



City of Tualatin

www.tualatinoregon.gov

August 13, 2019

CITY ENGINEER'S REVIEW FINDINGS AND DECISION

Case #: AR 19-0005
Project: PGE Integrated Operations Center (IOC)
Location: 12150 SW Tualatin-Sherwood Rd, Tualatin, OR 97062
Tax Map: 2S127C Lots: 500 and 701
Applicant: Ben Schonberger, Winterbrook Planning
Owner: Portland General Electric Company (PGE)

Contents

I.	RECOMMENDATION	4
A.	PRIOR TO ISSUANCE OF EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMITS:	4
B.	PRIOR TO ISSUANCE OF A BUILDING PERMIT:	7
C.	PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:	7
II.	APPEAL	7
III.	STANDARDS AND APPLICABLE CRITERIA.....	8
IV.	CONCLUSIONS.....	8
A.	TMC TITLE 03: UTILITIES AND WATER QUALITY.....	8
I.	TMC CHAPTER 03-02: SEWER REGULATIONS; RATES	8
1.	TMC 3-2-020 APPLICATION, PERMIT AND INSPECTION PROCEDURE.....	8
2.	TMC 3-2-030 MATERIALS AND MANNER OF CONSTRUCTION.....	8
3.	TMC 3-2-060 USE OF PUBLIC SEWERS REQUIRED.	8
4.	TMC 3-2-080 SEWER CONTRACTOR INSURANCE AND BOND.....	8
5.	TMC 3-2-160 CONSTRUCTION STANDARDS.....	9
II.	TMC CHAPTER 03-03: WATER SERVICE.....	10
1.	TMC 3-3-040 SEPARATE SERVICES REQUIRED.	10
2.	TMC 3-3-110 CONSTRUCTION STANDARDS.....	10
3.	TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.	10
4.	TMC 3-3-130 CONTROL VALVES.....	11
III.	TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS.....	11
1.	TMC 3-5-050 EROSION CONTROL PERMITS.....	11
2.	TMC 3-5-060 PERMIT PROCESS.....	12
1.	TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.....	12

2.	TMC 3-5-210 REVIEW OF DOWNSTREAM SYSTEM.....	13
3.	TMC 3-5-220 CRITERIA FOR REQUIRING ON-SITE DETENTION TO BE CONSTRUCTED.	14
4.	TMC 3-5-230 ON-SITE DETENTION DESIGN CRITERIA.....	14
5.	TMC 3-5-240 ON-SITE DETENTION DESIGN METHOD.....	15
IV.	TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES.....	15
1.	TMC 3-5-280 PLACEMENT OF WATER QUALITY FACILITIES.....	15
2.	TMC 3-5-330 PERMIT REQUIRED.	15
3.	TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.....	16
4.	TMC 3-5-360 DESIGN STORM.	16
5.	TMC 3-5-390 FACILITY PERMIT APPROVAL.....	16
6.	TMC 3-5-430 PLACEMENT OF WATER QUALITY FACILITIES.....	17
B.	TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS.....	17
I.	SECTION 74.110 PHASING OF IMPROVEMENTS.....	17
II.	TDC SECTION 74.120 PUBLIC IMPROVEMENTS.	18
III.	TDC SECTION 74.130 PRIVATE IMPROVEMENTS.....	18
IV.	TDC SECTION 74.140 CONSTRUCTION TIMING.....	19
V.	TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.....	19
I.	TDC SECTION 74.320 SLOPE EASEMENTS.....	21
II.	TDC SECTION 74.330 UTILITY EASEMENTS.....	22
III.	TDC SECTION 74.350 MAINTENANCE EASEMENT OR LOTS.....	22
IV.	TDC SECTION 74.410 FUTURE STREET EXTENSIONS.....	23
V.	TDC SECTION 74.420 STREET IMPROVEMENTS.....	25
VI.	TDC SECTION 74.425 STREET DESIGN STANDARDS.....	28
VII.	TDC 74.440 STREETS, TRAFFIC STUDY REQUIRED.....	30
VIII.	TDC SECTION 74.470 STREET LIGHTS.....	31
IX.	TDC SECTION 74.610 WATER SERVICE.....	31
X.	TDC SECTION 74.620 SANITARY SEWER SERVICE.....	32
XI.	TDC SECTION 74.630 STORM DRAINAGE SYSTEM.....	33
XII.	TDC SECTION 74.640 GRADING.....	34
XIII.	TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL. 34	
XIV.	TDC 74.660 UNDERGROUND.....	35
XV.	TDC SECTION 74.670 EXISTING STRUCTURES.....	36
XVI.	TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.....	36
C.	TDC CHAPTER 75: ACCESS MANAGEMENT.....	36
I.	TDC SECTION 75.040 – DRIVEWAY APPROACH REQUIREMENTS.....	36

I.	TDC SECTION 75.120 – COLLECTOR STREETS ACCESS STANDARDS.....	40
II.	TDC SECTION 75.130 NEW STREETS ACCESS STANDARDS.....	41
III.	TDC SECTION 75.140 EXISTING STREETS ACCESS STANDARDS.....	41

I. RECOMMENDATION

Based on the findings presented and proposed updates to the Architectural Review plans within the more current Early Erosion Control Permit plans dated June 3, 2019, the City Engineer approves AR19-0005, PGE Operations Center with the following conditions:

A. PRIOR TO ISSUANCE OF EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMITS:

- PFR-1** The applicant must submit sanitary sewer system plans that:
- a) Are in accordance with code section TMC 3-2-020, -030, -060, -080, and -160 and the Public Works Construction Code.
 - b) Show location of the sanitary sewer lines, grade, materials, and other details including:
 - (1) Include a cleanout at the right-of-way.
 - (2) Include decommissioning existing onsite septic tanks per Oregon DEQ requirements.
 - (3) Comply with the contractor insurance and bond requirements of the City of Tualatin.
- PFR-2** The applicant must submit water system plans that:
- a) Are in accordance with code section TMC 3-3-40, -110, -120, and -130 and the Public Works Construction Code.
 - b) That show location of the water lines, grade, materials, and other details including:
 - (1) Gate valves at the main for all laterals.
 - (2) A lateral with meter and backflow protection to provide irrigation to the public stormwater facility southeast of the intersection of SW 124th Avenue and SW Tualatin-Sherwood Road.
 - (3) Approved Reduced Pressure Backflow Devices (RPBD).
 - (4) A separate backflow device for the irrigation system on the private-side service and consider irrigating the private stormwater facility during establishment.
 - (5) Loop a 12-inch public water line within SW Itel Street to SW 120th Avenue then to SW Tualatin-Sherwood Road.
 - c) Provide irrigation for the private stormwater facility during establishment
- PFR-3** The applicant must submit plans for a City of Tualatin erosion control permit in accordance with code section TMC 3-5-050 and -060.
- PFR-4** The applicant must submit plans for a 1200C NPDES Erosion Control Permit in accordance with code section TMC 3-5-050 and -060.
- PFR-5** The applicant must submit final stormwater plans and calculations that:
- a) Are in accordance with TMC 3-5-200 to -430
 - b) Identify that phosphorous removal and design storm requirements are met.
 - c) Is certified by an Oregon registered, professional engineer.
 - d) Include financial assurance.
 - e) Include stormwater treatment and detention from all new and modified public and private impervious area from SW 120th Avenue and SW Itel Street.
 - f) A private stormwater facility agreement identifying the responsible party for the long-term compliance with the operation and maintenance plan must be recorded.

- PFR-6** The applicant must submit a copy of a Washington County Facility Permit to construct a half street for SW 124th Avenue matching Washington County planned cross-sections or submit proof from Washington County payment of a fee-in-lieu and any other requirements have been otherwise met in accordance with code section TDC 74.110 and 420 and Washington County's "CONDITIONS OF APPROVAL FOR CITY CASEFILE AR19-0005 (Revised August 9, 2019, Exhibit O)". The half-street improvement must include:
- a) 600 feet minimum for dual left-turn lanes
 - b) Dual through lanes with the outside travel lane a minimum of 15 feet wide where there is no buffered bike lane
 - c) A 7 foot buffered bike lane for a minimum length of 150 feet
 - d) Curb and gutter
 - e) A 12 foot multi-use path
 - f) A 6 foot planter strip
 - g) Continuous street lighting
 - h) Gated mountable curb access to serve the public stormwater facility a minimum of 150 feet from the intersection of SW Tualatin-Sherwood Road
 - i) Extension of half street improvements approximately 50 feet south of the development's property line to accommodate interim design, if right-of-way is dedicated by the adjacent land owner (TLID 2S127C00800).
- PFR-7** The applicant must dedicate additional right-of-way to provide 65 feet from centerline, adequate corner radius to accommodate a future signal, and additional slope/drainage easements as needed for SW 124th Avenue and SW Tualatin-Sherwood Road in accordance with code section TDC 74.120 Washington County's "CONDITIONS OF APPROVAL FOR CITY CASEFILE AR19-0005 (Revised August 9, 2019, Exhibit O)".
- PFR-8** For SW Blake Street the applicant must in accordance with code section TDC 74.120 and 420: Submit final plans showing the 76 foot wide cross-section including one 14-foot wide center turn lane, two 12 foot wide travel lanes, two 7 foot wide bike lanes, two 6 foot wide planter strips, and two 6 foot wide sidewalks.
- a) Submit final plans for construction to the developments entrance then shadow platted 300 feet past the eastern property line.
 - b) Dedicate sufficient right-of-way for the entirety of SW Blake Street as approved in final construction plans within their properties which must be 76 feet wide from SW 124th Avenue until SW Blake Street centers on the south property line which will then be 38 feet to the eastern property line.
 - c) Submit a copy of a Right-of-Way Permit for work within SW 124th Avenue right-of-way.
 - d) Submit final plans that show pavement markings to delineate a southbound left turn lane from 124th onto Blake and a stop controlled left and right turn lane with approximately 60-feet of queuing must be provided on Blake at the intersection all to be constructed in accordance with the Public Works Construction Code and Washington County standards.
- PFR-9** For SW 120th Avenue the applicant must in accordance with code section TDC 74.120:
- a) Dedicate right-of-way to provide a new property line 30 feet from centerline along the Site's SW 120th Avenue southerly frontage to match the existing right of way width on the northerly frontage.

- b) Construct SW 120th Avenue half street improvements adjacent to their property to SW Itel Street matching the existing cross-section to the north except meandering the sidewalk to be adjacent to the edge of right-of-way to more closely match current code.

PFR-10 For SW Itel Street the applicant must in accordance with code section TDC 74.120 and 420 submit final plans that show:

- a) SW Itel Street connecting to SW 120th Avenue with a 24 foot wide cross-section that includes curb and gutter, a curb tight 6 foot wide sidewalk on the south side, and no parking signs.
- b) The existing fence within right-of-way relocated or replaced at the right-of-way in equal or better condition.
- c) The connection to SW 120th Avenue on the south side including an eyebrow corner sufficient to allow a flat concrete apron access that matches the existing driveway width up to a maximum of 40 feet wide shared by Tigard Sand and Gravel, TLID 2S127C000400, and Ashwood Construction Inc., TLID 2S127C000401.
- d) Improvement of all public sidewalks and driveways abutting the property adjacent to SW 120th Avenue to meet ADA/PROWAG.

PFR-11 The applicant must submit final plans that show the size and location of the slope easement for SW Blake Street. If needed, the slope easement must be recorded in accordance with TDC 74.330.

PFR-12 The applicant must submit a copy of the recorded 8 foot wide public utility easements adjacent to the developments properties along street frontage of SW 120th Avenue and SW Blake Street plus a 12 foot wide public utility easement adjacent to SW 124th Avenue and SW Tualatin-Sherwood Road in accordance with TDC 74.330.

PFR-13 For the proposed public stormwater facility at the southeast corner of the intersection of SW 124th Avenue and SW Tualatin-Sherwood Road in accordance with TDC 74.350 the applicant must:

- a) Submit final plans that include an access from SW 124th Avenue to the proposed public stormwater facility at the southeast corner of SW 124th Avenue and SW Tualatin-Sherwood Road.
- b) Submit final plans that show the access must be 15 feet wide with a surface 12 feet wide, include a turn-around at the end, be capable of supporting a 50,000 pound vehicle, and locate the gate 25 feet behind right-of-way.
- c) Submit a copy of a recorded easement surrounding the public stormwater facility and access.

PFR-14 In accordance with TDC 74.470 the applicant must submit final plans that show street lights on SW 120th Avenue, SW Blake Street and SW Itel Street's street extension to SW 120th Avenue.

PFR-15 The applicant must submit plans that minimize the impact of stormwater from the development to adjacent properties consistent with TMC 3-5-200 and TDC 74.640.

PFR-16 The applicant must submit plans that demonstrate compliance with the submitted Service Provider Letter conditions to obtain a Stormwater Connection Permit Authorization Letter in accordance with TDC 74.650.

PFR-17 The applicant must submit plans that show approvable street trees and planting locations in accordance with TDC 74.485 and 74.765.

PFR-18 In accordance with TDC 75.040 the applicant must:

- a) Submit final plans showing access from private property to public streets meeting Code that show the two private accesses at least 32 feet wide plus the proposed 12 foot wide access to the public stormwater facility.
- b) Submit final plans that show a connection from SW 120th Avenue to the existing SW Itel Street that includes a sidewalk on the south side.
- c) Submit final plans that show the public stormwater facility driveway on SW 124th Avenue to be at least 150 feet south of the crosswalk at SW Tualatin-Sherwood Road and further south as needed based on a memo that must be submitted from the applicant's traffic engineer to remain out of the length of the standing queue.
- d) Submit final plans that show appropriate vision clearance triangles on SW 120th Avenue for the private drive security access, SW 124th Avenue for the public stormwater facility access, and SW Blake Street for the main site access.

PFR-19 The applicant must submit PDFs of final site and permit plans.

B. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

PFR-20 The applicant must obtain Erosion Control, Public Works, and Water Quality Permits from the City of Tualatin.

PFR-21 The applicant must financially secure all public improvements in accordance with PWCC 102.14.00.

C. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

PFR-22 The applicant must complete all the private and public improvements as shown the approved plans with the potential exception of the SW 124th Avenue half street improvements if Washington County accepts the applicant's fee-in-lieu, if phased in agreement with Washington County. All improvements must also be accepted by the City in accordance with TDC 74.420.

PFR-23 The applicant must submit paper and electronic asbuilts of the Engineering permits.

II. APPEAL

Request for appeal of this decision must be received by the Engineering Division within the 14-day appeal period ending on **August 27, 2019 at 5 PM**. Issues must have been described with adequate clarity and detail with identification of the associated Tualatin Municipal or Development Code section to afford a decision maker an opportunity to respond to the issue. A request for appeal must be submitted on the forms provided by the City, signed by the appellant and include the applicable appeal fee.

III. STANDARDS AND APPLICABLE CRITERIA

Tualatin Municipal Code (TMC)
Title 03: Utilities and Water Quality

Tualatin Development Code (TDC)
Chapter 74: Public Improvement Requirements
Chapter 75: Access Management

IV. CONCLUSIONS

A. TMC TITLE 03: UTILITIES AND WATER QUALITY

I. TMC CHAPTER 03-02: SEWER REGULATIONS; RATES

1. TMC 3-2-020 APPLICATION, PERMIT AND INSPECTION PROCEDURE.

(1) No person shall connect to any part of the sanitary sewer system without first making an application and securing a permit from the City for such connection, nor may any person substantially increase the flow, or alter the character of sewage, without first obtaining an additional permit and paying such charges therefore as may be fixed by the City, including such charges as inspection charges, connection charges and monthly service charges.

2. TMC 3-2-030 MATERIALS AND MANNER OF CONSTRUCTION.

(1) All building sewers, side sewers and connections to the main sewer shall be so constructed as to conform to the requirements of the Oregon State Plumbing Laws and rules and regulations and specifications for sewerage construction of the City.

(3) A public works permit must be secured from the City and other agency having jurisdiction by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

3. TMC 3-2-060 USE OF PUBLIC SEWERS REQUIRED.

(2) Except as provided in this chapter, no person shall construct or maintain a privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage within the corporate limits of the City of Tualatin, or in any area under the jurisdiction of the City.

4. TMC 3-2-080 SEWER CONTRACTOR INSURANCE AND BOND.

(1) No person shall make connections of private sewers to the sanitary sewer system of the City on behalf of any owner or owners of property within the City without first filing with the Public Works Director a certificate of insurance evidencing coverage for public liability in the amount of

\$50,000.00 for injury or death to one person and \$100,000.00 for injury or death to two or more persons arising out of a single occurrence, and \$50,000.00 for property damage resulting from any single occurrence for any claims, demands, suits, or actions for property damage, personal injury or death resulting from any activities of such persons, firms or corporations and their officers, agents, employees, and contractors. The certificate of insurance shall be approved by the Public Works Director before any work is commenced by the person.

(2) In addition to the coverage for public liability, and prior to the commencement of any work, the person shall post a corporate surety bond issued by a company authorized to sell such bonds in the State of Oregon, with the Public Works Director. The financial limits of the bond shall be determined by the Public Works Director. The bond shall guarantee all work performed by said person, within the 12-month period next following the posting of the bond, for the benefit of the City, against defects in materials, workmanship, and labor for a period of one year after completion of the work. The person shall post such a bond for each 12-month period within which any such work shall be performed within the City. The completion date shall be determined in writing by the Public Works Director.

5. TMC 3-2-160 CONSTRUCTION STANDARDS.

All sewer line construction and installation of services and equipment shall be in conformance with the City of Tualatin Public Works Construction Code. In addition, whenever a property owner extends a sewer line, the extension shall be carried to the opposite property line or to such other point as determined by the Public Works Director.

FINDINGS:

The applicant has submitted for an Early Erosion Control Permit and included utility sheets that revise the land use plans to extend a public sanitary sewer line within SW Itel Street to SW 120th Avenue approximately 200 feet. This is acceptable.

All sewer line construction and installation must be completed in conformance with the City of Tualatin Public Works Construction Code. The applicant has not applied for a public works permit for these improvements. The applicant must submit final sanitary sewer line designs must be in conformance with the Public Works Construction Code showing location of the water lines, grade, materials, and other details. The applicant must comply the contractor insurance and bond requirements of the City of Tualatin prior to issuance of a Public Works Permit. Prior to issuance of Building Permits the applicant must obtain a Public Works Permit.

The applicant proposes to discharge all sewer and/or polluted waters to the City of Tualatin municipal sewer system. An offline sewage holding tank is proposed for emergency use. The tank will only be used if the proposed connection to the municipal system is compromised due to a natural disaster. Any septic system found and associated with the structures to be demolished on the site must be removed in accordance with DEQ requirements.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

II. TMC CHAPTER 03-03: WATER SERVICE

1. TMC 3-3-040 SEPARATE SERVICES REQUIRED.

(1) Except as authorized by the City Engineer, a separate service and meter to supply regular water service or fire protection service shall be required for each building, residential unit or structure served. For the purposes of this section, trailer parks and multi-family residences of more than four dwelling units shall constitute a single unit unless the City Engineer determines that separate services are required.

2. TMC 3-3-110 CONSTRUCTION STANDARDS.

All water line construction and installation of services and equipment shall be in conformance with the City of Tualatin Public Works Construction Code. In addition, whenever a property owner extends a water line, which upon completion, is intended to be dedicated to the City as part of the public water system, said extension shall be carried to the opposite property line or to such other point as determined by the City Engineer. Water line size shall be determined by the City Engineer in accordance with the City's Development Code or implementing ordinances and the Public Works Construction Code.

3. TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.

- (1) Except where this ordinance provides more stringent requirements, the definitions, standards, requirements and regulations set forth in the Oregon Administrative Rules pertaining to public water supply systems and specifically OAR 333 Division 61 in effect on the date this ordinance becomes effective are hereby adopted and incorporated by reference.
- (2) The owner of property to which City water is furnished for human consumption shall install in accordance with City standards an appropriate backflow prevention device on the premises where any of the following circumstances exist:
- (a) Those circumstances identified in regulations adopted under subsection (1) of this section;
 - (b) Where there is a fire protection service, an irrigation service or a nonresidential service connection which is two inches (2") or larger in size;
 - (c) Where the potable water supply provided inside a structure is 32 feet or more, higher than the elevation of the water main at the point of service connection;
- (4) Except as otherwise provided in this subsection, all irrigation systems shall be installed with a double check valve assembly. Irrigation system backflow prevention device assemblies installed before the effective date of this ordinance, which were approved at the time they were installed but are not on the current list of approved device assemblies maintained by the Oregon State Health Division, shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform satisfactorily. When devices of this type are moved, or require more than minimum maintenance, they shall be replaced by device assemblies which are on the Health Division list of approved device assemblies.

4. TMC 3-3-130 CONTROL VALVES.

The customer shall install a suitable valve, as close to the meter location as practical, the operation of which will control the entire water supply from the service. The operation by the customer of the curb stop in the meter box is prohibited.

FINDING:

The applicant proposes a single structure. The applicant proposes running a private water line from the main structure to the guard booth. The guard booth is an auxiliary use to the main structure and therefore a separate water meter is not proposed.

The applicant has submitted for an Early Erosion Control Permit and included utility sheets that revise the land use plans to loop a 12-inch public water line within SW Iteel Street to SW 120th Avenue then to SW Tualatin-Sherwood Road. Two laterals are proposed for separate 4-inch domestic and 8-inch fire services. The domestic service includes a meter. A water meter and backflow prevention is shown adjacent to right-of-way for the domestic service and a DCDV for fire. This is acceptable.

Gate valves are not shown at the connections to the main for either service. A lateral and meter is needed to provide irrigation to the public stormwater facility southeast of the intersection of SW 124th Avenue and SW Tualatin-Sherwood Road. Final plans must include gate valves at the main for all laterals plus a lateral with meter and backflow prevention to serve the public stormwater facility prior to obtaining a Public Works Permit. Provide irrigation for the private stormwater facility during establishment.

The applicant has not applied for a public works permit for these improvements. A public works construction permit for water system plans must be obtained prior to obtaining a Building Permit. The applicant must submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit including gate valves at the main for each lateral.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

III. TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS

1. TMC 3-5-050 EROSION CONTROL PERMITS.

(1) Except as noted in subsection (3) of this section, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees. Such changes to land shall include, but are not limited to, grading, excavating, filling, working of land, or stripping of soil or vegetation from land.

(2) No construction, land development, grading, excavation, fill, or the clearing of land is allowed until the City has issued an Erosion Control Permit covering such work, or the City has determined that no such permit is required. No public agency or body shall undertake any public works project without first obtaining from the City an Erosion Control Permit covering such work, or receiving a determination from the City that none is required.

(3) No Erosion Control Permit from City is required for the following:

(a) For work of a minor nature provided all the following criteria are met:

- (A) The development does not require a development permit or approval from the City;
 - (B) No development activity or disturbance of land surface occurs within 100 feet of a sensitive area defined in TMC 3-5.270;
 - (C) The slope of the site is less than 20 percent;
 - (D) The work on the site involves the disturbance of less than 500 square feet of land surface; and
 - (E) The excavation, fill or combination thereof involves less than 20 cubic yards of material.
- (b) Permits and approvals of land division, interior improvements to an existing structure, and other activities for which there is no physical disturbance to the surface of the land.
- (c) A permit shall not be required for activities within the City which constitute accepted farming practices as defined in ORS 215.203, provided any erosion does not cause sedimentation in waters of the Tualatin River basin.
- (4) An exception from the permit requirement shall not relieve the property or its owner from the prohibition of TMC 3-5.040.

2. TMC 3-5-060 PERMIT PROCESS.

- (1) Applications for an Erosion Control Permit. Application for an Erosion Control Permit shall include an Erosion Control Plan which contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion. The plan shall include either:
- (a) A site specific plan outlining the protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year as calculated using the Soil Conservation Service Universal Soil Loss Equation or other equivalent method approved by the City Engineer, or
 - (b) Techniques and methods contained and prescribed in the Soil Erosion Control Matrix and Methods, outlined in TMC 3-5.190 or the Erosion Control Plans - Technical Guidance Handbook, City of Portland and Unified Sewerage Agency, January, 1991.
- (2) Site Plan. A site specific plan, pre-pared by an Oregon registered profession-al engineer, shall be required when the site meets any of the following criteria:
- (a) greater than five acres;
 - (b) greater than one acre and has slopes greater than 20 percent;
 - (c) contains or is within 100 feet of a City-identified wetland or a waterway identified on FEMA floodplain maps; or
 - (d) greater than one acre and contains highly erodible soils.

FINDINGS:

The applicant acknowledges the need for an erosion control permit. No land disturbing activities will commence until the erosion control permit is issued. The applicant has submitted for an Early Erosion Control Permit with plans dated June 3, 2019. The application material indicate disturbance of approximately 31 acres. The applicant must obtain a 1200C Construction Erosion Control permit from Oregon DEQ and obtain a grading and erosion control permit from the City of Tualatin prior to issuance of permits allowing construction activities.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

1. TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.

Each new development is responsible for mitigating the impacts of that development upon the public storm water quantity system. The development may satisfy this requirement through the use of any of the following techniques, subject to the limitations and requirements in TMC 3-5-210:

- (1) Construction of permanent on-site stormwater quantity detention facilities designed in accordance with this title;
- (2) Enlargement of the downstream conveyance system in accordance with this title and the Public Works Construction Code;
- (3) The payment of a Storm and Surface Water Management System Development Charge, which includes a water quantity component designated to meet these requirements.

FINDINGS:

The applicant acknowledges this requirement and will construct permanent on-site stormwater quantity detention facilities designed in accordance with this title and limiting offsite discharge of stormwater to pre-development rates. The applicant has submitted preliminary stormwater calculations and plans that confirm the public and private facilities sizing to detain up to the 100 year storm event. This is acceptable. The applicant must submit final stormwater calculations and plans.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

2. TMC 3-5-210 REVIEW OF DOWNSTREAM SYSTEM.

For new development other than the construction of a single family house or duplex, plans shall document review by the design engineer of the downstream capacity of any existing storm drainage facilities impacted by the proposed development. That review shall extend downstream to a point where the impacts to the water surface elevation from the development will be insignificant, or to a point where the conveyance system has adequate capacity, as determined by the City Engineer. To determine the point at which the downstream impacts are insignificant or the drainage system has adequate capacity, the design engineer shall submit an analysis using the following guidelines:

- (1) evaluate the downstream drainage system for at least $\frac{1}{4}$ mile;
- (2) evaluate the downstream drainage system to a point at which the runoff from the development in a build out condition is less than 10 percent of the total runoff of the basin in its current development status. Developments in the basin that have been approved may be considered in place and their conditions of approval to exist if the work has started on those projects;
- (3) evaluate the downstream drainage system throughout the following range of storms: 2, 5, 10, 25 year;
- (4) The City Engineer may modify items 1, 2, 3 to require additional information to determine the impacts of the development or to delete the provision of unnecessary information.

FINDINGS:

The applicant has submitted preliminary stormwater calculations and plans that confirm the public and private facilities sizing to detain up to the 100 year storm event prior to release. This is acceptable. The applicant must submit final stormwater calculations and plans.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

3. TMC 3-5-220 CRITERIA FOR REQUIRING ON-SITE DETENTION TO BE CONSTRUCTED.

The City shall determine whether the onsite facility shall be constructed. If the onsite facility is constructed, the development shall be eligible for a credit against Storm and Surface Water System Development Charges, as provided in City ordinance.

On-site facilities shall be constructed when any of the following conditions exist:

- (1) There is an identified downstream deficiency, as defined in TMC 3-5-210, and detention rather than conveyance system enlargement is determined to be the more effective solution.
- (2) There is an identified regional detention site within the boundary of the development.
- (3) There is a site within the boundary of the development which would qualify as a regional detention site under criteria or capital plan adopted by the Unified Sewerage Agency.
- (4) The site is located in the Hedges Creek Subbasin as identified in the Tualatin Drainage Plan and surface water runoff from the site flows directly or indirectly into the Wetland Protected Area (WPA) as defined in TDC 71.020. Properties located within the Wetland Protection District as described in TDC 71.010, or within the portion of the subbasin east of SW Tualatin Road are excepted from the on-site detention facility requirement.

FINDING:

The applicant acknowledges this requirement and that the site is located within the Hedges Creek Subbasin. Permanent on-site stormwater quantity detention facilities will be constructed. The applicant has submitted preliminary stormwater calculations and plans that confirm the public and private facilities sizing to detain up to the 100 year storm event prior to release. This is acceptable. The applicant must submit final stormwater calculations and plans.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

4. TMC 3-5-230 ON-SITE DETENTION DESIGN CRITERIA.

- (1) Unless designed to meet the requirements of an identified downstream deficiency as defined in TMC 3-5.210, stormwater quantity onsite detention facilities shall be designed to capture run-off so the run-off rates from the site after development do not exceed predevelopment conditions, based upon a 25-year, 24-hour return storm.
- (2) When designed to meet the requirements of an identified downstream deficiency as defined in TMC 3-5.210, stormwater quantity on-site detention facilities shall be designed such that the peak runoff rates will not exceed predevelopment rates for the 2 through 100 year storms, as required by the determined downstream deficiency.
- (3) Construction of on-site detention shall not be allowed as an option if such a detention facility would have an adverse effect upon receiving waters in the basin or subbasin in the event of flooding, or would increase the likelihood or severity of flooding problems downstream of the site.

FINDINGS:

The applicant acknowledges this requirement and that the site is located within the Hedges Creek Subbasin requiring 25-year permanent on-site stormwater quantity detention facilities. Due to the uncertainties associated with the downstream system the applicant is proposing to mitigate runoff rates to predevelopment rates for the 2 through 100 year storms. The preliminary stormwater report clarifies the on-site detention will not have an adverse effect upon receiving waters in the basin or subbasin in

the event of flooding and will not increase the likelihood or severity of flooding problems downstream of the site. This is acceptable. The applicant must submit final stormwater calculations and plans.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

5. TMC 3-5-240 ON-SITE DETENTION DESIGN METHOD.

- (1) The procedure for determining the detention quantities is set forth in Section 4.4 Retention/Detention Facility Analysis and Design, King County, Washington, Surface Water Design Manual, January, 1990, except subchapters 4.4.5 Tanks, 4.4.6 Vaults and Figure 4.4.4G Permanent Surface Water Control Pond Sign. This reference shall be used for procedure only. The design criteria shall be as noted herein. Engineers desiring to utilize a procedure other than that set forth herein shall obtain City approval prior to submitting calculations utilizing the proposed procedure.**
- (3) All developments other than single family and duplex, whether residential, multi-family, commercial, industrial, or other uses, the sizing of stormwater quantity detention facilities shall be based on the impervious area to be created by the development, including structures and all roads and impervious areas which are assessed a surface water management monthly fee under Unified Sewerage Agency rules. Impervious surfaces shall be determined based upon building permits, construction plans, site visits or other appropriate methods deemed reliable by City.**

FINDINGS:

The preliminary stormwater plans and report identify all impervious areas and have sized the stormwater detention facilities to accommodate up to the 100-year storm event. This is acceptable. The applicant must submit final stormwater calculations and plans.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

IV. TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES

1. TMC 3-5-280 PLACEMENT OF WATER QUALITY FACILITIES.

Title III specifies that certain properties shall install water quality facilities for the purpose of removing phosphorous. No such water quality facilities shall be constructed within the defined area of existing or created wetlands unless a mitigation action, approved by the City, is constructed to replace the area used for the water quality facility.

FINDING:

The applicant's plans show no water quality facilities in existing or created wetlands.

This criterion is met.

2. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

FINDINGS:

The applicant has not submitted an application for a Water Quality Permit. The applicant must obtain a Water Quality Permit prior to issuance of construction permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

3. TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.

The stormwater quality control facilities shall be designed to remove 65 percent of the phosphorous from the runoff from 100 percent of the newly constructed impervious surfaces. Impervious surfaces shall include pavement, buildings, public and private roadways, and all other surfaces with similar runoff characteristics.

FINDINGS:

The applicant acknowledges this requirement and will provide stormwater quality control facilities designed to remove 65 percent of the phosphorous from 100 percent of the new constructed impervious area. The preliminary plans and stormwater calculations indicate that the private facility is able to meet phosphorus removal requirements. The final water quality facility plans and calculations must identify that phosphorous removal requirements are met.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

4. TMC 3-5-360 DESIGN STORM.

The stormwater quality control facilities shall be designed to meet the removal efficiency of TMC 3-5-350 for a mean summertime storm event totaling 0.36 inches of precipitation falling in four hours with an average return period of 96 hours.

FINDINGS:

The applicant acknowledges this requirement and will use the required storm event for design of stormwater quality facilities. The preliminary plans and stormwater calculations indicate that the private facility is able to meet the design storm. The final water quality facility plans and calculations must identify that design storm requirements are met.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

5. TMC 3-5-390 FACILITY PERMIT APPROVAL.

A stormwater quality control facility permit shall be approved only if the following are met:

(1) The plat, site plan, or permit application includes plans and a certification prepared by an Oregon registered, professional engineer that the proposed stormwater quality control facilities have been designed in accordance with criteria expected to achieve removal efficiencies for total phosphorous

- required by this Title III. Clean Water Services Design and Construction Standards shall be used in preparing the plan for the water quality facility; and
- (2) The plat, site plan, or permit application shall be consistent with the areas used to determine the removal required in TMC 3-5-350; and
 - (3) A financial assurance, or equivalent security acceptable to the City, is provided by the applicant which assures that the stormwater quality control facilities are constructed according to the plans established in the plat, site plan, or permit approval. The financial assurance may be combined with our financial assurance requirements imposed by the City; and
 - (4) A stormwater facility agreement identifies who will be responsible for assuring the long term compliance with the operation and maintenance plan.

FINDING:

The applicant acknowledges and will comply with these facilities permit approval requirements. As demonstrated in the responses to and in compliance with the TDC, the application materials include Preliminary Plans prepared by an Oregon registered, professional engineer, which demonstrates the proposed stormwater facility is designed in accordance with the provisions above and in compliance with the TDC and TMC. The final water quality facility plans and calculations must be certified by an Oregon registered, professional engineer.

The applicant has not submitted financial assurance nor recorded a maintenance agreement. Financial assurance and recording of a maintenance agreement is required prior to Water Quality Permit issuance. Financial assurance must be submitted and a private stormwater facility agreement identifying the responsible party for the long-term compliance with the operation and maintenance plan must be recorded prior to permit issuance.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

6. TMC 3-5-430 PLACEMENT OF WATER QUALITY FACILITIES.

No water quality facilities shall be constructed within the defined area of existing or created wetlands unless a mitigation action is approved by the City, and is constructed to replace the area used for water quality.

FINDINGS:

The applicant's plans show no water quality facilities in existing or created wetlands.

This criterion is satisfied.

B. TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS

I. SECTION 74.110 PHASING OF IMPROVEMENTS.

The applicant may build the development in phases. If the development is to be phased the applicant must submit a phasing plan to the City Manager for approval with the development application. The timing and extent or scope of public improvements and the conditions of development must be determined by the City Council on subdivision applications and by the City Manager on other development applications.

FINDINGS:

The proposed development will be completed in a single phase with the following potential exception. The applicant is exploring the potential phasing of the half street improvements on SW 124th Avenue with Washington County. Washington County has expressed interest in including the half street improvements on SW 124th in the SW Tualatin Sherwood Road widening project. The benefits of this are continuity of design and potential economic incentives available to the project. PGE would partner with Washington County on the costs associated with the widening. That project is scheduled for construction in 2024. If a path forward is identified for this partnering PGE would require occupancy of the building prior to completion of the SW 124th half street improvements.

The applicant must submit a copy of a Washington County Facility Permit to construct a half street for SW 124th Avenue matching Washington County planned cross-sections or submit proof from Washington County requirements have been otherwise met in accordance with Washington County's "CONDITIONS OF APPROVAL FOR CITY CASEFILE AR19-0005 (Revised July 9, 2019)". The applicant must obtain a public works permit clarifying phasing of the half street improvements on SW 124th Avenue prior to commencing work.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

II. TDC SECTION 74.120 PUBLIC IMPROVEMENTS.

(1) Except as specially provided, all public improvements must be installed at the expense of the applicant. All public improvements installed by the applicant must be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. Work must not be undertaken on any public improvement until after the construction plans have been approved by the City Manager and a Public Works Permit issued and the required fees paid.

FINDINGS:

The applicant submitted plans and this decision includes requirements that include public improvements. The improvements must be constructed in accordance with the Public Works Construction Code. The applicant must obtain a public works permit prior to commencing work and complete construction to Public Works Construction Code standards prior to approval.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

III. TDC SECTION 74.130 PRIVATE IMPROVEMENTS.

All private improvements must be installed at the expense of the applicant. The property owner must retain maintenance responsibilities over all private improvements.

FINDINGS:

PGE must construct and maintain all private improvements located within the subject property.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

IV. TDC SECTION 74.140 CONSTRUCTION TIMING.

(1) All the public improvements required under this chapter must be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

(2) All private improvements required under this Chapter must be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

FINDINGS:

All public and private improvements proposed and modified by conditions of approval must be completed prior to receiving a Certificate of Occupancy. If a fee-in-lieu of construction for SW 124th Avenue half street improvements is paid to Washington County in accordance with Washington County's "CONDITIONS OF APPROVAL FOR CITY CASEFILE AR19-0005 (Revised August 5, 2019)" then this criterion is met.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

V. TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.

The width of streets in feet shall not be less than the width required to accommodate a street improvement needed to mitigate the impact of a proposed development. In cases where a street is required to be improved according to the standards of the TDC, the width of the right-of-way shall not be less than the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

(2) For development applications other than subdivisions and partitions, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width, the additional right-of-way necessary to comply with TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G of the Tualatin Community Plan must be dedicated to the City for use by the public prior to issuance of any building permit for the proposed development. This right-of-way dedication must be for the full width of the property abutting the roadway and, if required by the City Manager, additional dedications must be provided for slope and utility easements if deemed necessary.

FINDINGS:

SW 124th Avenue and SW Tualatin-Sherwood Road are Washington County facilities classified as Enhanced Arterials. Cross-sections vary from 102 to 116 feet wide for five and six lane cross-sections. Washington County is widening SW Tualatin-Sherwood Road and is willing to enter an agreement to receive a fee-in-lieu of the half street improvements for SW 124th Avenue to construct at the same time. The applicant must dedicate 65 feet of right-of-way from centerline plus adequate corner radius at the intersection to accommodate a future signal per Washington County requirements for SW 124th Avenue and SW Tualatin-Sherwood Road. The applicant must submit a copy of a Washington County Facility Permit to construct a half street for SW 124th Avenue matching Washington County planned cross-sections or submit proof from Washington County requirements have been otherwise met.

SW Blake Street is a Minor Collector with a 76 foot wide cross-section or 38 foot-wide half street section. A typical cross-section is two 12 foot wide travel lanes, two 6 foot wide bike lanes, two 8 foot wide parking strips, two 6 foot wide planter strips, and two 6 foot wide sidewalks. SW Blake Street must connect with SW 124th Avenue approximately 1,000 feet south of SW Tualatin-Sherwood Road. SW Blake Street must meander south within the development's properties to head east as a half street on the south property lines. The applicant's most current Early Erosion Control Permit plans show SW Blake Street constructed with a full width of a typical cross-section to the development's entrance, but with striping that removes parking strips, adds a 14 foot wide center turn lane, and widens bike lanes to 7 feet. The Transportation Impact Study from Lancaster Engineering recommends this striping due to the industrial nature of this area, security needs for existing and future development, and the absence of residential zoning. The City Engineer determined this modified cross-section is acceptable. The applicant must submit final plans showing the 76 foot wide cross-section including one 14-foot wide center turn lane, two 12 foot wide travel lanes, two 7 foot wide bike lanes, two 6 foot wide planter strips, and two 6 foot wide sidewalks. The applicant must submit final plans for construction to the developments entrance then shadow platted 300 feet past the eastern property line. The applicant must dedicate sufficient right-of-way for the entirety of SW Blake Street as approved in final construction plans within their properties which must be 76 feet wide from SW 124th Avenue until SW Blake Street centers on the south property line which will then be 38 feet to the eastern property line. The applicant must construct SW Blake Streets per the final approved construction plans.

SW 120th Avenue is an existing street adjacent to the property. SW 120th Avenue is identified as a Commercial/Industrial Connector in the TSP. The TSP identifies the right-of-way width for Commercial/Industrial Connectors as 64 feet and cross-section includes two 12 foot wide travel lanes, two 8 foot wide parking strips, two 6 foot wide planters, and two 6 foot wide sidewalks. The site's existing property line on SW 120th Avenue is 30 feet from centerline on the north end of the site and jogs to 20 feet from centerline on the south side of the site with a similar cross section except a curb side sidewalk. The applicant must dedicate right-of-way to provide a new property line 30 feet from centerline along the Site's SW 120th Avenue northerly frontage to match the existing right of way width on the southerly frontage. The applicant must construct SW 120th Avenue half street improvements adjacent to their property to SW Itel Street matching the existing cross-section to the north except meandering the sidewalk to be adjacent to the edge of right-of-way to more closely match current code.

SW Itel Street is classified as a Commercial/Industrial Connector with a 64 foot cross-section, but is developed approximately 350 feet to the east of this development with a 60 foot wide cross section that reduces planter strips from 6 to 4 feet wide. The street continues to approximately 200 feet east of this development with the absence of only the planter strip and sidewalk on the south side. The undeveloped portion includes a private fence in the right-of-way belonging to the owner to the north. The most current Early Erosion Control Permit plans show extension of public sanitary sewer and water lines from SW Itel Street within a 40 foot wide right-of-way section of unimproved SW Itel Street. The City Engineer has determined that a 24 foot wide cross-section for two way travel, curb and gutter, a curb tight 6 foot wide sidewalk on the south side, and no parking signs must be constructed to connect SW 120th Avenue with SW Itel Street. The applicant must submit final plans that show SW Itel Street connecting to SW 120th Avenue with a 24 foot wide cross-section that includes curb and gutter, a curb tight 6 foot wide sidewalk on the south side, and no parking signs. Submit final plans that shows the existing fence within right-of-way relocated 1 foot north of the right-of-way in equal or better condition. The connection to SW 120th Avenue on the south side must include an eyebrow corner sufficient to allow a flat concrete apron access that matches the existing driveway width up to a maximum of 40 feet

wide shared by Tigard Sand and Gravel, TLID 2S127C000400, and Ashwood Construction Inc., TLID 2S127C000401.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

- (5) Whenever a proposed development is bisected by an existing or future road or street that is of inadequate right-of-way width according to TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G, additional right-of-way must be dedicated from both sides or from one side only as determined by the City Manager to bring the road right-of-way in compliance with this section.**
- (6) When a proposed development is adjacent to or bisected by a street proposed in TDC Chapter 11, Transportation Plan (Figure 11-3) and no street right-of-way exists at the time the development is proposed, the entire right-of-way as shown in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G must be dedicated by the applicant. The dedication of right-of-way required in this subsection must be along the route of the road as determined by the City.**

FINDINGS:

SW Blake Street is a proposed street that will bisect the site. SW Blake Street is identified as a Minor Collector in the Transportation System Plan (TSP). The applicant proposed to dedicate the right-of-way for the construction of SW Blake Street through the site on the alignment as shown on the Public Facilities Plan. The TSP identifies a minimum and preferred section for a Minor Collector. The minimum right-of-way width is 62 feet and the preferred right-of-way width is 76 feet. The applicant are proposed a 76-foot dedication width. Along the south property line that full width will be split with the adjacent property reducing the dedicated width to 38 feet. This is acceptable. The applicant must submit final plans showing the 76 foot wide cross-section. The applicant must submit final plans for construction to the developments entrance then shadow platted 300 feet past the eastern property line. The applicant must dedicate sufficient right-of-way for the entirety of SW Blake Street as approved in final construction plans within their properties which must be 76 feet wide from SW 124th Avenue until SW Blake Street centers on the south property line which will then be 38 feet to the eastern property line.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

I. TDC SECTION 74.320 SLOPE EASEMENTS.

- (1) The applicant must obtain and convey to the City any slope easements determined by the City Manager to be necessary adjacent to the proposed development site to support the street improvements in the public right-of-way or accessway or utility improvements required to be constructed by the applicant.**
- (3) For all other development applications, a slope easement dedication must be submitted to the City Manager; building permits must not be issued for the development prior to acceptance of the easement by the City.**

FINDINGS:

Slope easements may be required for SW 124th Avenue, SW Blake Street, and SW Tualatin-Sherwood Road. The size and location of the slope easement must be determined during the design of the public improvements. If needed, the slope easement must recorded prior to issuance of building permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

II. TDC SECTION 74.330 UTILITY EASEMENTS.

- (1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities must be granted to the City.**
- (4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement must be granted to the City; building permits must not be issued for the development prior to acceptance of the easement by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council must determine when condemnation proceedings are to be used.**
- (5) The width of the public utility easement must meet the requirements of the Public Works Construction Code. All subdivisions and partitions must have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines. Other easements may be required as determined by the City Manager.**

FINDINGS:

The applicant proposed a minimum 6-foot wide public utility easement along the following street frontage: SW Blake Street, SW 124th Avenue, SW Tualatin-Sherwood Road, and SW 120th Avenue. The City Engineer has determined that no sides or rear easements are needed due to adjacent lots access from right-of-way, however the easements adjacent to SW 120th Avenue and SW Blake Street must be 8 feet wide. Washington County requires 12 feet wide easements for SW 124th Avenue and SW Tualatin-Sherwood Road. The applicant must submit a copy of the recorded 8 foot wide public utility easements adjacent to SW 120th Avenue and SW Blake Street plus 12 feet adjacent to SW 124th Avenue and SW Tualatin-Sherwood Road prior to issuance of building permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

III. TDC SECTION 74.350 MAINTENANCE EASEMENT OR LOTS.

A dedicated lot or easement will be required when access to public improvements for operation and maintenance is required, as determined by the City Manager. Access for maintenance vehicles must be constructed of an all-weather driving surface capable of carrying a 50,000-pound vehicle. The width of the lot or easement must be at least 15-feet in order to accommodate City maintenance vehicles. In subdivisions and partitions, the easement or lot must be dedicated to the City on the final plat. In any other development, the easement or lot must be granted to the City and recorded prior to issuance of a building permit.

FINDINGS:

The applicant submitted plans including a public stormwater facility near the intersection of SW Tualatin-Sherwood Road and SW 124th Avenue that would require an easement and access to SW 124th Avenue. The access easement width is 15-feet wide and the paved access is 12 feet wide. This access includes a turn-around at the end. This is acceptable.

The public facility is shown correctly fenced and with a gate. The gate is shown adjacent to right-of-way. Sufficient space is needed past right-of-way to allow a city maintenance vehicle to safely park while

opening or closing the gate. The applicant must submit final plans that include an access from SW 124th Avenue to the proposed public stormwater facility at the southeast corner of SW 124th Avenue and SW Tualatin-Sherwood Road. The access must be 15 feet wide with a surface 12 feet wide, include a turn-around at the end, be capable of supporting a 50,000 pound vehicle, locate the gate 25 feet behind right-of-way, have a mountable curb, and be a minimum of 150 feet from the intersection of SW 124th Avenue and SW Tualatin-Sherwood Road. The applicant must submit a copy of a recorded easement surrounding the public stormwater facility and access prior to issuance of a building permit.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

IV. TDC SECTION 74.410 FUTURE STREET EXTENSIONS.

- (1) Streets must be extended to the proposed development site boundary where necessary to do any one of the following:**
- (a) give access to, or permit future development of adjoining land;**
 - (b) provide additional access for emergency vehicles;**
 - (c) provide for additional direct and convenient pedestrian, bicycle and vehicle circulation;**
 - (d) eliminate the use of cul-de-sacs except where topography, barriers such as railroads or freeways, existing development, or environmental constraints such as major streams and rivers prevent street extension; and**
 - (e) eliminate circuitous routes. The resulting dead end streets may be approved without a turnaround. A reserve strip may be required to preserve the objectives of future street extensions.**

FINDINGS:

The proposed development will extend SW Blake Street east from SW 124th Avenue. SW Blake Street will be a dead-end street until the redevelopment of the large quarry parcels south of the site. There are currently no known plans for the redevelopment of the quarry parcels. The development is proposing to construct SW Blake Street to the site access point and not the easterly site boundary. The development is proposing to dedicate right-of-way to the easterly boundary. While SW Blake Street will eventually provide access to future development to the south, the quarry site has access to SW 120th Avenue and SW 124th Avenue as well. Constructing SW Blake Street to the easterly site boundary as part of this project would result in approximately 800 lineal feet of dead end, unused roadway. The Transportation Impact Study indicates that the proposed improvements will be functional and safe. The City Engineer agrees with this proposal. The applicant must submit final plans showing the 76 foot wide cross-section including one 14-foot wide center turn lane, two 12 foot wide travel lanes, two 7 foot wide bike lanes, two 6 foot wide planter strips, and two 6 foot wide sidewalks. The applicant must submit final plans for construction to the developments entrance then shadow platted 300 feet past the eastern property line. The applicant must dedicate sufficient right-of-way for the entirety of SW Blake Street as approved in final construction plans within their properties which must be 76 feet wide from SW 124th Avenue until SW Blake Street centers on the south property line which will then be 38 feet to the eastern property line. The applicant must construct SW Blake Streets per the final approved construction plans.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

- (2) Proposed streets must comply with the general location, orientation and spacing identified in the Functional Classification Plan (Figure 11-1), Local Streets Plan (TDC 11.630 and Figure 11-3) and the Street Design Standards (Figures 74-2A through 74-2G).**

(b) Streets proposed as part of new industrial or commercial development must comply with TDC 11.630, Figure 11-1, and Figures 74-2A through 74-2G.

FINDINGS:

The location of the 124th/Blake intersection was determined and set approximately 1,100 feet south of SW Tualatin-Sherwood Road by Washington County in conjunction with planning efforts associated with the Willamette Water Supply Program (WWSP) treatment plant project. This location is further north than the location identified in the Southwest Concept Plan (SCP) and the Transportation System Plan (TSP). The development is proposing to extend SW Blake Street east as necessary to accommodate necessary radii and queuing and then southerly, paralleling SW 124th Avenue to southerly property line where it will turn east again and run parallel with the southerly property line to the eastern property line in alignment with the location identified in the SCP.

The SCP shows SW 120th Avenue splitting South of SW Itel Street. South of SW Itel Street two streets would run south to SW Blake Street. The two streets were envisioned to support a high-density mixed-use development area. The westerly street would cut through the PGE site and the easterly street would run adjacent to Itel Commerce Park. The mixed-used development would sit between the two streets.

With the development of the PGE IOC, the high-density mixed-use development west of the water bodies will not be constructed. Due to this, dual north south connections between Itel and Blake are no longer needed. The easterly north-south connection provides the best benefit for future development and the best chance for eventual construction and that the westerly north south connection is not required. Additional items supporting the elimination of the western leg include:

- The easterly connection avoids conflicts with ponds east of the proposed site that are on the National Wetland Inventory.
- The easterly connection avoids topographic constraints associated with the west leg along the east property line.
- The easterly connection avoids delineated wetlands at the southeast corner of the PGE site.
- The easterly connection provides better potential access to the flag portion of the quarry site as the westerly connection would need to cross the mapped wetlands.

The Transportation Impact Study indicates that the proposed improvements will be functional and safe. The City Engineer agrees with this proposal.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(3) During the development application process, the location, width, and grade of streets must be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. The arrangement of streets in a subdivision must either:

- (a) provide for the continuation or appropriate projection of existing streets into surrounding areas;**
or
(b) conform to a street plan approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance of or conformance to existing streets impractical.

FINDINGS:

The proposed SW Blake Street alignment is located on a ridge at the high point of the proposed site. In order to allow access from SW Blake Street to the proposed development the elevation of SW Blake Street at the driveway location needs to be minimized. A profile for the proposed alignment of SW Blake Street was submitted showing that the vicinity that will be constructed will allow for continuation to the east property line in the future. The applicant must submit final plans that show SW Blake Street which must be 76 feet wide from SW 124th Avenue until SW Blake Street centers on the south property line which will then be 38 feet to the eastern property line.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(4) The City Manager may require the applicant to submit a street plan showing all existing, proposed, and future streets in the area of the proposed development.

FINDINGS:

The proposed alignment of SW Blake Street was submitted along with existing SW Tualatin-Sherwood Road, SW 124th Avenue, SW 120th Avenue, and SW Itel Street.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(5) The City Manager may require the applicant to participate in the funding of future off-site street extensions when the traffic impacts of the applicant's development warrant such a condition.

FINDINGS:

The applicant submitted a Transportation Impact Study that determined that no additional off-site street improvements were necessary. This is acceptable.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

V. TDC SECTION 74.420 STREET IMPROVEMENTS.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City's Public Works Construction Code, subject to the following provisions:

- (1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 must be improved to standards as set out in the Public Works Construction Code.**
- (2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.**
- (3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.**
- (4) Where development abuts an existing street, the improvement required must apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Manager to ensure a smooth transition between a new**

- improvement and the existing roadway (half-street improvement). Additional right-of-way and street improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement must connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.
- (5) If additional improvements are required as part of the Access Management Plan of the City, TDC Chapter 75, the improvements must be required in the same manner as the half-street improvement requirements.
- (6) All required street improvements must include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.
- (8) For development applications other than subdivisions and partitions, all street improvements required by this section must be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.
- (10) Streets within, or partially within, a proposed development site must be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code.
- (11) Existing streets which abut the proposed development site must be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).
- (12) Sidewalks with appropriate buffering must be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.
- (13) The applicant must comply with the requirements of the Oregon Department of Transportation (ODOT), Tri-Met, Washington County and Clackamas County when a proposed development site is adjacent to a roadway under any of their jurisdictions, in addition to the requirements of this chapter.
- (15) Except as provided in TDC 74.430, whenever an applicant proposes to develop land with frontage on certain arterial streets and, due to the access management provisions of TDC Chapter 75, is not allowed direct access onto the arterial, but instead must take access from another existing or future public street thereby providing an alternate to direct arterial access, the applicant must be required to construct and place at a minimum street signage, a sidewalk, street trees and street lights along that portion of the arterial street adjacent to the applicant's property. The three certain arterial streets are S.W. Tualatin-Sherwood Road, S.W. Pacific Highway (99W) and S.W. 124th Avenue. In addition, the applicant may be required to construct and place on the arterial at the intersection of the arterial and an existing or future public non-arterial street warranted traffic control devices (in accordance with the Manual on Uniform Traffic Control Devices, latest edition), pavement markings, street tapers and turning lanes, in accordance with the Public Works Construction Code.
- (17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.

FINDINGS:

SW 120th Avenue

The applicant does not anticipate the need to rebuild or reconstruct any existing facilities located within the right-of-way to bring them into compliance with the Public Works Construction Code. The northerly 250 feet of SW 120th Avenue meets the pavement width requirements outlined in the City of Tualatin Commercial/Industrial Connector section. The existing 6-foot sidewalk is adjacent to the curb as

opposed to behind the planter strip as shown on the Section. Maintaining the sidewalk for this section in its current curb location will provide an equal function to placing it behind a 4-foot planter strip and therefore this condition can remain. The southern 390 will be constructed with a 4-foot planter strip in between the sidewalk and curb as shown on the Public Facilities Plan included in the application. The applicant has not determined if the existing driveway, ramp, and sidewalk on the west side of SW 120th Avenue meet current ADA/PROWAG requirements. The applicant must determine if existing public improvements meet current requirements or include reconstruction of the portions out of compliance.

Transit facilities do not exist on SW 120th Avenue. SW 120th Avenue is an existing street adjacent to the property. SW 120th Avenue is identified as a Commercial/Industrial Connector in the TSP. The TSP identifies the right-of-way width for Commercial/Industrial Connectors as 64 feet and cross-section includes two 12 foot wide travel lanes, two 8 foot wide parking strips, two 6 foot wide planters, and two 6 foot wide sidewalks. The site's existing property line on SW 120th Avenue is 30 feet from centerline on the north end of the site and jogs to 20 feet from centerline on the south side of the site with a similar cross section except a curb side sidewalk.

The half street of SW 120th Avenue adjacent to the site must be improved and repaired as needed to match the existing Commercial/Industrial standard section in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425. This must require the addition of curb, sidewalk, planter strip, storm drainage, street lights, street signs and street trees as shown on the submitted Early Erosion Control Permit plans. The applicant must dedicate right-of-way to provide a new property line 30 feet from centerline along the Site's SW 120th Avenue northerly frontage to match the existing right of way width on the southerly frontage. The applicant must construct SW 120th Avenue half street improvements adjacent to their property to SW IteI Street matching the existing cross-section to the north except meandering the sidewalk to be adjacent to the edge of right-of-way to more closely match current code.

SW 124th Avenue

SW Tualatin-Sherwood Road is a Washington County facility that is planned to be widened via a County project. SW 124th Avenue is expected to be constructed by the applicant. If an agreement is reached with Washington County to pay a fee-in-lieu of construction of SW 124th Avenue's half street, the applicant must provide proof from Washington County that it may be phased to be constructed after occupancy. If the applicant chooses construction instead of payment of a fee-in-lieu, the applicant must obtain a Washington County Facility Permit.

SW Blake Street

The City Engineer has determined that grading is not timely for the portions of SW Blake Street that will remain unconstructed for this project. SW Blake Street must be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code from SW 124th Avenue to the site access point approximately 300 feet from the southerly site property line.

SW Blake Street must connect to SW 124th Avenue within Washington County right-of-way. The applicant must comply with all Washington County requirements in accordance with Washington County's "CONDITIONS OF APPROVAL FOR CITY CASEFILE AR19-0005 (Revised July 9, 2019)". The applicant must submit a copy of a Right-of-Way Permit for work within SW 124th Avenue right-of-way.

SW IteI Street

SW IteI Street is classified as a Commercial/Industrial Connector with a 64 foot cross-section, but is developed approximately 350 feet to the east of this development with a 60 foot wide cross section that

reduces planter strips from 6 to 4 feet wide. The street continues to approximately 200 feet east of this development with the absence of only the planter strip and sidewalk on the south side. The undeveloped portion includes a private fence in the right-of-way belonging to the owner to the north. The most current Early Erosion Control Permit plans show extension of public sanitary sewer and water lines from SW Itel Street within a 40 foot wide right-of-way section of unimproved SW Itel Street. The City Engineer has determined that a 24 foot wide cross-section for two way travel, curb and gutter, a curb side 6 foot wide sidewalk on the south side, and no parking signs must be constructed to connect SW 120th Avenue with SW Itel Street. The applicant must submit final plans that show SW Itel Street connecting to SW 120th Avenue with a 24 foot wide cross-section that includes curb and gutter, a curb side 6 foot wide sidewalk on the south side, and no parking signs. The existing fence within right-of-way must be relocated or replaced at right-of-way. The connection to SW 120th Avenue on the south side must include an eyebrow corner sufficient to allow a flat concrete apron access that matches the existing driveway width up to a maximum of 40 feet wide shared by Tigard Sand and Gravel, TLID 2S127C000400, and Ashwood Construction Inc., TLID 2S127C000401.

SW Tualatin-Sherwood Road

SW Tualatin-Sherwood Road is a Washington County facility that is planned to be widened via a County project. SW 124th Avenue is expected to be included with the SW Tualatin-Sherwood Road project with payment of a fee-in-lieu from the applicant. If a fee-in-lieu is not accepted by Washington County, the applicant must grade and construct the remainder of the half street of SW 124th Avenue adjacent to their properties.

Arterial Access

The project does propose to take access off a future public street as opposed to one of the two arterials that are adjacent to the site. The project will provide half street improvements on SW 124th Avenue as required by Washington County which may be allowed as a fee-in-lieu to Washington County. Improvements on SW Tualatin-Sherwood Road are not anticipated as part of this project due to the future widening project that will be completed by Washington County.

Transportation Impact Study

As outlined in the Transportation Impact Study for the development completed by Lancaster Engineering a traffic signal is not warranted at the 124th/Blake intersection. Per the study pavement markings must be provided to delineate a southbound left turn lane from 124th onto Blake. A stop controlled left and right turn lane with approximately 60-feet of queuing must be provided on Blake at the intersection. These improvements must be constructed in accordance with the Public Works Construction Code and Washington County standards. As outlined in the Transportation Impact Study for the development completed by Lancaster Engineering intersections will operate at a level of service above D and E.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

VI. TDC SECTION 74.425 STREET DESIGN STANDARDS.

(4) All streets must be designed and constructed according to the preferred standard. The City Manager may reduce the requirements of the preferred standard based on specific site conditions, but in no event will the requirement be less than the minimum standard. The City Manager must take into consideration the following factors when deciding whether the site conditions warrant a reduction of the preferred standard:

(a) Arterials:

- (i) Whether adequate right-of-way exists;**
- (ii) Impacts to properties adjacent to right-of-way;**
- (iii) Current and future vehicle traffic at the location; and**
- (iv) Amount of heavy vehicles (buses and trucks).**

(b) Collectors:

- (i) Whether adequate right-of-way exists;**
- (ii) Impacts to properties adjacent to right-of-way;**
- (iii) Amount of heavy vehicles (buses and trucks); and**
- (iv) Proximity to property zoned manufacturing or industrial.**

(c) Local Streets:

- (i) Local streets proposed within areas which have environmental constraints and/or sensitive areas and will not have direct residential access may utilize the minimum design standard.**
- (ii) When the minimum design standard is allowed, the City Manager may determine that no parking signs are required on one or both sides of the street.**

FINDINGS:

SW 124th Avenue and SW Tualatin-Sherwood Road are Washington County facilities classified as Enhanced Arterials. Cross-sections vary from 102 to 116 feet wide for five and six lane cross-sections. Washington County is widening SW Tualatin-Sherwood Road. The County is willing to enter an agreement to receive a fee-in-lieu of the half street improvements for SW 124th Avenue for construction of the improvements with the SW Tualatin Sherwood Road project. The applicant must dedicate right-of-way per Washington County requirements for SW 124th Avenue and SW Tualatin-Sherwood Road. The applicant must submit a copy of a Washington County Facility Permit to construct a half street for SW 124th Avenue matching Washington County planned cross-sections or submit proof from Washington County requirements have been otherwise met.

The development is proposing to construct SW Blake Street in general conformance with the preferred standard for a Minor Collector. The developer is requesting that SW Blake Street be constructed without on-street parking from SW 124th Avenue eastward to the proposed driveway access point. The City Engineer accepts this configuration, however the configuration may change in the future to a preferred.

The applicant is proposing to construct the full pavement width of 52-feet outlined in the preferred section. However, in lieu of a 8' parking, 6' bike, 12' travel, 12' travel, 6' bike, 8' parking we are proposing a 7' bike, 12' travel, 14' center, 12' travel, 7' configuration. The proposed configuration will allow for the required left and right turn lanes at SW 124th Avenue and a left turn lane into the site. It also allows for the flexibility of the future extension of SW Blake Street to meet the preferred standard. The City Engineer has approved this proposed cross-section. The applicant must construct SW Blake Street with a 14 foot wide center turn lane, two 12 foot wide travel lanes, two 7 foot wide bike lanes, two 6 foot wide planter strips, and two 6 foot wide sidewalks.

SW 120th Avenue is an existing street adjacent to the property. SW 120th Avenue is identified as a Commercial/Industrial Connector in the TSP. The TSP identifies the right-of-way width for Commercial/Industrial Connectors as 64 feet and cross-section includes two 12 foot wide travel lanes, two 8 foot wide parking strips, two 6 foot wide planters, and two 6 foot wide sidewalks. The site's existing property line on SW 120th Avenue is 30 feet from centerline on the north end of the site and jogs to 20 feet from centerline on the south side of the site with a similar cross section except a curb side sidewalk. The applicant must construct SW 120th Avenue half street improvements adjacent to their

property to SW Itel Street matching the existing cross-section to the north except meandering the sidewalk to be adjacent to the edge of right-of-way to more closely match current code.

SW Itel Street is classified as a Commercial/Industrial Connector with a 64 foot cross-section, but is developed approximately 350 feet to the east of this development with a 60 foot wide cross section that reduces planter strips from 6 to 4 feet wide. The street continues to approximately 200 feet east of this development with the absence of only the planter strip and sidewalk on the south side. The applicant must relocate or replace the existing fence to the property line in equal or better condition. The undeveloped portion includes a private fence in the right-of-way belonging to the owner to the north. The most current Early Erosion Control Permit plans show extension of public sanitary sewer and water lines from SW Itel Street within a 40 foot wide right-of-way section of unimproved SW Itel Street. The City Engineer has determined that a 24 foot wide cross-section for two way travel, curb and gutter, a curb side 6 foot wide sidewalk on the south side, and no parking signs must be constructed to connect SW 120th Avenue with SW Itel Street. The applicant must submit final plans that show SW Itel Street connecting to SW 120th Avenue with a 20 foot wide cross-section that includes curb and gutter, a curb side 6 foot wide sidewalk on the south side, and no parking signs. The connection to SW 120th Avenue on the south side must include an eyebrow corner sufficient to allow a flat concrete apron access that matches the existing driveway width up to a maximum of 40 feet wide shared by Tigard Sand and Gravel, TLID 2S127C000400, and Ashwood Construction Inc., TLID 2S127C000401.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

VII. TDC 74.440 STREETS, TRAFFIC STUDY REQUIRED

- (1) The City Manager may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Manager determines that such a study is necessary in connection with a proposed development project in order to:**
 - (a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or**
- (2) The required traffic study must be completed prior to the approval of the development application.**
- (3) The traffic study must include, at a minimum:**
 - (a) an analysis of the existing situation, including the level of service on adjacent and impacted facilities.**
 - (b) an analysis of any existing safety deficiencies.**
 - (c) proposed trip generation and distribution for the proposed development.**
 - (d) projected levels of service on adjacent and impacted facilities.**
 - (e) recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.**
 - (f) The City Manager will determine which facilities are impacted and need to be included in the study.**
 - (g) The study must be conducted by a registered engineer.**

FINDINGS:

A Transportation Impact Study for the development has been completed by Lancaster Engineering and is included in this application. The study shows that the transportation facilities in the vicinity of the development are capable of accommodating the amount of traffic expected to be generated by the development with the following improvements:

- The existing two-way left turn lane striping on SW 124th Avenue should be reconfigured to provide a dedicated left-turn lane for the southbound left turn movement at Blake Street.
- SW Blake Street should be constructed to a cross-section of two 12-foot travel lanes and a 14-foot center two-way left-turn lane, with the exception that no on-street parking is recommended.
- SW Blake Street should be constructed with a separate westbound left- and right-turn lanes in preparation for a future signal which is not warranted currently.

The Transportation Impact Study is included in the Architectural Review submittal.

The scope of the Transportation Impact Study was coordinated by Lancaster Engineering with the City of Tualatin and Washington County.

The Principal Traffic Engineer generally agrees with the Transportation Impact Study.

This criterion is satisfied.

VIII. TDC SECTION 74.470 STREET LIGHTS.

(1) Street light poles and luminaries must be installed in accordance with the Public Works Construction Code.

(2) The applicant must submit a street lighting plan for all interior and exterior streets on the proposed development site prior to issuance of a Public Works Permit.

FINDINGS:

Washington County's project to widen SW Tualatin-Sherwood Road will include street lights. The applicant proposed street lights in accordance with the Public Works Construction Code on SW Blake Street and SW 120th Avenue. The applicant will need to include street lights on SW Itel Street's street extension to SW 120th Avenue. The applicant must submit final plans that show street lights on SW 120th Avenue, SW Blake Street and SW Itel Street's street extension to SW 120th Avenue.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

IX. TDC SECTION 74.610 WATER SERVICE.

(1) Water lines must be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans must be submitted to the City Manager for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the subject site, public water lines must be extended by the applicant to the common boundary line of these properties. The lines must be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.

(3) As set forth is TDC Chapter 12, Water Service, the City has three water service levels. All development applicants must be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant must be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.

FINDINGS:

The applicant proposes to receive water service from a 12-inch water main extension in SW 120th Avenue and approximately 200 lineal feet in SW Itel Street completing a loop in the municipal system. This line will be available for adjacent parcels to connect to in the future. This is acceptable.

There are no undeveloped parcels adjacent to the site. The property is surrounded by public streets on three sides and an active quarry site to the south.

The existing 16-inch main in SW Tualatin-Sherwood Road is a service level A main. The existing 12-inch main stubbed into SW 120th Avenue is a service level B main. Service level B main has the higher reservoir elevation and is the zone the development is within, therefore the project will connect to it for water service.

A public works construction permit for water system plans must be obtained prior to obtaining a Building Permit. The applicant has not applied for a public works permit for these improvements. The applicant must submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

X. TDC SECTION 74.620 SANITARY SEWER SERVICE.

(1) Sanitary sewer lines must be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant must extend public sanitary sewer lines to the common boundary line with these properties. The lines must be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.

FINDINGS:

The applicant proposes to receive sanitary sewer service from the proposed 12-inch public sanitary sewer main in SW Itel Street. Approximately 200 lineal foot, 12-inch sanitary sewer main extension will extend to SW 120th Avenue within SW Itel Street. This line will be available for adjacent parcels to connect to in the future. This is acceptable.

There are no undeveloped parcels adjacent to the site. The property is surrounded by public streets on three sides and an active quarry site to the south.

The applicant must submit final sanitary sewer plans prior to issuance of construction permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

XI. TDC SECTION 74.630 STORM DRAINAGE SYSTEM.

(1) Storm drainage lines must be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.

(2) The storm drainage calculations must confirm that adequate capacity exists to serve the site. The discharge from the development must be analyzed in accordance with the City's Storm and Surface Water Regulations.

FINDINGS:

The site currently drains to two 21-inch culverts that run under SW Tualatin-Sherwood Road at the northeast corner of the site. The proposed development proposes to maintain the current drainage path and outfall to the two 21-inch culverts. A public stormwater facility is shown southeast of the intersection of SW 124th Avenue and SW Tualatin-Sherwood Road.

Preliminary stormwater calculations have been submitted that show treatment and detention up to the 100 year storm event for the public and private facilities. This exceeds the required 25-year storm and is acceptable.

No treatment, detention, or conveyance is shown for areas to be constructed on SW 120th Avenue or SW Itel Street. Appropriate facilities must be provided for added public impervious areas. Existing facilities may be enlarged, new ones created such as planter strip LIDA swales, or equivalent treatment in a facility away from the new impervious areas when topographic conditions will not allow new facility to treat the constructed public areas.

The applicant must submit final stormwater calculations and plans that include adequate treatment, detention, and conveyance for all new and modified public and private impervious area to include SW 120th Avenue and SW Itel Street.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant must extend storm drainage lines to the common boundary line with these properties. The lines must be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the Tualatin Drainage Plan in TDC Chapter 14.

FINDINGS:

There are no undeveloped parcels adjacent to the site. The property is surrounded by public streets on three sides and an active quarry site to the south. Review of the historic topography does not indicate a natural drainage way at the southerly property line, hence no potential for upstream development. Drainage from the quarry appears to pass through a series of ponds near the southerly end of the

existing SW 120th Street. These flows are collected along the east property line near the existing wetland and will be conveyed through the site to the existing twin 21-inch culverts under SW Tualatin-Sherwood Road.

Storm drainage facilities will be provided for SW 120th Avenue, SW 124th Avenue, and SW Blake Street. The applicant proposes to extend a 12-inch public storm main in SW 120th Avenue from SW Tualatin-Sherwood Road to SW Itel Street. The main will serve as one potential connection point for redevelopment of the quarry site and rerouting of the current drainage that runs through the site.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

XII. TDC SECTION 74.640 GRADING.

- (1) Development sites must be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.**
- (2) A development applicant must submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Manager may require the applicant to remove all excess material from the development site.**

FINDINGS:

The Early Erosion Control Permit plans show the developed site to capture and detain stormwater runoff from proposed public impervious surfaces into the public stormwater system and from onsite private impervious area to a private detention facility prior to releasing into existing private stormwater lines crossing beneath SW Tualatin-Sherwood Road to the north in existing easements. The release of stormwater will be less than pre-developed from this site.

The plans show no change to the tile drainage from the property southwest of SW 120th Avenue, TLID 2S127C000400, owned by Tigard Sand and Gravel. Additionally public stormline extension within SW 120th Avenue to the south side of SW Itel Street will allow future connection from this lot to reroute the private stormwater directly to the public stormwater system.

TLID 2S127C000700 is adjacent to SW Tualatin-Sherwood Road and between the applicant's lots. The proposed public stormwater facility is to the west of this lot. All proposed development's stormwater and grading activities do not direct additional stormwater to this lot plus existing areas that flowed towards this lot that are being developed will be captured and routed away. The proposed development will not negatively impact the drainage of adjacent parcels.

The applicant must submit final plans that shows minimized impact to adjacent properties allowing drainage prior to development and gravity drainage from development prior to issuance of construction permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

XIII. TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.

The applicant must comply with the water quality, storm water detention and erosion control requirements in the Surface Water Management Ordinance. If required:

(2) On all other development applications, prior to issuance of any building permit, the applicant must arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be met and obtain a Stormwater Connection Permit from Clean Water Services.

FINDINGS:

Permanent on-site water quality and stormwater detention facilities will be provided. The proposed facilities are shown on the plans and stormwater calculations submitted with the Architectural Review submittal. A Preliminary Stormwater Report was included which provides information pertaining to design and calculations showing adequate capacity for treatment and detention.

The applicant has submitted a Service Provider Letter from Clean Water Services indicating that Sensitive Areas exist on-site. A CWS Memorandum was received dated June 3, 2019 for development on this site.

After land use decision issuance final plans are provided by the City to Clean Water Services for final review. On approval Clean Water Services will provide the City authorization to issue construction permits. The applicant must submit final plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(3) For on-site private and regional non-residential public facilities, the applicant must submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant must submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site must occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

FINDINGS:

No preliminary stormwater facility agreement was provided. A stormwater facility agreement that includes an operation and maintenance plan must be recorded.

Early Erosion Control Permit plans were submitted. A final erosion control plan must be submitted prior to approval of a Public Works Permit. The applicant must obtain a 1200C Construction Erosion Control permit from Oregon DEQ and obtain a grading and erosion control permit from the City of Tualatin prior to issuance of construction permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

XIV. TDC 74.660 UNDERGROUND

(1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities must be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above

ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant must make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.

FINDINGS:

Utility services lines to the site will be placed underground as shown on the plans. This is acceptable.

This criterion is satisfied.

XV. TDC SECTION 74.670 EXISTING STRUCTURES.

(1) Any existing structures requested to be retained by the applicant on a proposed development site must be connected to all available City utilities at the expense of the applicant.

FINDINGS:

The proposed development does not plan on retaining any structures on the site. The existing farm house and farm structures will be removed.

The criteria are satisfied.

XVI. TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.

All trees, plants or shrubs planted in the right-of-way of the City must conform in species and location and in accordance with the street tree plan and City standards, including Table 74-1. If the City Manager determines that none of the species in City standards, including Table 74-1 is appropriate or finds appropriate a species not listed, the City Manager may substitute an unlisted species.

FINDINGS:

Street tree species and locations will be submitted as part of the Public Works Permit application. The proposed street trees will conform with the City standards in Table 74-1. Any proposed tree species substitutions will be submitted for approval during the Public Works Permit process. The proposed tree substitutions have been reviewed by the Parks Maintenance Division Manager and have preliminarily approved the variety of trees currently not on Table 74-1 to become a PGE demonstration of species compatible with power lines. This is acceptable. The applicant must submit final plans with approvable street trees and planting locations.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

C. TDC CHAPTER 75: ACCESS MANAGEMENT

I. TDC SECTION 75.040 – DRIVEWAY APPROACH REQUIREMENTS.

(1) The provision and maintenance of driveway approaches from private property to the public streets as stipulated in this Code are continuing requirements for the use of any structure or parcel of real property in the City of Tualatin. No building or other permit may be issued until scale plans are presented that show how the driveway approach requirement is to be fulfilled. If the owner or occupant of a lot or building changes the use to which the lot or building is put, thereby increasing driveway approach requirements, it is unlawful and a violation of this code to begin or maintain such altered use until the required increase in driveway approach is authorized by the City.

FINDINGS:

The applicant plans to take access off a portion of SW Blake Street which will be constructed by the project. The large majority of traffic to the site will be required to use the primary access. A secondary access for emergency vehicles and large, non-regular truck deliveries is proposed from SW 120th Avenue. The applicant must submit final plans showing access from private property to public streets meeting Code prior to issuance of construction permits.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(5) Lots that front on more than one street may be required to locate motor vehicle accesses on the street with the lower functional classification as determined by the City Manager.

FINDINGS:

Primary site access is proposed from SW Blake Street and secondary site access is proposed from SW 120th Avenue. These are lesser classification than SW 124th Avenue and SW Tualatin-Sherwood Road. This is acceptable.

The criterion is satisfied.

(6) Except as provided in TDC 53.100, all driveway approach must connect directly with public streets.

FINDINGS:

Primary site access is proposed from SW Blake Street, secondary site access is proposed from SW 120th Avenue, and a public stormwater facility access is shown to SW 124th Avenue. All are public streets.

The criterion is satisfied.

(7) To afford safe pedestrian access and egress for properties within the City, a sidewalk must be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section must be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks must be constructed to a design and in a manner approved by the City Manager. Sidewalks approved by the City Manager may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks must provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction must include construction of the curb and gutter section to grades and alignment established by the City Manager.

FINDINGS:

Public sidewalks are shown on SW 120th Avenue to meander from existing curb tight to include a planter strip for the portions to be constructed on the west side. SW Blake Street is shown with sidewalks on both sides for the extent to be constructed ending at the main entrance. SW Tualatin-Sherwood Road will have a public sidewalk constructed by Washington County. This is acceptable.

With the potential phasing of the SW 124th Avenue to be constructed by Washington County provided payment of a fee-in-lieu, an agreement must be required that allows completion of the public sidewalk on SW 124th after occupancy to the building. The applicant must submit a copy of acceptance of payment of a fee-in-lieu from Washington County for construction of the half street of SW 124th Avenue adjacent to their site, which includes public sidewalk.

The plans show no sidewalk from SW 120th Avenue to SW Itel Street. The applicant must construct a connection from SW 120th Avenue to the existing SW Itel Street that includes an eyebrow corner and sidewalk on the south side.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(9) Minimum driveway approach width for uses are as provided in Table 75-1 (Driveway Approach Width).

FINDINGS:

One 12 foot wide access is shown to the proposed public stormwater facility, which is acceptable. The applicant plans show 338 parking spaces which requires two approaches with a minimum width of 32 feet. Two 24 foot wide accesses are shown to the private development one to SW Blake Street and one to SW 120th Avenue, which is less than the 32 foot minimum. The applicant must submit final plans that show the two private accesses at least 32 feet wide to the private development and one 12 foot wide access to the proposed public stormwater facility.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(10) Driveway Approach Separation. There must be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Manager.

FINDINGS:

Only one access is proposed to each of SW 120th Avenue, SW 124th Avenue, and to SW Blake Street.

The criteria is satisfied.

(11) Distance between Driveways and Intersections. Except for single-family dwellings, the minimum distance between driveways and intersections must be as provided below. Distances listed must be measured from the stop bar at the intersection.

- (a) At the intersection of collector or arterial streets, driveways must be located a minimum of 150 feet from the intersection.**
- (b) At the intersection of two local streets, driveways must be located a minimum of 30 feet from the intersection.**
- (c) If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway must be constructed as far from the intersection as possible, while still maintaining the 5-foot setback between the driveway and property line.**

(d) When considering a driveway approach permit, the City Manager may approve the location of a driveway closer than 150 feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision.

FINDINGS:

No driveways for purposes of private use are proposed closer than 150 from the intersection of collector or arterial streets on SW Blake Street or SW 120th Avenue. This is acceptable.

A proposed access for a public stormwater facility approximately 85 feet south of SW Tualatin-Sherwood Road. This access doesn't meet spacing standards of a minimum of 150 feet from the crosswalk of an intersection and the traffic study doesn't evaluate that it's outside the queue. The applicant must submit final plans that show the public stormwater facility driveway on SW 124th Avenue to be at least 150 feet south of the crosswalk at SW Tualatin-Sherwood Road and further south as needed based on a memo that must be submitted from the applicant's traffic engineer to remain out of the length of the standing queue.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(12) Vision Clearance Area.

(a) Local Streets. A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections must be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 10 feet from the intersection point of the right-of-way lines, as measured along such lines (see Figure 73-2 for illustration).

(b) Collector Streets. A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections must be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area must be 10 feet (see Figure 73-2 for illustration).

(c) Vertical Height Restriction. Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction must be permitted between 30 inches and 8 feet above the established height of the curb in the clear vision area (see Figure 73-2 for illustration).

FINDINGS:

The submitted plans do not show vision clearances. The applicant must submit final plans that show appropriate vision clearance triangles on SW 120th Avenue for the private drive security access, SW 124th Avenue for the public stormwater facility access, and SW Blake Street for the main site access.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

Section 75.050 Access Limited Roadways.

(1) This section applies to all developments, permit approvals, land use approvals, partitions, subdivisions, or any other actions taken by the City pertaining to property abutting any road or street listed in TDC 75.050(2). In addition, any property not abutted by a road or street listed in

subsection (2), but having access to an arterial by any easement or prescriptive right, must be treated as if the property did abut the arterial and this Chapter applies.

(2) The following Freeways and Arterials are access limited roadways:

(d) Tualatin-Sherwood Road at all points located within the City of Tualatin Planning Area;

(f) 124th Avenue from Pacific Highway 99W south to Tonquin; If the Council finds that any other road or street is in need of access control for any reason, it may direct that the street or road be added to this section through a Plan Text Amendment.

FINDINGS:

The project does not propose to take direct access off of SW Tualatin-Sherwood Road or SW 124th Avenue for private use. The existing access points from SW Tualatin-Sherwood Road to the existing residential and farm buildings will be removed. The plans show closure of existing accesses to SW Tualatin-Sherwood Road. This is acceptable.

A maintenance only access is shown from SW 124th Avenue to the proposed public stormwater facility located at the southeast corner of SW Tualatin-Sherwood Road and SW 124th Avenue. This proposed access is approximately 85 feet south of SW Tualatin-Sherwood Road. This access doesn't meet spacing standards of a minimum of 150 feet from the crosswalk of an intersection and the traffic study doesn't evaluate that it's outside the queue. The applicant must submit final plans that show the public stormwater facility driveway on SW 124th Avenue to be at least 150 feet south of the crosswalk at SW Tualatin-Sherwood Road and further south as needed based on a memo that must be submitted from the applicant's traffic engineer to remain out of the length of the standing queue.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

Section 75.100 Spacing Standards for New Intersections.

Except as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), all new intersections with arterials must have a minimum spacing of one-half mile between intersections.

FINDINGS:

The location of the SW 124th Avenue and SW Blake Street intersection was dictated to the applicant by Washington County Land Use and Transportation. The general location is shown on TDC Figure 11-1. The submitted plans accurately reflect this location.

The criteria is satisfied.

I. TDC SECTION 75.120 – COLLECTOR STREETS ACCESS STANDARDS.

(2) Minor Collectors. Residential, commercial and industrial driveways where the frontage is greater or equal to 70 feet are permitted. Minimum spacing at 100 feet. Uses with less than 50 feet of frontage shall use a common (joint) access where available.

FINDINGS:

The project proposes a primary access off SW Blake Street which is identified as a Minor Collector in the TSP. The proposed development has greater than 70 feet of frontage and only one access location.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

II. TDC SECTION 75.130 NEW STREETS ACCESS STANDARDS.

(1) New streets designed to serve as alternatives to direct, parcel by parcel, access onto arterials are shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3). These streets are shown as corridors with the exact location determined through the partition, subdivision, public works permit or Architectural Review process. Unless modified by the City Council by the procedure set out below, these streets will be the only new intersections with arterials in the City. See map for changes

FINDINGS:

The location of the 124th/Blake intersection was determined and set approximately 1,100 feet south of SW Tualatin-Sherwood Road by Washington County in conjunction with planning efforts associated with the Willamette Water Supply Program (WWSP) treatment plant project. The development is proposing to extend SW Blake Street east as necessary to accommodate required radii and queuing and then southerly, paralleling SW 124th Avenue to southerly property line where it will turn east again and run parallel with the southerly property line to the eastern property line in alignment with the location identified in the TDC Chapter 11, Transportation Figure 11-1. Figure 11-1 shows SW 120th splitting South of SW Itel.

South of SW Itel two streets would run south to SW Blake Street. With this development constructing over the two lots where the western street would run, this street is no longer needed to enable all lots to have direct access to public streets. The eastern street will provide the direct access to remaining lots.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

III. TDC SECTION 75.140 EXISTING STREETS ACCESS STANDARDS.

The following list describes in detail the freeways and arterials as defined in TDC 75.030 with respect to access. Recommendations are made for future changes in accesses and location of future accesses. These recommendations are examples of possible solutions and shall not be construed as limiting the City's authority to change or impose different conditions if additional studies result in different recommendations from those listed below.

(4) TUALATIN-SHERWOOD ROAD

(e) Avery Street/112th to Cipole Road. On the north side of Tualatin-Sherwood Road between 112th Avenue and Cipole Road the area will be served by the following streets or driveways:

(i) 115th Avenue which will extend north to Amu Street.

(ii) 124th Avenue which will extend north and west to an intersection at 124th Avenue approximately 800 feet north of Tualatin-Sherwood Road.

(iii) 124th Avenue.

(iv) Cipole Road. The exact location and configuration of the streets or driveways shall be determined by the City Manager.

(v) On the south side of Tualatin-Sherwood Road between Avery Street and 120th Avenue the area will be served by the following street system:

(A) 115th Avenue.

(B) 120th Avenue, which may be restricted to right-in, right-out movements in the future. The exact location and configuration of the streets shall be determined by the City Manager. No driveways will be constructed in this area and existing driveways will be removed. Tax Lot 2S127B 800 (Select Sales) shall have a cross access to 115th Avenue.

FINDINGS:

The project will comply with the access standards outlined for SW Tualatin Sherwood Road. The plans show no accesses to SW Tualatin-Sherwood Road.

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

(6) 124TH AVENUE

(d) Tualatin-Sherwood Road. Between Tualatin-Sherwood Road and Tonquin Road access to 124th Avenue shall be limited to street intersections at Blake Street and the unnamed east-west collector street. Depending on when this segment of 124th Avenue is constructed a (possibly interim) connection to Tonquin Road may also be provided.

FINDINGS:

The project will comply with the access standards outlined for SW 124th Avenue. The location of the 124th/Blake intersection was determined and set approximately 1,100 feet south of SW Tualatin-Sherwood Road by Washington County in conjunction with planning efforts associated with the Willamette Water Supply Program (WWSP) treatment plant project. The development is proposing to extend SW Blake Street east as necessary to accommodate necessary radii and queuing and then southerly, paralleling SW 124th Avenue to southerly property line where it will turn east again and run parallel with the southerly property line to the eastern property line in alignment with the location identified in the TDC Chapter 11, Transportation Figure 11-1.

A proposed access for a public stormwater facility approximately 85 feet south of SW Tualatin-Sherwood Road. This access doesn't meet spacing standards of a minimum of 150 feet from the crosswalk of an intersection and the traffic study doesn't evaluate that it's outside the queue. The applicant must submit final plans that show the public stormwater facility driveway on SW 124th Avenue to be at least 150 feet south of the crosswalk at SW Tualatin-Sherwood Road and further south as needed based on a memo that must be submitted from their traffic engineer to remain out of the length of the queue.

FINDINGS:

This criteria is satisfied as shown on Early Erosion Control Permit plans dated June 3, 2019 (Exhibit L).

V. Exhibits

(Exhibits A-I included with previous ARB Decision)

A: Applicant's Narrative

B: Supporting Documents

C: Architectural Elevations

D: Site Plans

E: Memorandum from Tualatin Valley Fire and Rescue, April 25, 2019

F: Memorandum from Clean Water Services, June 3, 2019

G: Comment from Mike Itel, July 15, 2019

H: Presentation to ARB, July 24, 2019

I: Memorandum from Chris Ragland, Building Official, July 24, 2019

J: Applicant's Public Facilities Narrative, May 21, 2019

K: Supporting Public Facilities Documents

L: Excavation, Grading, and Erosion Control Site Plans, June 3, 2019

M: Letter from Mike Itel, July 16, 2019

N: KPFF response to Mike Itel letter, July 31, 2019

O: Memorandum from Washington County, August 9, 2019