
Date		01/08/14
Designed by		EK
Drawn by		DNT
Checked by		EK
Approved by		22MP

Date issued :
 Date issued for
 Planning Permit :
 Date issued for
 Building Permit :
 Date issued
 for Bid :
 Date issued
 for Construction:

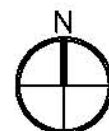
project title :
POR
NORWOOD
 930 SW NORWOOD RD
 ALATIN, OR 97082

Sheet title :
TITLE SHEET

heet no. : **T1.0**



- DESTINATION WILL BE ON THE RIGHT.



TOWER SETBACKS	EXISTING
PROPOSED LEASED AREA:	EXISTING
REQUIRED SETBACKS:	EXISTING

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF (12) NEW PANEL ANTENNAS, (6) RRU, (8) TMA, & (1) DC SURGE SUPPRESSOR ON AN EXISTING MONOPOLE WITH 10' EXTENSION AND NEW WIRELESS EQUIPMENT WITHIN AN EXISTING COMPOUND FOR VERIZON WIRELESS.

T1.0	TITLE SHEET
T2.0	GENERAL NOTES & LEGEND
A1.0	OVERALL SITE PLAN
A1.1	ENLARGED SITE PLAN
A2.0	ELEVATION
A3.0	ANTENNA MOUNTING & STRUCTURAL NOTES
A3.1	EQUIPMENT DETAILS
A3.2	CONSTRUCTION DETAILS
E1.0	LEGENDS, UTILITY CONTACT ONE—LINE
E2.1	ENLARGED SITE PLAN ELECTRICAL

TITLE	SIGNATURE	DATE
RF ENGINEER		
PROJECT MANAGER		
RE SPECIALIST		
PROPERTY OWNER		

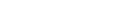
1. THE FACILITY IS AN UNOCCUPIED SPECIALIZED MOBILE RADIO FACILITY.
2. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A GRAPHIC REPRESENTATION OF THE FINAL INSTALLATION. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTOR SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PROJECT MANAGER.
4. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK.
5. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
6. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY BEARING ON THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
7. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE PROJECT MANAGER AND WITH LANDLORD'S AUTHORIZED REPRESENTATIVE.
8. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 5 FEET OF TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
9. THE CONTRACTOR SHALL PROVIDE SITE FOREMAN WITH A CELLULAR PHONE, AND KEEP SAME ON SITE WHENEVER ANY PERSONNEL ARE ON SITE.
10. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
11. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, PAVING, CURBS, GALVANIZED SURFACES, ETC., AND UPON COMPLETION OF WORK, REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF THE PROJECT MANAGER AND/OR LANDLORD.
12. ON A DAILY BASIS: KEEP GENERAL AREA CLEAN, HAZARD FREE AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
13. CONTRACTOR TO PROVIDE COMPLETE SET OF AS-BUILT DRAWINGS WITHIN 10 WORKING DAYS OF PROJECT COMPLETION.
14. WHERE A CONSTRUCTION DETAIL IS NOT SHOWN OR NOTED, THE DETAIL SHALL BE THE SAME AS FOR OTHER SIMILAR WORK.
15. ASTM SPECIFICATIONS NOTED ON THE DRAWINGS SHALL BE OF THE LATEST REVISION.
16. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHETHER SHOWN HERON OR NOT AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSE OF REPAIR OR REPLACEMENT IN CONJUNCTION WITH THE PROSECUTION OF THIS WORK.
17. ALL ITEMS REMOVED OR DAMAGED DURING CONSTRUCTION WORK WILL BE REPLACED OR REPAIRED TO MATCH EXISTING.

1. USE APPROVED MATERIAL FROM FOUNDATION EXCAVATION TO FILL AND GRADE SITE WITH CROWN AS INDICATED. COMPACT TO 95%.
2. GRADE SITE WITH CROWN FROM SHELTER. SLOPE TO ALL EDGES OF SITE PERIMETER A 2.5%.
3. EXCAVATE MINIMUM NECESSARY TO GRUB SITE; REMOVE SOD, ROOTS AND ALL UNSUITABLE SOIL FROM PROJECT.
4. FINISH SITE WITH 4" OF 3/4" MINUS WITH NO FINES. OVER 4" OF 1 1/2" MINUS CRUSHED ROCK. APPLY OVER GEOTEXTILE. COMPACT TO 98% MAX DENSITY PER ASTM D1557. TREAT GRAVELED SITE WITH APPROVED WEED STERILIZER.
5. MIRIAFI BRAND GEOTEXTILE FABRIC OVER COMPACTED SUBGRADE UNDER ALL NEW GRANULAR SURFACES.
6. WHERE NECESSARY DUE TO SOIL SITE CONDITIONS: REMOVE UNSUITABLE MATERIAL AND REPLACE WITH 4-6" LIFTS OF 4" MINUS CRUSHED ROCK COMPACTED TO 95%. REVIEW WITH PROJECT MANAGER PRIOR TO PROCEEDING WITH WORK.
7. FOOTING BASE: 3/4" MINUS CRUSHED ROCK COMPACTED TO 92% MODIFIED PROCTOR MAX. DRY DENSITY IN ACCORDANCE WITH ASTM D1557 OR AASHTO T-180

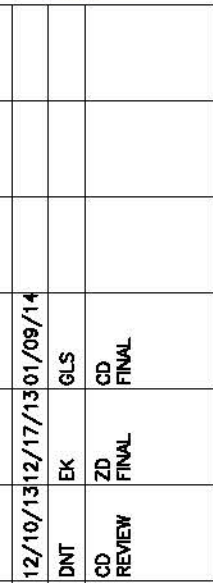
SYMBOLS

	DETAIL No.		ROOM NAME
	SHEET No.		HEIGHT MARKER
	BUILDING SECTION		FINISH SPOT GRADE
	WALL SECTION		EXISTING SPOT GRADE
	EXTERIOR ELEVATION		DOOR NUMBER
	GRID LINE		WINDOW TYPE
	MATCH LINE		KEY NOTE
	WORK POINT		WALL TYPE
	INTERIOR ELEVATION		EQUIPMENT TYPE
			REVISION

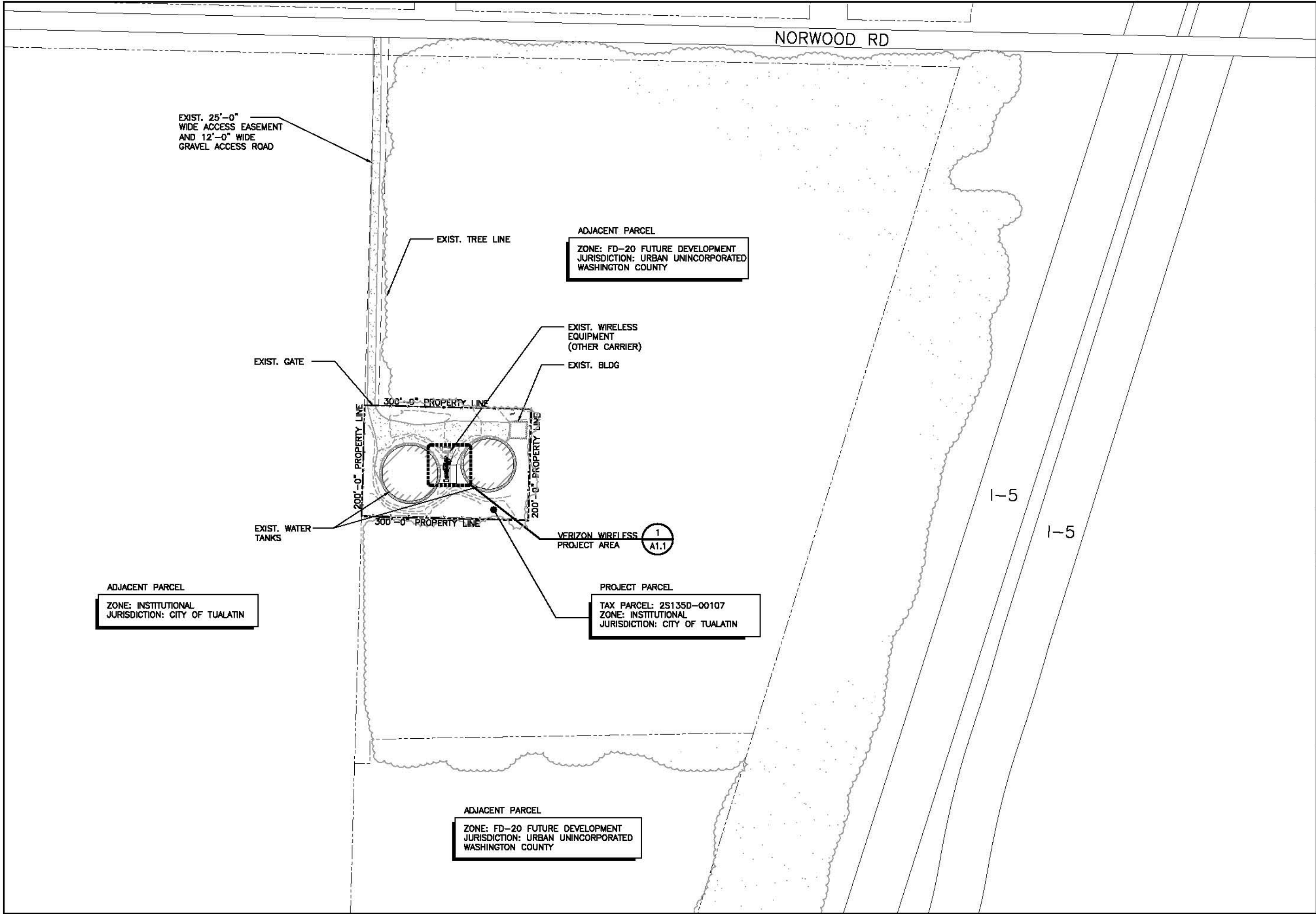
 UTILITY POLE  FIRE HYDRANT
 POLE GUY WIRE  LIGHT STANDARD

	CONCRETE		EARTH
	CMU		GRAVEL
	BRICK		SAND
	GYPSUM WALLBOARD		PLYWOOD
	BATT INSULATION		FINISH WOOD
	RIGID INSULATION		WOOD (CONT.)
	STEEL		WOOD BLOCKING
	ALUMINUM		EXIST. STRUCTURE

	NEW WORK		SS — SS —	SANITARY SEWER
	DEMOLITION WORK		SD — SD —	STORM SEWER
	CENTERLINE		FD — FD —	FLOOR DRAIN
	PROPERTY / LEASE LINE		RD — RD —	ROOF DRAIN
	BREAK LINE			
	EXISTING CONTOUR		GAS — GAS —	GAS
	NEW CONTOUR		W — W —	WATER
	EASEMENT		HW — HW —	HOT WATER
	EXIST. CHAINLINK FENCE		CW — CW —	COLD WATER
	EXIST. WOOD FENCE			
	CHAINLINK FENCE		A — A —	ANTENNA CABLE
			G — G —	GROUND
	POWER		GEN — GEN —	GENERATOR
	TELCO		E — E —	ELECT. CONDUIT
	POWER & TELCO		C — C —	CONDUIT
	OVERHEAD POWER			
	OVERHEAD TELCO			
	OVERHEAD			



Sheet no. : **T2.0**



Drawings Produced By:

GPA ARCHITECTS LLC
2701 NW Vaughn, Suite 704
Portland, OR 97210
503-274-7880

No.	Date	By	Revisions
12/10/13	12/17/13	DNT	CD REVIEW
12/10/13	12/17/13	EK	ZD FINAL
12/10/13	01/09/14	GLS	CD FINAL

File no. 13-173

Date 01/09/14

Designed by EK

Drawn by DNT

Checked by EK

Approved by SAMP

Date issued :
Date issued for Zoning Permit :
Date issued for Building Permit :
Date issued for Bid :
Date issued for Construction :

Project title :
POR NORWOOD
8930 SW NORWOOD RD
TUALATIN, OR 97062

Sheet title :
OVERALL SITE PLAN

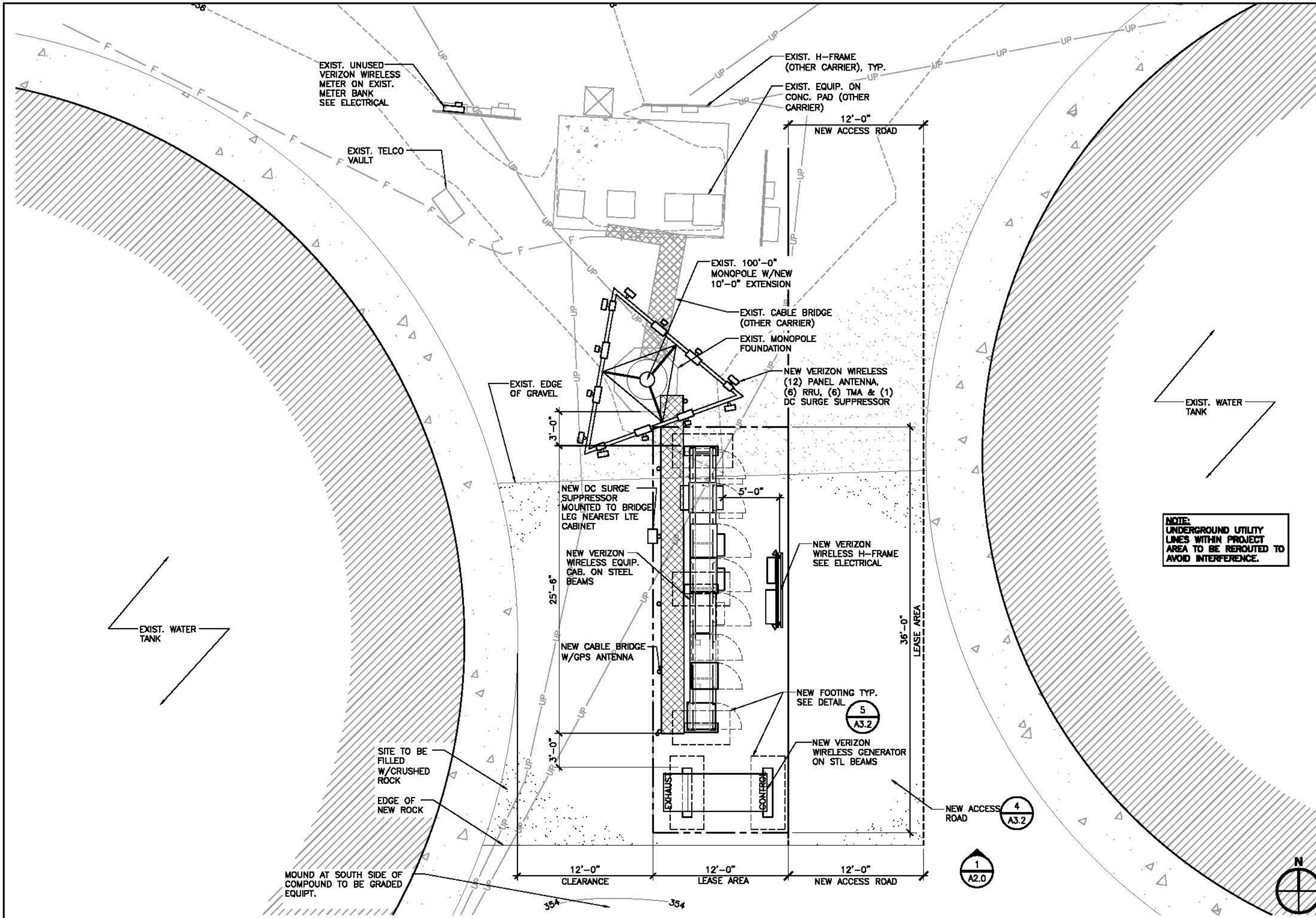
Sheet no. :

22x34 SCALE: 1" = 80'-0"

11x17 SCALE: 1" = 160'-0"

1

A1.0



Drawings Produced By:

GPA
ARCHITECTS LLC
2701 NW Vaughn, Suite 704
Portland, OR 97210
503-274-7880

REGISTERED ARCHITECT
STEVEN M. N. PLUMMER
P.L.L.C.
PORTLAND, OREGON

No.	Date	By	Revisions
12/10/13	12/17/13	DNT	CD REVIEW
12/10/13	12/17/13	EK	ZD FINAL
12/10/13	09/14	GLS	CD FINAL

File no. **13-173**
Date **01/08/14**

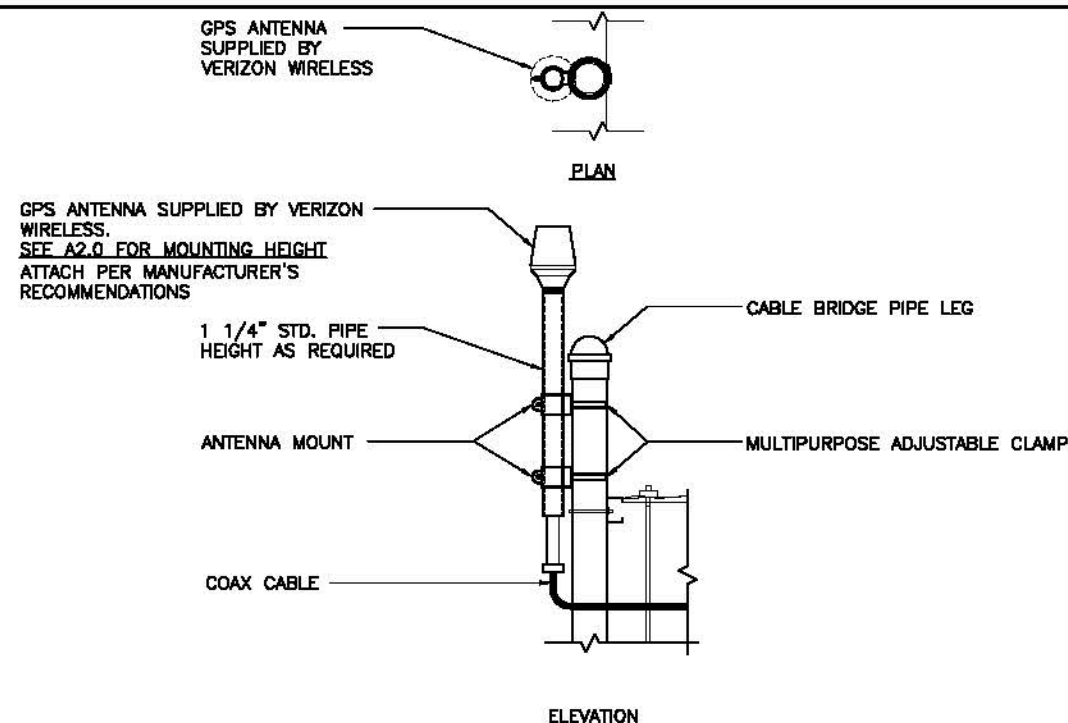
Designed by **EX**
Drawn by **DNT**
Checked by **EX**
Approved by **SNP**

Date issued :
Date issued for Zoning Permit :
Date issued for Building Permit :
Date issued for Bid :
Date issued for Construction :

Project title :
POR NORWOOD
8930 SW NORWOOD RD
TUALATIN, OR 97062

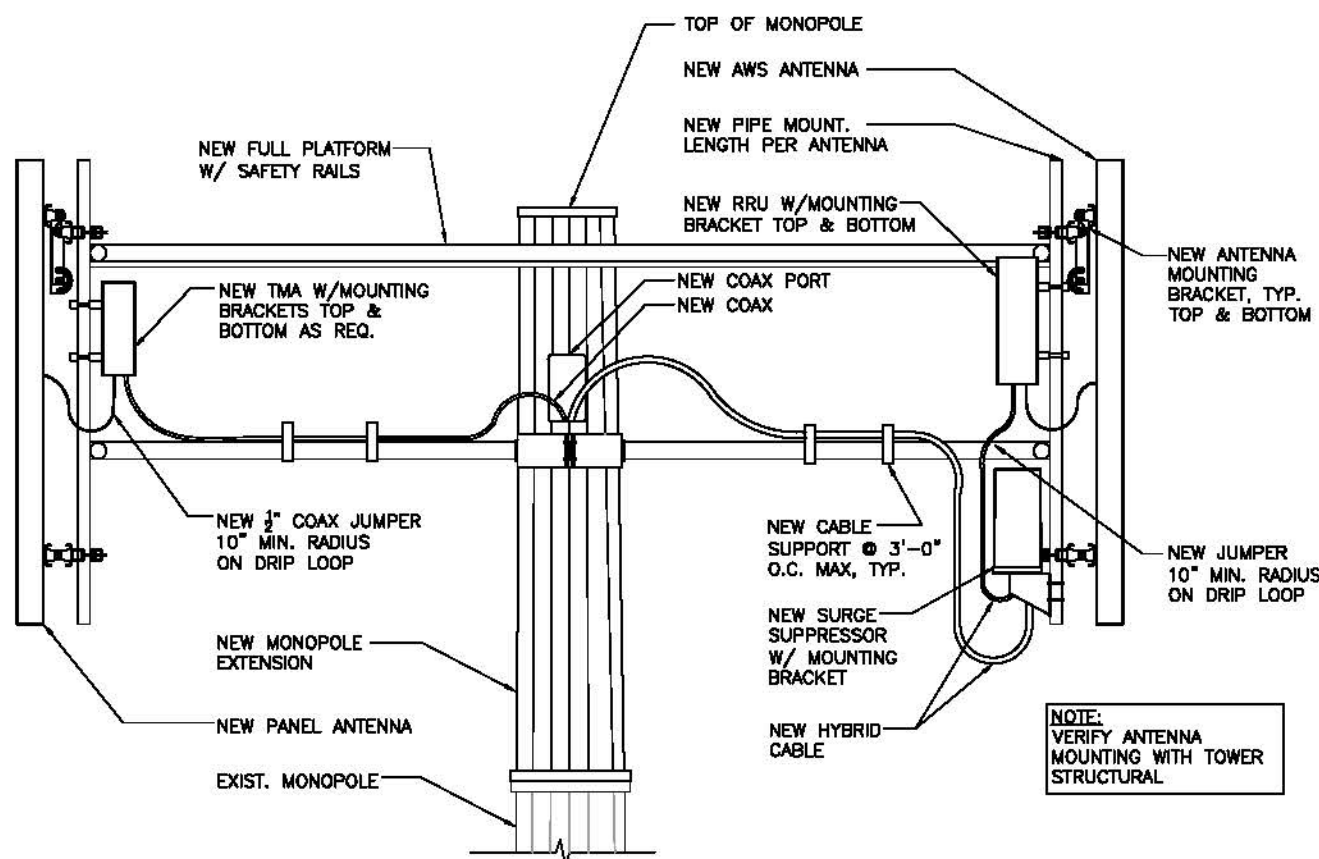
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ENLARGED SITE PLAN

Sheet no. : **A1.1**



GPS ANTENNA MOUNTING

22"x34" SCALE: NTS
11"x17" SCALE: NTS



ANTENNA MOUNTING DETAIL

22"x34" SCALE: NTS
11"x17" SCALE: NTS

GENERAL STRUCTURAL NOTES:

1. WHERE A CONSTRUCTION DETAIL IS NOT SHOWN OR NOTED, THE DETAIL SHALL BE THE SAME AS FOR OTHER SIMILAR WORK.
2. NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES.
3. NO PIPES, DUCTS, SLEEVES, CHASES, ETC., SHALL BE PLACED IN SLABS, BEAMS, OR WALLS UNLESS SPECIFICALLY SHOWN OR NOTED, NOR SHALL ANY STRUCTURAL MEMBER BE CUT FOR PIPES, DUCTS, ETC., UNLESS OTHERWISE NOTED. CONTRACTOR SHALL OBTAIN PRIOR APPROVAL FOR INSTALLATION OF ANY ADDITIONAL PIPES, DUCTS, ETC.
4. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD VERIZON WIRELESS AND THE ARCHITECT/ ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF VERIZON WIRELESS OR THE ARCHITECT/ENGINEER.
5. THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL MEASURES NECESSARY TO PROTECT THE STRUCTURE, WORKERS AND PEDESTRIANS DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO BRACING, SHORING FOR LOADS DUE TO CONSTRUCTION EQUIPMENT, TEMPORARY STRUCTURES, AND PARTIALLY COMPLETED WORK, ETC. OBSERVATION VISITS TO THE SITE BY THE ARCHITECT/ENGINEER SHALL NOT INCLUDE INSPECTION OF SUCH ITEMS.
6. ASTM SPECIFICATIONS NOTED ON THE DRAWINGS SHALL BE OF THE LATEST REVISION.
7. CONSTRUCTION MATERIALS SHALL BE SPREAD OUT IF PLACED ON FRAMED FLOOR OR ROOF. LOAD SHALL NOT EXCEED THE DESIGN LIVE LOAD PER SQUARE FOOT. PROVIDE ADEQUATE SHORING/BRACING WHERE STRUCTURE HAS NOT ATTAINED DESIGN STRENGTH.
8. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHETHER SHOWN HEREON OR NOT AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSE OF REPAIR OR REPLACEMENT IN CONJUNCTION WITH THE PROSECUTION OF THIS WORK.
9. DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON DRAWINGS.
10. THESE NOTES SHALL BE CONSIDERED A PART OF THE WRITTEN SPECIFICATIONS.
11. ALL ITEMS REMOVED DURING CONSTRUCTION WORK (I.E., DRYWALL, PLYWOOD, CEILING PANELS, ETC.) SHALL BE REPLACED TO MATCH EXISTING
12. THE FOLLOWING REQUIREMENTS SHALL BE MET FOR SPECIAL INSPECTION:

- A. THE SPECIAL INSPECTOR SHALL BE UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER.
- B. THE SPECIAL INSPECTOR SHALL FURNISH INSPECTION REPORTS TO THE ARCHITECT/ENGINEER, AND OTHER DESIGNATED PERSONS. ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR FOR CORRECTION; THEN, IF UNCORRECTED, TO THE PROPER DESIGN AUTHORITY AND THE BUILDING OFFICIAL.
- C. THE SPECIAL INSPECTOR SHALL SUBMIT A FINAL REPORT SIGNED BY BOTH HE AND HIS SUPERVISOR STATING WHETHER THE WORK REQUIRING SPECIAL INSPECTION WAS IN CONFORMANCE WITH THE APPROVED PLANS AND SPECIFICATIONS AND THE APPLICABLE WORKMANSHIP PROVISIONS OF THE 2012 INTERNATIONAL BUILDING CODE (IBC).
- D. COMPLY WITH ALL CITY SPECIAL INSPECTION REQUIREMENTS

GENERAL CONCRETE NOTES:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301-89, ACI 318-95 AND THE SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS UNLESS NOTED OTHERWISE. 5½ SACKS PER C.Y.
3. REINFORCING STEEL SHALL CONFORM TO ASTM A 615, GRADE 60, DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A 185 WELDED STEEL WIRE FABRIC UNLESS NOTED OTHERWISE. SPLICES CLASS "B" AND ALL HOOKS SHALL BE STANDARD UNLESS NOTED OTHERWISE.
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS:
CONCRETE CAST AGAINST EARTH..... 3 IN.
CONCRETE EXPOSED TO EARTH OR WEATHER:
 #6 AND LARGER..... 2 IN.
 #5 AND SMALLER & WWF..... 1-1/2 IN.
CONCRETE NOT EXPOSED TO EARTH OR WEATHER OR NOT CAST AGAINST THE GROUND:
 SLAB AND WALL..... 3/4 IN.
 BEAMS AND COLUMNS..... 1-1/2 IN.
5. A CHAMFER 3/4" SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE U.N.O. IN ACCORDANCE WITH ACI 301 SECTION 4.2.4.
6. HOLES TO RECEIVE EXPANSION/WEDGE ANCHORS SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH AND DIAMETER OR AS SHOWN ON THE DRAWINGS. LOCATE AND AVOID CUTTING EXISTING REBAR WHEN DRILLING HOLES IN ELEVATED CONCRETE SLABS.
7. USE AND INSTALLATION OF CONC. EXPANSION/WEDGE ANCHOR. SHALL BE PER ICBO & MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURES.

STANDARD STRUCTURAL STEEL NOTES:

1. ALL METAL WORK SHALL BE IN ACCORDANCE WITH THE SPECIFICATION GALVANIZED ASTM A123-A123M-02 UNLESS NOTED OTHERWISE.
 2. STRUCTURAL TUBING MEMBERS SHALL CONFORM TO ASTM A500, GRADE A OR A501.
 3. ALL WELDING SHALL BE DONE USING E70XX ELECTRODES AND WELDING SHALL CONFORM TO AISC AND AWS D1.1. WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION", 9TH EDITION.
 4. BOLTED CONNECTIONS SHALL USE BEARING TYPE GALV. ASTM A307 BOLTS (5/8" DIA. UNO) AND SHALL HAVE A MINIMUM OF TWO BOLTS U.N.O.
 5. NON-STRUCTURAL CONNECTIONS FOR HANDRAIL, LADDERS AND STEEL GRATING MAY USE 5/8" DIA. GALVANIZED ASTM A307 BOLTS U.N.O.
 6. ALL STRUCTURAL PIPE ASTM A53, TYPE E OR S, GRADE B.
- SPECIAL INSPECTION:

SPECIAL INSPECTION:

1. THE REQUIRED SPECIAL INSPECTIONS SHALL BE PERFORMED BY AN INDEPENDENT SPECIAL INSPECTOR PER THE 2012 INTERNATIONAL BUILDING CODE (IBC) FOR THE FOLLOWING ITEMS.
- A. CONTINUOUS DURING THE INSTALLATION OF EXPANSION AND/OR ADHESIVE ANCHORS: INSPECT HOLE SIZE, DEPTH, CLEANLINESS, AND INSTALLATION PER ICBO REPORT.
 - B. VISUAL INSPECTION OF ALL STRUCTURAL WELDING, EXCEPT WELDING DONE IN AN APPROVED FABRICATOR'S SHOP (UBC 1701.5.5). TYPE OF INSPECTION IS TO BE AS FOLLOWS: SINGLE PASS FILLET WELDS $\leq 5/16"$, PERIODIC FILLET WELDS $> 5/16"$, CONTINUOUS, PARTIAL, AND COMPLETE PENETRATION WELDS. ALL COMPLETE PENETRATION WELDS SHALL BE TESTED ULTRASONICALLY OR BY USING ANOTHER APPROVED METHOD.

GENERAL STRUCTURAL NOTES

22"x34" SCALE: NTS
11"x17" SCALE: NTS



Drawings Produced By:

GPA
ARCHITECTS LLC
2701 NW Vaughn, Suite 764
Portland, OR 97210
503-274-7800

[illegible]

No.	Date	By	Revisions
File no.			13-173
Date			01/08/14
Designed by			EK
Drawn by			DNT
Checked by			EK
Approved by			SNMP

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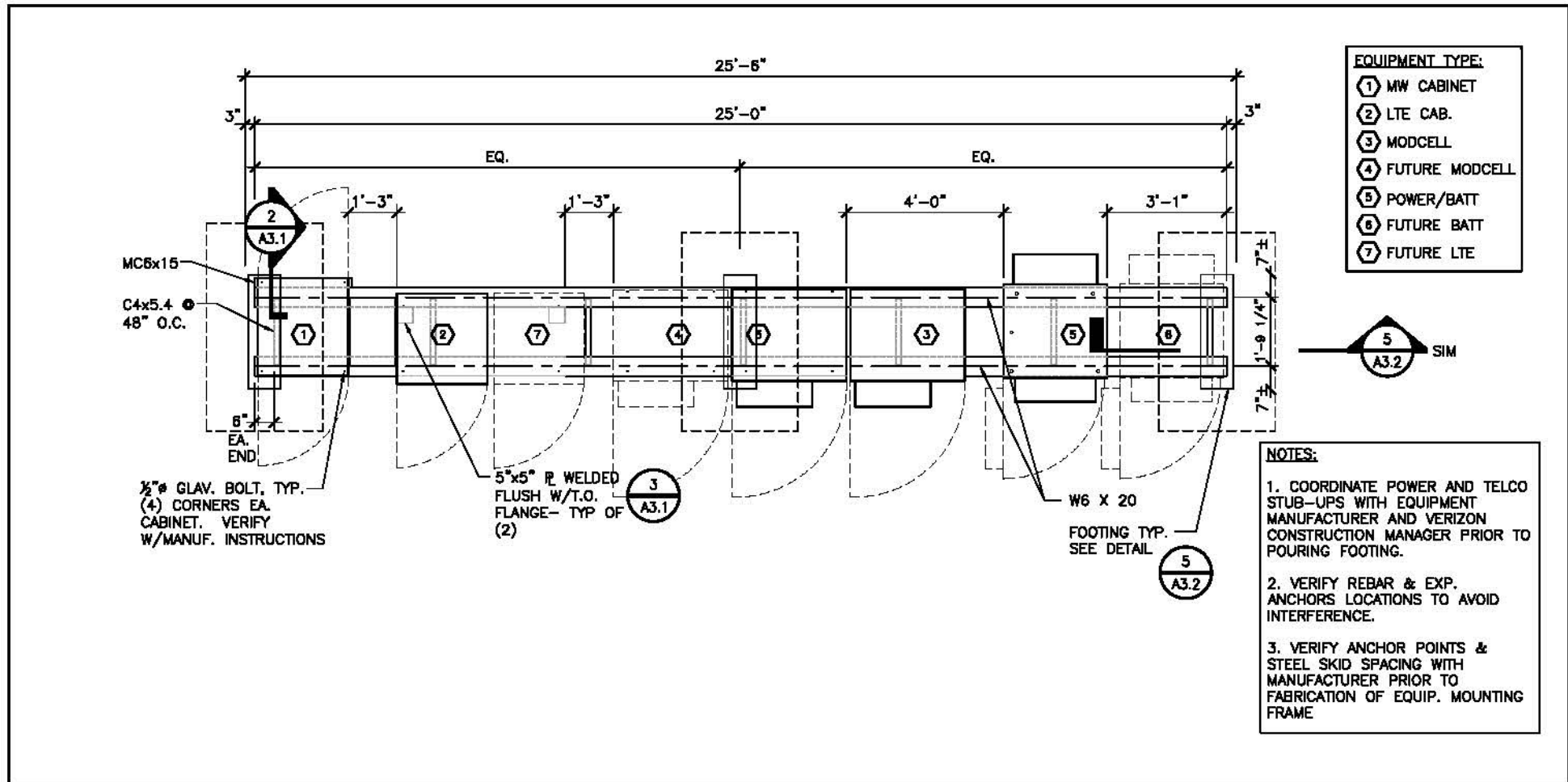
Project title :
**POR
NORWOOD**

8930 SW NORWOOD RD
TUALATIN, OR 97062

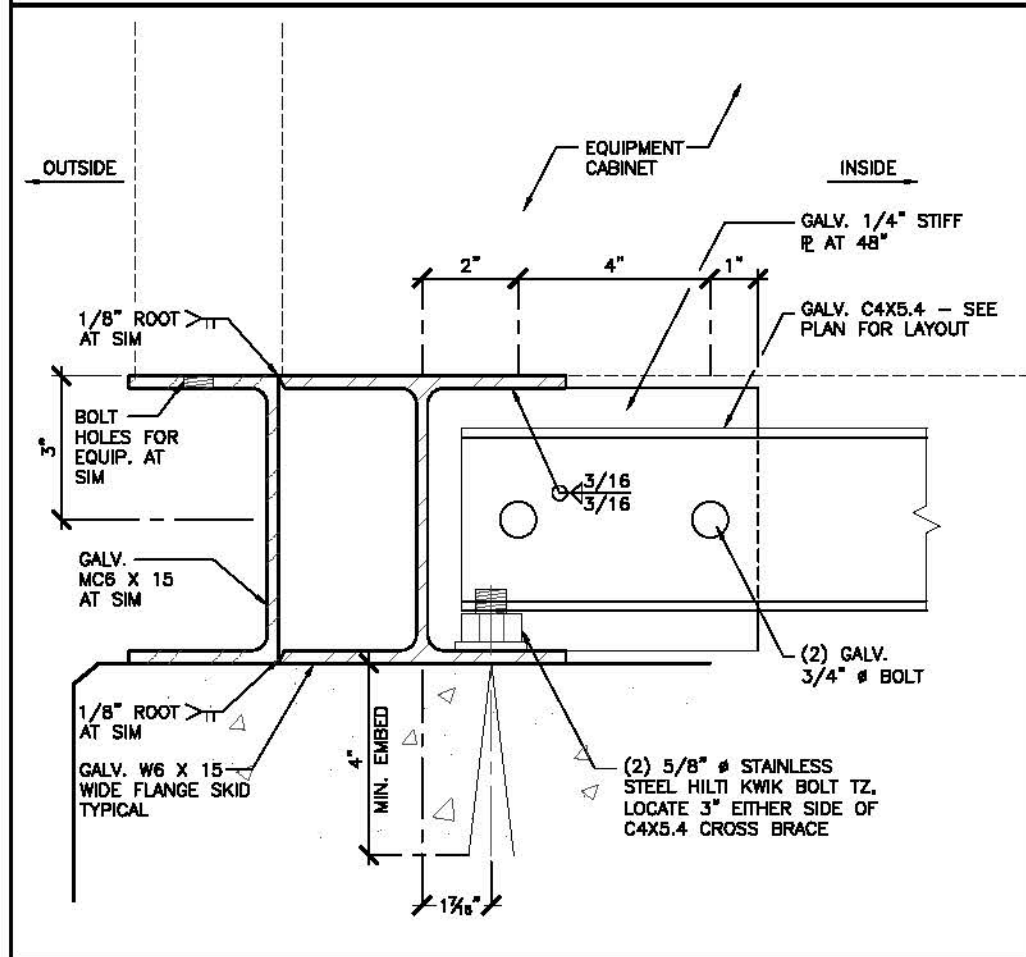
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**ANTENNA
MOUNTING &
STRUCTURAL
NOTES**

Sheet no. :

A3.0



EQUIPMENT LAYOUT 22x34 SCALE: NTS 11x17 SCALE: NTS **1**



RAIL DETAIL 22x34 SCALE: 6" = 1'-0" 11x17 SCALE: 3" = 1'-0" **2**

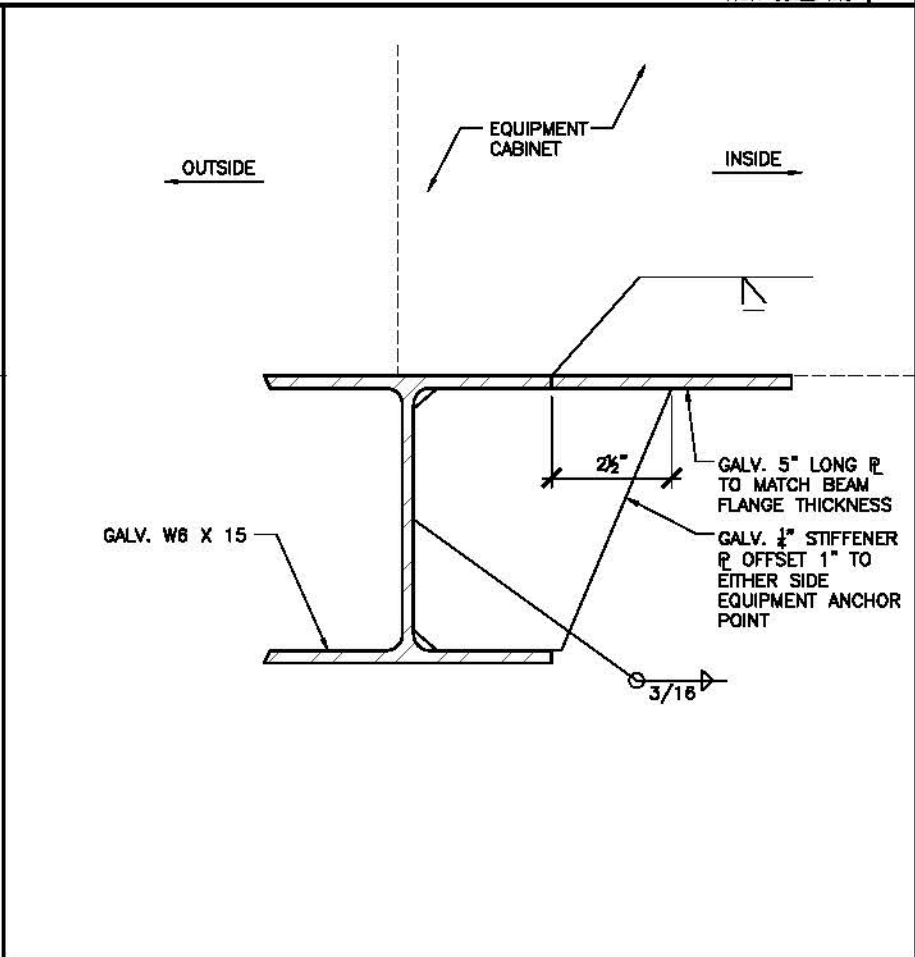


PLATE DETAIL 22x34 SCALE: 6" = 1'-0" 11x17 SCALE: 3" = 1'-0" **3**

NOT USED 22x34 SCALE: 6" = 1'-0" 11x17 SCALE: 3" = 1'-0" **4**

Drawings Produced By:

GPA ARCHITECTS LLC
 2701 NW Vaughn, Suite 704
 Portland, OR 97210
 503-274-7880

REGISTERED ARCHITECT
 STEVEN M. N. PLUMMER
 P.E. No. 10000
 PORTLAND, OREGON
 STATE OF OREGON

No.	Date	By	Revisions
12/10/13	12/17/13	DNT	CD REVIEW
12/10/13	12/17/13	EK	ZD FINAL
12/10/13	12/17/13	GLS	CD FINAL

File no. **13-173**
 Date **01/08/14**

Designed by **EX**
 Drawn by **DNT**
 Checked by **EX**
 Approved by **SNP**

Date issued :
 Date issued for Zoning Permit :
 Date issued for Building Permit :
 Date issued for Bid :
 Date issued for Construction :

Project title :
POR NORWOOD
 8830 SW NORWOOD RD
 TUALATIN, OR 97062

Sheet title :
EQUIPMENT DETAILS

Sheet no. : **A3.1**

POWER:	FIBER:
PGE	COMCAST
EXISTING METER SOCKET	JOHN DEPPERSCHMIDT
SERVICE COORDINATORS	(417) 234-5677
(503) 736-5450	JOHN.DEPPERSCHMIDT@
	CABLE.COMCAST.COM

IT IS THE ELECTRICAL CONTRACTOR'S RESPONSIBILITY TO CAREFULLY COORDINATE ALL ASPECTS OF SERVICE WITH THE RESPECTIVE UTILITY COMPANIES.

22X34 SCALE: NTS	1
11X17 SCALE: NTS	

	SHEET NOTE DESIGNATION
	PANELBOARD
	METER BASE
	GROUND ROD
	GROUND TEST WELL
	GROUND BAR
	GROUND CONNECTION
	LIGHT FIXTURE - FLUORESCENT
	LIGHT FIXTURE - WALLMOUNTED
	EXIT FIXTURE
	LIGHT FIXTURE - BUG EYE EMERGENCY
	WEATHERHEAD
	SINGLE POLE SWITCH
	3-WAY SWITCH
	DISCONNECT SWITCH. "F" DENOTES FUSED.
	JUNCTION BOX
	DUPLEX RECEPTACLE
	DOUBLE DUPLEX RECEPTACLE
	THERMOSTAT
	SMOKE DETECTOR
	MOTOR CONNECTION
	GROUND WIRE
	UNDERGROUND POWER CONDUIT
	UNDERGROUND TELEPHONE CONDUIT
	SURFACE MOUNTED POWER CONDUIT
	SURFACE MOUNTED TELEPHONE CONDUIT
	OVERHEAD POWER CONDUCTORS
	OVERHEAD TELEPHONE CONDUCTORS
	EMERGENCY POWER CONDUIT
	WAVEGUIDE CONDUIT

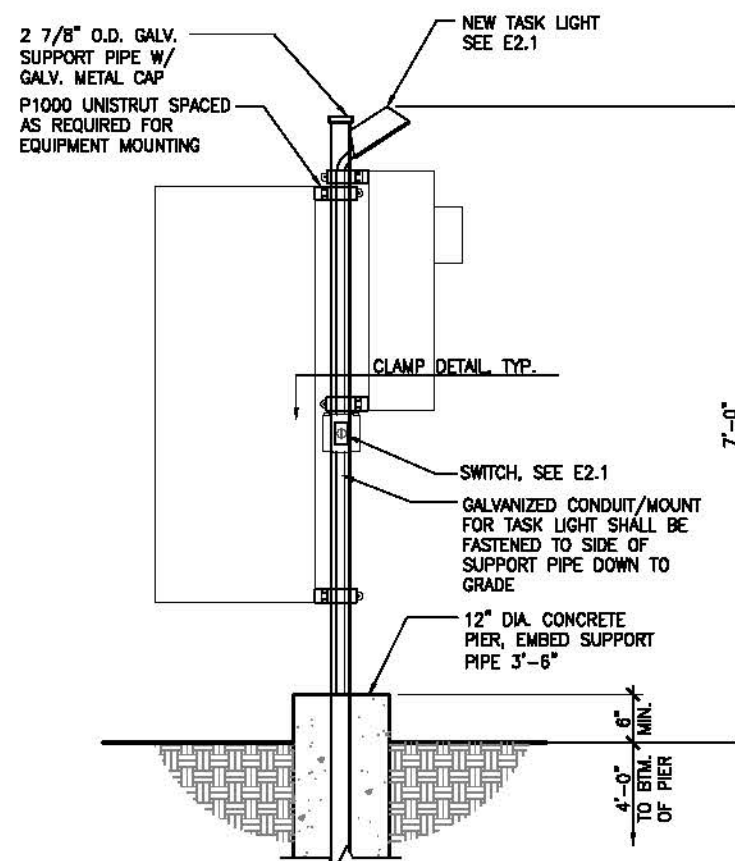
NOTE: NOT ALL SYMBOLS MAY BE USED ON THIS PROJECT.

AFF	ABOVE FINISHED FLOOR
BG	BELOW GRADE
C	CONDUIT
CU	COPPER
E	EXISTING
EGB	EXTERNAL GROUND BAR
EGR	EXTERNAL BUILDING GROUND RING
F	FIBER
FCM	FIELD CONSTRUCTION MANAGER
GFI	GROUND FAULT INTERRUPTER
GRC	GALVANIZED RIGID CONDUIT
GRD	GROUND
MGB	MASTER GROUND BAR
N	NEW
NEC	NATIONAL ELECTRICAL CODE
P	POWER
PV	PULL VAULT
SBTC	SOLID BARE TINNED COPPER
TGR	TOWER GROUND RING
TYP	TYPICAL
VER	VERIFY
WP	WEATHERPROOF

NOTE: NOT ALL ABBREVIATIONS MAY BE USED ON THIS PROJECT.

22X34 SCALE: NTS
11X17 SCALE: NTS

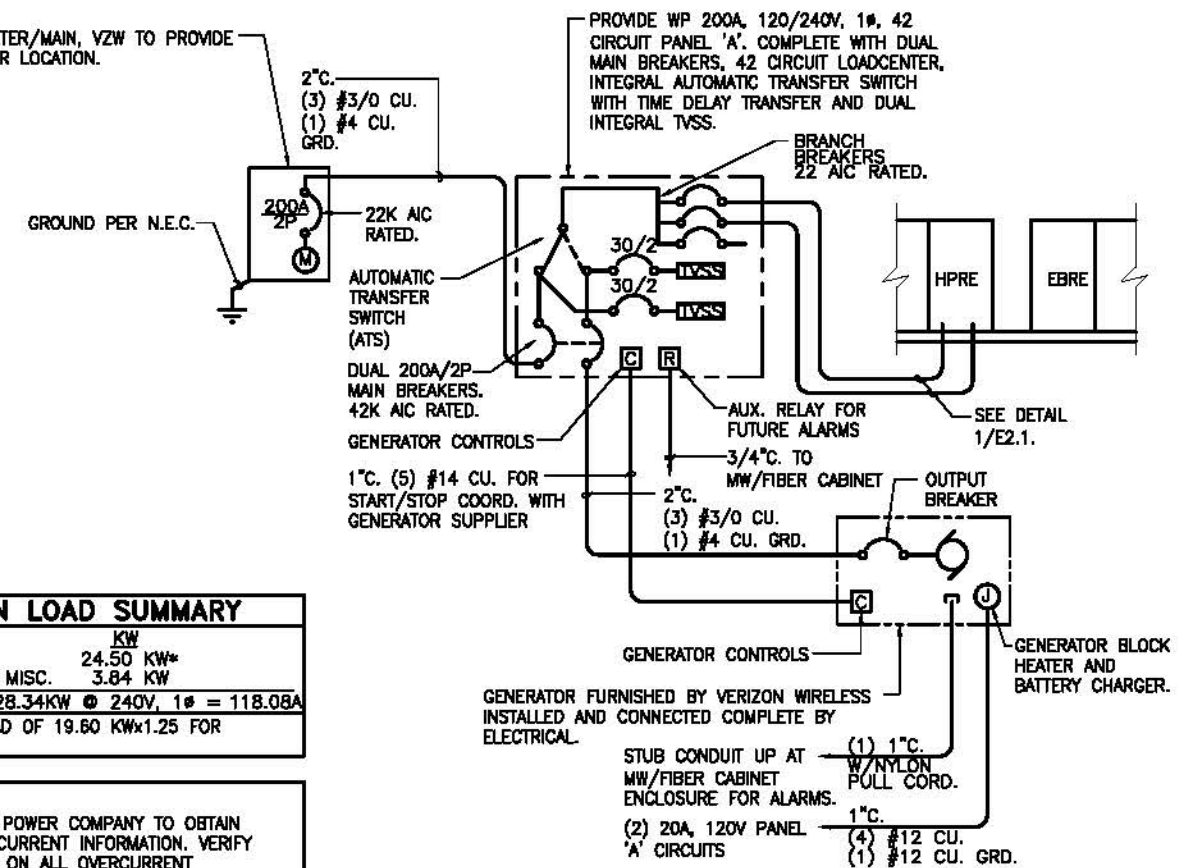
200A, 120/240V 1 ϕ , 3W



DESCRIPTION:	KW
EQUIPMENT	24.50 KW*
RECEPTACLES & MISC.	3.84 KW
TOTAL:	28.34KW @ 240V, 1Ø = 118.08A

* CONNECTED LOAD OF 19.60 KWx1.25 FOR CONTINUOUS.

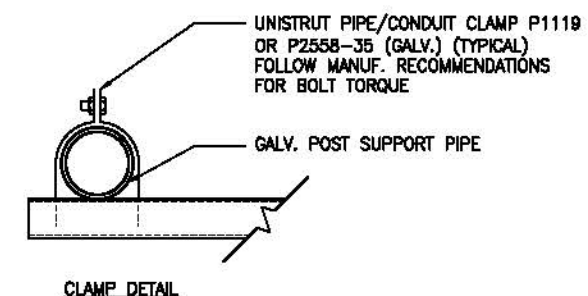
NOTE:
COORDINATE WITH POWER COMPANY TO OBTAIN
AVAILABLE FAULT CURRENT INFORMATION. VERIFY
THAT AIC RATINGS ON ALL OVERCURRENT
PROTECTION DEVICES ARE SUFFICIENT TO WITHSTAND
MAXIMUM.



22X34 SCALE: NTS
11X17 SCALE: NTS

200A, 120/240V 1 ϕ , 3W

22X34 SCALE: NTS
11X17 SCALE: NTS



22X34 SCALE: NTS
11X17 SCALE: NTS

2

Attachment 102, Page 21

22X34 SCALE: 1" = 1'-0"
11X17 SCALE: 1/2" = 1'-0"

5



Drawings Produced By:



			12/10/13	12/17/13	01/09/14
	DNT	EK	GLS		
	CD REVIEW	ZD FINAL	CD FINAL		

No.	Date	By	Revisions
File no.	13-173		
Date	01/08/14		
Designed by	EK		
Drawn by	DNT		
Checked by	EK		
Approved by	SMP		

Date issued :
Date issued for
Zoning Permit :
Date issued for
Building Permit :
Date issued
for Bid :
Date issued
for Construction :

Project title :
**POR
NORWOOD**
**8830 SW NORWOOD RD
TUALATIN, OR 97062**

Sheet title :
**LEGENDS,
UTILITY
CONTACT
ONE-LINE**

Sheet no. : **E1.0**

Exhibit B

November 20, 2013

Allen R (Skip) Greene
Agent for Odelia Pacific
6233 SW Orchid Dr.
Portland, OR 97219-4982

RE: Verizon Norwood Modification at 8930 SW Norwood Rd, Tualatin OR

Dear Property Owner:

You are cordially invited to attend a meeting on December 5, 2013 from 6:00 PM to 7:00 PM in the Multipurpose Room at the Juanita Pohl Center, located at 8513 SW Tualatin Road. The meeting shall be held to discuss a proposed project located at 8930 SW Norwood Road in Tualatin. This property is a City owned water tank facility approximately 700' south of Norwood Road just east of Horizon Christian High School. Verizon Wireless is experiencing a large growth in voice and data requirements and must upgrade its system to serve those needs.

Our original proposal was to add our antennas at the 76' level on an existing 100' monopole at this location. However there is a 50' tall water tank adjacent to the monopole and Verizon's signal would be reflected upward by this wide water tank. Therefore we propose to extend the existing 100' tall steel monopole to 110' tall, a 10' extension, and mount Verizon's antennas atop the extended structure. The antennas would not exceed 110' height. The associated equipment cabinets would be mounted on a steel grid structure on piers to allow water to reach the gravel area and stay contained on the property. There would be no expansion of the existing fencing, no landscaping removal, and most of the project would be out of public view. I've enclosed a 2-sided plan page for your review.

The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet and discuss this proposal and identify any issues regarding this proposal.

Regards,

Allen R (Skip) Greene
Odelia Pacific Agent for Verizon Wireless
503-866-5111
skip.greene@comcast.net

8513 SW Tualatin Road

LEGEND

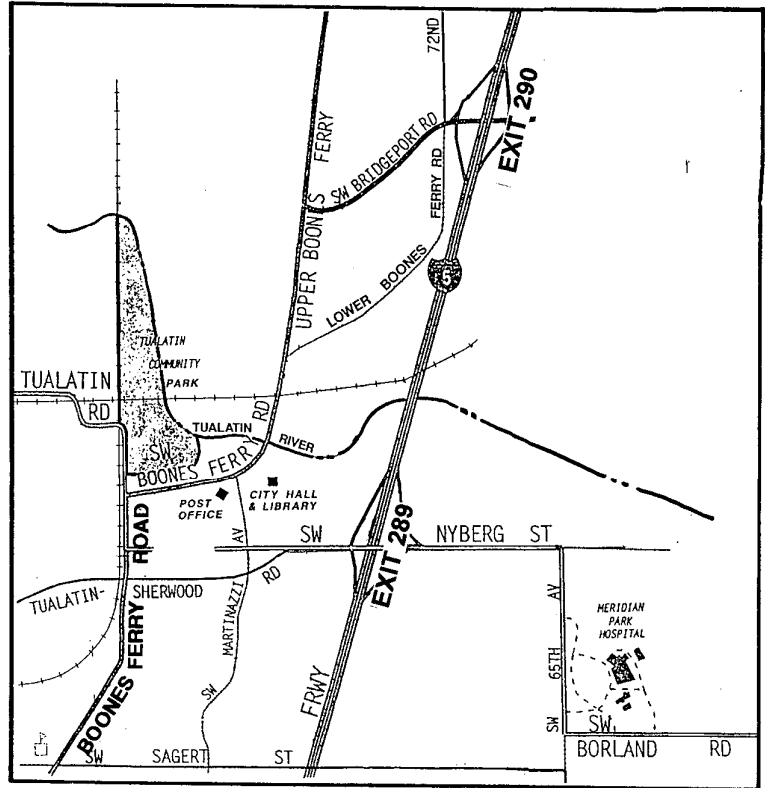
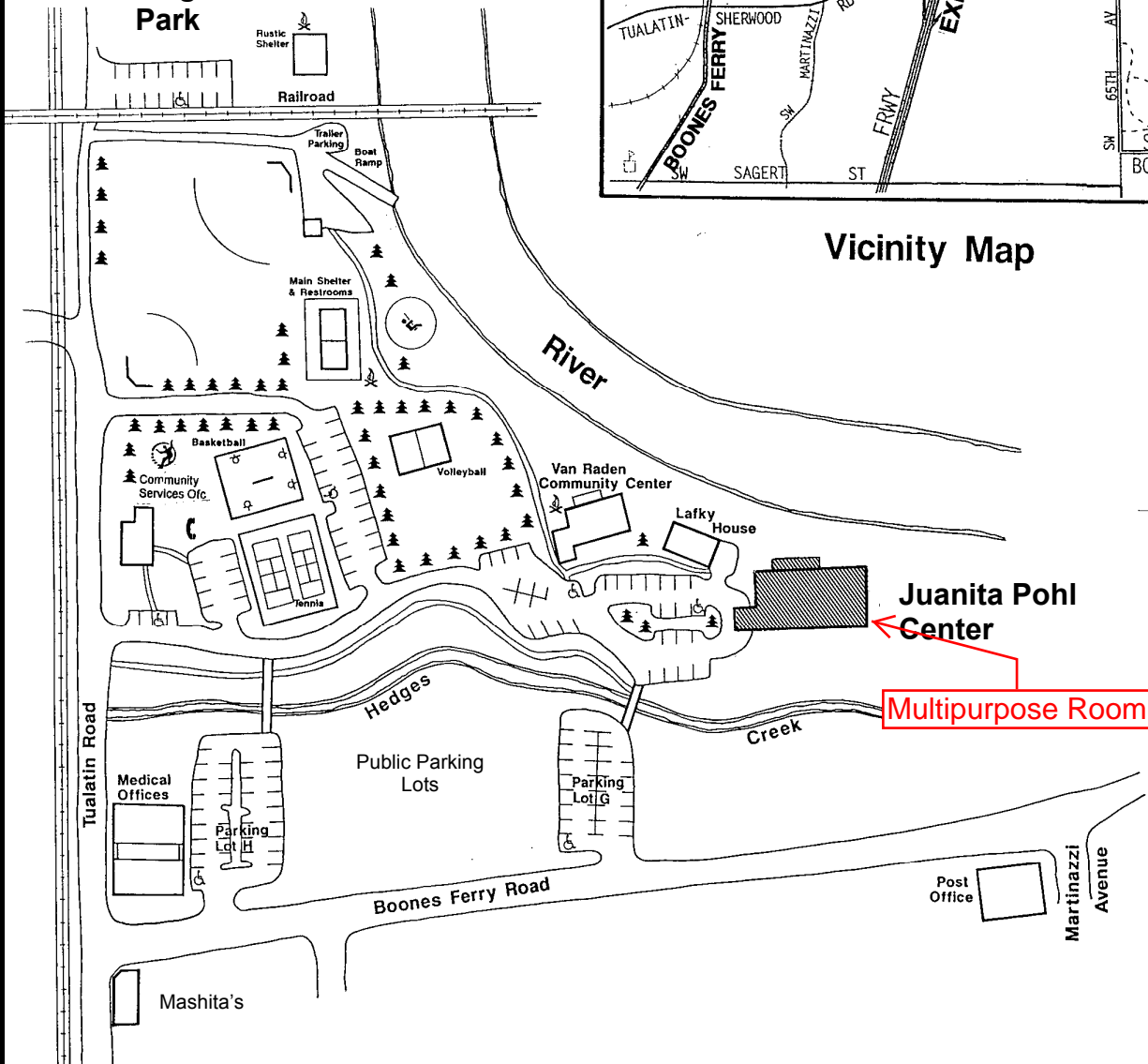


Disabled Parking



Telephone

Dog Park



Vicinity Map



MEETING LOCATION





Drawings Produced By:

GPA
ARCHITECTS LLC
2701 NW Vaughn, Suite 764
Portland, OR 97210
503-274-7800



XX/XX/XX	MM	CD	REVIEW
			ELEVATION
			& PLAN

No.	Date	By	Revisions
-----	------	----	-----------

File no. **13-173**
Date **11/18/13**

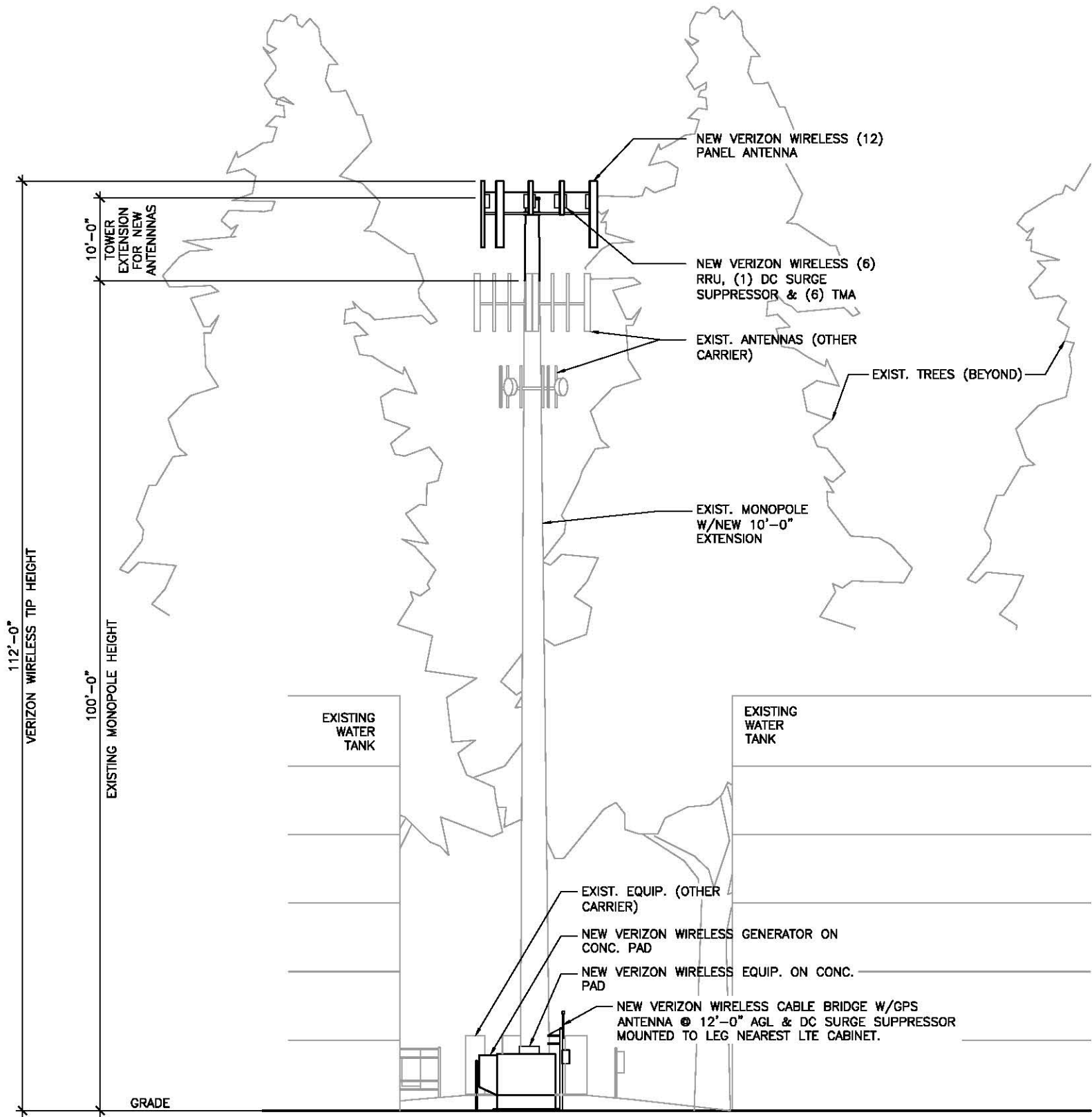
Designed by **EX**
Drawn by **MM**
Checked by **EX**
Approved by **SMNP**

Date issued :
Date issued for Zoning Permit :
Date issued for Building Permit :
Date issued for Bid :
Date issued for Construction:

Project title :
POR NORWOOD
9000 SW NORWOOD RD
TUALATIN, OR 97062

Sheet title :
ELEVATION

Sheet no. : **A2.0**



Norwood 8930 SW Norwood Rd., Tualatin, OR

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

PROJECT: Verizon Wireless Existing Cell Tower Modification

MEETING DATE: December 5, 2013

PLEASE PRINT LEGIBLY!

PRINTED NAME	FULL MAILING ADDRESS & E-MAIL ADDRESS	CITY, STATE	ZIP CODE	PHONE #
Colin Cortes	City of Tualatin			
Chris Borchill	cbchrisphiladelphia@gmail.com Tualatin		97062	
Cori Conway	cori-oregon@yahoo.com		97062	
Chris Tunstall	famtunstall@frontier.com		97062	

2S | 35D
TUALATIN

SEE MAP
2S 1 35AD

**S.W.
VERMILLION
DRIVE**

88-13

SEE MAP
2S 1 35AC

(CR. 1183)

ROAD

1/4 CC

SEE MAP
2S | 35CA

88-13

88-15

88-13

88-13

CANCELLED TAX LOTS
104, 105, 200, 301, 700, 1000 T-1,
103, 1000, 1002, 1003, 110, 300, 302,
107-C1,

SEE MAP
2S 1 36C

FOR ASSESSMENT
PURPOSES ONLY
DO NOT RELY ON
FOR ANY OTHER USE

SEE MAP
2S | 35CD

BOONES

SEE MAP
3S 1 02AB

SEE MAP
3S 1 02A

TUALATIN
2S 1 35D

J.B.W. 9/30/59

VAR-14-01

To lessen the bulk of the notice of application and to address privacy concerns, this sheet substitutes for the photocopy of the mailing labels. A copy is available upon request.

VERIZON “NORWOOD” NEIGHBORHOOD MEETING MINUTES

Meeting Date and Time: December 5, 2013 from 6PM to 7PM

Meeting Location: 8513 SW Tualatin Rd, Juanita Pohl Center, Multipurpose Room

Project: Verizon Modification, Variance Request

Verizon Representative: Allen (Skip) Greene, 503-866-5111;

skip.greene@comcast.net;

Note Taker: May Greene

Meeting started at 6:10PM with two attendees, see Sign Up Sheet, just had some general conversation about the project while waiting to see if any more people would show up.

About 6:15PM we started keeping notes of questions, comments and answers to both.

Chris commented he didn't think there was sufficient notice time – Skip explained the notices were mailed on November 20th to all property owners within 1000' of the parcel plus numerous property owners in the subdivision to the north that was outside the 1000' radius. The property was also posted with a sign on the 20th.

Chris asked how the project affects babies and kids – Skip replied that Verizon had a NIER (Non-Ionizing Electromagnetic Exposure) Analysis certified by a Professional Engineer licensed for this study and the study indicated the maximum emission level for the Verizon installation was projected to be 0.001127 mW/cm squared or 0.2413% of the MPE limit for the general population. A handout of this report was provided to Chris.

Chris questioned the Verizon lack of coverage in the area indicating he had Verizon and gets good coverage in his house. Skip explained the coverage varies throughout the day based on number of users and the type of use with web site access and data usage the main uses slowing down speed of connection or impeding other users from access to web sites. Skip also explained the site would unload the surrounding overloaded Verizon sites when on air since they are all experiencing capacity and speed issues to increasing data users. Skip explained he'd show RF Propagation Maps shortly to demonstrate the coverage issues.

Skip demonstrated the enlarged photo simulations (sims) showing the minimal visual effects of the 10' increased monopole height. Skip also explained Verizon intended to collocate at the 76' radial level on the 100' monopole but the adjacent

water tank to the west would impede the signal in that direction so the 10' extension became the proposed solution to secure the required coverage.

Chris agreed the sims were appropriate and to scale indicating the effect of the increased height.

Skip had handed out Construction Plans and explained the plans to the group, indicating where the Verizon ground equipment would be placed and that it would be on a open-steel grating mounted on piers to minimize surface water flow.

Chris questioned the power consumption; Skip said the site would operate at 120/240 volts, would have a 200 amp service entrance and would operate at less than 20KW load.

Skip also explained a 30KW self-contained diesel generator is proposed which would be sound baffled by insulation inside the weather enclosure steel frame. Skip said the sound level at 23' would be 65dB(A) that is similar to a loud conversation or loud radio. He also mentioned the sound level decreases with the square of the distance from the source so at the property lines the sound level would be very much less.

Colin asked that the noise report be included in the application material.

Chris commented on how he decreased the sound of a generator at a high school event by placing a cardboard box over the generator.

Chris questioned the wind restraints on the monopole and the equipment mounts – Skip explained that Engineer studies for both would be provided with the building application and the City reviews this data for compliance with all standards.

Chris wanted to know how much Verizon was paying the City of Tualatin, Skip explained the only payment to the City would be for the Land Use and building applications. Skip also explained that this Wireless Communication Facility is owned by SBA Communications Corporation (SBA) and they would be the party negotiating a lease for the Verizon equipment with the City of Tualatin Public Works Department since they are the owners of the water tank facility. Verizon simply pays SBA the agreed upon lease amount and nothing extra to the City as far as he understands.

Skip provided the RF Propagation Maps and explained the maps to the attendees. They asked a few questions but understood the maps and agreed they demonstrated a lack of coverage and how the 110' mounting antennas would provide much greater coverage than the 76' mounting height.

Questions arose about cables from the antennas to the equipment; Skip explained they would be internal to the monopole and not visible to the public. Skip also indicated accessory electronic devices (RRH's) would be mounted behind the antennas so that less coaxial cable would be required since fiber optic hybrid cable would be used.

Questions arose again about the safety of the proposal, Skip explained that's one of the reasons antennas are mounted high above the ground since the emission level is a function of the square of the inverse of the distance the antennas are from the ground. In other words, the higher the antennas are from the ground the lower the emission levels are at ground level.

Skip handed out a NIER study, a recent American Society report and the City of Portland Mobile Phone Base Stations EMF/Health Fact Pack to Chris and to two latecomers to the meeting who are also listed on the Sign Up Sheet.

NEIGHBORHOOD / DEVELOPER MEETING CERTIFICATION OF SIGN POSTING

<div>NOTICE</div> <div>NEIGHBORHOOD / DEVELOPER MEETING</div> <div>___/___/2010 __:___ .m.</div> <div>___ SW ___</div> <div>503-___-___</div>	18"
24"	

In addition to the requirements of TDC 31.064(2) quoted earlier in the packet, the 18" x 24" sign that the applicant provides must display the meeting date, time, and address and a contact phone number. The block around the word "NOTICE" must remain **orange** composed of the **RGB color values Red 254, Green 127, and Blue 0**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at < www.tualatinoregon.gov/planning/land-use-application-sign-templates >.

As the applicant for the

VERIZON NORWOOD Modification project, I

hereby certify that on this day, November 21, 2013 a sign was posted on the
subject property in accordance with the requirements of the Tualatin Development Code
and the Community Development Department - Planning Division.

Applicant's Name: Verizon Wireless by Agent: Allen R Greene
(PLEASE PRINT)

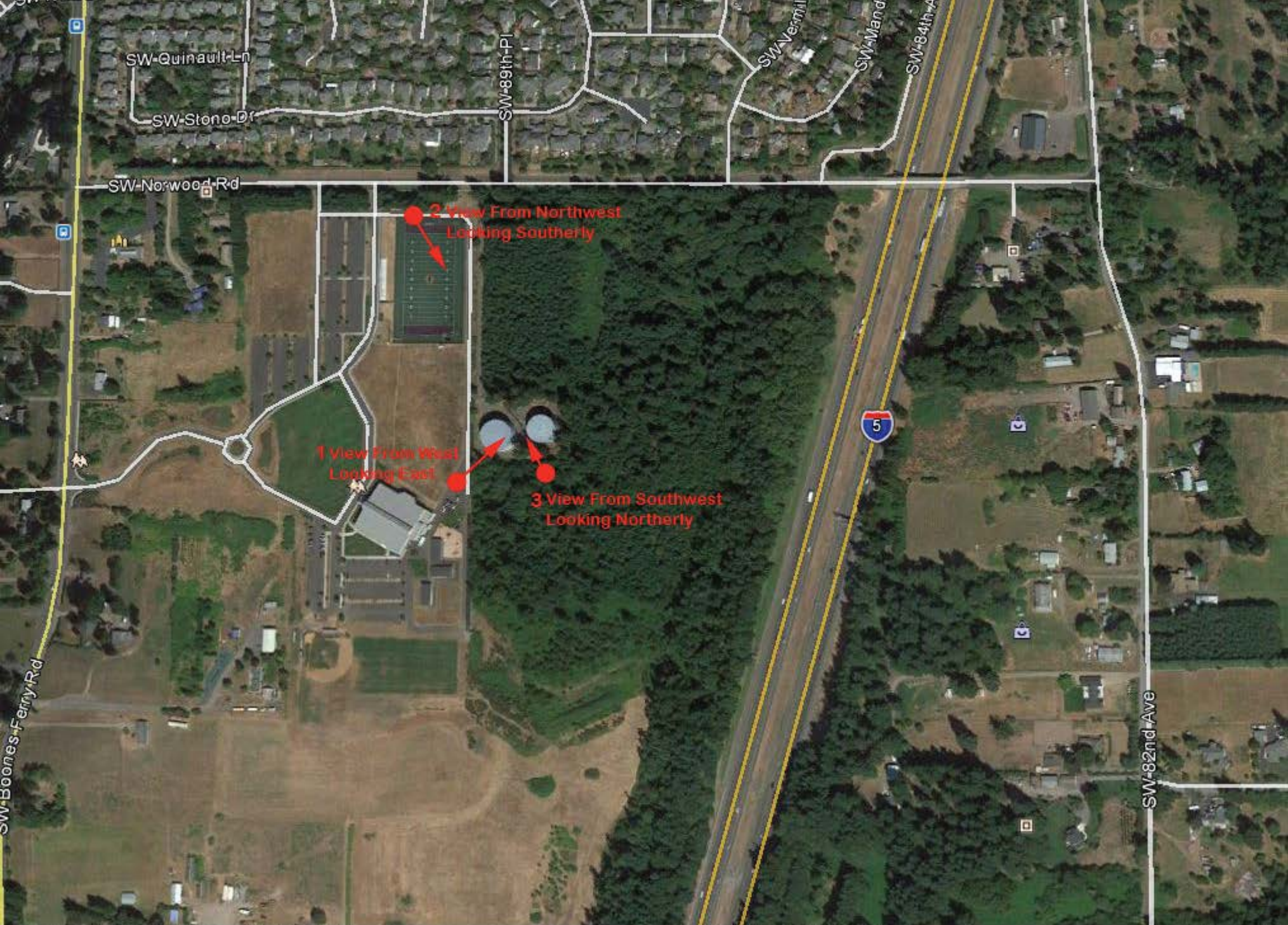
Applicant's Signature: _____

Date: 11/21/13

APPENDIX

SECTION A.

PHOTO SIMULATIONS OF THE EXISTING AND PROPOSED FACILITY





2013/ 9/16 19:13



NEW VERIZON WIRELESS (12) PANEL
ANTENNAS ON NEW 10'-0" MONOPOLE
EXTENSION

2013/ 9/16 19:13







2013/ 9/16 19:16



NEW VERIZON WIRELESS (12)
PANEL ANTENNAS ON NEW 10'-0"
MONOPOLE EXTENSION

2013/ 9/16 19:16

SECTION B.

RF ENGINEER JUSTIFICATION LETTER



5430 NE 122nd Avenue
Portland, OR 97230

November 27, 2013

City of Tualatin
Dept. of Land Use and Transportation
Address.....
Hillsboro, OR 97062

Dear Planner:

This letter will serve to justify a proposed Verizon Wireless site called *POR Norwood* to be located at 18880 SW Martinazzi Rd., Tualatin, OR 97062. The proposed location was chosen by Verizon Wireless to improve the quality of voice and data service as well as 911 services, for its customers along I-5 south of I-205 (North), SW 65th Ave. (East), SW Elligsen Rd. (South), Sherwood City Limit (West) and as much of rural area. The coverage objective is highlighted in yellow in Exhibit 1.

Design Criteria

When designing an existing or new area, Verizon Wireless will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or not attainable because of space constraints or unreliable structural design, Verizon Wireless will propose a new tower. In this instance, our real estate group with the help of outside consultants did several searches and concluded there is an existing structure nearby suitable for collocation, to meet the *POR Norwood* coverage objective, as depicted in Exhibit 1.

To analyze our network design, Verizon Wireless uses a propriety Radio Frequency (RF) propagation tool called "Geoplan". Our objective is to reduce dropped calls and access failures by ensuring customer calls can be initiated, maintained and "handed-off" to adjacent sites. A plot of our existing network coverage* without the new *POR Norwood* monopole tower is shown in Exhibit 2 & 3. The dotted circle in Exhibit 2 & 3 depicts poor to non existent RF coverage for that area. The color purple, blue and green area in Exhibit 2 & 3 represents a high RF signal strength which generally provides good coverage, inside vehicles and buildings. Yellow represents moderate RF signal strength that generally provides good service inside vehicles and moderate service inside buildings. The red areas represent RF signals that generally provide poor quality of service particularly inside buildings, but fair service in vehicles or outdoor coverage. White areas on the propagation maps (white space) depicts non RF signal.

Verizon Wireless strives for a network design that provides high RF signal strength resulting in quality service inside buildings and vehicles, as indicated by the purple, blue and green areas, for a particular area and environs. Please note that higher RF signal strengths such as mentioned above promote reliable voice calls and much greater wireless data speeds/ throughput in a given licensed area.

Design Results

Exhibit 4 shows coverage/ RF signal emitting of our propose *POR Norwood* site. With our antenna at 110' centerline (C/L), nearly the entire coverage area will be covered by high to moderate RF signal strength, as depicted by the purple, blue, and green portions of the map. Therefore Exhibit 4 meets our design objective for this site; hence the area of coverage is nearly identical to the coverage objective as depicted in Exhibit 1. The proposed site in Exhibit 4 will provide good coverage as depicted in Exhibit 1.

Exhibits 5 & 6 depict how the proposed *POR Norwood* site will be integrated into our network system for that area. Therefore our antenna with a centerline of 110 feet (AGL) will fulfill the coverage objective for *POR Norwood* as depicted in Exhibit 5 & 6. The propose site ensures, RF signal overlaps with adjacent sites to allow continuity of call(s) or "handoff." Therefore a 110' (AGL) antenna centerline is required at the *POR Norwood* site location as shown to provide an uninterrupted service from *POR Five Corners*, *POR Muddy Water*, *POR I5/I205* site to the north, and *POR Petes Mtn.* (East), *POR Wilsonville* (South) and *POR Sherwood* (West). Therefore the *POR Norwood* site will fill this coverage and capacity gap, as depicted in Exhibit 1.

We also evaluated the option to affix our antennas at 80' height to satisfy our coverage objectives, hence not extending the existing tower structure height. Our analysis (Exhibit 7, 8, & 9) indicates most of the RF energy or coverage emitted of the antennas at 80' height is concentrated less than ½ mile of the tower structure, therefore receding RF coverage especially areas west of SW Boones Ferry Rd, and vicinity. Therefore this option is not acceptable because it will result in inadequate service and does not meet the network design objectives.

Summary

The proposed site, *POR Norwood* is a necessary communication facility as it provides the desired public service needed to complete the Verizon Wireless network in the area and to comply with the obligations of our FCC license. *POR Norwood* especially with an antenna centerline at 110 feet AGL (Exhibit 4, 5, & 6), will provide superb service, i.e. a -85dBm (yellow) signal strength or better (purple, blue, and green) for most areas defined in Exhibit 1 (area highlighted in yellow). This site once built and operational will provide necessary public voice and data, including 911 services, along I-5 south of I-205 (North), SW 65th Ave. (East), SW Elligsen Rd. (South), Sherwood City Limit (West) and as much of rural area.

Sincerely,

John Dassan
Verizon Wireless
Pacific Northwest Region
Network Department – System Design

* **POR SHERWOOD FOREST** – Antenna(s) Centerline (C/L): **125.00'**, **POR FIVE CORNERS** – Antenna(s) Centerline (C/L): **146.00'**, **POR MUDDY WATER** – Antenna(s) Centerline (C/L): **71.00'**, **POR TIGERS HS** – Antenna(s) Centerline (C/L): **59.00'**, **POR RIVER GROVE** – Antenna(s) Centerline (C/L): **98.00'**, **POR I5-I205** – Antenna(s) Centerline (C/L): **121.00'**, **POR PETES MTN** – Antenna(s) Centerline (C/L): **143.00'**, **POR WILSONVILLE** – Antenna(s) Centerline (C/L): **98.00'**

SECTION C.

**PROPAGATION MAPS DEMONSTRATING EXISTING AND FUTURE
COVERAGE**



RF Propagation Maps

For Site "POR NORWOOD"

Map Disclaimer

*These maps show approximately where there is wireless coverage based on our own internal data. The maps are **not** a depiction of actual service or rates availability. The mapped territory contains areas with no service. Voice clarity and reception may vary near coverage boundaries. Wireless service is subject to network and transmission limitations, including cell site unavailability, particularly in remote areas. Customer equipment, weather, topography, and other environmental considerations associated with radio technology also affect service. Additionally, service may vary significantly within buildings depending on location or building structure.*

Exhibit 1 – Area of Cell Coverage (POR NORWOOD)

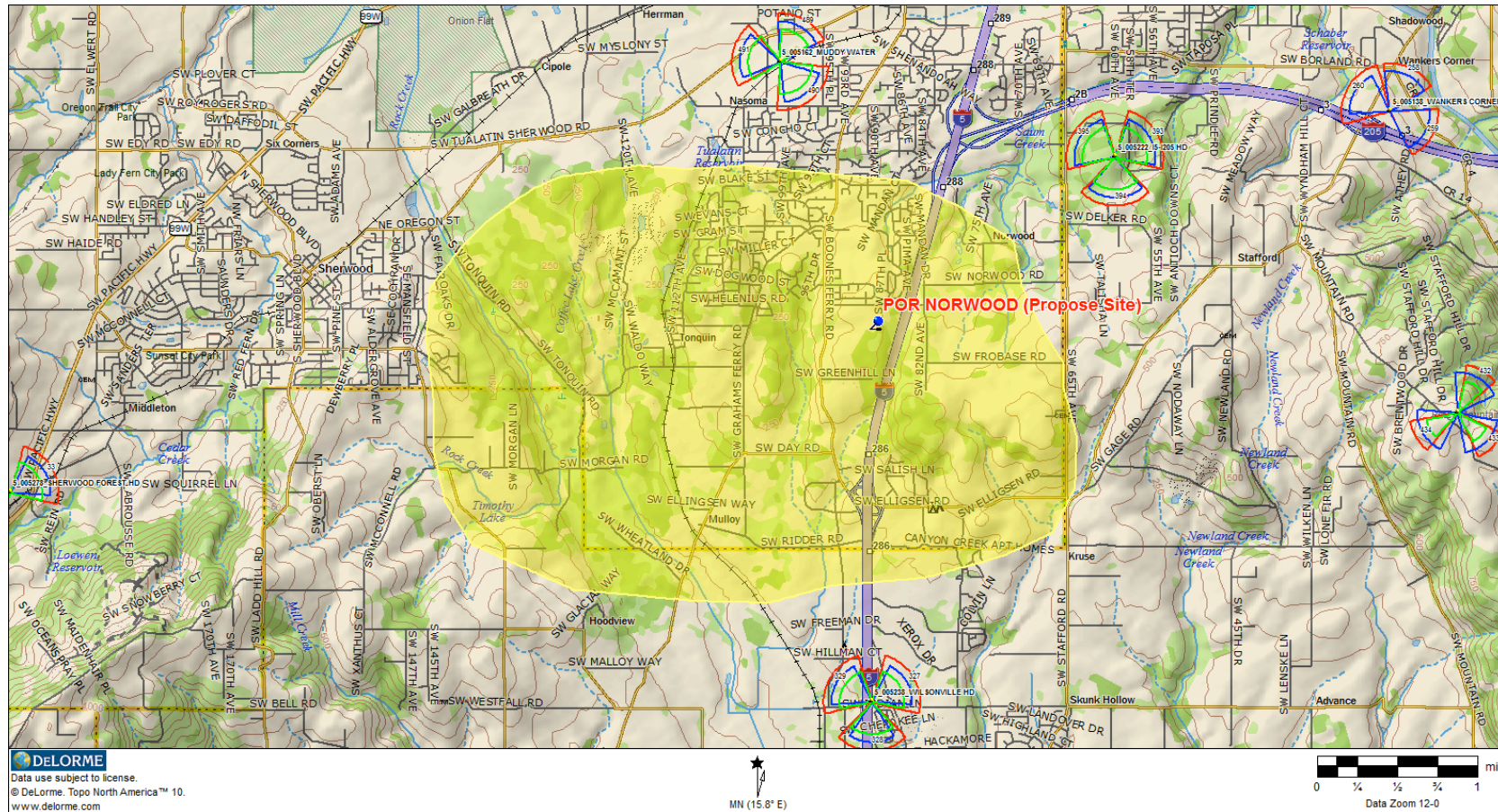
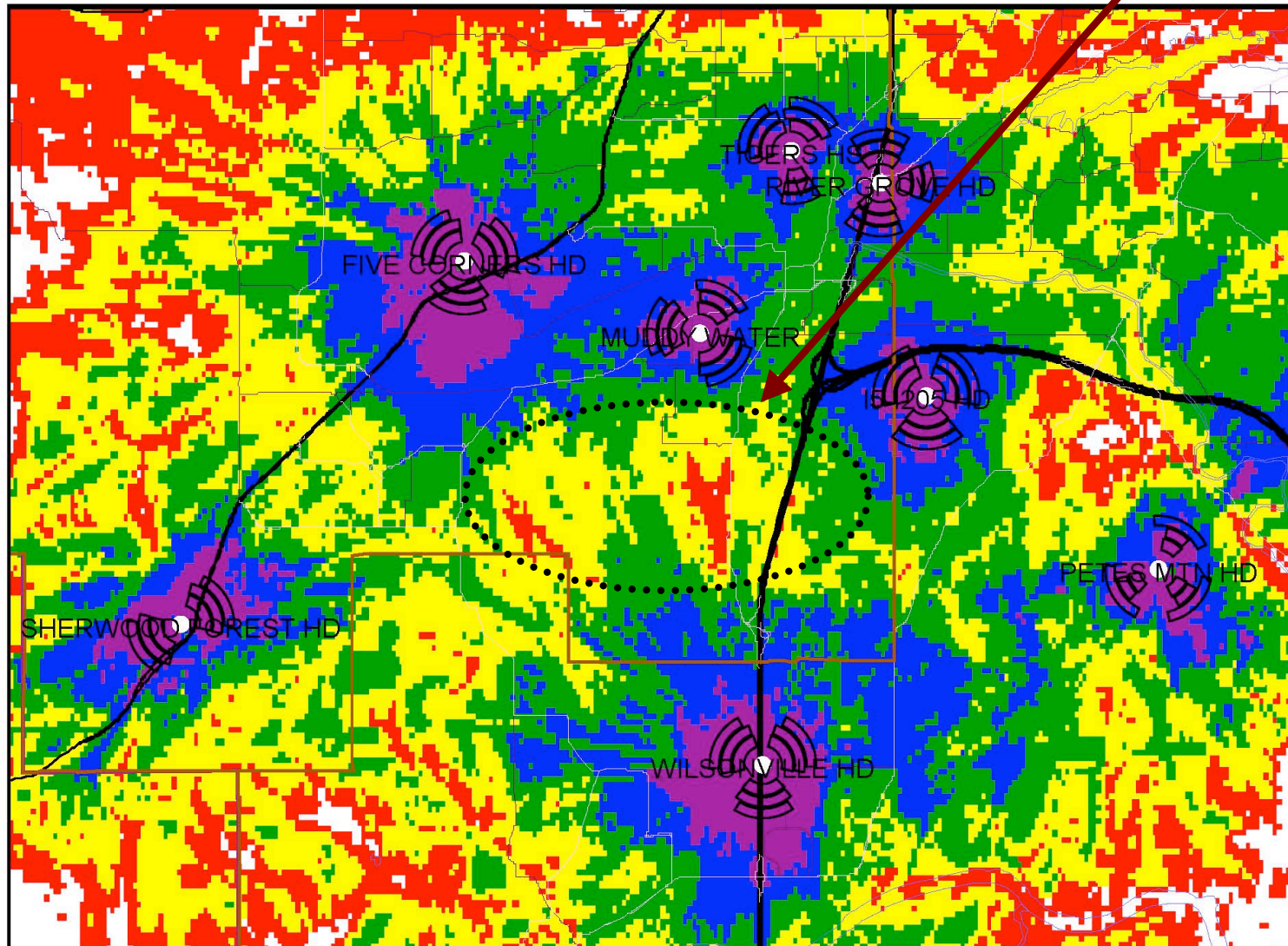


Exhibit 2 – Without Proposed Site (POR NORWOOD)

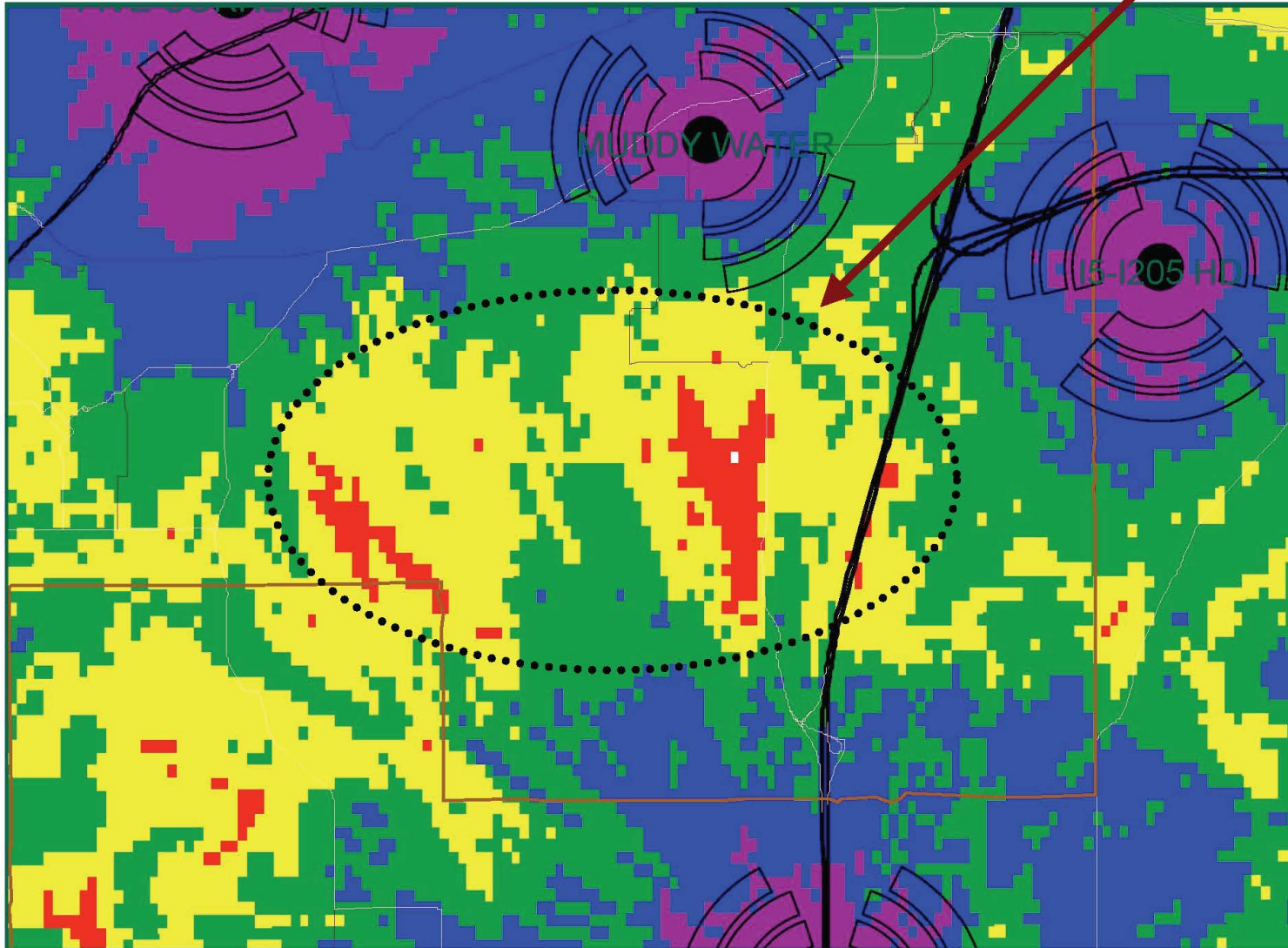
RF Coverage – **Poor to Non Existent.**



POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): **125.00'**, POR FIVE CORNERS – Antenna(s) Centerline (C/L): **146.00'**, POR MUDDY WATER – Antenna(s) Centerline (C/L): **71.00'**, POR TIGERS HS – Antenna(s) Centerline (C/L): **59.00'**, POR RIVER GROVE – Antenna(s) Centerline (C/L): **98.00'**, POR 15-1205 – Antenna(s) Centerline (C/L): **121.00'**, POR PETES MTN – Antenna(s) Centerline (C/L): **143.00'**, POR WILSONVILLE – Antenna(s) Centerline (C/L): **140.00'**

Exhibit 3 – Without Proposed Site (POR NORWOOD) -- Close View

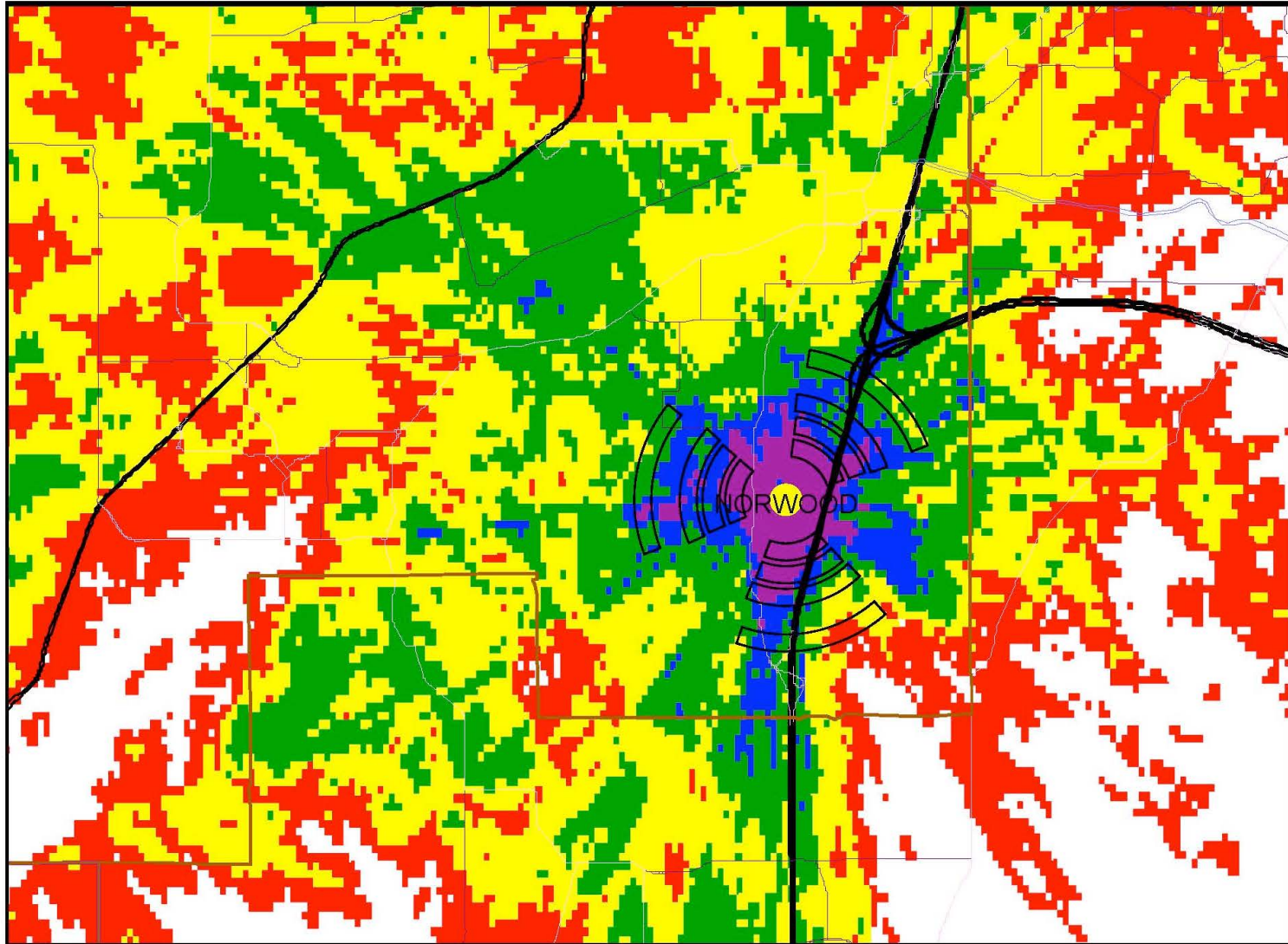
RF Coverage – Poor to Non Existent.



POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 98.00'

Exhibit 4 – Propose Site (POR NORWOOD)

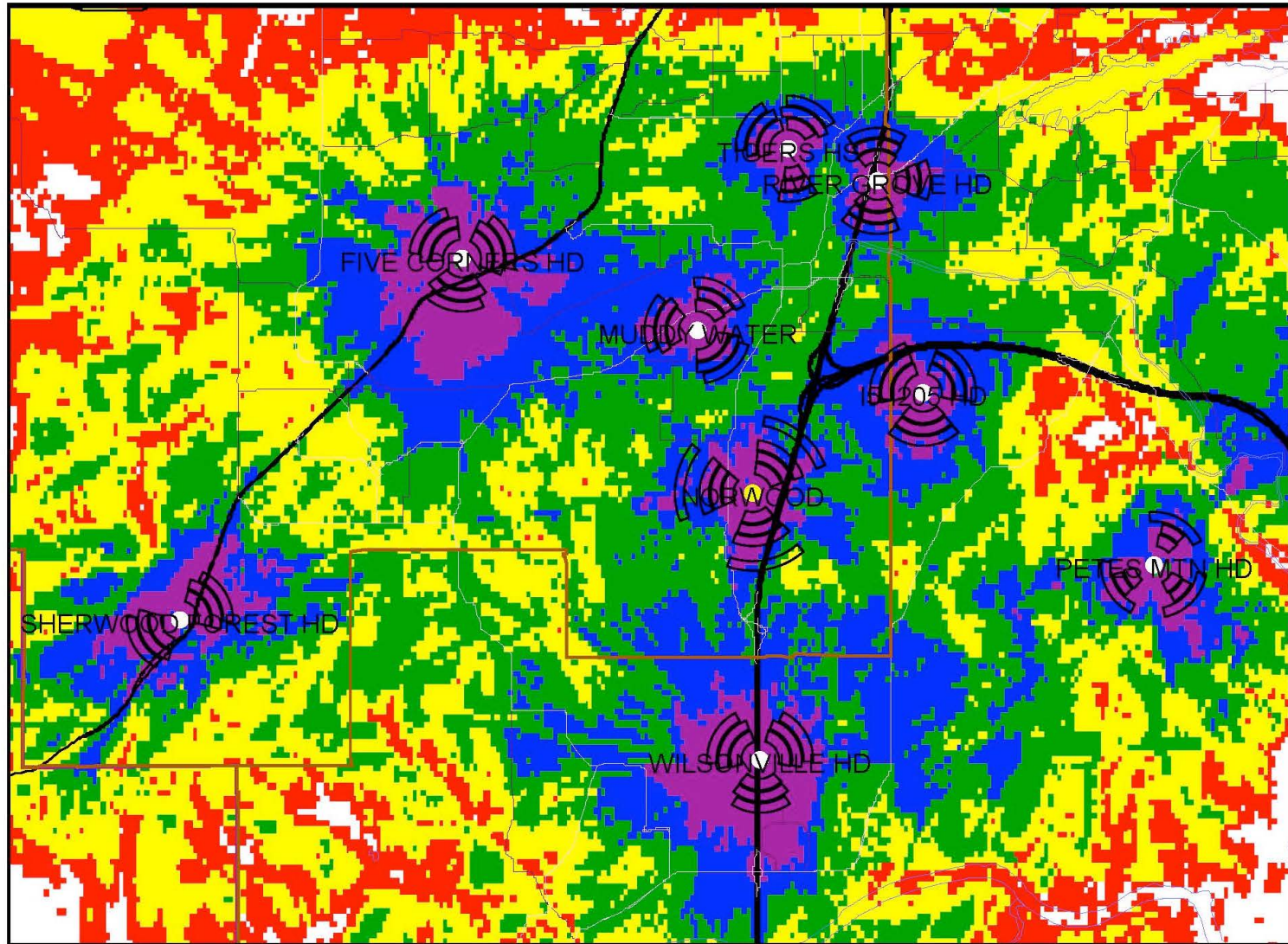
POR NORWOOD – Antenna(s) Centerline (C/L): 110.00'



POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 98.00'

Exhibit 5 – With Proposed Site (POR NORWOOD)

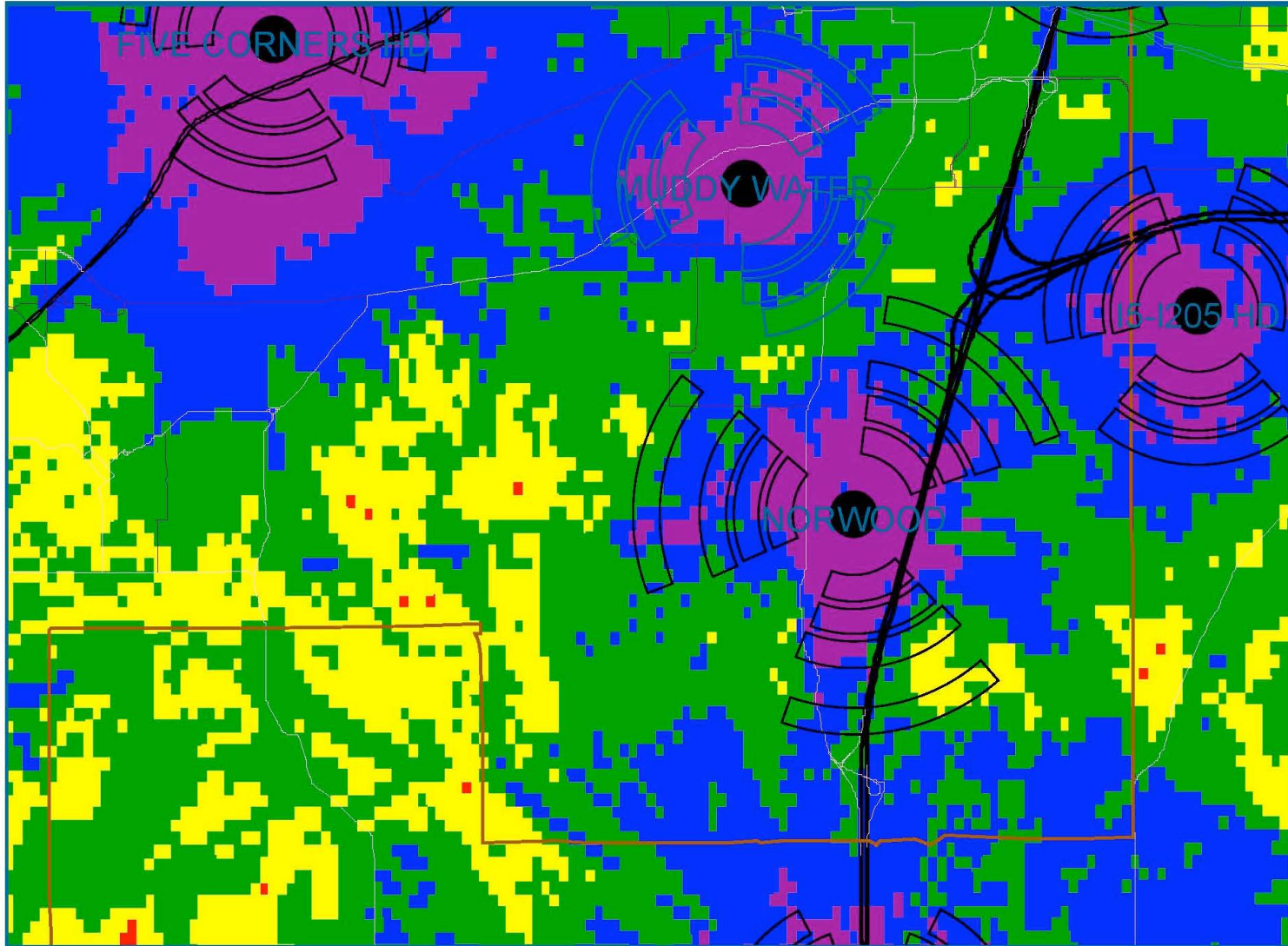
POR NORWOOD – Antenna(s) Centerline (C/L): 110.00'



POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 98.00'

Exhibit 6 – With Proposed Site (POR NORWOOD) Close View

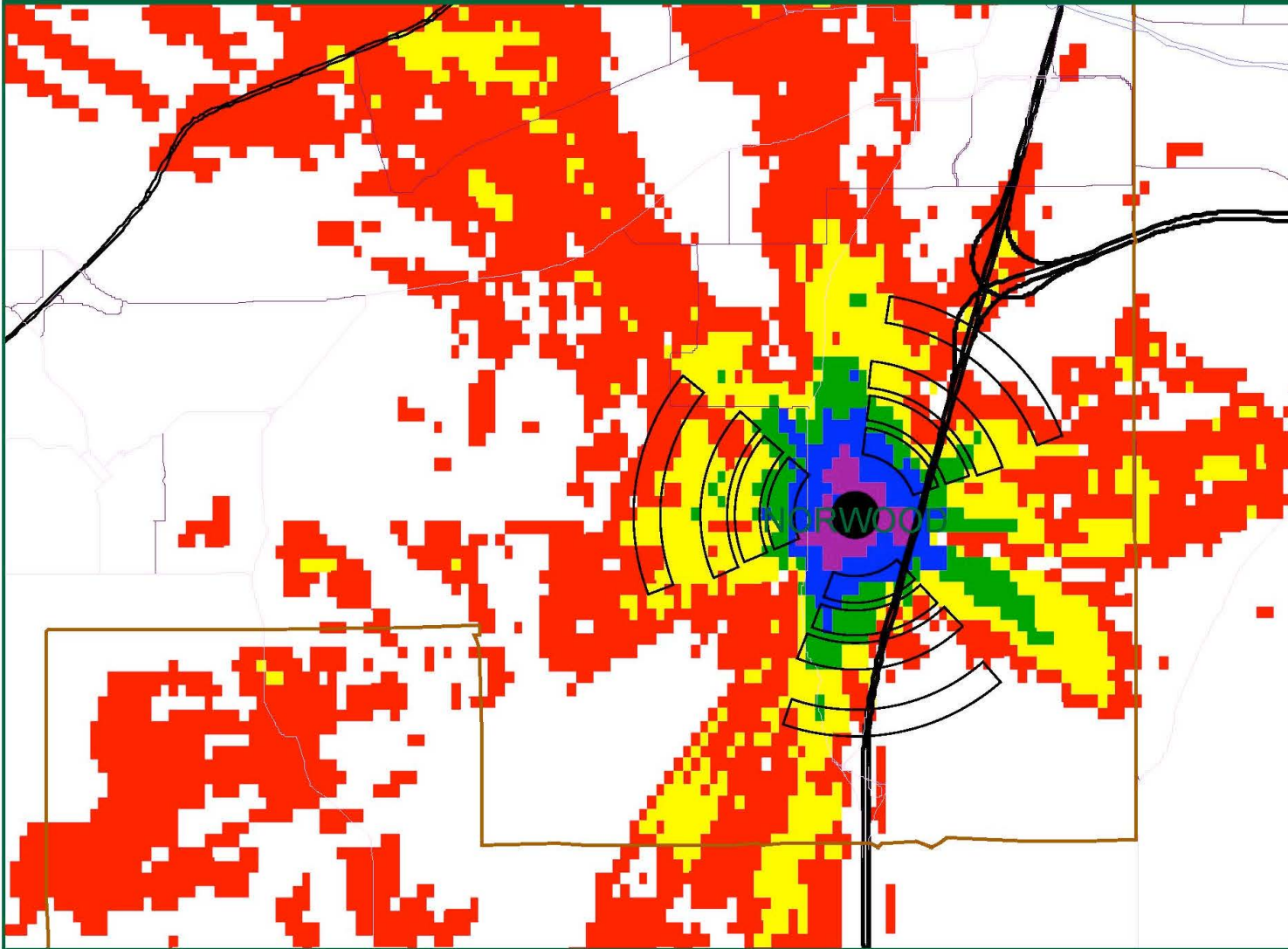
POR NORWOOD – Antenna(s) Centerline (C/L): 110.00'



POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 98.00'

Exhibit 7 – Propose Site (POR NORWOOD)

POR NORWOOD – Antenna(s) Centerline (C/L): 80.00'

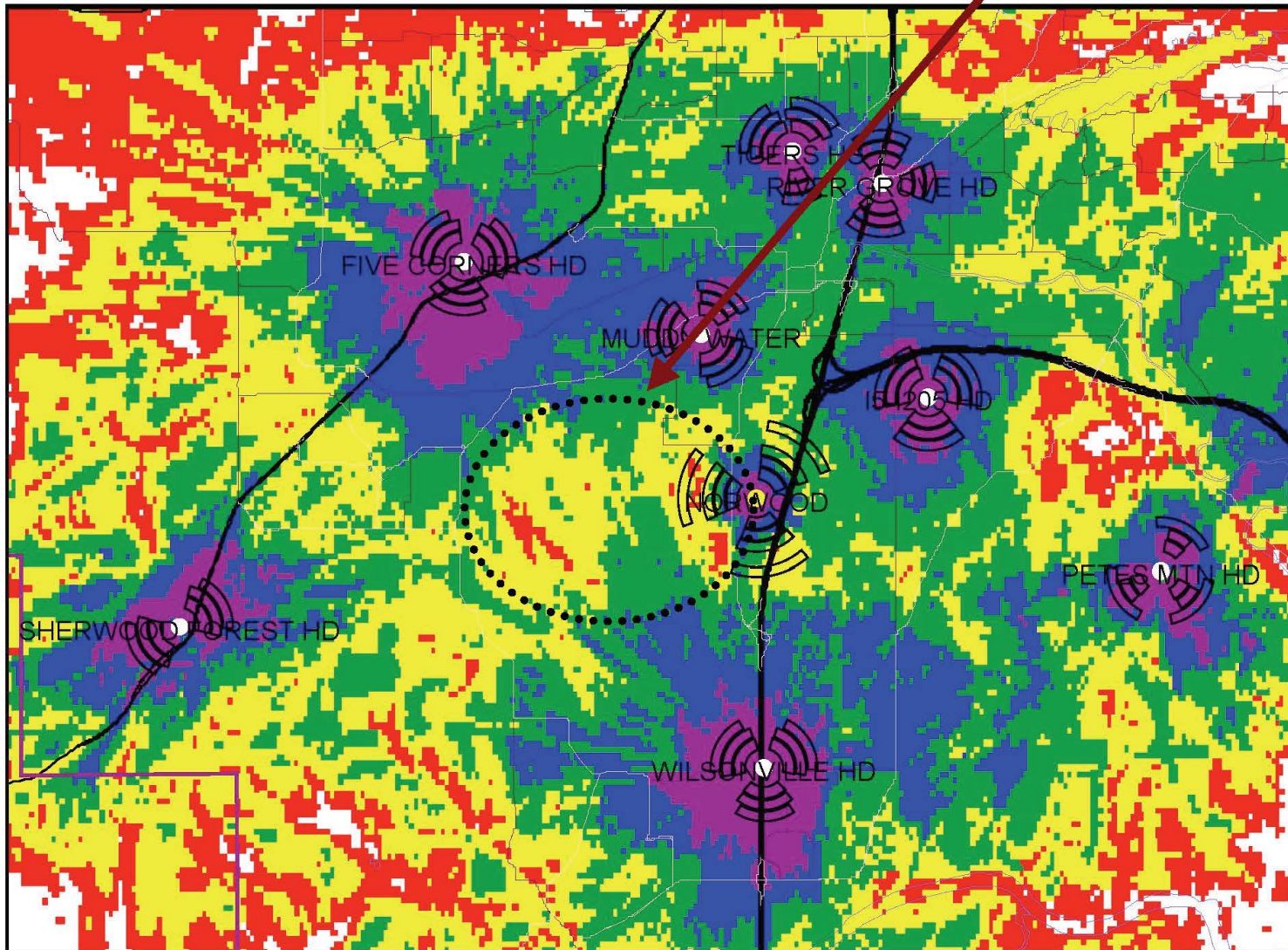


POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 98.00'

Exhibit 8 – With Proposed Site (POR NORWOOD)

POR NORWOOD – Antenna(s) Centerline (C/L): 80.00'

RF Coverage – Poor to Non Existent.

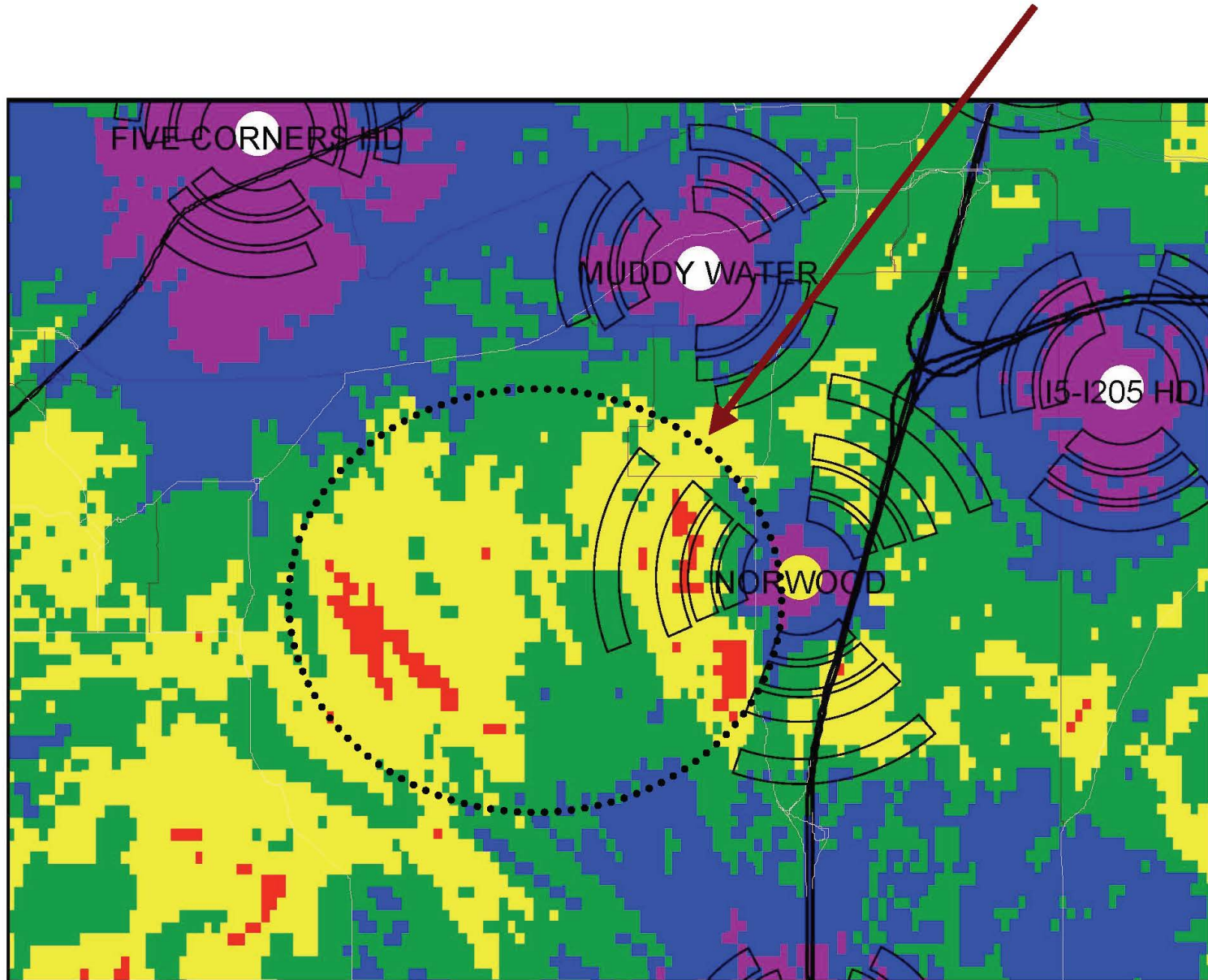


POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 98.00'

Exhibit 9 – With Proposed Site (POR NORWOOD) Close View

POR NORWOOD – Antenna(s) Centerline (C/L): 80.00'

RF Coverage – Poor to Non Existent.



POR SHERWOOD FOREST – Antenna(s) Centerline (C/L): 125.00', POR FIVE CORNERS – Antenna(s) Centerline (C/L): 146.00', POR MUDDY WATER – Antenna(s) Centerline (C/L): 71.00', POR TIGERS HS – Antenna(s) Centerline (C/L): 59.00', POR RIVER GROVE – Antenna(s) Centerline (C/L): 98.00', POR 15-1205 – Antenna(s) Centerline (C/L): 121.00', POR PETES MTN – Antenna(s) Centerline (C/L): 143.00', POR WILSONVILLE – Antenna(s) Centerline (C/L): 88.00'

SECTION D

**EMAIL MESSAGES FROM AREA RESIDENTS REGARDING EXISTING
SERVICE**

From: Deb Fant <deb.fant@gmail.com>
Subject: Re: Verizon Proposal to Collocate New Wireless
Communication Antennas at 8930 SW Norwood Road
Date: December 16, 2013 10:24:13 AM PST
To: Skip Greene <skip.greene@comcast.net>

Hi Skip,

Saw that you were the one to contact regarding the Verizon proposal for 8930 SW Norwood Rd. I would like to add to the list of people who would greatly support the extension of the monopole and antennas. I use my Verizon cell phone as a work backup phone and reception is spotty at best, and not conducive to a business call from inside my home. So please count me as another supporter of this proposal. Hopefully it will pass without complaint.

thanks much,
Deb Fant
22680 SW Eno Pl. Tualatin.

From: Dana Westenhaver <danawestenhaver@gmail.com>
Subject: (No Subject)
Date: December 16, 2013 10:28:04 AM PST
To: Skip Greene skip.greene@comcast.net

Skip Greene:

I live in Tualatin in the Victoria Woods neighborhood and have Verizon cell service. It is terrible in our neighborhood. I lose calls every time I drive into or out of our neighborhood and had to get a MajicJack in order to make business calls from the neighborhood because I lose too many calls when calling clients from home. Please extend the tower or whatever else you can do to improve service.

Thank you.

--

Dana A. Westenhaver
9845 SW Iowa Drive

Tualatin, OR 97062

From: Kenneth Burchett <burchett.ken@gmail.com>
Subject: Victoria Woods Service - New Cell Tower
Date: December 16, 2013 10:37:22 AM PST
To: Skip Greene skip.greene@comcast.net

Skip,

Just wanted to send you a note indicating support for the new cell tower on Norwood. Our Service in Victoria Woods has been terrible for the last few years and we have decided to go with another provider when our current contract ends in January, but we support the new cell tower so that our friends and family that remain on Verizon can send and receive calls when they are at our house.

Ken Burchett

From: James Jones <cpajaj@gmail.com>
Subject: Verizon coverage for Victoria Woods, Tualatin, Or
Date: December 16, 2013 1:08:56 PM PST
To: Skip Greene <skip.greene@comcast.net>

Skip:

I would like to find out if our neighborhood can receive better Verizon coverage. Many of my calls are dropped or do not go through.

Is there anything that might improve our service in that area?

Thank you for your time and attention to this matter.

Kathleen B. Jones

On Dec 16, 2013, at 6:00 AM, Linda Simmons wrote:

Skip,

As the permitting agent with Odelia Pacific I am writing to you. I live in Victoria Woods and strongly support the Verizon Proposal listed below. I

use only a cell phone and it's next to impossible to use my phone at my home. All my neighbors are complaining about the lack of consistent service in our development.

Linda Simmons, 22920 SW Miami Pl

From: Bret Davis <bdavis@precoa.com>
Subject: 8930 SW Norwood Rd Proposal
Date: December 16, 2013 2:57:17 PM PST
To: Skip Greene <skip.greene@comcast.net>
Cc: Jenny Davis (jlbdavis@frontier.com)
jlbdavis@frontier.com

I too strongly support fixing the reception problem in Victoria woods. My company and I have been longtime customers of Verizon wireless and have been very happy until I recently moved my personal residence to Victoria Woods. It came as a big disappointment and huge inconvenience to find out that I literally have to go outside to take and make a call on our cell phone and even that is not a guarantee of good reception. Unfortunately if this is not fixed soon we will have to look to other carriers for better reception options.

Do you know when this upgrade will take place and are there any other things we can do to boost reception until the fix is made?

Thanks for your consideration.

Bret Davis
22550 SW Miami Dr
Tualatin OR 97223



PRECOA

Bret Davis

CEO & Co-Founder

503-244-7755 | bdavis@precoa.com | www.precoa.com
13221 SW 68th Pkwy Suite 100, Portland, OR 97223

From: Jina Kang <jina71171@comcast.net>
Subject: Fwd: Verizon Proposal to Collocate New Wireless
Communication Antennas at 8930 SW Norwood Road
Date: December 16, 2013 4:49:35 PM PST
To: Skip Greene <skip.greene@comcast.net>

I am strongly agreeing with Linda as far as needing better wireless service in our neighborhood. It is EXTREMELY frustrating dealing with our connection services via e-mail or phone. I really hope this can get resolved soon. Thank you Linda for raising up this concern to the appropriate personnel.

Jina Kang
9835 SW Iowa Dr.
Sent from my iPad

From: Mike Thoennes <m4thoennes@msn.com>
Subject: Cell Phone Coverage Victoria Woods
Date: December 16, 2013 5:44:53 PM PST
To: Skip Greene skip.greene@comcast.net

Skip:
I will through my comment in, cell coverage within Victoria Woods, Tualatin is atrocious, I must stand on my front step to get a signal strong enough not to drop a call. My wife and son both have same issue.
Mike Thoennes

From: Mike Morrelli <mmorre00@gmail.com>
Subject: Verizon service in Victoria Woods - Tualatin Oregon
Date: December 17, 2013 9:42:46 AM PST
To: Skip Greene skip.greene@comcast.net

Skip

I understand you are considering enhancing the service in this area and want you to know it is much needed. I believe that based on my experience both here and my previous neighborhood several blocks away that it would have a far reaching affect. Neighbors in both locations have been very vocal that the service is poor and that has definitely been my experience.

I personally have been on the phone with customer service for hours, have purchased an extender and still have horrible reception. The worst part is I have always had Verizon because of superior reception but unfortunately that can no longer be said. I hope that you will be able to make the enhancement and appreciate your consideration.

Mike

Mike Morrelli
Regional Vice President
Premier healthcare alliance
mike_morrelli@premierinc.com
Cell 503-314-0203


VARIANCE CERTIFICATION OF SIGN POSTING

 NOTICE VARIANCE <u>14-01</u> For more information: 503-691-3026 or www.ci.tualatin.or.us	18"
24"	

The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain **medium purple** composed of the **RGB color values Red 112, Green 48, and Blue 160**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at <http://www.ci.tualatin.or.us/departments/communitydevelopment/planning>.

As the applicant for the Verizon Wireless NORWOOD project, I hereby certify that on this day, 17th day of January 2014 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Department - Planning Division.

Applicant's Name: Allen R Green - Agent
(PLEASE PRINT)

Applicant's Signature: 

Date: 1/17/14

VAR-14-01 ATTACHMENT 103:

ANALYSIS AND FINDINGS

The issue before the Tualatin Planning Commission (TPC) is consideration of a Variance (VAR) request by Verizon Wireless for Wireless Communication Facility (WCF) height that would allow a 10-foot extension to an existing 100-foot WCF monopole, raising the total height to 110 feet (ft), and exceeding the maximum structure height of 50 ft by 60 ft.

In order to grant the proposed VAR, the request must meet the approval criteria of Tualatin Development Code (TDC) Section [33.025](#)(2). The applicant prepared a narrative that addresses the criteria, which is within the application materials (Attachment 102), and staff has reviewed this and other application materials and included pertinent excerpts below.

33.010

(1)(a) The Planning Commission may grant variances. The City Council grants variances that are part of a Subdivision, or a Partition Application. ...

(2) Variances may be requested to TDC Chapters 40-69 and 71-73 and the Sign Standards, TDC 38.100, 38.110, 38.120 and 38.140-38.240,

The TPC is reviewing the request in accordance with TDC 33.010(1)(a). The applicant requests a WCF height variance from the maximum structure height of 50 ft in the Institutional (IN) Planning District set by TDC 49.080, a section that falls within the range of TDC sections that TDC 33.010(2) identifies as eligible for variances.

The criterion is met.

31.060 Wireless Communication Facility. An unstaffed facility for the transmission or reception of radio frequency (RF) signals, usually consisting of an equipment shelter, cabinet or other enclosed structure containing electronic equipment, a support structure, antennas or other transmission and reception devices.

49.080 Structure Height.

(1) Except for flagpoles displaying the flag of the United States of America, either alone or with the State of Oregon flag, which shall not exceed 100 feet in height above grade, and except as provided in subsection (2) of this section, the maximum height of any structure is 50 feet.

(2) Exterior lighting, where height of tallest portion of fixture or standard is greater than the height of the tallest permitted building on site is subject to conditional use approval, as set forth in TDC 49.030(4)(c).

(3) Maximum structure height for a wireless communication support structure and antennas located within 300 feet of the centerline of I-5 is 120 feet. [Ord. 1216-06, 7/24/06]

The City developed the site under Washington County jurisdiction and later annexed it, including the existing 100-foot WCF monopole cell tower, via Annexation ANN-08-01 in 2008. It automatically received the Institutional (IN) Planning District designation pursuant to TDC Map 9-1 Community Plan Map and the Urban Planning Area Agreement ([UPAA](#)) between City and Washington County that allows properties annexed by the City from within Washington County and the planning area boundary on TDC Map 9-1 to automatically assume the Map 9-1 district designations. In the IN Planning District, the maximum structure height is 50 ft. A heightened WCF requires a VAR.

Because according to the City Geographic Information System (GIS) the WCF is located 952 ft from the centerline of I-5, which is farther than 300 ft from the centerline of I-5, the maximum structure height of 120 ft allowed by subsection (3) is not applicable to the subject WCF.

33.025(2) The City may grant a variance to the maximum allowable height for a WCF if the applicant demonstrates:

(a) It is technically not practicable to provide the needed capacity or coverage the tower is intended to provide at a height that meets the TDC requirements. The needed capacity or coverage shall be documented with a Radio Frequency report; and,

Due to the significant gap in service, the original plan by Verizon for the subject property was to co-locate its antennas at the 76-foot radial center on the existing 100-foot monopole. After securing permission from the City Operations Department to visit the site to do the design for the co-location and the ground-mounted equipment, the radio frequency (RF) engineer determined that the western water tank, which is 50 ft tall and approximately 100 ft wide would reflect part of the western signal and block coverage objectives. The lower mounting height would also not project the signal in the other directions as far as required to connect to the surrounding cell sites as will be seen in the Appendix Exhibits within the application materials (Attachment 102). With antennas at this lower level, the tall, dense evergreen forest also would degrade the signal.

Within the application materials on pages 43-45, Section B "RF Engineer Justification Letter" indicates in the last paragraph that:

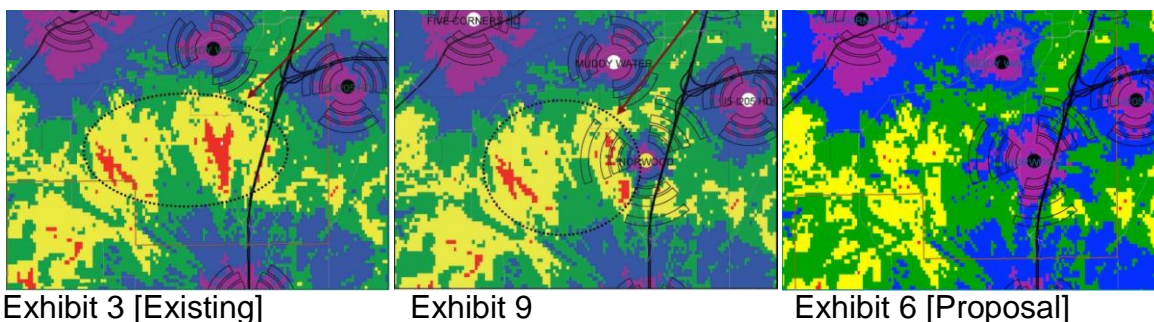
The proposed site, POR Norwood is a necessary communication facility as it provides the desired public service needed to complete the Verizon Wireless network in the area and to comply with the obligations of our FCC [Federal Communications Commission] license. POR Norwood especially with an antenna centerline at 110 feet AGL (Exhibit 4, 5, & 6), will provide superb service, i.e. a -85dBm (yellow) signal strength or better (purple, blue, and green) for most areas defined in Exhibit 1 (area highlighted in yellow). This site once built and operational will provide necessary public voice and data, including 911 services,

along I-5 south of I-205 (North), SW 65th Ave. (East), SW Elligsen Rd. (South), Sherwood City Limit (West) and as much of rural area.

The criterion is met.

(b) The collocation report, required as part of the Architectural Review submittal, shall document that existing WCFs, or a WCF for which an application has been filed and not denied, cannot be modified to provide the capacity or coverage the tower is intended to provide. [Ord. 1116-02, 08/26/02; Ord. 1339-12 §11, 01/23/12]

Within the application materials on pages 49-56, Section C Exhibits 2-9 illustrate coverage of the south Tualatin area with color-coding. (The junction of the two bold black lines is of I-5 and I-205.) The excerpted exhibits below from left to right indicate existing conditions, co-location of antennae on the WCF with its present height, and with the proposal of antennae on the WCF at 110 ft.



Basically, poor coverage – particularly indoors or in vehicle – symbolized in red is little reduced by co-location of antennae on the WCF with its present height while the proposal nearly eliminates poor coverage.

Within the application materials on pages 57-62, Section D contains copies of e-mails from surrounding residents in support of the proposal and citing lack of service in their homes and surrounding areas.

The criterion is met.

73.460 All wireless communication facilities and attached facilities should strive to meet the following objectives to the maximum extent practicable. Architects and developers should consider these elements in designing new projects. In the case of conflicts between objectives, the proposal shall provide a desirable balance between the objectives. Site elements shall be placed and designed, to the maximum extent practicable, to:

The associated site improvements implied by the VAR request would require Architectural Review (AR) pursuant to TDC [73.040](#)(1), and approval of the VAR request would not substitute for AR. WCF objectives, which are distinct from AR WCF standards, might help the TPC by providing context for a VAR request relating to a WCF.

(1) Be aesthetically located to be compatible with the surrounding environment and analyze co-location before seeking new sites.

The proposal is for co-location and not a new WCF. Within the application materials, Section A contains photo simulations of three views demonstrating the minimal effect on view of the monopole with the proposed 10-ft extension compared to the view of the existing 100-ft monopole. The views from the west would see the extension but because the antenna mount would be similar to the existing mounts the effect on view would be small. Views from the south would also see the extension but due to the tall tree cover in the area it would hardly be seen. Views from the north and east would not be affected at all because the structure is not visible from these areas. The proposal is compatible with surrounding development.

(2) Minimize disruption of natural site features such as topography, trees, and water features.

The proposal is for co-location at a developed site and involves no disruption of natural site features.

(3) Take into consideration the existing topography of the site and surrounding vicinity.

As examined for (1), the proposal is compatible with surrounding development.

(4) Locate a wireless communications facility within stands of existing vegetation and trees to reduce the visual impact of the support structure.

The subject property is bordered on three sides – north, east, and south – by dense evergreen forest on undeveloped property. Additionally, the existing WCF is located between City potable water reservoir tanks B-1 and B-2 that are 50 ft tall. The WCF is located within stands of existing vegetation and trees that reduce the visual impact of the support structure.

(5) Screen elements such as mechanical and electrical equipment from view.

The subject property is bordered on three sides – north, east, and south – by dense evergreen forest on undeveloped property. The existing at-grade mechanical and electrical equipment approved through AR-08-21 are within a fenced enclosure between City potable water reservoir tanks B-1 and B-2 that are 50 ft tall. At-grade mechanical and electrical equipment are screened from view.

(6) Locate a wireless communication facility attached to existing rooftop mechanical equipment before placement on the exterior wall of a building.

The proposal is for co-location on an existing WCF and involves no “wireless communication facility attached” that by definition in TDC 31.060 is, “a wireless communication facility that is affixed to an existing structure, e.g., an existing building wall or roof, mechanical equipment, tower or pole, water tank, utility pole, or light pole, that does not include an additional wireless communication support

structure.”

(7) Co-locate wireless communication facility or attached facility.

The proposal is for co-location.

(8) Construct wireless communication support structures at the minimum height necessary to serve the operational requirements of the system.

As examined for the criteria of 33.025(2)(a) and (b), the WCF height variance proposal is for the minimum height necessary to serve the operational requirements of the system.

(9) Separate wireless communication support structures from each other.

The proposal is for co-location and not a new WCF, maintaining existing separation of wireless communication support structures from each other.

The criteria are met.

**Variance:
VAR-14-01**



Wireless Communication Facility (WCF) Norwood Verizon

March 6, 2014







Oblique View





Applicant Request

- Institutional (IN) Planning District
- IN max. height of 50 feet (ft)
- Variance to 100-foot Wireless Communication Facility by 10 ft to 110 ft to co-locate antennae
- Because applicant requests to increase legally non-conforming WCF height existing when City annexed site in 2008, a variance is necessary



Background

- Site includes City Norwood Reservoir tanks B-1 and B-2 and is operated by Operations Department
- Existing monopole cell tower height is legally non-conforming
- City developed the site under Washington County jurisdiction and annexed it in 2008, built a pump station for the reservoir, and approved co-location of some of the existing WCF antennae



VAR WCF Height Criteria

Tualatin Development Code (TDC) WCF height variance criteria are:

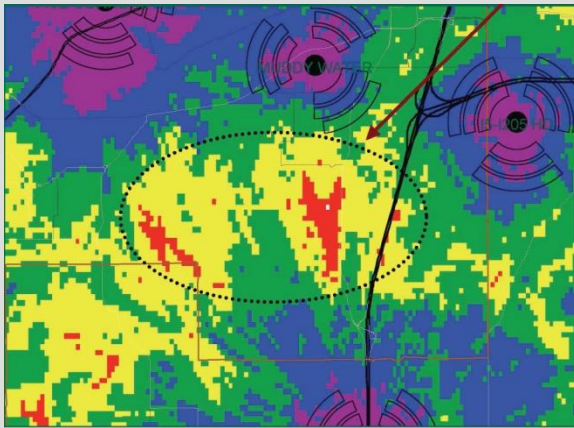
33.025(2) The City may grant a variance to the maximum allowable height for a WCF if the applicant demonstrates:

- (a) It is technically not practicable to provide the needed capacity or coverage the tower is intended to provide at a height that meets the TDC requirements. The needed capacity or coverage shall be documented with a Radio Frequency report; and,**
- (b) The collocation report, required as part of the Architectural Review submittal, shall document that existing WCFs, or a WCF for which an application has been filed and not denied, cannot be modified to provide the capacity or coverage the tower is intended to provide.**

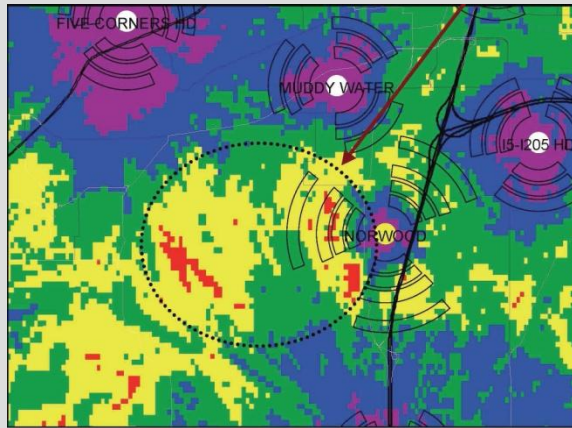


Existing & Proposed Coverage

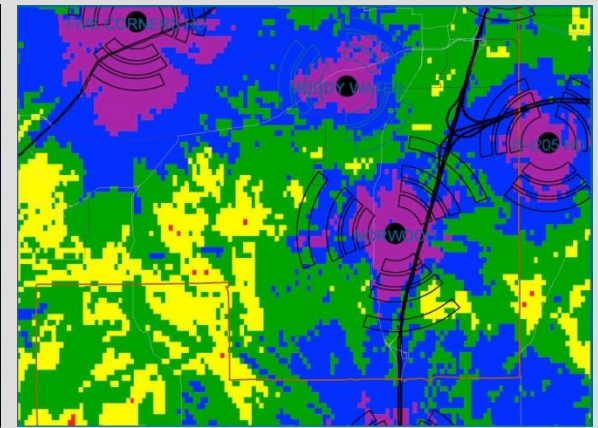
Within these graphics that address Criterion (b), red symbolizes poor coverage – particularly indoors or in vehicle:



Existing



Co-location
without Height
Increase



Proposal



Conclusion

Analysis and findings show WCF Verizon Norwood meets VAR height criteria.





STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

THROUGH: Aquilla Hurd-Ravich

FROM: Colin Cortes, Assistant Planner
Sean Brady, City Attorney

DATE: 03/06/2014

SUBJECT: Consideration of **Resolution 01-14TPC** for a Variance request by Verizon Wireless for Wireless Communication Facility (WCF) height that would allow a 10-foot extension to an existing 100-foot monopole cell tower, raising the total height to 110 feet (ft).

ISSUE BEFORE TPC:

The Tualatin Planning Commission (TPC) will consider Resolution 01-14TPC for a Variance request by Verizon Wireless for Wireless Communication Facility (WCF) height that would allow a 10-foot extension to an existing 100-foot monopole cell tower, raising the total height to 110 feet (ft).

RECOMMENDATION:

Staff recommends the TPC adopt Resolution 01-14TPC granting VAR-14-01.

EXECUTIVE SUMMARY:

On March 6, 2014, the TPC held a quasi-judicial hearing to decide whether to approve Variance request VAR-14-01. At the close of the public hearing, the TPC approved the Staff Report.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with the recommendation.

Attachments: Resolution No. 01-14TPC

RESOLUTION NO. 01-14TPC

TUALATIN PLANNING COMMISSION RESOLUTION APPROVING A VARIANCE TO A WIRELESS COMMUNICATION FACILITY (WCF) MAXIMUM ALLOWABLE HEIGHT FOR VERIZON WIRELESS IN THE INSTITUTIONAL (IN) PLANNING DISTRICT AT 8930 SW NORWOOD ROAD (TAX MAP 2S1 35D, TAX LOT 107) (VAR-14-01)

WHEREAS, a quasi-judicial public hearing was held before the Tualatin Planning Commission on March 6, 2014, upon the application of Verizon Wireless (Verizon); and

WHEREAS, notice of public hearing was given as required by the Tualatin Development Code 31.077; and

WHEREAS, the Commission conducted a public hearing; and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing, the Commission voted to approve the variance; and

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

Section 1. The commission approves the application for a variance VAR-14-01 to allow the applicant to raise the height of the Wireless Communication Facility WCF monopole to 110 feet (ft) to allow co-location of 12 new panel antennas and accessory electronic devices at the top of the extended monopole to provide needed coverage with the following condition:

Applicant will follow the Architectural Review and Approval process outlined in the TDC.

Section 2. The Commission adopts as its findings the Analysis and Findings, which is attached as Attachment A, and is incorporated by reference.

Section 3. This Resolution is effective upon adoption.

Adopted by the Commission this ____ Day of _____, 2014.

TUALATIN PLANNING COMMISSION of
the City of Tualatin, Oregon

BY _____
Chairman

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
Administrator

VAR-14-01 ATTACHMENT A

ANALYSIS AND FINDINGS

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In order to grant the proposed VAR, the request must meet the approval criteria of Tualatin Development Code (TDC) Section [33.025\(2\)](#). The applicant prepared a narrative that addresses the criteria, which is within the application materials (Attachment 102), and staff has reviewed this and other application materials and included pertinent excerpts below.

33.010

(1)(a) The Planning Commission may grant variances. The City Council grants variances that are part of a Subdivision, or a Partition Application. ...

(2) Variances may be requested to TDC Chapters 40-69 and 71-73 and the Sign Standards, TDC 38.100, 38.110, 38.120 and 38.140-38.240,

The TPC is reviewing the request in accordance with TDC 33.010(1)(a). The applicant requests a WCF height variance from the maximum structure height in the Institutional (IN) Planning District set by TDC 49.080, a section that falls within the range of TDC sections that TDC 33.010(2) identifies as eligible for variances.

The criterion is met.

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(1) Except for flagpoles displaying the flag of the United States of America, either alone or with the State of Oregon flag, which shall not exceed 100 feet in height above grade, and except as provided in subsection (2) of this section, the maximum height of any structure is 50 feet.

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(3) Maximum structure height for a wireless communication support structure and antennas located within 300 feet of the centerline of I-5 is 120 feet. [Ord. 1216-06, 7/24/06]

The City developed the site under Washington County jurisdiction and later annexed it, including the existing 100-foot WCF monopole cell tower, via Annexation ANN-08-01 in 2008. It automatically received the Institutional (IN) Planning District designation pursuant to TDC Map 9-1 Community Plan Map and the Urban Planning Area Agreement ([UPAA](#)) between City and Washington County that allows properties annexed by the City from within Washington County and the planning area boundary on TDC Map 9-1 to automatically assume the Map 9-1 district designations. In the IN Planning District, the maximum structure height is 50 ft. A heightened WCF requires a VAR.

Because the WCF is located farther than 300 ft from the centerline of I-5, the maximum structure height of 120 ft allowed by subsection (3) is not applicable to the subject WCF.

33.025(2) The City may grant a variance to the maximum allowable height for a WCF if the applicant demonstrates:

(a) It is technically not practicable to provide the needed capacity or coverage the tower is intended to provide at a height that meets the TDC requirements. The needed capacity or coverage shall be documented with a Radio Frequency report; and,

Due to the significant gap in service, the original plan by Verizon for the subject property was to co-locate its antennas at the 76-foot radial center on the existing 100-foot monopole. After securing permission from the City Operations Department to visit the site to do the design for the co-location and the ground-mounted equipment, the radio frequency (RF) engineer determined that the western water tank, which is 50 ft tall and approximately 100 ft wide would reflect part of the western signal and block coverage objectives. The lower mounting height would also not project the signal in the other directions as far as required to connect to the surrounding cell sites as will be seen in the Appendix Exhibits within the application materials (Attachment 102). With antennas at this lower level, the tall, dense evergreen forest also would degrade the signal.

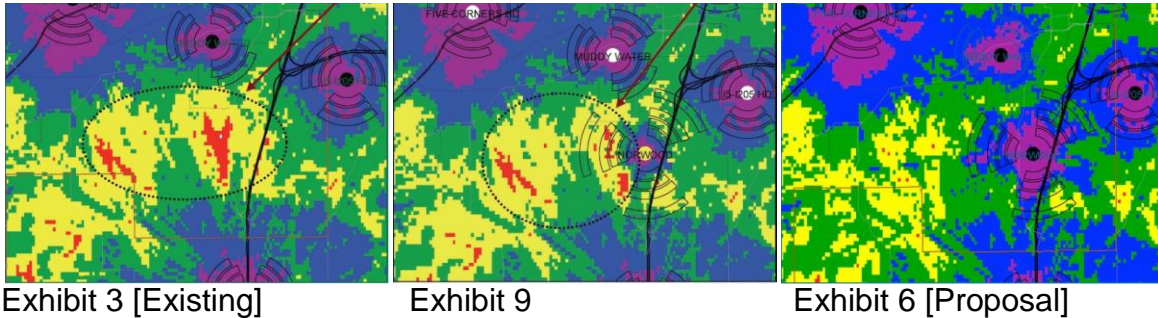
Within the application materials on pages 43-45, Section B "RF Engineer Justification Letter" indicates in the last paragraph that:

The proposed site, POR Norwood is a necessary communication facility as it provides the desired public service needed to complete the Verizon Wireless network in the area and to comply with the obligations of our FCC [Federal Communications Commission] license. POR Norwood especially with an antenna centerline at 110 feet AGL (Exhibit 4, 5, & 6), will provide superb service, i.e. a -85dBm (yellow) signal strength or better (purple, blue, and green) for most areas defined in Exhibit 1 (area highlighted in yellow). This site once built and operational will provide necessary public voice and data, including 911 services, along I-5 south of I-205 (North), SW 65th Ave. (East), SW Elligsen Rd. (South), Sherwood City Limit (West) and as much of rural area.

The criterion is met.

(b) The collocation report, required as part of the Architectural Review submittal, shall document that existing WCFs, or a WCF for which an application has been filed and not denied, cannot be modified to provide the capacity or coverage the tower is intended to provide. [Ord. 1116-02, 08/26/02; Ord. 1339-12 §11, 01/23/12]

Within the application materials on pages 49-56, Section C Exhibits 2-9 illustrate coverage of the south Tualatin area with color-coding. (The junction of the two bold black lines is of I-5 and I-205.) The excerpted exhibits below from left to right indicate existing conditions, co-location of antennae on the WCF with its present height, and with the proposal of antennae on the WCF at 110 ft.



Basically, poor coverage – particularly indoors or in vehicle – symbolized in red is little reduced by co-location of antennae on the WCF with its present height while the proposal nearly eliminates poor coverage.

Within the application materials on pages 57-62, Section D contains copies of e-mails from surrounding residents in support of the proposal and citing lack of service in their homes and surrounding areas.

The criterion is met.

73.460 All wireless communication facilities and attached facilities should strive to meet the following objectives to the maximum extent practicable. Architects and developers should consider these elements in designing new projects. In the case of conflicts between objectives, the proposal shall provide a desirable balance between the objectives. Site elements shall be placed and designed, to the maximum extent practicable, to:

(1) Be aesthetically located to be compatible with the surrounding environment and analyze co-location before seeking new sites.

The proposal is for co-location and not a new WCF. Within the application materials, Section A contains photo simulations of three views demonstrating the minimal effect on view of the monopole with the proposed 10-ft extension compared to the view of the existing 100-ft monopole. The views from the west would see the extension but because the antenna mount would be similar to the existing mounts the effect on view would be small. Views from the south would also see the extension but due to the tall tree cover in the area it would hardly be seen. Views

from the north and east would not be affected at all because the structure is not visible from these areas. The proposal is compatible with surrounding development.

(2) Minimize disruption of natural site features such as topography, trees, and water features.

The proposal is for co-location at a developed site and involves no disruption of natural site features.

(3) Take into consideration the existing topography of the site and surrounding vicinity.

As examined for (1), the proposal is compatible with surrounding development.

(4) Locate a wireless communications facility within stands of existing vegetation and trees to reduce the visual impact of the support structure.

The subject property is bordered on three sides – north, east, and south – by dense evergreen forest on undeveloped property. Additionally, the existing WCF is located between City potable water reservoir tanks B-1 and B-2 that are 50 ft tall. The WCF is located within stands of existing vegetation and trees that reduce the visual impact of the support structure.

(5) Screen elements such as mechanical and electrical equipment from view.

The subject property is bordered on three sides – north, east, and south – by dense evergreen forest on undeveloped property. The existing at-grade mechanical and electrical equipment approved through AR-08-21 are within a fenced enclosure between City potable water reservoir tanks B-1 and B-2 that are 50 ft tall. At-grade mechanical and electrical equipment are screened from view

(6) Locate a wireless communication facility attached to existing rooftop mechanical equipment before placement on the exterior wall of a building.

The proposal is for co-location on an existing WCF and involves no “wireless communication facility attached” that by definition in TDC 31.060 is, “a wireless communication facility that is affixed to an existing structure, e.g., an existing building wall or roof, mechanical equipment, tower or pole, water tank, utility pole, or light pole, that does not include an additional wireless communication support structure.”

(7) Co-locate wireless communication facility or attached facility.

The proposal is for co-location.

(8) Construct wireless communication support structures at the minimum height necessary to serve the operational requirements of the system.

As examined for the criteria of 33.025(2)(a) and (b), the WCF height variance proposal is for the minimum height necessary to serve the operational requirements

of the system.

(9) Separate wireless communication support structures from each other.

The proposal is for co-location and not a new WCF, maintaining existing separation of wireless communication support structures from each other.

The criteria are met.



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

FROM: Aquilla Hurd-Ravich, Planning Manager
Clare Fuchs, Senior Planner

DATE: 03/06/2014

SUBJECT: Consideration of Plan Map Amendment 14-01, amending Community Plan Map 9-1, to change the designation of two tax lots totaling 9.41 acres from General Commercial and Recreational Commercial to High Density Residential located at 17865 SW Pacific Highway (PMA-14-01)

ISSUE BEFORE TPC:

Consideration of Plan Map Amendment 14-01, amending Community Plan Map 9-1, to change the designation of two tax lots from General Commercial and Recreational Commercial to High Density Residential located 17865 SW Pacific Highway.

RECOMMENDATION:

Staff recommends that Planning Commission consider the staff report, analysis and findings, application materials and proposed maps and make a recommendation to the City Council.

EXECUTIVE SUMMARY:

Project Description

This matter is a quasi-judicial plan amendment requiring review by the Planning Commission. A quasi-judicial public hearing is scheduled for City Council consideration on March 24, 2014.

The City has received an application requesting a Plan Map Amendment changing the planning designations of two tax lots, 2S1 15C 2191 (General Commercial) and tax lot 2202 (Recreational Commercial), to High Density Residential (RH). The applicant proposes to annex to the City the two tax lots located at 17865 SW Pacific Hwy plus a third tax lot, 2300 (designated RH), which is located at 17985 SW Pacific Hwy. The applicant, Mountain West Investment Corporation, submitted application materials included as Attachment 101 Application Materials.

The subject site is comprised to two tax lots which total 9.41 acres. Tax lot 2191 is approximately 1.03 acres and Tax Lot 2202 is approximately 8.38 acres. This proposed amendment will also change the Planning Designation of approximately 0.28 acres of right-of-way on 99W adjacent to Tax Lot 2191. The applicant proposes to annex to the City the two tax lots located at 17865 SW Pacific Hwy plus a third tax lot, 2300 (designated RH), which is located at 17985 SW Pacific Hwy. Attachment 102 Background provides a general overview of the project.

Changing these two tax lots to the RH Planning District designation will allow for up to 25 units per acre. These two tax lots are under the same ownership as well as a tax lot to the south of the subject property which is currently designated High Density Residential. The three lots combined can support multi-family residential. The City's housing capacity will increase from this amendment by approximately 160 units. The City's total dwelling unit per acre will increase from 8.1 du/acre to 8.2 du/acre. Additionally, the percentage of multifamily dwelling units in the City will increase from 52% to 53% of all total dwelling units. Per OAR 660-007-0035(2) the City of Tualatin is required to provide a net density of eight dwelling units per acre (8 du/ac). Per OAR 660-007-0030 the City is required to provide at least 50 percent of new residential units as attached single family housing or multiple family housing.

Subject Site Description

The site is located on the northwest side of 99W Pacific Highway. It is about 329 feet north of the intersection at 99W and SW 124th Avenue. Land to the north is designated Recreational Commercial and is currently occupied by the Roamers Rest RV Park. The tax lot immediately to the south is designated High Density Residential and is under the same ownership as the subject site. Land south of this tax lot is also designated High Density Residential and is currently occupied by single family homes. The largest of the two tax lot under review, 2202, is separated from 99W by General Commercial land that is currently occupied by a restaurant and a commercial use. Across from subject site on the south side of 99W Pacific Highway is a multifamily residential development on land designated High Density Residential and to the south of this development is an office building and vacant land on land designated General Commercial. The Tualatin River borders the subject site on the north side of the property. Additionally, the City has identified land on this site for the Tualatin River Greenway Trail. Both tax lots were previously occupied by a manufactured home park but has been vacant for several years. See Attachments 103 and 104 Existing Plan Designation and Future Plan Designation for reference.

The applicant states that "[t]he site is not well situated for the commercial development, particularly retail development, in light of its one-way access into and out of the site." The present planning designation of General Commercial and Recreational Commercial allow for retail uses. The applicant continues, "[a]ccordingly, the property will likely long-remain vacant under the current commercial planning designations." Planning staff have often received requests for information about this site and the ability to develop all three acres but the inquiries have not resulted in pursuit of development until this application. The site is constrained by the Tualatin River and associated setbacks imposed by Clean Water Services that include a 125-foot vegetative corridor. A third of the area adjacent to the Tualatin River is covered by the 100-year floodplain and floodway which is not buildable land. Because the site is located on an ODOT facility, access is limited. Additionally, the City has identified land on this site as part of the Tualatin Greenway Trail which can be located in Clean Water Services vegetative corridor. The combination of these site constraints present very limited opportunities for developing this site. The limited access off of 99W Pacific Highway reduces the market viability of retail uses. However, this site is suitable for multifamily development and areas adjacent to the site are identified as suitable for higher residential density. In order to make this site viable for development a Plan Map Amendment is necessary to allow the development of multifamily high density residential.

The Engineering Division reviewed this application and determined that the proposed amendment will reduce the the AM and PM Peak traffic from the currently allowed uses, which

would not increase the Level-of-Service at nearby intersections. All infrastructure services needed to support high density residential development are available adjacent to the site.

Additionally, Engineering staff determined that with any future proposed development all public utilities will need to be evaluated by the developer for any upsizing requirements. A memorandum from Engineering staff is included as Exhibit B to the Analysis and Findings (Attachment 106).

Public Involvement

The applicant conducted a Neighborhood/ Developer Meeting on January 9, 2013 at 6:00pm at the Juanita Pohl Center located at 8513 SW Tualatin Road. Seven people signed in for the meeting, not including the applicant's team, and the topics discussed included the following:

- Discussion of applicant's company
- Property description, location, surrounding land uses
- Current zones and surrounding zones of the subject site and those around it
- A summary of the annexation and map amendment process
- Anticipated construction schedule of the project
- Entering and exiting the property- ODOT access
- ADT of commercial land uses versus residential land uses
- Traffic flow, traffic density and sight distance (u-turns and signals)
- Possibility of natural gas being brought to the vicinity
- Mixed use zoning
- Parking
- Number of proposed units, size of units, and number of buildings and number of stories
- Rental rates, comparative properties, area demand for multi-family projects
- Affected schools
- Schedule of upcoming notifications and meeting dates

Plan Amendment Criteria

The Analysis and Findings in Attachment 106 contain findings of fact to demonstrate that the proposed amendment to Community Plan Map 9-1 are consistent with approval criteria per Tualatin Development Code Section 1.032 Burden of Proof. These criteria must be met if the proposed amendment is to be granted. As demonstrated in the Analysis and Findings all ten criteria are applicable and met. The Analysis and Findings goes through a comprehensive analysis of applicable Tualatin Community Plan chapters, State Goals and the Metro Urban Growth Functional Plan.

OUTCOMES OF DECISION:

A recommendation to approve PMA 14-01 would result in the following:

- A change of the Planning Designation on Tax Lot 2S1 15C 2191 from General Commercial to High Density Residential and a change of the Planning Designation on Tax Lot 2S1 15C 2202 from Recreational Commercial to High Density Residential on Community Plan Map 9-1. The two subject tax lots are located at 17985 SW Pacific Highway.
- Eventual development of the site for multifamily residential purposes with the potential for a density of 25 dwelling units per acre.

A recommendation to deny PMA 14-01 would result in the following:

- The Community Plan Map 9-1 will not be amended and High Density Residential

development will not be allowed on these two tax lots.

ALTERNATIVES TO RECOMMENDATION:

The alternative recommendations for the Planning Commission include:

- Recommend the Council approve the proposed Plan Map Amendment with alterations
- Recommend the Council deny the request
- Continue the discussion of the proposed Map Amendment and return to the matter at a later date

FINANCIAL IMPLICATIONS:

The applicant paid a \$2,000 filing fee for the Plan Map Amendment application.

Attachments:

101 - Application Materials

102 - Background

103 - Proposed Property Plan Designation

104 - Existing Property Plan Designation

105 - Espedal Tax Map

106 - Analysis and Findings



City of Tualatin

www.tualatinoregon.gov

"NECESSARY PARTIES"
MARKED BELOW

NOTICE OF APPLICATION SUBMITTAL

- ☐ ANNEXATION ☐ CONDITIONAL USE PERMIT ☐ PLAN TEXT AMENDMENT
☐ ARCHITECTURAL REVIEW ☒ PLAN MAP AMENDMENT ☐ OTHER

CASE/FILE: PMA-14-01

(Community Development Dept.: Planning Division)

PROPOSAL	17865 SW Pacific Hwy consists of two tax lots: 2S1 15C 2191 and 2202. Tax lot 2191 is designated General Commercial (CG). Tax lot 2202 is designated Recreational Commercial (CR). The applicant proposes to change these two tax lots to High Density Residential (RH). A third tax lot, 2300, will also be annexed along with 2191 and 2202. Tax lot 2300 is already designated RH and is located at 17985 SW Pacific Hwy. Map 9-1 of the Tualatin Development Code (TDC) will be amended. This property is known as the Espedal property.
-----------------	--

PROPERTY <input type="checkbox"/> n/a	Street Address	17865, 17985 SW PACIFIC HWY TUALATIN OR, 97062
	Tax Map and Lot No(s).	Tax Map: 2S1 15C Tax Lots: 2191, 2202, and 2300
	Planning Districts	General Commercial (CG), Recreational Commercial (CR), and High Density (RH) respectively
	Related Applications	ANN-14-01 Annexation

DATES	Receipt of application	1/10/2014	CONTACT	Name: Clare Fuchs
	Notice of application submittal	1/30/2014		Title: Senior Planner
	Project Status / Development Review meeting	2/6/2014		E-mail: cfuchs@ci.tualatin.or.us
	Comments due for staff report	2/13/2014		Phone: 503-691-3027
	Public meeting: <input type="checkbox"/> ARB <input checked="" type="checkbox"/> TPC <input checked="" type="checkbox"/> n/a	TBD		Notes:
	City Council (CC) <input type="checkbox"/> n/a			

City Staff

- ☒ City Manager
☒ Building Official
☒ Chief of Police
☒ City Attorney
☒ City Engineer
☒ Community Dev. Director
☒ Community Services Director
☒ Economic Dev. liaison
☒ Engineering Associate
☒ Finance Director
☒ GIS technician(s)
☒ IS Manager
☒ Operations Director
☒ Parks and Recreation Coordinator
☒ Planning Manager
☒ Street/Sewer Supervisor
☒ Water Supervisor

Neighboring Cities

- ☐ Durham
☒ King City Planning Commission
☐ Lake Oswego
☐ Rivergrove PC
☐ Sherwood Planning Dept.
☐ Tigard Community Dev. Dept.

- ☐ Wilsonville Planning Div.

Counties

- ☐ Clackamas County Dept. of Transportation and Dev.
☒ Washington County Dept. of Land Use and Transportation

Regional Government

- ☒ Metro

School Districts

- ☐ Lake Oswego School Dist. 7J
☐ Sherwood SD 88J
☒ Tigard-Tualatin SD 23J (TTSD)
☐ West Linn-Wilsonville SD 3J

State Agencies

- ☐ Oregon Dept. of Aviation
☒ Oregon Dept. of Land Conservation and Development (DLCD) (via proprietary notice)
☐ Oregon Dept. of State Lands: Wetlands Program
☒ Oregon Dept. of Transportation (ODOT) Region 1 Development Review Program
☐ ODOT Rail Div.

Utilities

- ☒ Republic Services (Allied Waste)
☒ Clean Water Services (CWS)
☒ Comcast [cable]
☒ Frontier Communications[phone]
☒ Northwest Natural [gas]
☒ Portland General Electric (PGE)
☒ TriMet
☒ Tualatin Valley Fire & Rescue (TVF&R)
☒ United States Postal Service (USPS) (Washington; 18850 SW Teton Ave)
☐ USPS (Clackamas)
☒ Washington County Consolidated Communications Agency (WCCCA)

Additional Parties

- ☒ Tualatin Citizen Involvement Organization (CIO)
☐ DKS

ESPEDAL PROPERTY PLAN MAP AMENDMENT APPLICATION

DATE: January 10, 2014

SUBMITTED TO: City of Tualatin, OR
Community Development Dept
18880 SW Martinazzi Ave
Tualatin, OR 97062

PROPERTY OWNERS: Donna J. Degele
16182 Bimini Ln
Huntington Beach, CA 92649

Kenneth R. Espedal, Joyce L. Poppert
11515 SW Hazelbrook Rd
Tualatin, OR 97062

PREPARED FOR: Mountain West Investment Corporation
201 Ferry St SE, # 400
Salem, OR 97301

PREPARED BY: AKS Engineering & Forestry
13910 SW Galbreath Drive, Suite 100
Sherwood, OR 97140



13910 SW Galbreath Drive, Suite 100
Sherwood, OR 97140
P: (503) 925-8799
F: (503) 925-8969
www.aks-eng.com

ESPEDAL PROPERTY PLAN MAP AMENDMENT APPLICATION

TABLE OF CONTENTS

APPLICATION PACKET:

- PLAN MAP AMENDMENT APPLICATION INSTRUCTIONS
- APPLICATION FOR PLAN MAP AMENDMENT
- NEIGHBORHOOD / DEVELOPER MEETING INFORMATION
- NOTICING – MAILING LABELS
- TRAFFIC STUDY
- APPROVAL CRITERIA NARRATIVE
- MEASURE 37 WAIVER OF RIGHTS AND REMEDIES

UNDER SEPARATE COVER:

- CITY OF TUALATIN PLAN MAP AMENDMENT APPLICATION FEE
- CERTIFICATION OF SIGN POSTING (PER CONVERSATION WITH CITY STAFF ON 1/9/2014, AFFIDAVIT OF SIGN POSTING WILL BE PROVIDED UPON RECEIPT OF CASE FILE NUMBER FROM CITY STAFF)

APPLICATION INSTRUCTIONS



PLAN MAP AMENDMENT INSTRUCTIONS AND REQUIRED INFORMATION FOR APPLICATIONS

WHO MAY APPLY? Section 1.030 of the [Tualatin Development Code](#) allows amendments to be initiated by the City Council, City staff, or by a property owner or person authorized in writing by the property owner. TDC 1.032 contains the eight approval criteria.

WHEN ARE PLAN MAP AMENDMENTS CONSIDERED? They are considered by the City Council at regular or special meetings. Public hearings may be continued to a date certain if the Council finds that it needs additional evidence to take action on a proposed amendment.

APPLICATION INSTRUCTIONS. The following information or material is required with all plan map amendment applications. If any of the required information or material is missing or incomplete, the application will not be considered complete and will not be scheduled for public hearing until the necessary material is submitted.

The procedure for applying for a plan map amendment is as follows:

- ✓ 1. Obtain application form and instruction sheet from the Community Development Department - Planning Division. An applicant for a PMA must hold a pre-application meeting with City of Tualatin staff. The application for a [pre-application conference](#) can be found on the City's website and the fee is \$195.00. Please contact Will Harper, AICP, Senior Planning, pre-application coordinator at 503-691-3027 or wharper@ci.tualatin.or.us to schedule a pre-application meeting. The purpose is to answer all questions about the process and provide information about City requirements. (Pre-Application Conference held on 10-28-2013)
- ✓ 2. Hold a [Neighborhood / Developer meeting](#) pursuant to TDC 31.063.
- ✓ 3. Turn in 9 copies of the application form, 5 copies of the traffic study (if applicable), 9 copies of the supporting materials and an **Electronic Digital CD** (Adobe Reader (pdf), or Microsoft Word and Excel are the preferable file types) of the entire PMA packet and supporting documentation, including drawings to the City of Tualatin Community Development Department - Planning Division. Include a non-refundable filing fee of \$2,000.00. Make checks payable to the City of Tualatin. Include a legal description as it appears on the deed (one copy is sufficient).
- ✓ 4. Include the correct names and addresses of all owners of property within 1,000 feet of the subject property pursuant to Tualatin Development Code (TDC) [31.064\(1\)](#). If the 1,000-foot area (Ordinance No. 1304-10 page 59 of 61) includes lots within a platted residential subdivision the notice area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff as part of the mailing notification list. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. Also include the applicant(s), if different from the owners of the subject property. The Tax Lot number and Assessors Map number must be included with each name and address. The Assessors numbers, names, addresses must be placed on the blank matrix or exact facsimile provided with the

application materials. The spacing of the address on the matrix is critical because the addresses are reproduced onto pre-gummed address labels for mailing (one list of property owners is sufficient). Please include the map and tax lot number above each address so the list can be compared to the assessor's map obtained in #3 above, to ensure an owner is listed for each property. Pre-gummed labels are available for purchase at Washington and Clackamas counties.

- ✓5. Include a traffic study if required by the City, Washington County, Clackamas County, or Oregon Department of Transportation, and provide 5 copies.
- ✓6. The applicant carries the burden of proof that the requested change meets the four approval criteria (set forth in Section 1.032 of the Tualatin Development Code) which are listed below. Answer the questions and include facts and a written analysis of the conclusions that support the answer to each question.
 - ✓A. Is granting the plan map amendment in the public interest?
 - ✓B. Is the public interest protected by granting the plan map amendment at this time?
 - ✓C. Is the proposed plan map amendment in conformity with the applicable objectives of the Tualatin Community Plan?
 - ✓D. Explain how each of the factors listed below was consciously considered. If a particular factor is not applicable, state the reasons why it is not applicable.
 1. The various characteristics of the area.
 2. The suitability of the area for the particular land use and improvements.
 3. Trends in land improvement and development.
 4. Property values.
 5. The needs of economic enterprises and the future development of the area.
 6. Needed right-of-way and access for and to particular sites in the area.
 7. Natural resources of the City and the protection and conservation of said resources.
 8. Prospective requirements for the development of natural resources in the City.
 9. The public need for healthful, safe, aesthetic surroundings and conditions.
 10. Proof of change in a neighborhood or area.
 11. A mistake in the Community Plan or plan text for the property under consideration.
- ✓8. Complete the Measure 37 Waiver of Rights and Remedies form and notarize signature(s).
- 9. Include a signed completed copy of the affidavit of sign posting. The form is included in this packet.
To be provided upon receipt of case file number from City Staff.
- ✓ In addition to the above criteria as listed in the Tualatin Development Code, the 14 Statewide Planning Goals must be addressed. If a particular goal is not applicable, state such and explain why it is not applicable. If a goal is applicable, indicate whether or not the request meets the goal and why.

The above items are the minimum requirements for plan map amendment applications. Sections 1.030-1.032 of the Tualatin Community Plan are attached to these instructions. All application forms and written material should be typewritten or printed in ink.

To avoid possible legal conflict, the applicant should not discuss the request with any member of the City Council outside the public hearing.

If you have any questions or wish to schedule a pre-application conference, please contact the Community Development Department - Planning Division at 503-691-3026.

APPLICATION FOR PLAN MAP AMENDMENT



City of Tualatin

www.ci.tualatin.or.us

APPLICATION FOR PLAN MAP AMENDMENT

City of Tualatin Community Development Dept – Planning Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062
503-691-3026

Case No. _____
Fee Rec'd. _____
Receipt No. _____
Date Rec'd. _____
By _____

.....
PLEASE PRINT IN BLACK INK OR TYPE
.....

Nature of amendment requested Revise the planning district designation for tax lots 2191
and 2202 to RH - High Density Residential.

State the specific section number(s) of the Code to be amended Map 9-1

As the applicant and person responsible for this application, I, the undersigned hereby acknowledge that I have read the instructions and information sheet and understand the requirements described therein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Applicant's Signature *James E. Yohank*

Applicant's Name Mountain West Investment Corporation Phone 503-584-4592

Applicant's address 201 Ferry St SE, Suite 400, Salem, OR 97301
(street) (city) (state) (zip)

Applicant is: Owner _____ Contract Purchaser _____ Developer ☒ Agent _____

Other _____

If the request is for a specific property:

County Washington Map # 2S 1 15C Tax Lot #(s) 2191, 2202

Owner's Name Joyce Lee Poppert

Owner's Address _____
(street) (city) (state) (zip)

Owner recognition of application: _____

(signature of owner(s))



City of Tualatin

www.ci.tualatin.or.us

APPLICATION FOR PLAN MAP AMENDMENT

City of Tualatin Community Development Dept – Planning Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062
503-691-3026

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Applicant's Signature _____

Applicant's Name Mountain West Investment Corporation Phone 503-584-4592

Applicant's address 201 Ferry St SE, Salem, OR 97301
(street) (city) (state) (zip)

Applicant is: Owner _____ Contract Purchaser _____ Developer ☒ Agent _____

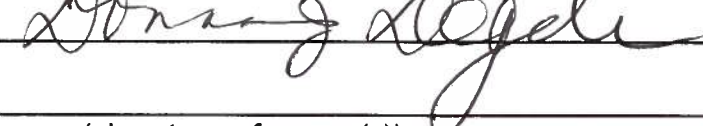
Other _____

If the request is for a specific property:

County Washington Map # 2S 1 15C Tax Lot #(s) 2191, 2202

Owner's Name Donna Degele

Owner's Address 16182 Bimini Ln., Huntington Beach, CA 92649-2055
(street) (city) (state) (zip)

Owner recognition of application: 
(signature of owner(s))



City of Tualatin

www.ci.tualatin.or.us

APPLICATION FOR PLAN MAP AMENDMENT

City of Tualatin Community Development Dept – Planning Division
18880 SW Martinazzi Avenue
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Applicant's address 201 Ferry St SE, Salem, OR 97301
(street) (city) (state) (zip)

Applicant is: Owner _____ Contract Purchaser _____ Developer ☒ Agent _____

Other _____

If the request is for a specific property:

County Washington Map # 2S 1 15C Tax Lot #(s) 2191, 2202

Owner's Name Joyce Lee Poppert

Owner's Address 11515 S.W. Hazel Brook Rd. Tualatin Or. 97062
(street) (city) (state) (zip)

Owner recognition of application: _____

Joyce L Poppert
(signature of owner(s))



City of Tualatin

www.ci.tualatin.or.us

APPLICATION FOR PLAN MAP AMENDMENT

City of Tualatin Community Development Dept – Planning Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062
503-691-3026

Case No. _____
Fee Rec'd. _____
Receipt No. _____
Date Rec'd. _____
By _____

.....
PLEASE PRINT IN BLACK INK OR TYPE

Nature of amendment requested Revise the planning district designation for tax lots 2191
and 2202 to RH - High Density Residential.

State the specific section number(s) of the Code to be amended Map 9-1

As the applicant and person responsible for this application, I, the undersigned hereby acknowledge that I have read the instructions and information sheet and understand the requirements described therein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Applicant's Signature _____

Applicant's Name Mountain West Investment Corporation Phone 503-584-4592

Applicant's address 201 Ferry St SE, Salem, OR 97301
(street) (city) (state) (zip)

Applicant is: Owner _____ Contract Purchaser _____ Developer ☒ Agent _____

Other _____

If the request is for a specific property:

County Washington Map # 2S 1 15C Tax Lot #(s) 2191, 2202

Owner's Name Kenneth Espedal

Owner's Address 11515 SW Hazelbrook Rd, Tualatin, OR 97062
(street) (city) (state) (zip)

Owner recognition of application: _____

Kenneth Espedal
(signature of owner(s))

NEIGHBORHOOD MEETING INFORMATION

December 23, 2013

James & Kathleen Hennessy
12882 SW BEDFORD ST
TIGARD, OR 97224-1802

Re: Notice of Neighborhood/Developer Meeting for the property located at 17985 SW Pacific Hwy, Tualatin, OR.

Dear James & Kathleen,

You are cordially invited to attend a meeting on January 9, 2014 at 6:00 pm at the Juanita Pohl Center, located at 8513 SW Tualatin Road. This meeting shall be held to discuss a proposed project located at 17985 SW Pacific Hwy, Tax Map 2S115C Tax Lots 2191, 2202 and 2300. The proposal is to annex the above mentioned property into City limits and to change the planning district designation from commercial to multi-family residential.

The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet and discuss this proposal and identify any issues regarding this proposal.

Regards,



Brian Moore

Mountain West Investment
(503) 581-4654
Brian@mwinv.com

201 Ferry Street SE, Ste. 400
Salem, Oregon 97301

p (503)581-4654 f (503)581-7061

www.mwinv.com

NEIGHBORHOOD/DEVELOPER MEETING AFFIDAVIT OF MAILING

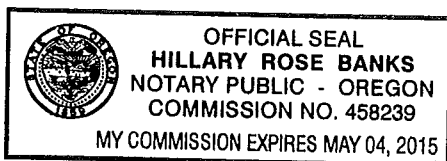
STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Brian Moore, being first duly sworn, depose and say:

That on the 23 day of Dec, 2013, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of the Notice of Neighborhood/Developer meeting marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. 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 and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail with postage fully prepared thereon.

Brian Moore
Signature

SUBSCRIBED AND SWORN to before me this 23 day of December, 2013.



Hillary Banks
Notary Public for Oregon
My commission expires:

RE: _____

Letterhead (if available)

(Date)

(Name)

(Address)

(City, State Zip)

RE: (Project name, description, location)

Dear Property Owner:

You are cordially invited to attend a meeting on (this date) at (this time) and at (this location). This meeting shall be held to discuss a proposed project located at (address of property, cross streets). The proposal is to (describe proposal here).

The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet and discuss this proposal and identify any issues regarding this proposal.

Regards,

(Your name)

(Company name)

(Contact phone number and email)

As the applicant for the Tualatin annexation/plan amendment project, I hereby certify that on this day, Dec. 23, 2013 notice of the Neighborhood / Developer meeting was mailed in accordance with the requirements of the Tualatin Development Code and the Community Development Department - Planning Division.

Applicant's Name: Brian Moore
(PLEASE PRINT)

Applicant's Signature: Brian Moore

Date: 12.23.13

NEIGHBORHOOD / DEVELOPER MEETING CERTIFICATION OF SIGN POSTING

As the applicant for the

17865 and 17985 SW Pacific Hwy (2S 1 15C tax lot 2191, 2202, 2300)

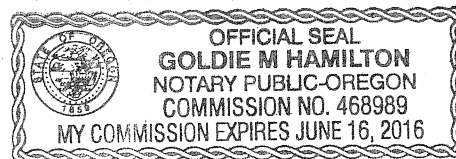
project, I

hereby certify that on this day, Dec 23, 2013 sign(s) was/were posted on the
subject property in accordance with the requirements of the Tualatin Development Code
and the Community Development Department - Planning Division.

Applicant's Name: Rockelle Wasula
(PLEASE PRINT)

Applicant's Signature: R Wasula

Date: Dec 23, 2013



Goldie M Hamilton

Subscribed and sworn to or affirmed, before me this

23 day of December, 2013

Notary Public for the State of Oregon

County of Washington

My Commission expires: 6-16-2016

Re: 17985 SW Pacific Hwy

01/09/2014

6:00 PM

Juanita Pohl Center

8513 SW Tualatin Road

NAME

PLEASE PRINT CLEARLY

STREET ADDRESS

PHONE/EMAIL

- | | | | |
|----|-------------------------------|-----|-------|
| 1. | <u>Robert Osborne</u> | 8. | _____ |
| | <u>18031 SW Pacific Hwy</u> | | _____ |
| | <u>503-538-7754</u> | | _____ |
| 2. | <u>Jay Popper</u> | 9. | _____ |
| | <u>11515 S.W. Tualatin Rd</u> | | _____ |
| | <u>Tualatin 503-692-1548</u> | | _____ |
| 3. | <u>11 " "</u> | 10. | _____ |
| | <u>Kenny Espeda</u> | | _____ |
| | _____ | | _____ |
| 4. | <u>Steve Helms</u> | 11. | _____ |
| | <u>17725 SW Pacific Hwy</u> | | _____ |
| | <u>Tualatin, OR 97062</u> | | _____ |
| 5. | <u>Dawn O'Leary</u> | 12. | _____ |
| | <u>21487 SW Roellich Ave</u> | | _____ |
| | <u>Sherwood, OR 97140</u> | | _____ |
| 6. | <u>Rhonda Barber</u> | 13. | _____ |
| | <u>10909 SW 60th</u> | | _____ |
| | <u>Port OR 97219</u> | | _____ |
| 7. | <u>Evan Landling</u> | 14. | _____ |
| | <u>12997 SW Timara Ln</u> | | _____ |
| | <u>Timara, OR 97224</u> | | _____ |

January 9, 2014 – 6:00 PM
Juanita Pohl Center
8513 SW Tualatin Road
Tualatin, OR 97062

RE: Neighborhood Meeting – “Espedal Property” (17985 SW Pacific Highway) Annexation and Plan Map Amendment Applications

Dear Neighbors:

Thank you for attending our neighborhood meeting for the project located on the “Espedal Property” located at 17985 SW Pacific Highway. The purpose of tonight’s meeting is to introduce the project team, briefly discuss the site, the project, and City of Tualatin process. Please recognize that tonight’s meeting is preliminary in nature and is the first step in the City land use process. We hope that the conversation tonight is informative and helpful to understanding the project and process.

Meeting Agenda:

- I. Introduction
- II. Site Information
- III. Application Details
- IV. Questions and Answers

Thank you for again for your attendance and participation in tonight’s meeting.

Sincerely,

AKS Engineering & Forestry, LLC



Chris Goodell, AICP, LEED^{AP}
Associate

Comments

Thank you for your attendance this evening. In the space below, please provide any comments you may have along with any suggestions for a neighborhood project.

- I would like see the general commercial zoning remain at least near the highway so the Frantage remains contiguous with the rest of the commercial properties.
- They could still build multi-story units ~~and~~ but with apartments on the upper floors.
- would like to see Natural gas to the site (to the North side of the highway).
- would like to see the access to the site from the 124th Avenue intersection. I understand you don't own that property though!

Name* Steve Heino Contact Information* modernclassics68@gmail.com

*Not required

503-783-6444

Neighborhood/Developer Meeting Summary:

17985 SW Pacific Hwy, Tax Map 2S115C Tax Lots 2191, 2202 and 2300

Date: January 9, 2014

Time: 6:00 PM

Location: Juanita Pohl Center, 8513 SW Tualatin Road

The following serves as a summary of the primary subjects covered at the Neighborhood/Developer Meeting. Business cards with contact information, a meeting agenda, and comment cards were provided. In addition, an attendance sheet was also made available for attendees to sign. This documentation is included in the application materials.

General discussion of proposed project:

- Discussion of applicant's company
- Property description, location, surrounding land uses
- Current zones and surrounding zones of the subject site and those around it
- A summary of the annexation and map amendment process
- Anticipated construction schedule of project
- Entering and exiting the property – ODOT access
- ADT of commercial land uses verses residential land uses
- Traffic flow, traffic density and sight distance (u-turns and signals)
- Possibility of natural gas being brought to the vicinity
- Mixed use zoning
- Parking
- Number of proposed units, size of units, and number buildings and number of stories
- Rental rates, comparative properties, area demand for multi-family projects
- Affected schools
- Schedule of upcoming notifications and meeting dates

The meeting went well and the attendees were interested in being part of the process.

AKS ENGINEERING & FORESTRY, LLC



Chris Goodell, AICP

NOTICING – MAILING LABELS

PMA-14-01

To lessen the bulk of the notice of application and to address privacy concerns, this sheet substitutes for the photocopy of the mailing labels. A copy is available upon request.

TRAFFIC STUDY

MEMORANDUM

DATE: January 8, 2014

TO: Brian Moore, Mountain West Investment Corp.

FROM: Scott Mansur, P.E., P.T.O.E. *Sm*
Derek Moore, E.I.T



117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

SUBJECT: Tualatin Apartments Trip Generation Zone Change Comparison

P13201-000

This memorandum documents a preliminary trip generation comparison between existing and proposed zoning for the Tualatin Apartments project located at 17895 SW Pacific Highway in Tualatin, Oregon. The purpose of this analysis is to determine whether the proposed zone change would increase the site's trip generation levels. The sections of this memorandum include the project background, current zoning trip generation, proposed zoning trip generation, and trip generation comparison.

Project Background

The project site currently consists of three mostly undeveloped parcels, each with a different zoning designation. These parcels are adjacent to each other and have frontage with both SW Pacific Highway and the Tualatin River. Figure 1 shows the boundary, parcel number, and current zoning for each parcel being evaluated.



Figure 1: Parcel Boundaries

Current Zoning Trip Generation

Trip generation estimates for the project site were performed assuming a reasonable worst-case development scenario. Based on current zoning, each parcel was assumed to develop as the land use that is expected to generate the highest number of p.m. peak hour trips.

Parcel 2191 is currently zoned as General Commercial (GC), with the highest number of trips assumed to be generated by a 12-pump gas station associated with a 3,000-4,000 square foot minimart. Parcel 2202 is zoned as Recreational Commercial (CR), with the highest number of trips assumed to be generated by traditional sit-down



restaurants. Based on information provided by the project sponsor,¹ it is estimated that this parcel could accommodate up to 32,000 square feet of restaurant space. Parcel 2300 is currently zoned for High-Density Residential (RH) development, which would allow up to 64 apartment units.

Table 1 summarizes the trip generation assumptions for the three parcels and the resulting number of p.m. peak hour trips. The trip generation estimates are based on rates provided by the Institute of Transportation Engineers (ITE)² for similar land uses. As shown, it is estimated that the project site would generate 340 (194 in, 147 out) primary new p.m. peak hour trips based on existing zoning and reasonable worst-case land use assumptions. Several of the proposed land uses are expected to attract pass-by trips, and a 5% internal trip rate as assumed to account for trips between multiple uses on the project site.

Table 1: Existing Zoning Trip Generation

Parcel (Zoning)	Land Use (ITE Code)	Size	Units	Rate	PM Peak Hour		
					In	Out	Total
Parcel 2191 (Zone CG)	Convenience Market with Gasoline Pumps (853)	12	Pumps	19.07	115	114	229
Parcel 2202 (Zone RC)	High-Turnover (Sit-Down) Restaurant (932)	32	KSF	11.15	211	146	357
Parcel 2300 (Zone RH)	Apartments (220)	64	Units	0.62	26	14	40
Total Trips:					352	274	626
<i>Pass-by^a:</i>					-148	-120	-268
<i>Internal (5%):</i>					-10	-8	-18
Primary New Trips:					194	147	340

^a A 50% pass-by rate was assumed for the Convenience Market with Gas Pumps land use and a 43% pass-by rate was assumed for the High-Turnover Sit-Down Restaurant land use.

Proposed Zoning Trip Generation

The proposed zoning that is desired for the project site would change the zoning for all three parcels to High Density Residential (RH), which allows up to 25 residential apartment units per acre. Assuming a total developable area of 10.83 acres,³ this zoning designation would allow no more than 271 units. Table 2 shows the project site's estimated p.m. peak hour trips based on the maximum number of units allowed by the RH zoning designation. As shown, the reasonable worst-case scenario for the desired zoning would generate 168 (109 in, 59 out) new p.m. peak hour trips.

¹ Phone conversation with Lloyd Hill, November 12, 2013

² *Trip Generation, 8th Edition*, Institute of Transportation Engineers, 2008

³ Email from Lloyd Hill, November 19, 2013

**Table 2: Proposed Zoning Trip Generation**

Parcel (Zoning)	Land Use (ITE Code)	Size	Units	Rate	PM Peak Hour		
					In	Out	Total
All Parcels (Zone RH)	Apartments (220)	271	Units	0.62	109	59	168

Trip Generation Comparison/Summary

Based on the land use assumptions documented in this memorandum, the proposed RH zoning would generate fewer trips than the existing zone designations. The RH zoning would generate 172 (85 in, 88 out) fewer p.m. peak hour trips. Based on the fact that the desired zoning being considered would reduce overall trip generation as was assumed in the City's Transportation System Plan (TSP), there would be no level of service impacts to adjacent intersections, and therefore, the Transportation Planning Rule requirements (OAR 660-012-0060) would not be triggered as part of the desired land use changes.

Furthermore, the intersection of Highway 99W/124th Avenue, which is adjacent to the project site, was shown to operate at Level of Service "D" and a volume to capacity of 0.99 during the future 2035 horizon year in the City's TSP⁴ based on the current zoning. The Level of Service standards as set forth in the Town Center 2040 Design Type (Level of Service F for p.m. peak hour) would be met.

The City of Tualatin and ODOT will still require a transportation impact study to evaluate the transportation impacts of the proposed development as part of the Architectural Review process.

Please let us know if you have any questions.

⁴ Transportation System Plan Update, City of Tualatin, February 2013, Appendix C.

APPROVAL CRITERIA NARRATIVE

Written Narrative Response to Review Criteria

Request

This application requests a Plan Map Amendment changing the plan designation of two tax lots from their current designations to an RH – High Density Residential designation. The two properties are identified on Washington County assessor's map 2S 1 15C as tax lots 2191 and 2202. The current plan designations for these two properties are CG - General Commercial and CR - Recreational Commercial respectively. Tax lot 2191 is 1.03 acres and tax lot 2202 is 8.38 acres. The developable area of tax lot 2202 is dramatically less than the total area since around 2.72 acres are required to be a greenway buffer reserved for stream protection. It is the intent of the applicant to develop the properties, along with an adjacent tax lot already designated RH, into a market rate apartment project.

Property Context

The subject properties are in an area known as Roamer's Rest which is bordered to the south by Highway 99W and to the north by the Tualatin River. This area has a mix of plan designations including RH, CG, and CR. Adjacent to the property to the east and south is land designated CR and CG and to the west of the property are properties designated RH.

The area is a mix of old highway oriented commercial, vacant land, and residential uses. This area has been largely underdeveloped including a series of older buildings and vacant parcels. This includes the subject property which is a former manufactured home park but has been vacant for several years. The largest property adjacent to the subject property is the Roamer's Rest RV Park which covers the CR land to the east of the subject property. Other nearby uses includes a restaurant, a small used car dealership, a new auto repair and restoration facility, and a vacant property designated RH.

Across Highway 99W directly to the south of the site is land designated RH that is fully developed as an apartment complex. Across Highway 99W to the southwest is land designated CG that is fully developed as an office building. To the north of the property, across the Tualatin River, the property is outside the City of Tualatin's urban growth boundary and has the County designations of R-9 and R-15. This land is developed with residential uses.

Compliance with Approval Standards

Section 1.032 of the Tualatin Development Code establishes ten approval criteria for a plan map amendment. These criteria are listed below and a description of how each standard applies to this case is given.

- (1) *Granting the amendment is in the public interest.*
- (2) *The public interest is best protected by granting the amendment at this time.*

Response: The proposed plan change is in the public interest. The proposed plan change will allow currently vacant land in the Roamer's Rest area of Tualatin to develop into a vibrant multi-family residential community. Section 9.042 of the Tualatin Community Plan identifies the Roamer's Rest area "as an ideal and critical location for higher density housing." It notes that the "flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern." While advancing these objectives, the proposed plan amendment will also reduce the traffic impact on Hwy 99 as compared to the commercial uses allowed under the current planning designations.

Along with transforming an underutilized piece of property, the plan map amendment will also benefit the remaining commercial portion of the Roamer's Rest area. This includes a restaurant, a used car dealership, and some older retail buildings that will benefit from a significant number of new customers. Additionally, the office and manufacturing businesses being developed across Highway 99W will benefit from having high-quality housing for employees in close proximity.

Not granting the proposed plan change also fails to protect the public interest by perpetuating blight within the City. The site is not well-situated for the commercial development, particularly retail development, in light of its one-way access into and out of the site. Accordingly, the property will likely long-remain vacant under the current commercial planning designation. The property remaining undeveloped prevents significant property taxes from being generated by the subject property.

Allowing the property to be developed for multi-family residential purposes also accomplishes objectives of the City's Parks Master Plan by 1) providing the land necessary for the desired public pedestrian path along the Tualatin River, and 2) generating considerable Parks Systems Development Charges to fund construction of this pedestrian path and likely other park improvements as well. These Parks SDC's would not be generated by commercial development on the same site.

(3) *The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.*

A. General Objectives (Section 4.050, Tualatin Community Plan):

Objective: (4) *Provide a plan that will create an environment for the orderly and efficient transition from rural to urban land uses.*

Response: The proposal matches the "density gradient" approach outlined for the area in Section 9.042 of the Tualatin Community Plan. As described in the plan, RML planning designation is used on the west adjacent to the agricultural lands, RMH planning designation is in the center portion of Roamer's Rest, and the RH planning designation in the east adjacent to the commercial area. By expanding the RH designation to the east the proposed plan change will maintain the gradient approach and the transition between farmland and higher density housing will be maintained.

Objective: (6) Arrange the various land uses so as to minimize land use conflicts and maximize the use of public facilities as growth occurs.

Response: As noted above the proposed RH zoning is compatible with surrounding land uses. These include land with various residential zoning designations and commercial land that includes retail establishments that will benefit from additional nearby residential customers. Additionally, directly adjacent to the subject property is an RV Park which has a very residential feel and vacant land already designated RH which is planned to be incorporated into the proposed residential development on the subject property. The eventual development on the subject property will also be compatible with the adjacent Tualatin River to the north and west by virtue of the vegetated corridor that will be required by the Tualatin Development Code and Clean Water Services, which preserves open space along the river and a buffer between development and the river.

Objective: (9) Prepare a plan providing a variety of living and working environments.

Objective: (15) Arrange the various land uses in a manner that is energy efficient.

Response: The proposal will allow for an appealing living environment that is close to employment, transportation, and the retail. The development of multi-family in areas so close to potential destinations is an energy efficient arrangement of development. The proximity of the property to transit services also encourages transportation alternatives to the automobile. The proposed residential environment will also be unique to its location along the Tualatin River. Multi-family residential development along the river will increase the number of people who can enjoy this community asset while buffer areas required by the Tualatin Development Code and Clean Water Services will ensure that any development of the site does not affect the ecological health of the river.

B. Residential Objectives (Section 5.030, Tualatin Community Plan):

Objective: (1) Provide for the housing needs of existing and future City residents.

Objective: (2) Provide housing opportunities for residents with varied income levels and tastes that are esthetically and functionally compatible with the existing community housing stock.

Response: The proposal will create additional residential land in an appealing area ideal for multi-family residential development. This addition will serve existing and future City residents. The multi-family residential development of this property will provide opportunities for individuals and families to live in a high quality area with the river as a positive amenity all while being in close proximity to the employment, services, and transportation. Such residential development will provide housing opportunity for a broad spectrum of income levels, particularly as an alternative to home ownership in a traditional, single-family residential setting (e.g. a residential subdivision).

Objective: (4) Locate higher density development where it is convenient to the City's commercial core, near schools, adjacent to arterial and collector streets and, as much as possible, in areas with existing multi-family housing and provide residential opportunities in selected commercial areas through the Mixed Use Commercial Overlay District.

Response: The proposed additional RH land is adjacent to an arterial street with transit service, is adjacent to land already designated RH, is near to existing multifamily housing, has immediate access to commercial areas, and is served by Deer Creek Elementary School, Twality Middle School, and Tualatin High School. All of these factors make the property ideal for higher density residential development. This conclusion is consistent with the conclusion in Section 9.042 of the Tualatin Community Plan that states that the Roomer's Rest area is "an ideal and critical location for higher density housing." It notes that the "flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern."

C. Design Objectives (Section 10.020, Tualatin Community Plan):

Objective: (1) *Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development.*

Objective: (3) *Promote the City's natural beauty and visual character and charm by insuring that structures and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the esthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures and other improvements.*

Response: Any development of the property will be required to go through the City's design review process (Architectural Review) to ensure appealing and functional development of the site. Additionally, buffer areas required by the Tualatin Development Code will ensure that any development of the site does not affect the ecological health of the river and will ensure that the design of the site will leverage and enhance this unique community asset.

D. Transportation Objectives (Section 11.610 Tualatin Community Plan)

Objective: (2) (b) *Provide efficient and quick travel between points A and B.*

Objective: (2) (c) *Provide connectivity within the City between popular destinations and residential areas.*

Objective: (2) (e) *Reduce trip length and potential travel times for motor vehicles, freight, transit, bicycles, and pedestrians.*

Objective: (2) (f) *Improve comfort and convenience of travel for all modes including bicycles, pedestrians, and transit users.*

Objective: (2) (g) *Increase access to key destinations for all modes.*

Response: The property has excellent access to transportation resources and is in close proximity to employment and services. This makes the subject property ideal for multi-family residential development by making short travel times and trip lengths between destinations. Such proximity also creates more favorable conditions for the use of nearby transit service and other alternative modes of transportation. Development of the subject property will also facilitate construction of an important link in the City's pedestrian path along the Tualatin River.

E. Parks and Recreation Objectives:

Objective: (5) *Preserve the scenic value of the Tualatin River by creating a greenway along the entire bank of the River within the City.*

Response: The change in the plan designation will not affect the preservation of the greenway along the Tualatin River. Buffer areas required by the Tualatin Development Code and Clean Water Services will ensure that a greenway is maintained.

(4) The following factors were consciously considered:

A. the various characteristics of the areas in the City;

Response: The area is a mix of old highway oriented commercial, vacant land, and residential uses. This area has been largely underdeveloped including a series of older buildings and vacant parcels. This includes that subject property which is a former manufactured home park but has been vacant for several years. The largest adjacent development to the subject property is the Roamer's Rest RV Park which covers the CR land to the east of the subject property. Although designated CR this development is residential in nature and very compatible with an RH neighbor.

Across Highway 99W directly to the south of the site is land designated RH that is fully developed as an apartment complex. Across Highway 99W to the southwest is land designated CG that is fully developed as an office building. To the north of the property, across the Tualatin River, the property is outside the urban growth boundary and has the County designations of R-9 and R-15. This land is developed with residential uses.

Overall the proposed RH plan designation will match well with the adjacent residential uses in the area and will offer the benefit of new customers and employees to the businesses in the area.

B. the suitability of the areas for particular land uses and improvements in the areas;

Response: The Tualatin Community Plan identifies the subject property as being in the Roamers Rest area. Section 9.042 of the Tualatin Community Plan with states that the Roamer's Rest area is "an ideal and critical location for higher density housing." It notes that the "flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern." The subject property is adjacent to existing RH land and will be a logical extension to that existing development pattern.

C. trends in land improvement and development;

Response: The subject property and several adjacent properties have largely remained vacant or underdeveloped while nearby properties such as those across Highway 99W have experienced recent new development and investment. The requested change will enable significant investment north of Highway 99W which will mirror the investment to the south of the Highway.

D. property values;

Response: Granting this request will allow investment in the area which will increase the property values of the subject property as well as its neighbors. As previously described, the RH designation is compatible with the zoning and development pattern in the area. Additionally, the development will provide customers for nearby retail and a more significant employee base for area office and manufacturing businesses. This will increase the value of these nearby commercial uses.

E. the needs of economic enterprises and the future development of the area;

Response: Granting the requested plan change is in the public interest and will bring significant investment and improvement to the Roamer's Rest Area. As noted above, property values will increase with the addition of high-quality, multi-family residential development in the area. Concentrations of residents are a pre-requisite to successful economic development in most areas of a city. The vitality and spending from residents on the subject property will have a greater, positive impact on local economy than the subject property's continued vacancy under its current commercial planning designations.

F. needed right-of-way and access for and to particular sites in the area;

Response: There is sufficient right of way and access rights from the Oregon Department of Transportation to provide access to the subject property. Additionally, as noted in the attached letter from DKS Engineering, the requested plan change will decrease the overall potential trip generation for the site. The design for access to and from the property is subject to review and approval by the Oregon Department of Transportation. This will help assure minimization of any safety and congestion issues stemming from the property's development.

G. natural resources of the City and the protection and conservation of said resources;

H. prospective requirements for the development of natural resources in the City;

Response: The subject property is adjacent to the Tualatin River which is an important community resource. The change in the plan designation will not affect the preservation of the Tualatin River. Buffer areas are required by the Tualatin Development Code and by Clean Water Services, which will ensure that any development of the property will not affect the ecological value of the River. In addition, allowing multi-family residential development of the subject property will facilitate enhancement of the river corridor, including providing a location and SDC funds for the City's pedestrian path along the river.

I. the public need for healthful, safe, esthetic surroundings and conditions.

Response: The proposed plan change will allow the development of the currently vacant site into a vibrant residential development. A significant portion of the site will remain undeveloped and enhanced due to the Tualatin River buffering requirements. This will create a pleasant experience

for residents and the public who will have the benefit of the natural area along the river as well as excellent access to nearby employment, retail, and services.

J. Proof of change in a neighborhood or area, or a mistake in the Plan Text or Plan Map for the property under consideration are additional relevant factors to consider.

Response: The area has changed over the planning period from an isolated stop along the highway to being surrounded by densely developed residential uses. This change is consistent with the highest and best use for the properties and was anticipated in Section 9.042 of the Tualatin Community Plan which identifies the Roamer's Rest area "as an ideal and critical location for higher density housing." Matching the plan designation of the subject to the neighboring properties is a logical change.

(5) The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment. The Tigard-Tualatin School District's School Facility Plan criteria (formula) for new school capacity are:

*(TCR - SMR) * CSR = NC*

*(NC * CFF) ? CSP = MNP*

*(MNP or MPS) * CSP = AC*

Where:

TCR= Total number of classrooms.

SMR= Special mandated classrooms.

CSR= Average class size policy for regular rooms.

NC= Normal capacity.

CFF= Core facility factor (kitchen, cafeteria, restrooms, offices, gym, music, mechanical: 0.12 for K-8 schools and 0.15 for 9-12 schools.

CSP= Average class size policy for portables.

MNP=Maximum number of portables, rounded up to the nearest whole number, or

MPS= Maximum number of portables allowed on site, as determined by existing school capacity, above, or allowed by the City of Tualatin through land use decisions such as, but not limited to, conditional use permits.

Response: The Tigard-Tualatin School District has been notified about the proposal and we have requested their comments. On the school district map which is included in the application it is unclear whether or not the property is in the Tigard-Tualatin School District but staff at the district has confirmed the property's inclusion. The development of the site will produce additional funds to increase school capacity in the form of system development charges/property taxes/and construction excise taxes.

(6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule TPR (OAR 660-012-0060).

Goal 1 Citizen Involvement

Response: This request is following all citizen involvement requirements of the plan amendment process. This includes the holding of a neighborhood meeting and sending notices to neighbors.

Goal 2 Land Use Planning

Response: The City of Tualatin has an acknowledged comprehensive plan and the procedure for amending that plan is being followed in making this request.

Goal 3 Agricultural Lands

Response: The subject property is in the City of Tualatin's established urban growth boundary and is not classified as agricultural land. The proposal is in conformance with the "density gradient" approach outlined for the area in Section 9.042 of the Tualatin Community Plan which is meant to transition from the agricultural land several miles to the west of the subject property.

Goal 4 Forest Lands

Response: Goal 4 is not applicable inside an Urban Growth Boundary. However, the project protects forest resources. The City has identified the greenway adjacent to the Tualatin River as a significant forest resource. The change in the plan designation will not affect the preservation of the forest resource adjacent to the river. Buffer areas are required by the Tualatin Development Code which will ensure that any development of the property will not affect the forest.

Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces

Response: The subject property is adjacent to the Tualatin River which is an important natural, scenic, and open space resource. The City has identified the greenway adjacent to the river as a significant forest resource. The change in the plan designation will not affect the preservation of the River or the forest resource adjacent to the river. Buffer areas are required by the Tualatin Development Code which will ensure that any development of the property will not affect the ecological or aesthetic value of the River or the forest. There are no historic areas on the subject property.

Goal 6 Air, Water and Land Resources Quality

Response: The change in the plan designation will have no effect on air, water, and land resources quality. The change in plan designation does not affect federal, state and, city regulations dealing with air, water, and land resources quality.

Goal 7 Areas Subject to Natural Hazards

Response: A portion of the subject property is in the floodplain and floodway of the Tualatin River. Development of these areas is subject to existing rules and regulations that will not be modified by the proposed plan designation change.

Goal 8 Recreational Needs

Response: The existing designation is identified as a commercial recreational district but the site has not developed any recreational resources under this designation. The change in plan designation will enable the development of the site and will provide a greater connection with and utilization of Tualatin River. Buffer areas are required by the Tualatin Development Code which will ensure that the greenway along the river and the river itself will be maintained as a recreational resource.

Goal 9 Economic Development

Response: The subject property and several adjacent properties have largely remained vacant or underdeveloped while nearby properties such as those across Highway 99W have experienced recent new development and investment. The requested change will enable significant investment north of Highway 99W which will mirror the investment to the south of the Highway. Additionally, the development will provide customers for nearby retail and a more significant employee base for area office and manufacturing businesses which are developing nearby.

Goal 10 Housing

Response: The change in plan designation will increase the density of housing permitted on the property. The current designation generally permits up to 10 units per acre while the proposed designation generally permits up to 25 units per acre. The plan change also allows a greater variety of housing types. Section 9.042 of the acknowledged Tualatin Community Plan already identifies that the area is “an ideal and critical location for higher density housing.” It notes that the “flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern.”

Goal 11 Public Facilities and Services

Response: The subject property is inside the City of Tualatin Urban Growth Boundary and has access to nearby public facilities and services. The applicant has met with City and Clean Water Services staff, and as reviewed below all relevant service providers have indicated that sufficient capacity exists to serve the site with the proposed plan designation.

Sanitary Sewer – The site is located within the Clean Water Services (CWS) Service Boundary. There is an existing 18-inch sanitary sewer main located onsite along the property line separating tax lots 2202 and 2300 connecting to a 27-inch sanitary sewer main crossing tax lot 2202 parallel to

the Tualatin River. The site topography slopes downhill from Highway 99W toward the Tualatin River along the northern boundary of the site. Gravity service is available to the site by connecting to the existing 27-inch main. Conversations with CWS staff confirm that the existing sanitary sewer system has sufficient capacity to serve the site.

Storm Drainage (surface water management) – The site is located within the CWS Service Boundary. Storm drainage improvements required for development of the subject property will include the installation of a new outfall to the Tualatin River. Storm water quality treatment will be provided in accordance with CWS standards and potentially consist of water quality swales, low impact development approaches (LIDA), mechanical treatment, or a combination thereof. Storm water detention is not required due to the site proximity to the Tualatin River.

Potable Water – There is an existing City of Tualatin 12-inch potable water main in Highway 99W along the site frontage. Potable water service is available to the site by connecting to the existing main. Conversations with City of Tualatin Engineering staff confirm that sufficient capacity for the existing site and proposed zoning is available without improving or modifying the existing City water system.

Goal 12 Transportation

Response: The property has excellent access to transportation resources and is in close proximity to employment and services. This makes the subject property ideal for multi-family residential development by making short travel times and trip lengths between destinations. Such proximity also creates more favorable conditions for the use of alternative modes of transportation. Development of the subject property in the manner described is consistent with the City's Transportation System Plan and other plans, which are in compliance with the requirements of the Transportation Planning Rule TPR (OAR 660-012-0060). Traffic impacts on the City's transportation system are less under the proposed zoning than the traffic impacts from the subject property under the existing zoning. See enclosed Memorandum from Scott Mansur, DKS Associates.

Goal 13 Energy Conservation

Response: The site is located close to employment, transportation, and retail resources. This makes the subject property ideal for multi-family residential development by making short travel times and trip lengths between destinations. Such proximity, as well as nearby transit service, create more favorable conditions for the use of alternative modes of transportation. As such, the proposed plan change should result in more efficient energy usage.

Goal 14 Urbanization

Response: The site is within the acknowledged urban growth boundary of the City of Tualatin and is governed by such applicable regulations.

Goal 15 Willamette River Greenway
Goal 16 Estuarine Resources
Goal 17 Coastal Shorelands
Goal 18 Beaches and Dunes
Goal 19 Ocean Resources

Response: None of these goals apply because the site is not in any of these planning areas.

(7) Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

Title 1 (Metro Code Sections 3.07.110 – 3.07.120) – Housing Capacity

The Regional Framework Plan calls for a compact urban form and a "fair share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring the city or county to maintain or increase its housing capacity except as provided in section 3.07.120. (UGB).

Response: The proposed change in plan designation will increase the density of housing permitted on the property. The current designation permits up to 10 units per acre while the proposed designation permits up to 25 units per acre. This change will increase the City of Tualatin's housing capacity thus meeting the requirements of Title 1.

Title 2 (Metro Code Sections 3.07.210 – 3.07.220) – Regional Parking Policy

Title 2 has been repealed and transferred to the Regional Transportation Functional Plan.

Title 3 (Metro Code Sections 3.07.310 – 3.07.360) – Water Quality and Flood Management

The intent of Title 3 is to protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

Response: Title 3 is the Metro response to Statewide Planning Goal 5, which calls for careful work to protect important natural resources, especially water and riparian resources. Title 3 requires setbacks and other strategies to protect water quality. The proposed project conforms to all these requirements especially by setting aside a significant portion of the site as a buffer from the Tualatin River.

Title 4 (Metro Code Sections 3.07.410 – 3.07.450) – Industrial and Other Employment Areas

To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's

transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities.

Response: Title 4 is not directly applicable. However, the creation of housing in the immediate vicinity of the major employment center across Highway 99 from the subject property helps to strengthen that employment center's viability while also lowering transportation impacts.

Title 5 (Metro Code Sections 3.07.510 – 3.07.540) - Neighbor Cities and Rural Reserves

Title 5 was repealed.

Title 6 (Metro Code Sections 3.07.610 – 3.07.650) – Centers, Corridors, Station Communities and Main Streets

The Regional Framework Plan identifies Centers, Corridors Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

Response: Map 9-4 in the Tualatin Community Plan shows the location of the Metropolitan Service District's Growth Concept Design Types and the subject has a corridor designation. This designation does not limit the conversion of the property to the proposed RH designation.

Title 7 (Metro Code Sections 3.07.710 – 3.07.750) – Housing Choice

The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress toward increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.

Response: The housing developed in this project will be available at market rates for higher density housing helping to increase the supply of this needed housing type.

Title 8 (Metro Code Sections 3.07.810 – 3.07.870) – Compliance Procedures

This title ensures that all cities and counties in the region are fairly and equitably held to the same standards and that the Metro 2040 Growth Concept is implemented. It sets out compliance procedures and establishes a process for time extensions and exemptions to Metro Code requirements.

Response: Title 8 is not applicable to the development of the subject property.

Title 9 (Metro Code Sections 3.07.910-3.07.920) – Performance Measures

Title 9 was repealed.

Title 10 (Metro Code Section 3.07.1010) – Definitions

This title defines the words and terms used in the document.

Title 11 (Metro Code Sections 3.07.1105 – 3.07.1140) – Planning for New Urban Areas

The purpose of this title is to guide planning of areas brought into the UGB for conversion from rural to urban use. All land added to the UGB shall be included within a city's or county's comprehensive plan prior to urbanization. The comprehensive plan amendment must be consistent with all applicable titles of this Functional Plan. Title 11 lists ten provisions that need to be addressed in the comprehensive plan amendment including an urban growth plan diagram and policies consistent with the Regional Framework Plan and adopted 2040 Growth Concept design types.

Response: Title 11 is not applicable as the property has been inside the Urban Growth Boundary since the boundary's creation.

Title 12 (Metro Code Sections 3.07.1210 – 3.07.1240) – Protection of Residential Neighborhoods

The purpose of this title is to protect the region's existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.

Response: Title 12 is not directly applicable. However, development of the subject property, which has been vacant and underdeveloped for several years, helps protect the surrounding uses from potential crime.

Title 13 (Metro Code Sections 3.07.1310 – 3.07.1370) – Nature in Neighborhoods

The purpose of this title is to conserve, protect and restore a continuous ecologically viable streamside corridor system that is integrated with upland wildlife habitat and the surrounding urban landscape.

Response: Title 13 establishes a regional ethic of preservation of important wildlife habitat and natural areas. A significant portion of the subject property will be set aside as permanent open space in order to provide a natural corridor along the river which will be important for the preservation of riparian habitat.

Title 14 (Metro Code Sections 3.07.1405 – 3.07.1465) – Urban Growth Boundary

Title 14 prescribes criteria and procedures for amendments to the urban growth boundary to provide a clear transition from rural to urban development, an adequate supply of urban land to accommodate long-term population and employment, and a compact urban form.

Response: Title 14 is not applicable as the property is inside the Urban Growth Boundary.

(8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Response: As discussed in the memo from Scott Mansur at DKS Associates the proposed plan designation change would reduce the potential number of trips that could be produced by a development on the property. As such, the change would be consistent with the level of service standards set by the City.

(9) Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

Response: The proposed development is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020. The applicant has met with City and CWS staff, and as reviewed below all relevant service providers have indicated that sufficient capacity exists to serve the site with the proposed plan designation. Criterion 9 has been satisfied. There is no conflict with the proposed plan changes and with the objectives and policies regarding potable water, sanitary sewer and surface water management pursuant to TDC 12.020.

Sanitary Sewer – The site is located within the Clean Water Services (CWS) Service Boundary. There is an existing 18-inch sanitary sewer main located onsite along the property line separating tax lots 2202 and 2300 connecting to a 27-inch sanitary sewer main crossing tax lot 2202 parallel to the Tualatin River. The site topography slopes downhill from Highway 99W toward the Tualatin River along the northern boundary of the site. Gravity service is available to the site by connecting to the existing 27-inch main. Conversations with CWS staff confirm that the existing sanitary sewer system has sufficient capacity to serve the site.

Storm Drainage (surface water management) – The site is located within the CWS Service Boundary. Storm drainage improvements required for development of the subject property will include the installation of a new outfall to the Tualatin River. Storm water quality treatment will be provided in accordance with CWS standards and potentially consist of water quality swales, low impact development approaches (LIDA), mechanical treatment, or a combination thereof. Storm water detention is not required due to the site proximity to the Tualatin River.

Potable Water – There is an existing City of Tualatin 12-inch potable water main in Highway 99W along the site frontage. Potable water service is available to the site by connecting to the existing main. Conversations with City of Tualatin Engineering staff confirm that sufficient capacity for the existing site and proposed zoning is available without improving or modifying the existing City water system.

(10) The applicant has entered into a development agreement.

(a) This criterion shall apply only to an amendment specific to property within the Urban Planning Area (UPA), also known as the Planning Area Boundary (PAB), as defined in both the Urban Growth Management Agreement (UGMA) with Clackamas County and the Urban Planning Area Agreement (UPAA) with Washington County. TDC Map 9-1 illustrates this area.

Directory

Elementary Schools	Address	Principal	Phone
Alberta Rider	14850 S.W. 132nd Terrace, Tigard 97224	Laura Kintz	503 431-4900
Bridgeport	5505 S.W. Borland Rd., Tualatin 97062	Debbie Ebert	503 431-4200
Edward Byrom	21800 S.W. 91st. Ave., Tualatin 97062	Sarah Flynn	503 431-4300
Deer Creek	16155 S.W. 131st Ave., Tigard 97224	Tiffany Wiencken	503 431-4450
Durham	7980 S. W. Durham Rd., Tigard 97224	Joyce Woods	503 431-4500
Metzger	10350 S.W. Lincoln, Tigard 97223	Kraig Sproles	503 431-4600
James Templeton	9500 S.W. Murdock St., Tigard 97224	Todd Robson	503 431-4850
Charles F. Tigard	12855 S.W. Grant, Tigard 97223	Wanda Hennelly	503 431-4400
Tualatin	20405 S.W. 95th Ave., Tualatin 97062	Jamie Kingery	503 431-4800
Mary Woodward	12325 S.W. Katherine St., Tigard 97223	Jerry Nihill	503 431-4700

Middle Schools			
Fowler Middle School (grades 6-8)	10865 S.W. Walnut St., Tigard 97223	Dan Busch	503 431-5000
Hazelbrook Middle School (grades 6-8)	11300 S.W. Hazelbrook Rd., Tualatin 97062	Eric Nesse	503 431-5100
Twality Middle School (grades 6-8)	14650 S.W. 97th Ave., Tigard 97224	Carol Kinch	503 431-5200

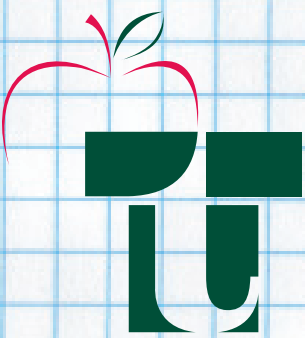
High Schools			
Tigard High School (grades 9-12)	9000 S.W. Durham Rd., Tigard 97224	Mark Neffendorf	503 431-5400
Tualatin High School (grades 9-12)	22300 S.W. Boones Fy. Rd., Tualatin 97062	Darin Barnard	503 431-5600

Other			
Tigard-Tualatin Online Academy (grades 6-12)	19322 SW Mohave Ct. Tualatin OR 97062		503 431-5790
MITCH (Multi-sensory Instruction Teaching Children Hands-on) Charter School	19550 SW 90th Ct. Tualatin, OR 97062		503 639-5757
Larry Hibbard Administration Center	6960 S.W. Sandburg St. Tigard, OR 97223		503 431-4000
Durham Education Center/ABLE/21st Century Academy			
8040 S.W. Durham Rd. Tigard 97224			503 431-4580
Cordero School			
10255 S.W. 82nd Ave. Tigard 97223			503 244-6096

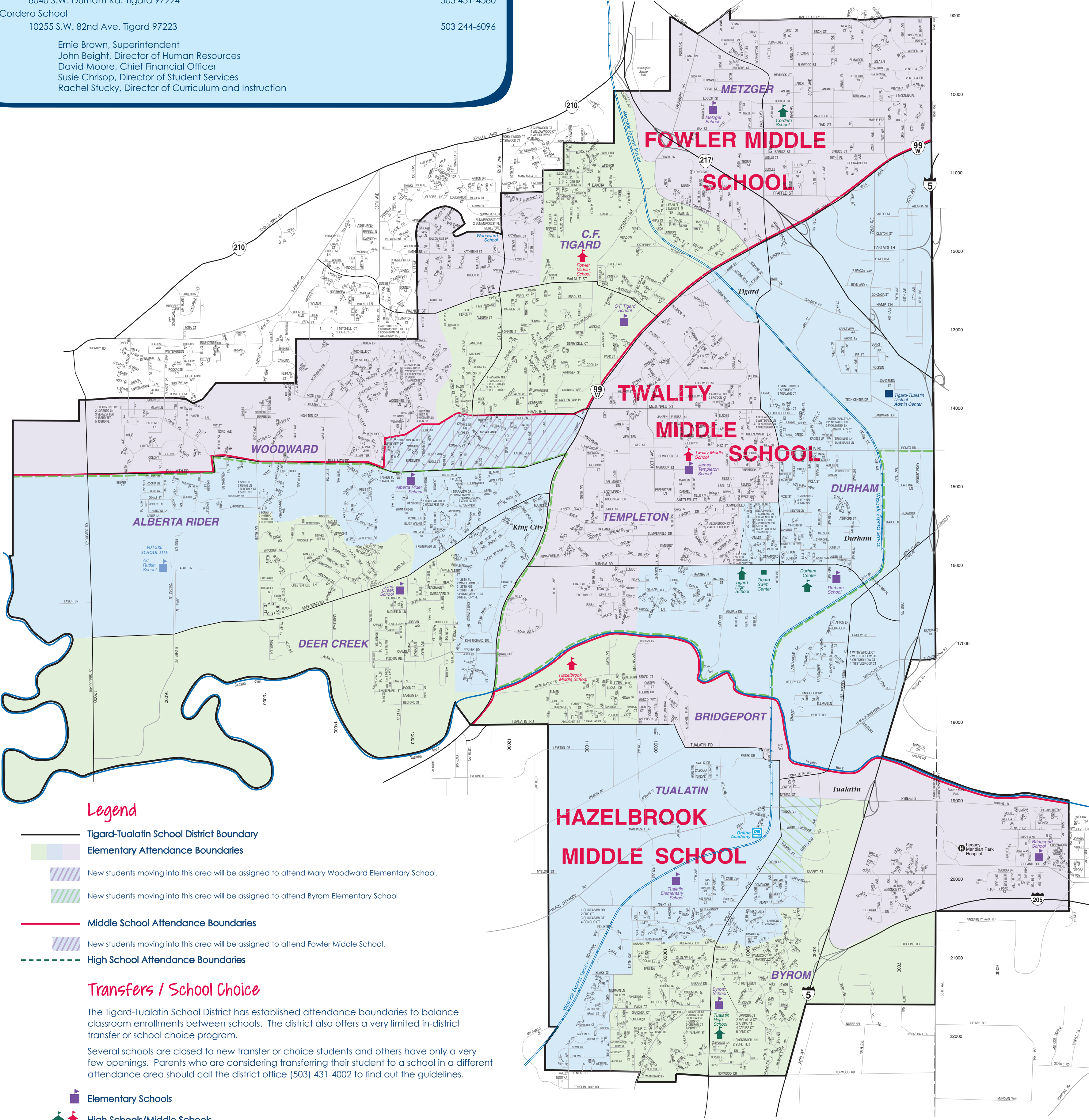
Ernie Brown, Superintendent
John Beight, Director of Human Resources
David Moore, Chief Financial Officer
Susie Chrisop, Director of Student Services
Rachel Stucky, Director of Curriculum and Instruction

Tigard-Tualatin School District 23J

2013-14 Attendance Boundaries



For more information, check out our website www.ttsdschools.org



Legend

- Tigard-Tualatin School District Boundary
- Elementary Attendance Boundaries
- New students moving into this area will be assigned to attend Mary Woodward Elementary School.
- New students moving into this area will be assigned to attend Byrom Elementary School
- Middle School Attendance Boundaries
- New students moving into this area will be assigned to attend Fowler Middle School.
- High School Attendance Boundaries

Transfers / School Choice

The Tigard-Tualatin School District has established attendance boundaries to balance classroom enrollments between schools. The district also offers a very limited in-district transfer or school choice program.

Several schools are closed to new transfer or choice students and others have only a very few openings. Parents who are considering transferring their student to a school in a different attendance area should call the district office (503) 431-4002 to find out the guidelines.

- Elementary Schools
- High Schools/Middle Schools
- Online School
- Future School Sites

(b) This criterion is applicable to any issues about meeting the criterion within 1.032(9). [Ord. 964-96, §2, 6/24/96; Ord. 1026-99, §2, 8/9/99; Ord. 1103-02, 03/25/02; Ord. 1310-10 §2, 9/13/10; Ord. 1354-13 §1, 02/25/13]

Response: The development agreement requirement will be satisfied as part of the annexation application which was submitted to the City concurrently with the plan map amendment application.

WAIVER OF RIGHTS & REMEDIES

Name of Document For Recording: Waiver Of Rights And Remedies Grantor: (Petitioner(s)) Grantee: City of Tualatin Consideration: None. Tax Statement to be mailed to: No change. <u>After Recording, Return To:</u> City of Tualatin, Attn: City Recorder, 18880 SW Martinazzi, Tualatin, OR 97062	(For County Recording Use Only)
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Measure 37 Waiver Of Rights And Remedies

Whereas, Kenneth R Espada ("Petitioner", including collectively all petitioners) has petitioned to the City of Tualatin ("City") to commence certain proceedings, i.e., annexation, planning district change, and/or plan text amendment for the following described real property,

See attached legal description

Whereas, under Ballot Measure 37 (effective December 2, 2004), a property owner may seek just compensation or waiver of certain land use regulations if a public entity enacts or enforces the land use regulations after the property owner acquired the property; and

Whereas, Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances; and

Whereas, City does not wish to approve the Petitioner's requested proceedings if such approval could result in the owner or the owner's successors or assigns filing a claim for compensation for the land use regulations in effect upon the effective date of the proceedings or a claim seeking to require the City to waive its land use regulations, which are being newly imposed upon the property as a result of the Petitioner's requested proceedings; and

Whereas, Petitioner wishes to obtain the City's approval of Petitioner's requested proceedings and therefore agrees to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

Now, therefore, Petitioner warrants that the Petitioner executing this Waiver Agreement holds the full and complete present ownership or any interest therein in the property, and agrees as follows:

1. As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: Annexation, planning district change, and/or plan text amendment which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Mixed Use Commercial

Overlay District, Industrial Business Park Overlay District, Flood Plain District, Wetlands Protection District, Greenway Protection Overlay District and Natural Areas, and/or design districts ("proceedings"), the undersigned Petitioner, on behalf of Petitioner, Petitioner's heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Tualatin, its officers, agents, employees and assigns that the Petitioner hereby waives, releases and forever discharges, and agrees that Petitioner shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from city land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.

2. This Waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This waiver, release and discharge shall run with the land, and this instrument or a memorandum of it may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Waiver filed by the City of Tualatin.
3. If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Petitioner acknowledges that the proceedings may be initiated by the City of Tualatin at any time in the discretion of the City and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
4. This document is executed of my own free will and without duress. I/we respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect our legal rights and remedies.

DATED this 9 day of January, 2014

<p><u><i>Kenneth R Espedal</i></u> (signature)</p> <p>Petitioner Name: <u><i>Kenneth R Espedal</i></u></p> <p>Date Signed: <u><i>1-9-14</i></u></p>	<p>_____ (signature)</p> <p>Petitioner Name: _____</p> <p>Date Signed: _____</p>
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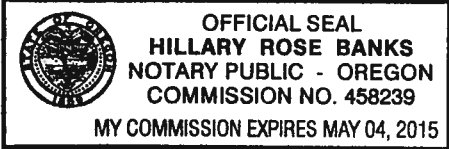
Petitioner (corporation, etc.) Name: Kenneth R Espedal
 By: Kenneth R Espedal
 Name of Signor: _____
 Office/Title of Signor: property owner

State of Oregon _____)
 County of Marion)

On this 9 day of January, 2014, before me the undersigned
 Notary Public, personally appeared

Kenneth Espedal
 (Name of Petitioners signing; not Notary name)

- ☐ Personally known to me
☒ Proved to me on the basis of satisfactory evidence
To be the person who executed the within instrument
☒ As owner or on behalf of the entity therein named, pursuant
 to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal (Do not write outside of the box)	Place Notary Seal Below
Notary Signature <u>Hillary Banks</u> Notary name (legible): <u>Hillary Banks</u>	

This document is accepted pursuant to authority and approved for recording.

City of Tualatin, Oregon

 City Manager

State of Oregon)
County of Clackamas)

On this _____ day of _____, _____, before me the undersigned Notary Public,
personally appeared _____,

- ☐ personally known to me
- ☐ proved to me on the basis of satisfactory evidence

To be the person who executed the within instrument as City Manager or on behalf of the entity therein named, pursuant to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal Do not write outside of the box	Place Notary Seal Below (Do not place seal over any portion of text or signature)
Notary Signature _____ Notary name (legible): _____	

Name of Document For Recording: Waiver Of Rights And Remedies Grantor: (Petitioner(s)) Grantee: City of Tualatin Consideration: None. Tax Statement to be mailed to: No change. <u>After Recording, Return To:</u> City of Tualatin, Attn: City Recorder, 18880 SW Martinazzi, Tualatin, OR 97062	(For County Recording Use Only)
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Measure 37 Waiver Of Rights And Remedies

Whereas, Joyce L. Poppen ("Petitioner", including collectively all petitioners) has petitioned to the City of Tualatin ("City") to commence certain proceedings, i.e., annexation, planning district change, and/or plan text amendment for the following described real property,

See attached legal description

Whereas, under Ballot Measure 37 (effective December 2, 2004), a property owner may seek just compensation or waiver of certain land use regulations if a public entity enacts or enforces the land use regulations after the property owner acquired the property; and

Whereas, Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances; and

Whereas, City does not wish to approve the Petitioner's requested proceedings if such approval could result in the owner or the owner's successors or assigns filing a claim for compensation for the land use regulations in effect upon the effective date of the proceedings or a claim seeking to require the City to waive its land use regulations, which are being newly imposed upon the property as a result of the Petitioner's requested proceedings; and

Whereas, Petitioner wishes to obtain the City's approval of Petitioner's requested proceedings and therefore agrees to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

Now, therefore, Petitioner warrants that the Petitioner executing this Waiver Agreement holds the full and complete present ownership or any interest therein in the property, and agrees as follows:

1. As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: Annexation, planning district change, and/or plan text amendment which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Mixed Use Commercial

Overlay District, Industrial Business Park Overlay District, Flood Plain District, Wetlands Protection District, Greenway Protection Overlay District and Natural Areas, and/or design districts ("proceedings"), the undersigned Petitioner, on behalf of Petitioner, Petitioner's heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Tualatin, its officers, agents, employees and assigns that the Petitioner hereby waives, releases and forever discharges, and agrees that Petitioner shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from city land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.

2. This Waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This waiver, release and discharge shall run with the land, and this instrument or a memorandum of it may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Waiver filed by the City of Tualatin.
3. If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Petitioner acknowledges that the proceedings may be initiated by the City of Tualatin at any time in the discretion of the City and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
4. This document is executed of my own free will and without duress. I/we respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect our legal rights and remedies.

DATED this 9 day of January, 2014

<u>Joyce L. Popper</u> (signature)	 (signature)
Petitioner Name: <u>Joyce L. Popper</u>	Petitioner Name:
Date Signed: <u>1-9-14</u>	Date Signed:

Petitioner (corporation, etc.) Name: Joyce L. Popper T
 By: Joyce L Popper T
 Name of Signor: _____
 Office/Title of Signor: Property owner

State of Oregon _____)
 County of manion)

On this 9 day of January, 2014, before me the undersigned
 Notary Public, personally appeared

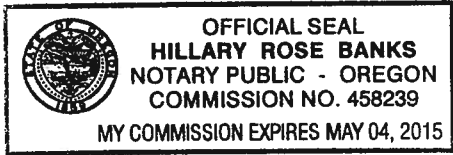
Joyce Popper T

(Name of Petitioners signing; not Notary name)

- ☐ Personally known to me
☒ Proved to me on the basis of satisfactory evidence

To be the person who executed the within instrument

- ☒ As owner or on behalf of the entity therein named, pursuant
 to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal (Do not write outside of the box)	Place Notary Seal Below
Notary Signature <u>Hillary Banks</u> Notary name (legible): <u>Hillary Banks</u>	

This document is accepted pursuant to authority and approved for recording.

City of Tualatin, Oregon

 City Manager

State of Oregon)
County of Clackamas)

On this _____ day of _____, _____, before me the undersigned Notary Public,
personally appeared _____,

- ☐ personally known to me
- ☐ proved to me on the basis of satisfactory evidence

To be the person who executed the within instrument as City Manager or on behalf of the entity therein named, pursuant to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal Do not write outside of the box	Place Notary Seal Below (Do not place seal over any portion of text or signature)
Notary Signature _____ Notary name (legible): _____	

Name of Document For Recording: Waiver Of Rights And Remedies Grantor: (Petitioner(s)) Grantee: City of Tualatin Consideration: None. Tax Statement to be mailed to: No change. <u>After Recording, Return To:</u> City of Tualatin, Attn: City Recorder, 18880 SW Martinazzi, Tualatin, OR 97062	(For County Recording Use Only)
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Measure 37 Waiver Of Rights And Remedies

Whereas, Donna Degele ("Petitioner", including collectively all petitioners) has petitioned to the City of Tualatin ("City") to commence certain proceedings, i.e., annexation, planning district change, and/or plan text amendment for the following described real property,

See attached legal description

Whereas, under Ballot Measure 37 (effective December 2, 2004), a property owner may seek just compensation or waiver of certain land use regulations if a public entity enacts or enforces the land use regulations after the property owner acquired the property; and

Whereas, Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances; and

Whereas, City does not wish to approve the Petitioner's requested proceedings if such approval could result in the owner or the owner's successors or assigns filing a claim for compensation for the land use regulations in effect upon the effective date of the proceedings or a claim seeking to require the City to waive its land use regulations, which are being newly imposed upon the property as a result of the Petitioner's requested proceedings; and

Whereas, Petitioner wishes to obtain the City's approval of Petitioner's requested proceedings and therefore agrees to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.


Now, therefore, Petitioner warrants that the Petitioner executing this Waiver Agreement holds the full and complete present ownership or any interest therein in the property, and agrees as follows:

1. As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: Annexation, planning district change, and/or plan text amendment which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Mixed Use Commercial

Overlay District, Industrial Business Park Overlay District, Flood Plain District, Wetlands Protection District, Greenway Protection Overlay District and Natural Areas, and/or design districts ("proceedings"), the undersigned Petitioner, on behalf of Petitioner, Petitioner's heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Tualatin, its officers, agents, employees and assigns that the Petitioner hereby waives, releases and forever discharges, and agrees that Petitioner shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from city land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.

2. This Waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This waiver, release and discharge shall run with the land, and this instrument or a memorandum of it may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Waiver filed by the City of Tualatin.
3. If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Petitioner acknowledges that the proceedings may be initiated by the City of Tualatin at any time in the discretion of the City and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
4. This document is executed of my own free will and without duress. I/we respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect our legal rights and remedies.

DATED this 9th day of January, 2014.

 (signature)	 (signature)
Petitioner Name: <u>Donna J. Degele</u>	Petitioner Name:
Date Signed: <u>1-9-2014</u>	Date Signed:

Petitioner (corporation, etc.) Name: Donna J Degele

By: _____

Name of Signor: Donna Degele

Office/Title of Signor: property owner

State of Oregon _____)

County of _____)

On this _____ day of _____, _____, before me the undersigned
Notary Public, personally appeared

(Name of Petitioners signing; not Notary name)

- ☐ Personally known to me
- ☐ Proved to me on the basis of satisfactory evidence
- To be the person who executed the within instrument**
- ☐ As _____ or on behalf of the entity therein named, pursuant
to authority, and acknowledged to me the execution hereof.

For Notary Acknowledgment. See Attached Document

WITNESS my hand and official seal (Do not write outside of the box)	Place Notary Seal Below
Notary Signature _____ Notary name (legible): _____	

This document is accepted pursuant to authority and approved for recording.

City of Tualatin, Oregon

City Manager

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Orange

On

January 09, 2014

before me,

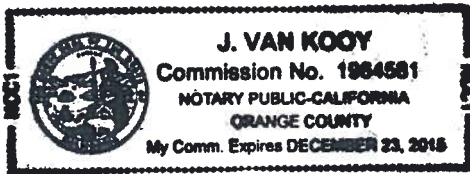
J. Van Kooij, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Donna J. Degele

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

J. Van Kooij

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Measure 37 Waiver Of Rights And Remedies

Document Date:

January 9, 2014

Number of Pages:

4

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Individual

☐ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

Signer's Name:

☐ Individual

☐ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

State of Oregon)
County of Clackamas)

On this _____ day of _____, _____, before me the undersigned Notary Public,
personally appeared _____,

- ☐ personally known to me
- ☐ proved to me on the basis of satisfactory evidence

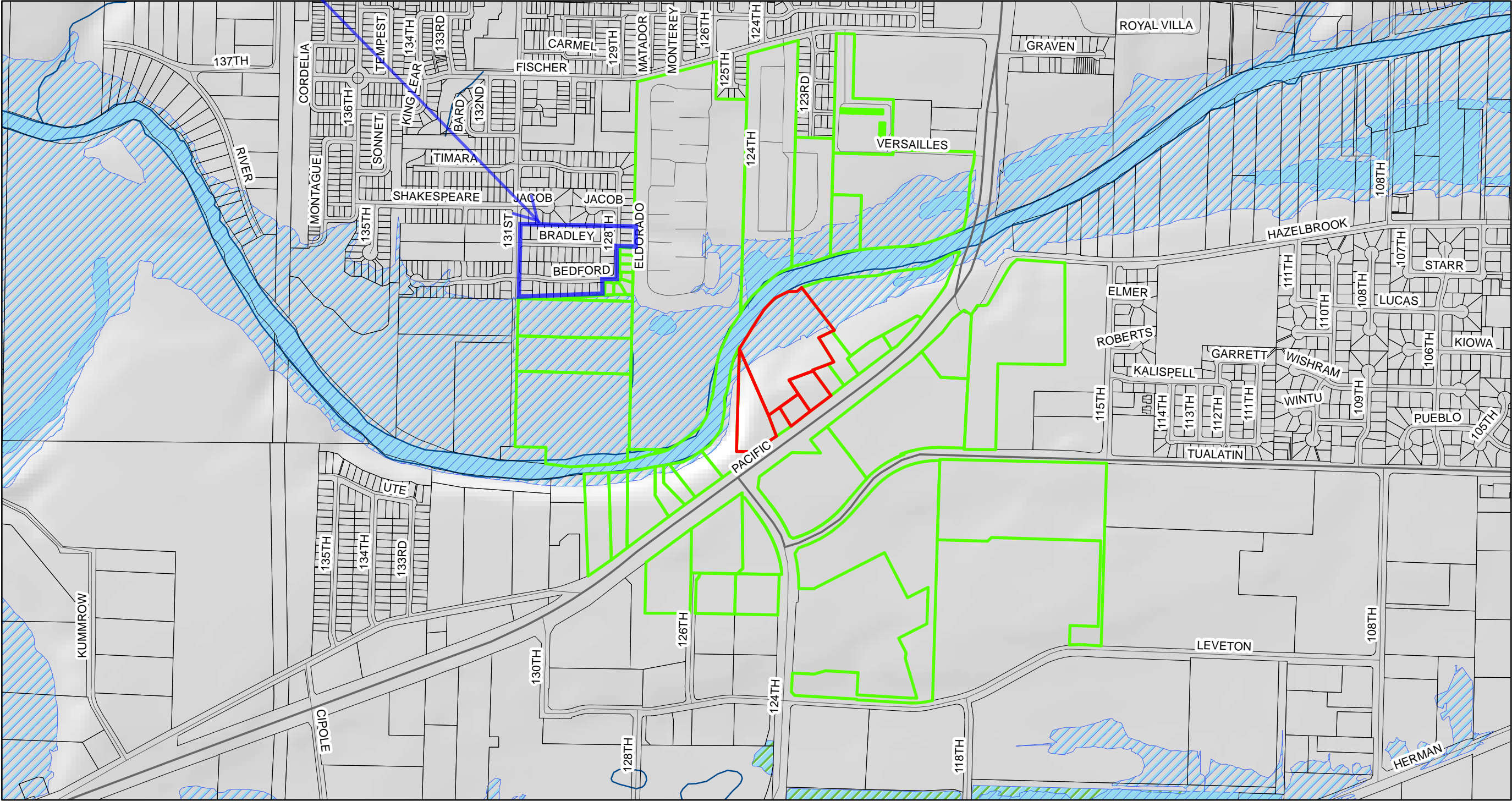
To be the person who executed the within instrument as City Manager or on behalf of the entity therein named, pursuant to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal Do not write outside of the box	Place Notary Seal Below (Do not place seal over any portion of text or signature)
Notary Signature _____ Notary name (legible): _____	

Lots within Bradley Woods and Bedford Park Subdivisions that are included in mailing list/labels.

Floodplain

- subject property
- Tax Lots selection
- Streams
- Flood Plain
- Wetlands



Customer Service Department
12909 SW 68th Parkway, Suite 350
Portland, OR 97223
(503) 603-1700 cs@wfgnationaltitle.com

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PMA-14-01 ATTACHMENT 102

BACKGROUND

The subject land use application is Plan Map Amendment PMA 14-01 requesting an amendment to Plan Map 9-1 for two properties located at 17985 SW Pacific Highway (Tax Lot 2S 1 15C 2191 and 2202) including the portion of right-of-way of 99W Pacific Highway to the centerline. Tax lot 2191 is currently designated General Commercial and is approximately 1.03 acres in size. Approximately 0.28 acres of right-of-way are proposed to change from General Commercial to High Density Residential (RH), and the right-of-way directly abuts tax lot 2191. Tax lot 2202 is currently designated Recreational Commercial and is approximately 8.38 acres with 2.72 acres in the Natural Resource Protection Overlay (NRPO) or in non-buildable Flood way. The subject site is located on north and west of the 99W and SW 124th intersection. See vicinity maps included as Attachments 103 and 104.

This Plan Amendment is being initiated by a private applicant who ultimately seeks to develop the property for multi-family residential use. The applicant provided a description and history of the subject site.

“The subject properties are in an area known as Roamer’s Rest which is bordered to the south by Highway 99W and to the north by the Tualatin River. This area has a mix of plan designations including RH, CG, and CR. Adjacent to the property to the east and south is land designated CR and CG and to the west of the property are properties designated RH.

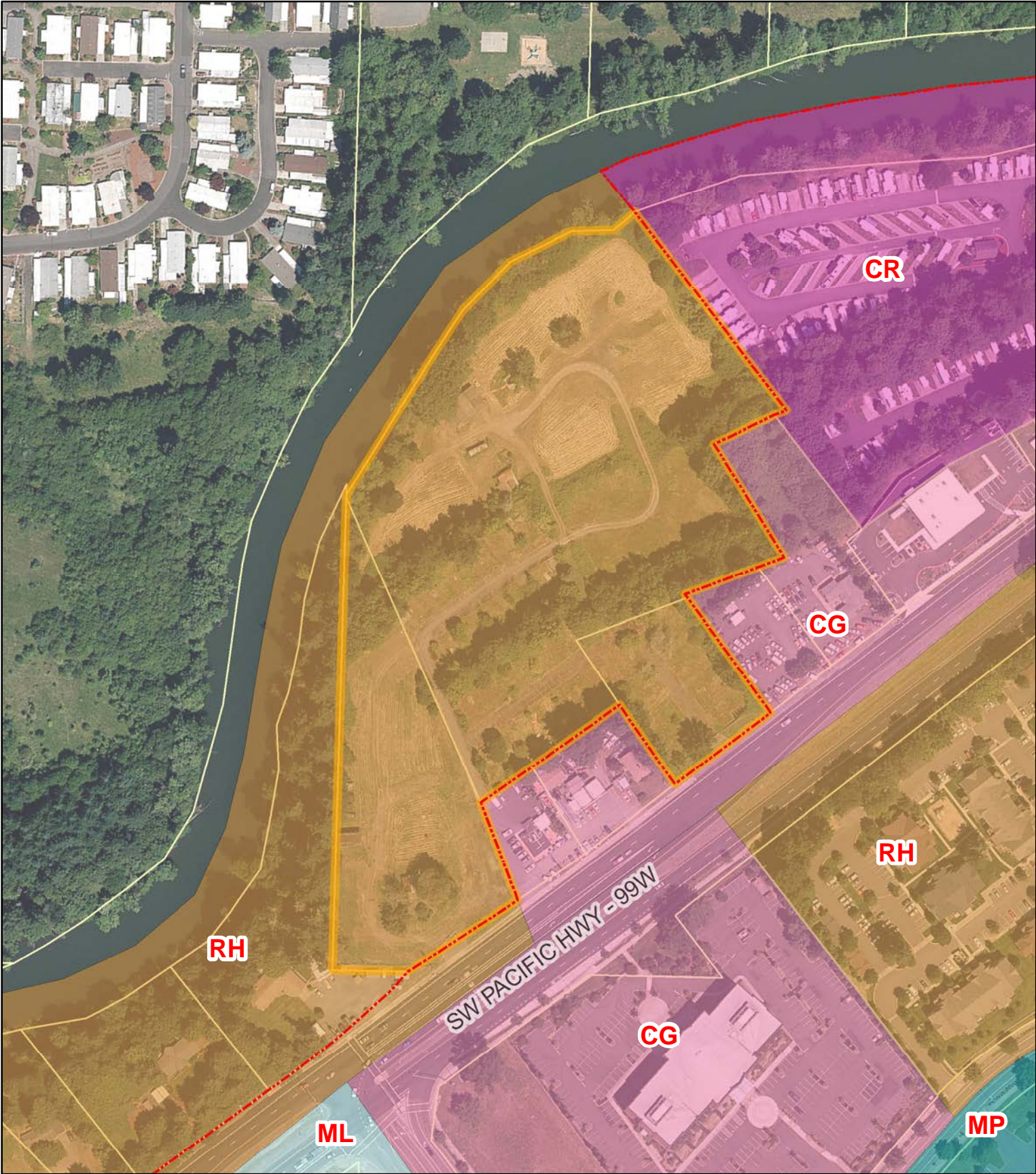
The area is a mix of old highway oriented commercial, vacant land and residential uses. This area has been largely undeveloped including a series of older buildings and vacant parcel. This includes the subject property which is a former manufactured home park but has been vacant for several years. The largest property adjacent to the subject property is the Roamer’s Rest RV Park which covers the CR land to the east of the subject property. Other nearby uses includes a restaurant, a small used car dealership, a new auto repair and restoration facility, and a vacant property designated RH.

Across Highway 99W directly to the south of the site is land designated RH that is fully developed as an apartment complex. Across Highway 99W to the southwest is land designated CG that is fully developed as an office building. To the north of the property, across the Tualatin River, the property is outside the City of Tualatin’s urban growth boundary [Urban Planning Area] and has the County designations of R-9 and R-15. This land is developed with residential uses.”

While the Plan Amendment criteria of 1.032 are a conceptual land use level, site redevelopment constraints are relevant. The largest tax lot 2202 proposed to change

from Recreation Commercial to High Density Residential (RH) is limited by the allowed and conditional uses. Multi-family uses are a conditional use but at a reduced density of 10 dwelling units per acre. Approximately 2.72 acres of this tax lot are unbuildable due to NRPO and Flood way and there is no direct access to 99W which limits possible development. Tax lot 2191 directly abuts 99W and is currently designated General Commercial but due to severely limited access from 99W the size there are limited development possibilities. Changing these two tax lots to the RH Planning District designation will allow for up to 25 units per acre. These two tax lots are under the same ownership as well as a tax lot to the south of the subject property which is currently designated High Density Residential. The three lots combined can support multi-family residential. The City's housing capacity will increase from this amendment by approximately 160 units. The City's total dwelling unit per acre will increase from 8.1 du/acre to 8.2 du/acre. Additionally, the percentage of multifamily dwelling units in the City will increase from 52% to 53%.

Attachment 106 contains the analysis and findings demonstrating how the PMA meets the approval criteria of Tualatin Development Code (TDC) Section 1.032. Exhibit B is a memorandum from the Engineering Division dated February 19, 2013 which examines the affect of the PMA on public facilities, including roads and streets.



Espedal Property



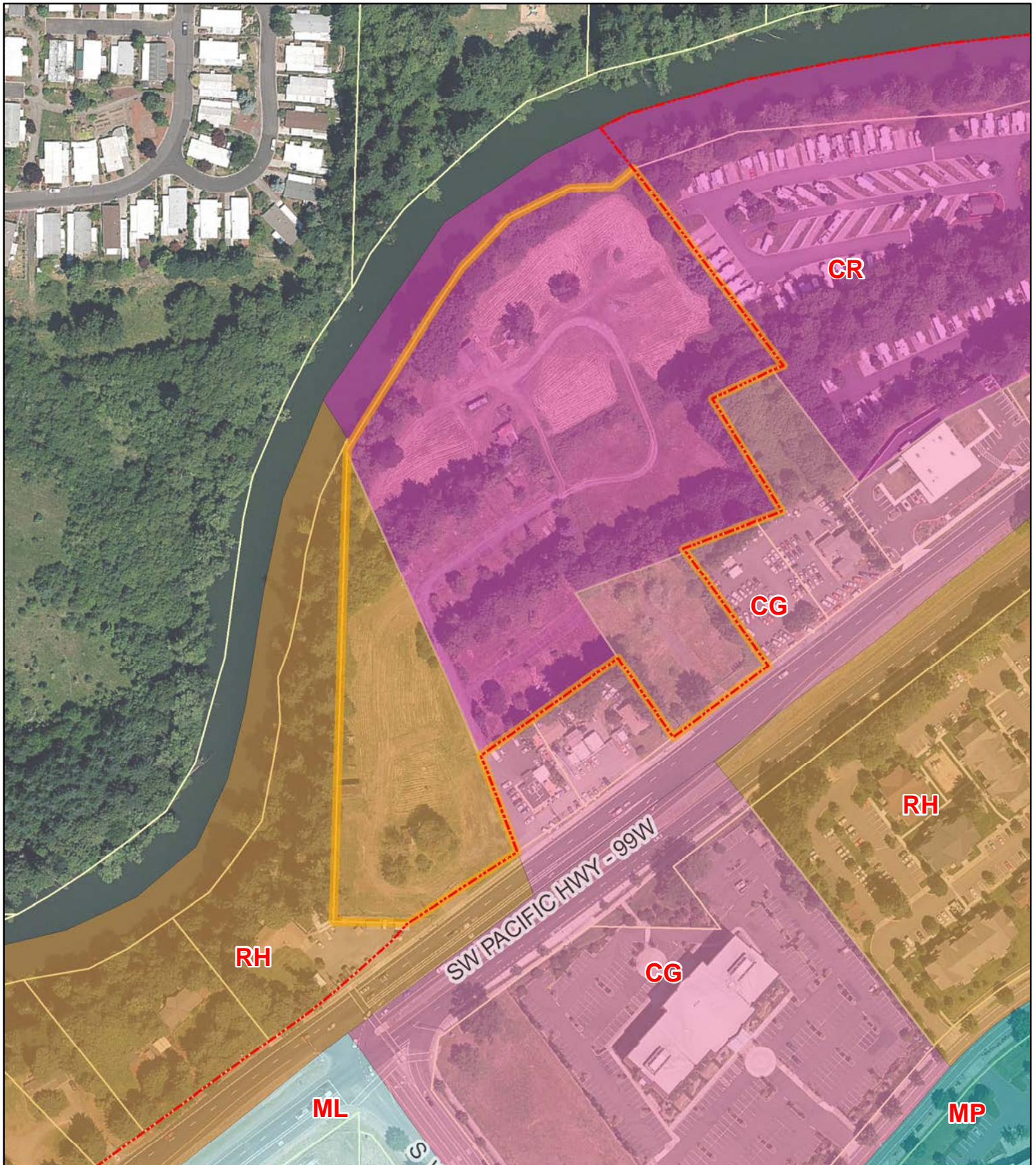
City Boundary



RF 1:2,400

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept. Printed 2/14/2014

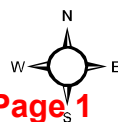
Existing Espedal Property Plan Designation



Espedal Property



City Boundary



RF 1:2,400

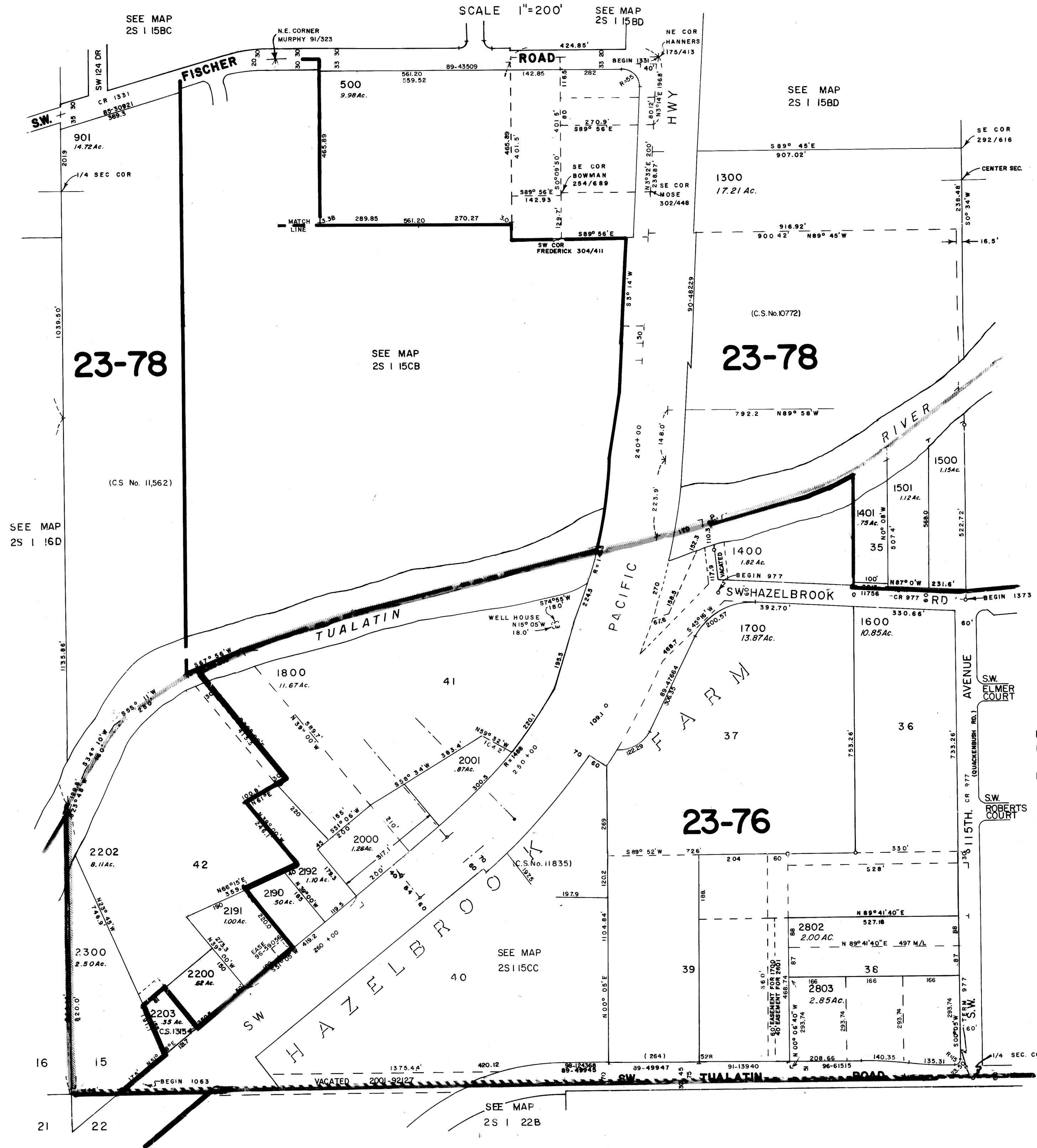
Attachment 104, Page 1

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept. Printed 2/14/2014

SW1/4 SECTION 15 T2S R1W W.M.

WASHINGTON COUNTY OREGON

2S 1 15C
TUALATIN



PMA 14-01 Attachment 106:

ANALYSIS AND FINDINGS

The City has received an application requesting a Plan Map Amendment changing the planning designations of two tax lots, 2S1 15C 2191 (General Commercial) and 2202 (Recreational Commercial), to High Density Residential (RH). Tax lot 2191 is approximately 1.03 acres and Tax Lot 2202 is approximately 8.38 acres. This proposed amendment will also change the Planning Designation of approximately 0.28 acres of right-of-way on 99W adjacent to Tax Lot 2191. The applicant proposes to annex to the City the two tax lots located at 17865 SW Pacific Hwy plus a third tax lot, 2300 (designated RH), which is located at 17985 SW Pacific Hwy.

The approval criteria of the Tualatin Development Code (TDC), Section 1.032, must be met if the proposed PMA is to be granted. The plan amendment criteria are addressed below:

Granting the amendment is in the public interest.

As identified by staff it is in the public interest to respond to an applicant's proposal for a Plan Map Amendment that will lead to subsequent land use actions to permit new development and redevelopment of property that is currently vacant and underutilized.

The public interest is served by responding to this application for a Plan Amendment. The two tax lots which total 9.41 acres that are the subject of this amendment plus a third tax lot that is 2.56 acres are currently vacant and underutilized. The combined total of the three tax lots is approximately 11.97 acres. The applicants ultimately seek to develop this property for a multifamily residential use. The application cites Tualatin Development Code section 9.042 which identified Roamer's Rest "as an ideal and critical location for higher density housing." The TDC also notes that "flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern."

The applicant states that "[t]he site is not well situated for the commercial development, particularly retail development, in light of its one-way access into and out of the site." The present planning designation of General Commercial and Recreational Commercial allow for retail uses. The applicant continues, "[a]ccordingly, the property will likely long-remain vacant under the current commercial planning designations." Planning staff have often received requests for information about this site and the ability to develop all three acres but the inquiries have not resulted in pursuit of development until this application. The site is constrained by the Tualatin River and associated setbacks imposed by Clean Water

Services that include a 125-foot vegetative corridor. A third of the area adjacent to the Tualatin River is covered by the 100-year floodplain and floodway which is not buildable land. Because the site is located on an ODOT facility, access is limited. Additionally, the City has identified land on this site as part of the Tualatin Greenway Trail which can be located in Clean Water Services vegetative corridor. The combination of these site constraints present very limited opportunities for developing this site. The limited access off of 99W Pacific Highway reduces the market viability of retail uses. However, this site is suitable for multifamily development and areas adjacent to the site are identified as suitable for higher residential density. In order to make this site viable for development a Plan Map Amendment is necessary to allow the development of multifamily high density residential.

The applicant addresses benefits to the surrounding community as a result of granting this amendment.

“Along with transforming an underutilized piece of property, the plan map amendment will also benefit the remaining commercial portion of Roamer’s Rest area. This includes a restaurant, a used car dealership, and some older retail buildings that will benefit from a significant number of new customers. Additionally, the office and manufacturing businesses being developed across Highway 99W will benefit from having high-quality housing for employees in close proximity.”

Granting the amendment is in the public interest. Criterion “1” is met.

2. The public interest is best protected by granting the amendment at this time.

As stated above, this site is severely constrained and not suitable to commercial development. The applicant cites the “one-way access into and out of the site” as a primary deterrent to commercial, particularly retail, development. This amendment is timely because a future proposal to develop this site is unlikely. Additionally, development of this property as residential units will generate property taxes rather than vacant undevelopable land, when an annexation is approved. Multifamily development requires the payment of Parks System Development Charges as opposed to commercial development which does not trigger the charge.

The public interest is best protected by granting the amendment at this time. Criterion “2” is met.

3. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The applicant provided a comprehensive response to this criterion.

Chapter 4 Community Growth Section 4.050 Objectives:

(4) Provide a plan that will create an environment for the orderly and efficient transition from rural to urban land uses.

Response: The proposal matched the “density gradient” approach outlined for the area in Section 9.042 of the Tualatin Community Plan. As described in the plan, RML planning designation is used on the west adjacent to the agricultural lands, RMH planning designation is in the center portion of the Roamer’s Rest, and the RH planning designation in the east adjacent to the commercial area. By expanding the RH designation to the east the proposed plan change will maintain the gradient approach and the transition between farmland and higher density housing will be maintained.

(6) Arrange the various land uses so as to minimize land use conflicts and maximize the use of public facilities as growth occurs.

Response: As noted above the proposed RH zoning is compatible with surrounding land uses. These include land with various residential zoning designations and commercial land that includes retail establishments that will benefit from additional nearby residential customers. Additionally, directly adjacent to the subject property is an RV Park which has a very residential feel and vacant land already designated RH which planned to be incorporated into the proposed residential development on the subject property. The eventual development on the subject property will also be compatible with the adjacent Tualatin River to the north and west by virtue of the vegetated corridor that be required by the Tualatin Development Code and Clean Water Services, which preserves open space along the river and a buffer between development and the river.

(9) Prepare a plan providing a variety of living and working environments.
(15) Arrange the various land uses in a manner that is energy efficient.

Response: The proposal will allow for an appealing living environment that is close to employment, transportation, and retail. The development of multi-family in areas so close to potential destinations is an energy efficient arrangement of development. The proximity of the property to transit services also encourages transportation alternatives to the automobile. The proposed residential environment will also be unique to its location along the Tualatin River. Multi-family residential development along the river will increase the number of people who can enjoy this community asset while buffer areas required by the Tualatin Development Code and Clean Water Services will ensure that any development of the site does not affect the ecological health of the river.

Chapter 5 Residential Planning Growth Section 5.030 General Objectives:

- (1) Provide for the housing needs of existing and future City residents.*
- (2) Provide housing opportunities for residents with varied income levels and tastes that are esthetically and functionally compatible with the existing community housing stock.*

Response: The proposal will create additional residential land in an appealing area ideal for multi-family residential development. This addition will serve existing and future City residents. The multi-family residential development of this property will provide opportunities for individuals and families to live in a high quality area with the river as a positive amenity all while being in close proximity to the employment, services, and transportation. Such residential development will provide housing opportunity for a broad spectrum of income levels, particularly as an alternative to home ownership in a traditional, single-family residential setting (e.g. a residential subdivision).

- (4) Locate higher density development where it is convenient to the City's commercial core, near schools, adjacent to arterial and collector streets and, as much as possible, in areas with existing multi-family housing and provide residential opportunities in selected commercial areas through the Mixed Use Commercial Overlay District.*

Response: The proposed additional RH land is adjacent to an arterial street with transit service, is adjacent to land already designated RH, is near to existing multifamily housing, has immediate access to commercial areas, and is served by Deer Creek Elementary School, Twality Middle School, and Tualatin High School. All of these factors make the property ideal for higher density residential development. This conclusion is consistent with the conclusion in Section 9.042 of the Tualatin Community Plan that states that the Roomer's Rest area is "an ideal and critical location for higher density housing." It notes that the "flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern."

Chapter 10 Community Design Section 10.020 Design Objectives:

- (1) Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development.*
- (3) Promote the City's natural beauty and visual character and charm by insuring that structures and other improvements are properly related to their sites, and to*

surrounding sites and structures, with due regard to the esthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures and other improvements.

Response: Any development of the property will be required to go through the City's design review process (Architectural Review) to ensure appealing and functional development of the site. Additionally, buffer areas required by the Tualatin Development Code will ensure that any development of the site does not affect the ecological health of the river and will ensure that the design of the site will leverage and enhance this unique community asset.

Chapter 11 Transportation Section 11.610 Goals and Objectives

(2)(b) Provide efficient and quick travel between points A and B.

(2)(c) Provide connectivity within the City between popular destinations and residential areas.

(2)(e) Reduce trip length and potential travel times for motor vehicles, freight, transit, bicycles, and pedestrians.

(2)(f) Improve comfort and convenience of travel for all modes including bicycles, pedestrians, and transit users.

(2)(g) Increase access to key destinations for all modes.

Response: The property has excellent access to transportation resources and is in close proximity to employment and services. This makes the subject property ideal for multi-family residential development by making short travel times and trip lengths between destinations. Such proximity also creates more favorable conditions for the use of nearby transit service and other alternative modes of transportation. Development of the subject property will also facilitate construction of an important link in the City's pedestrian path along the Tualatin River.

Additional the City would like to point out that an existing Tri-Met bus stop is directly adjacent to the proposed site heading south bound on 99W Pacific Highway and there is bus stop on the other side of 99W Pacific highway heading northbound. The site is located approximately 329 feet from the 124th and 99W intersection with a crosswalk that will allow residents to walk across the street. This site is ideally located for future residents to access to transit.

Chapter 15 Parks and Recreation Section 15.020 Objectives

(5) Preserve the scenic value of the Tualatin River by creating a greenway along the entire bank of the River within the City.

Response: The change in the plan designation will not affect the preservation of the greenway along the Tualatin River. Buffer areas required by the Tualatin Development Code and Clean Water Services will ensure that a greenway is maintained.

The proposed amendment conforms with the objectives of the Tualatin Community Plan. Criterion “3” is met.

4. The following factors were consciously considered:

The applicant provided a comprehensive response to this criterion.

The various characteristics of the areas in the City:

Response: The area is a mix of old highway oriented commercial, vacant land, and residential uses. This area has been largely underdeveloped including a series of older buildings and vacant parcels. This includes that subject property which is a former manufactured home park but has been vacant for several years. The largest adjacent development to the subject property is the Roamer’s Rest RV Park which covers the CR land to the east of the subject property. Although designated CR this development is residential in nature and very compatible with an RH [high density] neighbor.

Across Highway 99W directly to the south of the site is land designated RH that is fully developed as an apartment complex. Across Highway 99W to the southwest is land designated CG [General Commercial] that is fully developed as an office building. To the north of the property, across the Tualatin River, the property is outside the urban growth boundary and has the County designations of R-9 and R-15. This land is developed with residential uses.

Overall the proposed RH plan designation will match well with the adjacent residential uses in the area and will offer the benefit of new customers and employees to the businesses in the area.

The suitability of the areas for particular land uses and improvements in the areas:

Response: The Tualatin Community Plan identifies the subject property as being in the Roamers Rest area. Section 9.042 of the Tualatin Community Plan states that the Roamer’s Rest area is “an ideal and critical location for higher density housing.” It notes that the “flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern.” The subject property is adjacent to existing RH land and will be a logical extension to that existing development pattern.

Trends in land improvement and development:

Response: The subject property and several adjacent properties have largely remained vacant or underdeveloped while nearby properties such as those across Highway 99W have experienced recent new development and investment. The requested change will enable significant investment north of Highway 99W which will mirror the investment to the south of the Highway.

Property Values:

Response: Granting this request will allow investment in the area which will increase the property values of the subject property as well as its neighbors. As previously described, the RH designation is compatible with the zoning and development pattern in the area. Additionally, the development will provide customers for nearby retail and a more significant employee base for area office and manufacturing businesses. This will increase the value of these nearby commercial uses.

The needs of economic enterprises and the future development of the area:

Response: Granting the requested plan change is in the public interest and will bring significant investment and improvement to the Roamer's Rest Area. As noted above, property values will increase with the addition of high-quality, multi-family residential development in the area. Concentrations of residents are a pre-requisite to successful economic development in most areas of a city. The vitality and spending from residents on the subject property will have a greater, positive impact on local economy than the subject property's continued vacancy under its current commercial planning designations.

Needed right-of-way and access for and to particular sites in the area:

Response: There is sufficient right- of- way and access rights from the Oregon Department of Transportation to provide access to the subject property. Additionally, as noted in the attached letter from DKS Engineering [see Exhibit A], the requested plan change will decrease the overall potential trip generation for the site. The design for access to and from the property is subject to review and approval by the Oregon Department of Transportation. This will help assure minimization of any safety and congestion issues stemming from the property's development.

Natural resources of the City and the protection and conservation of said resources; and

Prospective requirements for the development of natural resources in the City:

Response: The subject property is adjacent to the Tualatin River which is an important community resource. The change in the plan designation will not affect the preservation of the Tualatin River. Buffer areas are required by the Tualatin Development Code and by Clean Water Services, which will ensure that any development of the property will not affect the ecological value of the River. In addition, allowing multi-family residential development of the subject property will facilitate enhancement of the river corridor, including providing a location and SDC funds for the City's pedestrian path along the river.

The public need for healthful, safe, aesthetic surroundings and conditions.

Response: The proposed plan change will allow the development of the currently vacant site into a vibrant residential development. A significant portion of the site will remain undeveloped and enhanced due to the Tualatin River buffering requirements. This will create a pleasant experience for residents and the public who will have the benefit of the natural area along the river as well as excellent access to nearby employment, retail, and services.

Proof of change in a neighborhood or area; and

Mistake in the Plan Text or Plan Map:

Response: The area has changed over the planning period from an isolated stop along the highway to being surrounded by densely developed residential uses. This change is consistent with the highest and best use for the properties and was anticipated in Section 9.042 of the Tualatin Community Plan which identifies the Roamer's Rest area "as an ideal and critical location for higher density housing." Matching the plan designation of the subject [site] to the neighboring properties is a logical change.

The applicant sufficiently addressed the factors in this Criterion. Criterion "4" is met.

5. The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.

The applicant responded to this criterion:

Response: The Tigard-Tualatin School District has been notified about the proposal and we have requested their comments. On the school district map which is included in the application it is unclear whether or not the property is in

the Tigard-Tualatin School District but staff at the district has confirmed the property's inclusion. The development of the site will produce additional funds to increase school capacity in the form of system development charges/property taxes/and construction excise taxes.

The City also notified the Tigard Tualatin School District as part of the agency notification process. The applicant reported to staff that the site is within the Deer Creek Elementary School Boundary, Twality Middle School Boundary and the Tualatin High School Boundary. The applicant reports there is overall capacity in the district and that capacity exists at Deer Creek Elementary School and Tualatin High School. Capacity constraints are indicated for Twality Middle School but the site is actually closer to Hazelbrook Middle School where capacity exists.

Criterion "5" is met.

6. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule TPR (OAR 660-012-0060).

The applicant has provided a response to Goals 1-14 and determined that Goals 15-19 are not applicable. The City concurs with the identified applicable goals and concurs that Goals 15-19 are not applicable.

Goal 1 Citizen Involvement

Response: This request is following all citizen involvement requirements of the plan amendment process. This includes the holding of a neighborhood meeting and sending notices to neighbors.

The Tualatin Planning Commission reviews all Plan Amendments and makes recommendations to the City Council regarding adoption. Tualatin Municipal Code 11-1-060 (4) states that the Tualatin Planning Commission "[s]erves as the City of Tualatin Commission for Citizen Involvement" in accordance with Goal 1 Citizen involvement.

Goal 2 Land Use Planning

Response: The City of Tualatin has an acknowledged comprehensive plan and the procedure for amending that plan is being followed in making this request.

Goal 3 Agricultural Lands

Response: The subject property is in the City of Tualatin's established urban growth boundary [Urban Planning Area Agreement with Washington County]

and is not classified as agricultural land. The proposal is in conformance with the “density gradient” approach outlined for the area in Section 9.042 of the Tualatin Community Plan which is meant to transition from the agricultural land several miles to the west of the subject property.

Goal 4 Forest Lands

Response: Goal 4 is not applicable inside an Urban Growth Boundary. However, the project protects forest resources. The City has identified the greenway adjacent to the Tualatin River as a significant forest resource. The change in the plan designation will not affect the preservation of the forest resource adjacent to the river. Buffer areas are required by the Tualatin Development Code which will ensure that any development of the property will not affect the forest.

Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces

Response: The subject property is adjacent to the Tualatin River which is an important natural, scenic, and open space resource. The City has identified the greenway adjacent to the river as a significant forest resource. The change in the plan designation will not affect the preservation of the River or the forest resource adjacent to the river. Buffer areas are required by the Tualatin Development Code which will ensure that any development of the property will not affect the ecological or aesthetic value of the River or the forest. There are no historic areas on the subject property.

Goal 6 Air, Water and Land Resources Quality

Response: The change in the plan designation will have no effect on air, water, and land resources quality. The change in plan designation does not affect federal, state and, city regulations dealing with air, water, and land resources quality.

Goal 7 Areas Subject to Natural Hazards

Response: A portion of the subject property is in the floodplain and floodway of the Tualatin River. Development of these areas is subject to existing rules and regulations that will not be modified by the proposed plan designation change.

Goal 8 Recreational Needs

Response: The existing designation is identified as a commercial recreational district but the site has not developed any recreational resources under this designation. The change in plan designation will enable the development of the site and will provide a greater connection with and utilization of Tualatin River. Buffer areas are required by the Tualatin Development Code which will ensure

that the greenway along the river and the river itself will be maintained as a recreational resource.

Goal 9 Economic Development

Response: The subject property and several adjacent properties have largely remained vacant or underdeveloped while nearby properties such as those across Highway 99W have experienced recent new development and investment. The requested change will enable significant investment north of Highway 99W which will mirror the investment to the south of the Highway. Additionally, the development will provide customers for nearby retail and a more significant employee base for area office and manufacturing businesses which are developing nearby.

Goal 10 Housing

Response: The change in plan designation will increase the density of housing permitted on the property. The current designation generally permits up to 10 units per acre while the proposed designation generally permits up to 25 units per acre. The plan change also allows a greater variety of housing types. Section 9.042 of the acknowledged Tualatin Community Plan already identifies that the area is “an ideal and critical location for higher density housing.” It notes that the “flat land, relationship to the river, proximity to major employment centers, and excellent transportation access all lend themselves to a higher density development pattern.”

The Metropolitan Housing rule, OAR 660-007, applies to the cities and counties within the metropolitan Portland urban growth boundary. Per OAR 660-007-0035(2) the City of Tualatin is required to provide a net density of eight dwelling units per acre (8 du/ac). Per OAR 660-007-0030 the City is required to provide at least 50 percent of new residential units as attached single family housing or multiple family housing.

Staff has prepared information on the effect of changing the designation of the subject properties and the adjacent public ROW from General Commercial and Recreational Commercial to High Density Residential and the City's ability to comply with the applicable sections of the Metropolitan Housing Rule. Tables 2A and 2B below reflect updated analysis of planned housing density and housing mix when 9.41 new acres are added to residential land.

The amendment increases the planned residential density by 0.071 DUs/acre from 8.167 to 8.238. This proposed amendment will further the City's compliance with OAR 660-007-0035 and may allow for lower density development in other areas of the City.

Table 2A						
	RL	RML	RMH	RH	RH/HR	Total
Total acres in each residential district (current)	2209.67	265.03	188.156	166.02	18.19	2847.066
Acres proposed for removal from or added to residential district				9.41		9.41
Total acres of ROW in each residential district (+/- 0.69 acres ROW)	-443.13	-59.16	-32.39	-23.59	-3.4	-561.67
PMA 14-01 Acres of ROW changing to RH				-0.28		-0.28
Total Gross Buildable Acres	1766.54	205.87	155.77	151.56	14.79	2294.53
Environmental restrictions (100 flood, NRPO, slopes > 25%)	-293.66	-44.41	-54.77	-76.4	-12.57	-481.81
PMA 14-01 NRPO acres				-2.72		-2.72
Total Acres Minus Environmental Restrictions	1472.88	161.46	100.996	72.44	2.22	1809.996
Non-buildable land (publicly owned, golf course, school, cemetery)	-297.09	-11.84	-6.26	-0.19	-0.06	-315.44
PMA 14-01 Non-buildable land				0		0
Total net Buildable Acres	1175.79	149.62	94.74	72.25	2.16	1494.56
Maximum Density Allowed by Residential District (dwelling units per acre)	6.4	10	15	25	30	86.4
Total Dwelling Units Allowed	7,525.056	1,496.2	1,421.04	1,806.25	64.8	12,313.35
Dwelling units per acre						8.238

As calculated by staff, adding 9.41 acres of RH residential land to the City's supply will increase the attached/multi-family housing share by 0.91 percent from 52.09 to 53 percent, which continues to satisfy the requirement.

Table 2B						
PMA-14-01 Metro Housing Rule New Construction Mix						
	RL	RML	RMH	RH	RH/HR	Total
Total acres in each residential district (current)	2209.67	265.03	188.156	166.02	18.19	2847.066
Acres proposed for removal from or added to residential district				9.41		9.41
Total acres of ROW in each residential district (+/- 0.69 acres ROW)	-443.13	-59.16	-32.39	-23.59	-3.4	-561.67
PMA 14-01 Acres of ROW changing to RH				-0.28		-0.28
Total Gross Buildable Acres	1766.54	205.87	155.766	151.56	14.79	2294.526
Environmental restrictions (100 flood, NRPO, slopes > 25%)(RL only, no shift in density as allowed in RML-RH/HR)	-293.66	0	0	0	0	-293.66
Total Acres Minus Environmental Restrictions	1472.88	205.87	155.766	151.56	14.79	2000.866
Non-buildable land (publicly owned, golf course, school, cemetery)	-297.09	-11.84	-6.26	-0.19	-0.06	-315.44
Total net Buildable Acres	1175.79	194.03	149.506	151.37	14.73	1685.426
Maximum Density Allowed by Residential District (dwelling units per acre)	6.4	10	15	25	30	86.4
Total Dwelling Units Allowed	7525.056	1940.3	2242.59	3784.25	441.9	15934.1
Total Single Family Detached Units Allowed (RL)	7525.056					7525.056
						47% DU Allowed
Total Attached/Multi-Family Units Allowed (RML, MRMH, RH, RH/HR)						8409.04
						53% DU Allowed

Goal 11 Public Facilities and Services

Response: The subject property is inside the City of Tualatin Urban Growth Boundary and has access to nearby public facilities and services. The applicant has met with City and Clean Water Services staff, and as reviewed below all relevant service providers have indicated that sufficient capacity exists to serve the site with the proposed plan designation.

Sanitary Sewer – The site is located within the Clean Water Services (CWS) Service Boundary. There is an existing 18-inch sanitary sewer main located onsite along the property line separating tax lots 2202 and 2300 connecting to a 27-inch sanitary sewer main crossing tax lot 2202 parallel to the Tualatin River. The site topography slopes downhill from Highway 99W toward the Tualatin River along the northern boundary of the site. Gravity service is available to the site by connecting to the existing 27-inch main. Conversations with CWS staff confirm that the existing sanitary sewer system has sufficient capacity to serve the site.

Storm Drainage (surface water management) – The site is located within the CWS Service Boundary. Storm drainage improvements required for development of the subject property will include the installation of a new outfall to the Tualatin River. Storm water quality treatment will be provided in accordance with CWS standards and potentially consist of water quality swales, low impact development approaches (LIDA), mechanical treatment, or a combination thereof. Storm water detention is not required due to the site proximity to the Tualatin River.

Potable Water – There is an existing City of Tualatin 12-inch potable water main in Highway 99W along the site frontage. Potable water service is available to the site by connecting to the existing main. Conversations with City of Tualatin Engineering staff confirm that sufficient capacity for the existing site and proposed zoning is available without improving or modifying the existing City water system.

Exhibit B (Engineering Division Memorandum) provides an analysis of Sanitary Sewer, Stormwater, and Water. The analysis is also included below.

Downstream sizing for all public utilities will need to be evaluated by the developer for the change from current zoning compared to the RH zoning with any associated future proposed redevelopment within an Architectural Review. Any upsizing will be a requirement in the Architectural Review decision.

Public sanitary sewer lines exist within the development area and are under Clean Water Services ownership. Stormwater would need to be treated and released to the Tualatin River or to an ODOT facility within SW Pacific Highway. Water lines exist in the SW Pacific Highway adjacent to the development. The

applicant will need to determine the location of water treatment and connections to the public lines prior to obtaining a Water Quality and Public Works Permit associated with the development of the future Architectural Review.

Goal 12 Transportation

Response: The property has excellent access to transportation resources and is in close proximity to employment and services. This makes the subject property ideal for multi-family residential development by making short travel times and trip lengths between destinations. Such proximity also creates more favorable conditions for the use of alternative modes of transportation. Development of the subject property in the manner described is consistent with the City's Transportation System Plan and other plans, which are in compliance with the requirements of the Transportation Planning Rule TPR (OAR 660-012-0060). Traffic impacts on the City's transportation system are less under the proposed zoning than the traffic impacts from the subject property under the existing zoning. See enclosed Memorandum from Scott Mansur, DKS Associates [Exhibit A].

Exhibit B (Engineering Division Memorandum) provides an analysis of Transportation and addresses OAR 660-012-0060 the State's Transportation Planning Rule. The analysis is also included below.

As demonstrated by the analyses and findings presented in the study, the proposed land use action is not expected to "significantly affect" any existing or planned transportation facility and is, therefore, expected to be in compliance with the State's Transportation Planning Rule.

SW Pacific Highway

SW Pacific Highway is an ODOT facility which the City of Tualatin designates as a Major Arterial which has a preferred right-of-way width of 98 feet that includes one 14-foot center turn lane, two 12-foot travel lanes, two 6-foot bike lanes, 6-foot planter strips, and 6-foot sidewalks. As this is an ODOT facility, bike lanes need to be 8-feet wide resulting in a overall width of 102 feet. Existing right-of way width varies between approximately 160 to 174 feet.

The Plan Map Amendment as reviewed consists of 10.83 developable acres including zones CG (General Commercial), RC (Recreational Commercial), and RH (High Density Residential). The proposal is to change all lots to zone RH (High Density Residential).

The 100-year floodplain and floodway covers approximately a third of the area adjacent to the Tualatin River. If a developer proposed to serve the areas using a public street, it would require a 50-foot width right-of-way that ended in a 45-foot radius cul-de-sac that was elevated 1-foot above the floodplain along with the requirement for a public water quality facility in a tract. The required right-of-way

along with balanced cut and fill due to a public street could reduce or eliminate the possible developable area for residential homes. If a private tract was used instead of a public street a maximum of 6 lots could be served, provided balanced cut and fill proved possible for the homes to be constructed 1-foot above the floodplain.

The scenarios generate the following traffic:

<u># of Lots</u>	<u>AM Peak</u>	<u>PM Peak</u>	<u>Total</u>
Existing	194	147	340
PMA 14-01	109	59	168
Change	-85	-88	-172

This plan map amendment will reduce the AM and PM Peak traffic from the currently allowed uses, which would not increase the Level-of-Service at nearby intersections.

ODOT responded on February 13, 2014 that they have no issues with the zone change.

Goal 13 Energy Conservation

Response: The site is located close to employment, transportation, and retail resources. This makes the subject property ideal for multi-family residential development by making short travel times and trip lengths between destinations. Such proximity, as well as nearby transit service, create more favorable conditions for the use of alternative modes of transportation. As such, the proposed plan change should result in more efficient energy usage.

Goal 14 Urbanization

Response: The site is within the acknowledged urban growth boundary of the City of Tualatin and is governed by such applicable regulations.

Goal 15 Willamette River Greenway

Goal 16 Estuarine Resources

Goal 17 Coastal Shorelands

Goal 18 Beaches and Dunes

Goal 19 Ocean Resources

Response: None of these goals apply because the site is not in any of these planning areas.

Criterion "6" is met

7. Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

The applicant provided a comprehensive response to this criterion.

Title 1 (Metro Code Sections 3.07.110 – 3.07.120) – Housing Capacity
The Regional Framework Plan calls for a compact urban form and a "fair share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring the city or county to maintain or increase its housing capacity except as provided in section 3.07.120. (UGB).

Response: The proposed change in plan designation will increase the density of housing permitted on the property. The current designation permits up to 10 units per acre while the proposed designation permits up to 25 units per acre. This change will increase the City of Tualatin's housing capacity thus meeting the requirements of Title 1.

Title 3 (Metro Code Sections 3.07.310 – 3.07.360) – Water Quality and Flood Management
The intent of Title 3 is to protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

Response: Title 3 is the Metro response to Statewide Planning Goal 5, which calls for careful work to protect important natural resources, especially water and riparian resources. Title 3 requires setbacks and other strategies to protect water quality. The proposed project conforms to all these requirements especially by setting aside a significant portion of the site as a buffer from the Tualatin River.

Title 6 (Metro Code Sections 3.07.610 – 3.07.650) – Centers, Corridors, Station Communities and Main Streets
The Regional Framework Plan identifies Centers, Corridors Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

Response: Map 9-4 in the Tualatin Community Plan shows the location of the Metropolitan Service District's Growth Concept Design Types and the subject [site] has a corridor designation. This designation does not limit the conversion of the property to the proposed RH designation.

Title 7 (Metro Code Sections 3.07.710 – 3.07.750) – Housing Choice

The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress toward increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.

Response: The housing developed in this project will be available at market rates for higher density housing helping to increase the supply of this needed housing type.

Title 12 (Metro Code Sections 3.07.1210 – 3.07.1240) – Protection of Residential Neighborhoods

The purpose of this title is to protect the region's existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.

Response: Title 12 is not directly applicable. However, development of the subject property, which has been vacant and underdeveloped for several years, helps protect the surrounding uses from potential crime.

Title 13 (Metro Code Sections 3.07.1310 – 3.07.1370) – Nature in Neighborhoods

The purpose of this title is to conserve, protect and restore a continuous ecologically viable streamside corridor system that is integrated with upland wildlife habitat and the surrounding urban landscape.

Response: Title 13 establishes a regional ethic of preservation of important wildlife habitat and natural areas. A significant portion of the subject property will be set aside as permanent open space in order to provide a natural corridor along the river which will be important for the preservation of riparian habitat.

Criterion “7” is met.

8. Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

The applicant provided a response to this criterion.

Response: As discussed in the memo from Scott Mansur at DKS Associates [Exhibit A] the proposed plan designation change would reduce the potential number of trips that could be produced by a development on the property. As such, the change would be consistent with the level of service standards set by the City.

Refer to the earlier analysis relating to Statewide Planning Goal 12 and the attached Engineering Division Memorandum dated February 19, 2014 (Exhibit B).

Criterion “8” is met.

9. Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

The applicant responded to this criterion.

Response: The proposed development is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020. The applicant has met with City and CWS staff, and as reviewed below all relevant service providers have indicated that sufficient capacity exists to serve the site with the proposed plan designation. Criterion 9 has been satisfied. There is no conflict with the proposed plan changes and with the objectives and policies regarding potable water, sanitary sewer and surface water management pursuant to TDC 12.020.

Sanitary Sewer – The site is located within the Clean Water Services (CWS) Service Boundary. There is an existing 18-inch sanitary sewer main located onsite along the property line separating tax lots 2202 and 2300 connecting to a 27-inch sanitary sewer main crossing tax lot 2202 parallel to the Tualatin River. The site topography slopes downhill from Highway 99W toward the Tualatin River along the northern boundary of the site. Gravity service is available to the site by connecting to the existing 27-inch main. Conversations with CWS staff confirm that the existing sanitary sewer system has sufficient capacity to serve the site.

Storm Drainage (surface water management) – The site is located within the CWS Service Boundary. Storm drainage improvements required for development of the subject property will include the installation of a new outfall to the Tualatin River. Storm water quality treatment will be provided in accordance with CWS standards and potentially consist of water quality swales, low impact development approaches (LIDA), mechanical treatment, or a combination thereof. Storm water detention is not required due to the site proximity to the Tualatin River.

Potable Water – There is an existing City of Tualatin 12-inch potable water main in Highway 99W along the site frontage. Potable water service is available to the site by connecting to the existing main. Conversations with City of Tualatin Engineering staff confirm that sufficient capacity for the existing site and proposed zoning is available without improving or modifying the existing City

water system.

Refer to the earlier analysis related to Statewide Planning Goal 11 Public Facilities and Services and the attached Engineering Division Memorandum dated February 19, 2014 (Exhibit B).

Criterion "9" is met.

10. The applicant has entered into a development agreement.

- (a) This criterion shall apply only to an amendment specific to property within the Urban Planning Area (UPA), also known as the Planning Area Boundary (PAB), as defined in both the Urban Growth Management Agreement (UGMA) with Clackamas County and the Urban Planning Area Agreement (UPAA) with Washington County. TDC Map 9-1 illustrates this area.**
- (b) This criterion is applicable to any issues about meeting the criterion within 1.032(9).**

The applicant responded to this criterion.

Response: The development agreement requirement will be satisfied as part of the annexation application which was submitted to the City concurrently with the plan map amendment application.

The applicant is presently working with the City to create a mutually agreed upon Annexation Agreement that will be reviewed by the City Council when the Annexation application is reviewed.

Criterion "10" is met.

Exhibits:

- A- DKS Traffic Memo January 8, 2014
- B- Memo from City of Tualatin Engineer February 19, 2014

TRAFFIC STUDY



117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

MEMORANDUM

DATE: January 8, 2014

TO: Brian Moore, Mountain West Investment Corp.

FROM: Scott Mansur, P.E., P.T.O.E. *Sm*
Derek Moore, E.I.T



SUBJECT: Tualatin Apartments Trip Generation Zone Change Comparison

P13201-000

This memorandum documents a preliminary trip generation comparison between existing and proposed zoning for the Tualatin Apartments project located at 17895 SW Pacific Highway in Tualatin, Oregon. The purpose of this analysis is to determine whether the proposed zone change would increase the site's trip generation levels. The sections of this memorandum include the project background, current zoning trip generation, proposed zoning trip generation, and trip generation comparison.

Project Background

The project site currently consists of three mostly undeveloped parcels, each with a different zoning designation. These parcels are adjacent to each other and have frontage with both SW Pacific Highway and the Tualatin River. Figure 1 shows the boundary, parcel number, and current zoning for each parcel being evaluated.



Figure 1: Parcel Boundaries

Current Zoning Trip Generation

Trip generation estimates for the project site were performed assuming a reasonable worst-case development scenario. Based on current zoning, each parcel was assumed to develop as the land use that is expected to generate the highest number of p.m. peak hour trips.

Parcel 2191 is currently zoned as General Commercial (GC), with the highest number of trips assumed to be generated by a 12-pump gas station associated with a 3,000-4,000 square foot minimart. Parcel 2202 is zoned as Recreational Commercial (CR), with the highest number of trips assumed to be generated by traditional sit-down



restaurants. Based on information provided by the project sponsor,¹ it is estimated that this parcel could accommodate up to 32,000 square feet of restaurant space. Parcel 2300 is currently zoned for High-Density Residential (RH) development, which would allow up to 64 apartment units.

Table 1 summarizes the trip generation assumptions for the three parcels and the resulting number of p.m. peak hour trips. The trip generation estimates are based on rates provided by the Institute of Transportation Engineers (ITE)² for similar land uses. As shown, it is estimated that the project site would generate 340 (194 in, 147 out) primary new p.m. peak hour trips based on existing zoning and reasonable worst-case land use assumptions. Several of the proposed land uses are expected to attract pass-by trips, and a 5% internal trip rate as assumed to account for trips between multiple uses on the project site.

Table 1: Existing Zoning Trip Generation

Parcel (Zoning)	Land Use (ITE Code)	Size	Units	Rate	PM Peak Hour		
					In	Out	Total
Parcel 2191 (Zone CG)	Convenience Market with Gasoline Pumps (853)	12	Pumps	19.07	115	114	229
Parcel 2202 (Zone RC)	High-Turnover (Sit-Down) Restaurant (932)	32	KSF	11.15	211	146	357
Parcel 2300 (Zone RH)	Apartments (220)	64	Units	0.62	26	14	40
Total Trips:					352	274	626
<i>Pass-by^a:</i>					-148	-120	-268
<i>Internal (5%):</i>					-10	-8	-18
Primary New Trips:					194	147	340

^a A 50% pass-by rate was assumed for the Convenience Market with Gas Pumps land use and a 43% pass-by rate was assumed for the High-Turnover Sit-Down Restaurant land use.

Proposed Zoning Trip Generation

The proposed zoning that is desired for the project site would change the zoning for all three parcels to High Density Residential (RH), which allows up to 25 residential apartment units per acre. Assuming a total developable area of 10.83 acres,³ this zoning designation would allow no more than 271 units. Table 2 shows the project site's estimated p.m. peak hour trips based on the maximum number of units allowed by the RH zoning designation. As shown, the reasonable worst-case scenario for the desired zoning would generate 168 (109 in, 59 out) new p.m. peak hour trips.

¹ Phone conversation with Lloyd Hill, November 12, 2013

² *Trip Generation, 8th Edition*, Institute of Transportation Engineers, 2008

³ Email from Lloyd Hill, November 19, 2013

**Table 2: Proposed Zoning Trip Generation**

Parcel (Zoning)	Land Use (ITE Code)	Size	Units	Rate	PM Peak Hour		
					In	Out	Total
All Parcels (Zone RH)	Apartments (220)	271	Units	0.62	109	59	168

Trip Generation Comparison/Summary

Based on the land use assumptions documented in this memorandum, the proposed RH zoning would generate fewer trips than the existing zone designations. The RH zoning would generate 172 (85 in, 88 out) fewer p.m. peak hour trips. Based on the fact that the desired zoning being considered would reduce overall trip generation as was assumed in the City's Transportation System Plan (TSP), there would be no level of service impacts to adjacent intersections, and therefore, the Transportation Planning Rule requirements (OAR 660-012-0060) would not be triggered as part of the desired land use changes.

Furthermore, the intersection of Highway 99W/124th Avenue, which is adjacent to the project site, was shown to operate at Level of Service "D" and a volume to capacity of 0.99 during the future 2035 horizon year in the City's TSP⁴ based on the current zoning. The Level of Service standards as set forth in the Town Center 2040 Design Type (Level of Service F for p.m. peak hour) would be met.

The City of Tualatin and ODOT will still require a transportation impact study to evaluate the transportation impacts of the proposed development as part of the Architectural Review process.

Please let us know if you have any questions.

⁴ Transportation System Plan Update, City of Tualatin, February 2013, Appendix C.



MEMORANDUM

CITY OF TUALATIN

TO: Clare Fuchs, Senior Planner

CC:

FROM: Tony Doran, Engineer Associate

DATE: February 19, 2014

SUBJECT: PMA 14-01, Espedal

17865 SW Pacific Hwy consists of two tax lots: 2S1 15C 2191 and 2202. Tax lot 2191 is designated General Commercial (CG). Tax lot 2202 is designated Recreational Commercial (CR). The applicant proposes to change these two tax lots to High Density Residential (RH). A third tax lot, 2300, will also be annexed along with 2191 and 2202. Tax lot 2300 is already designated RH and is located at 17985 SW Pacific Hwy.

TDC 1.032 Burden of Proof (6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

Because the proposed land use action will result in an amendment to the City of Tualatin's zoning map, Section 660-012-0060 of the State's Transportation Planning Rule applies. Division 12 of the State's Transportation Planning Rule (OAR 660-012) gives the Oregon Department of Land Conservation and Development (DLCD) and the City of Tualatin the power to interpret and implement Statewide Planning Goal 12 (Transportation). Section 660-012-0060 of the TPR provides specific language on how to deal with amendments to adopted plans and land use regulation.

OAR 660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
- (b) Change standards implementing a functional classification system; or**
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:**

- (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
- (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or**
- (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.**

As demonstrated by the analyses and findings presented in the study, the proposed land use action is not expected to “significantly affect” any existing or planned transportation facility and is, therefore, expected to be in compliance with the State’s Transportation Planning Rule.

TDC 1.032 Burden of Proof (8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Transportation

The site is adjacent to and development will have access to SW Pacific Highway.

SW Pacific Highway

SW Pacific Highway is a ODOT facility which the City of Tualatin designates as a Major Arterial which has a preferred right-of-way width of 98 feet that includes one 14-foot center turn lane, two 12-foot travel lanes, two 6-foot bike lanes, 6-foot planter strips, and 6-foot sidewalks. As this is an ODOT facility, bike lanes need to be 8-feet wide resulting in a overall width of 102 feet. Existing right-of way width varies between approximately 160 to 174 feet.

The Plan Map Amendment as reviewed consists of 10.83 developable acres including zones CG (General Commercial), RC (Recreational Commercial), and RH (High Density Residential). The proposal is to change all lots to zone RH (High Density Residential).

The 100-year floodplain and floodway covers approximately a third of the area adjacent to the Tualatin River. If a developer proposed to serve the areas using a public street, it would require a 50-foot width right-of-way that ended in a 45-foot radius cul-de-sac that was elevated 1-foot above the floodplain along with the requirement for a public water quality facility in a tract. The required right-of-way along with balanced cut and fill due to a public street could reduce or eliminate the possible developable area for residential homes. If a private tract was used instead of a public street a maximum of 6 lots could be served, provided balanced cut and fill proved possible for the homes to be constructed 1-foot above the floodplain.

The scenarios generate the following traffic:

<u># of Lots</u>	<u>AM Peak</u>	<u>PM Peak</u>	<u>Total</u>
Existing	194	147	340
PMA 14-01	109	59	168
Change	-85	-88	-172

This plan map amendment will reduce the AM and PM Peak traffic from the currently allowed uses, which would not increase the Level-of-Service at nearby intersections.

ODOT responded on February 13, 2014 that they have no issues with the zone change.

Sanitary Sewer, Stormwater, & Water

Downstream sizing for all public utilities will need to be evaluated by the developer for the change from current zoning compared to the RH zoning with any associated future proposed redevelopment within an Architectural Review. Any upsizing will be a requirement in the Architectural Review decision.

Public sanitary sewer lines exist within the development area and are under Clean Water Services ownership. Stormwater would need to be treated and released to the Tualatin River or to an ODOT facility within SW Pacific Highway. Water lines exist in the SW Pacific Highway adjacent to the development. The applicant will need to determine the location of water treatment and connections to the public lines prior to obtaining a Water Quality and Public Works Permit associated with the development of the future Architectural Review.

Please let me know if you have questions, ext 3035.