

Land Use Application

Project Information		
Project Title: Tualatin Heights Apartments Plan Map Amendment		
Brief Description: Request to amend the site 's plan designation from Residential Medium Low (RML) to Medium-High Density (RMH), increasing the density to 15 dwelling units per acre for a maximum of 336 units.		
Property Information		
Address: 9301 SW Sagert Street, Tualatin, Oregon, 97062		
Assessor's Map Number and Tax Lots: 2S123DC00600		
Applicant/Primary Contact		
Name: Frank Angelo	Company Name: Angelo Planning Group	
Address: 921 SW Washington St, STE 468		
City: Portland	State: OR	ZIP: 97205
Phone: (503) 227-3664	Email: fangelo@angeloplanning.com	
Property Owner		
Name: United Dominion Realty, L.P.		
Address: c/o UDR, Inc., 1745 Shea Center Dr., Suite 200		
City: Highlands Ranch	State: CO	ZIP: 80129
Phone: 720-283-6120	Email:	
Property Owner's Signature: <small>UNITED DOMINION REALTY, L.P., a Delaware limited partnership By: UDR, INC., a Maryland corporation, its General Partner</small>	Date: 09/14/21	
<i>(Note: Letter of authorization is required if not signed by owner)</i>		
AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION IN AND INCLUDED WITH THIS APPLICATION IN ITS ENTIRETY IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.		
Applicant's Signature: 	Date: 09/16/21	

Land Use Application Type:

- | | | |
|--|--|---|
| <input type="checkbox"/> Annexation (ANN) | <input type="checkbox"/> Historic Landmark (HIST) | <input type="checkbox"/> Minor Architectural Review (MAR) |
| <input type="checkbox"/> Architectural Review (AR) | <input type="checkbox"/> Industrial Master Plan (IMP) | <input type="checkbox"/> Minor Variance (MVAR) |
| <input type="checkbox"/> Architectural Review—Single Family (ARSF) | <input checked="" type="checkbox"/> Plan Map Amendment (PMA) | <input type="checkbox"/> Sign Variance (SVAR) |
| <input type="checkbox"/> Architectural Review—ADU (ARADU) | <input type="checkbox"/> Plan Text Amendment (PTA) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Tree Removal/Review (TCP) | |

Office Use		
Case No:	Date Received:	Received by:
Fee:	Receipt No:	

Tualatin Heights Apartments Plan Map Amendment

Prepared by Angelo Planning Group

On behalf of UDR, Inc.

Submitted to City of Tualatin

September 16, 2021



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LIST OF EXHIBITS

- Exhibit A: Conceptual Site Plan
- Exhibit B: Neighborhood/Developer Meeting Documentation
- Exhibit C: Tualatin Heights Parking Assessment
- Exhibit D: Transportation Planning Rule Analysis Memorandum
- Exhibit E: Tualatin School District Impact Analysis
- Exhibit F: Proof of Ownership - Title Report
- Exhibit G: Pre-Application Summary

Proposal Summary Information

Applicant:	Andrew Lavaux UDR, Inc. 1745 Shea Center Drive, Suite 200 Highlands Ranch, CO 80129 310.463.3211 alavaux@udr.com
Applicants Representative:	Frank Angelo Angelo Planning Group 921 SW Washington Street, Suite 468 Portland, Oregon 97205 503.227.3664 fangelo@angeloplanning.com
Request:	Plan Map Amendment from RML to RMH
Site Address:	9301 SW Sagert Street
Tax Lot:	2S123DC00600
Site Size:	22.30 acres
Current Site Planning District:	Medium Low Density Residential (RML)
Proposed Site Planning District:	Medium High Density Residential (RMH)

Project Team

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Section 1: Project Information

Background

Proposal

Tualatin Heights is a multi-family apartment complex located at 9301 SW Sagert Street, Tualatin, Oregon. The existing development includes 220 multi-family dwellings on 22.4 acres. The property is currently zoned Residential Medium Low (RML), with a maximum density of 10 dwelling units per acre. The property owner, UDR Inc. (UDR), is requesting a Plan Map Amendment (PMA) to allow for Residential Medium-High Density (RMH) on the site, increasing the allowed density to 15 dwelling units per acre for a maximum of 336 units. With an approved PMA, UDR plans to add up to 116 additional dwelling units to the site to more efficiently use the 22-acre site.

The existing and proposed Planning Districts have few differences in siting standards as they relate to multi-family development on the site. For the site's use, multi-family dwellings, the PMA would increase the maximum density from 10 units per acre to 15 units per acre. Other siting standards remain the same across both planning districts, as shown in Table 1.

Table 1. Standards for Multi-family Development in Existing and Proposed Planning Districts.

Standards	Medium Low Density Residential (RML)	Medium High Density Residential (RMH)
Maximum Density	10 units per acre	15 units per acre
Front Setback	35 feet	35 feet
Side & Rear Setbacks	12 feet	12 feet
Maximum Structure Height	35 feet	35 feet
Maximum Lot Coverage	40%	40%

Note: Setbacks described above are for a 2.5 story structure, the maximum permitted in both zones.

Site Context

The 22-acre site is located at 9301 SW Sagert Street (Figure 1: Location Map). The site abuts both a residential neighborhood and a business park. Surrounding the site are:

- To the west (across SW 95th Ave): Industrial businesses zoned Light Manufacturing (ML);
- To the south (across SW Sagert St): detached single family homes, zoned RML;
- To the east : detached single family homes, zoned RML; and
- To the north (across railroad tracks): business park with primarily commercial businesses, zoned ML.

Within the vicinity of the site are various community attractions and services, including, but not limited to:

- Tualatin Elementary School,
- Tualatin Town Center,
- Commercial and Industrial Corridors on SW Tualatin-Sherwood Road and SW Teton Ave,
- Ten Tri-met bus stops within ¼ mile of the site, and
- Tualatin WES Station.

Figure 1. Location Map

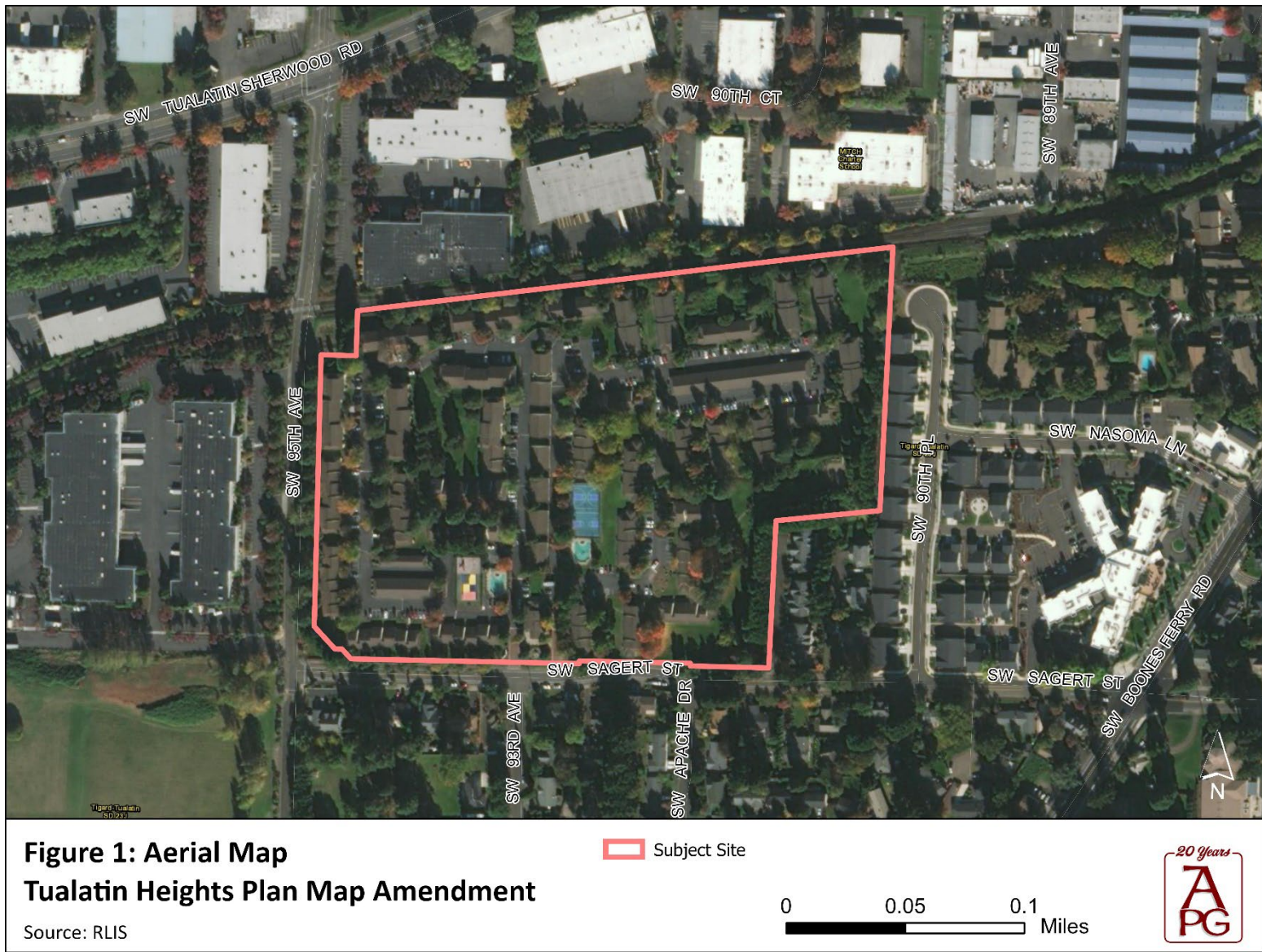


Figure 2. Vicinity Map

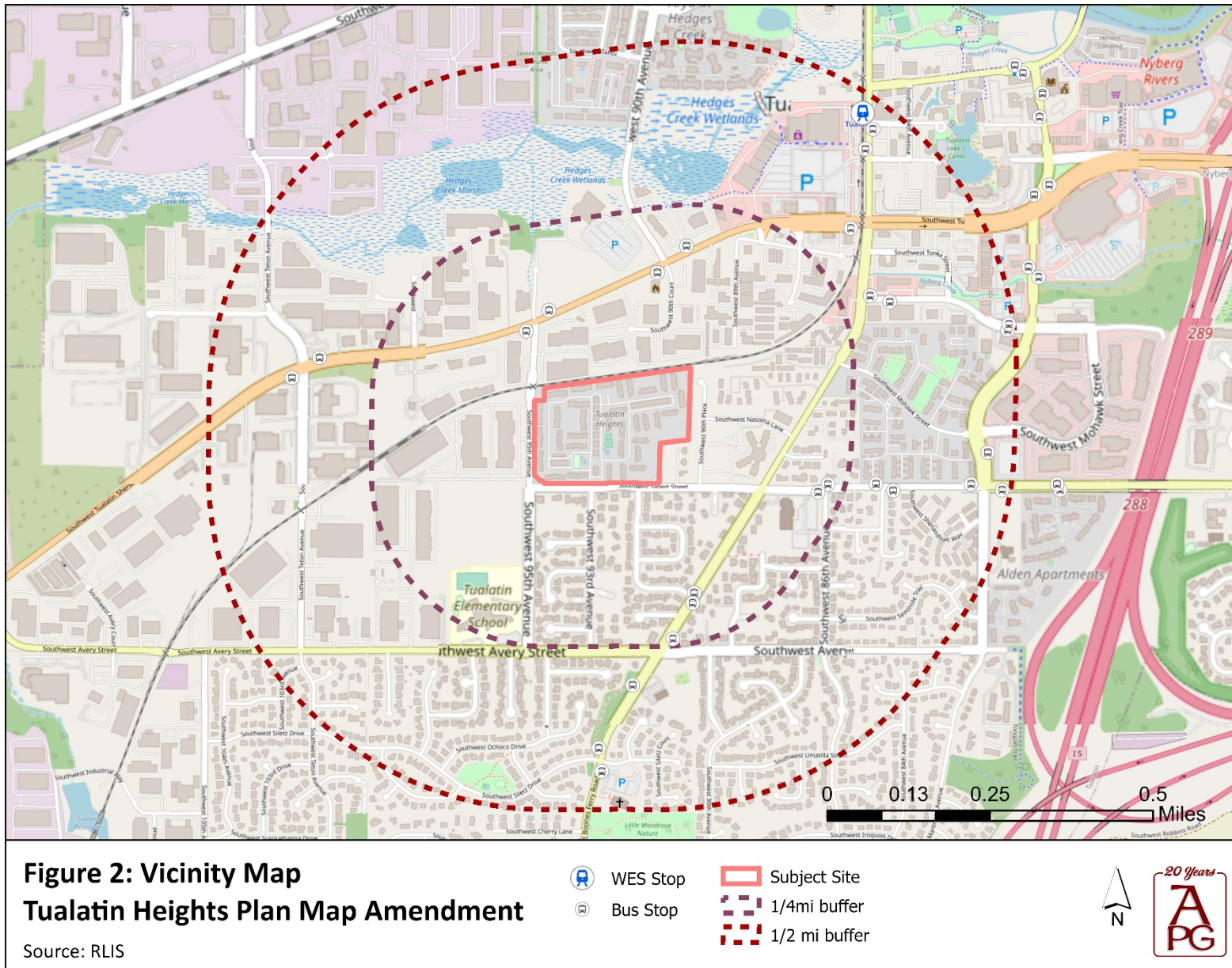


Figure 3. Existing Planning District

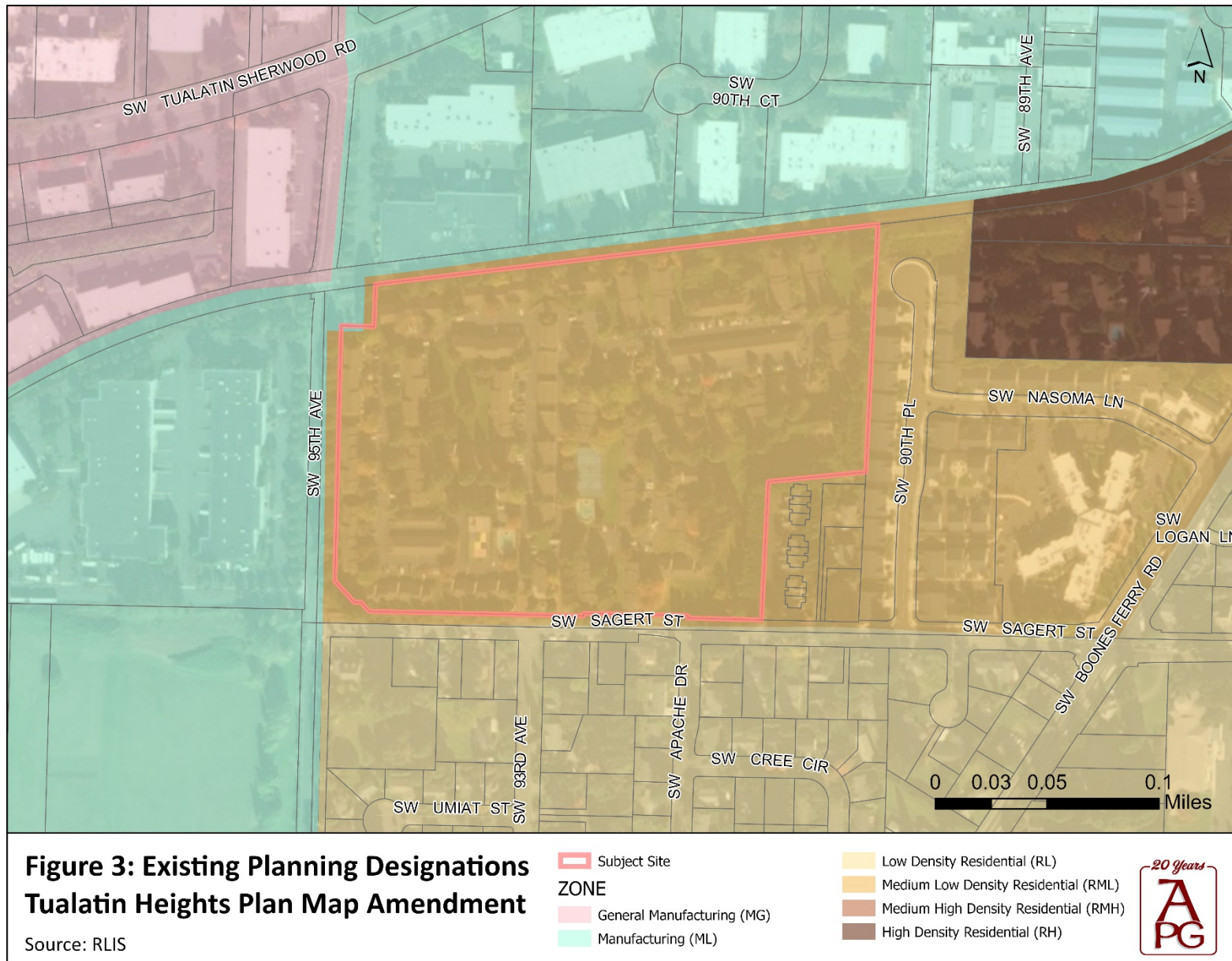
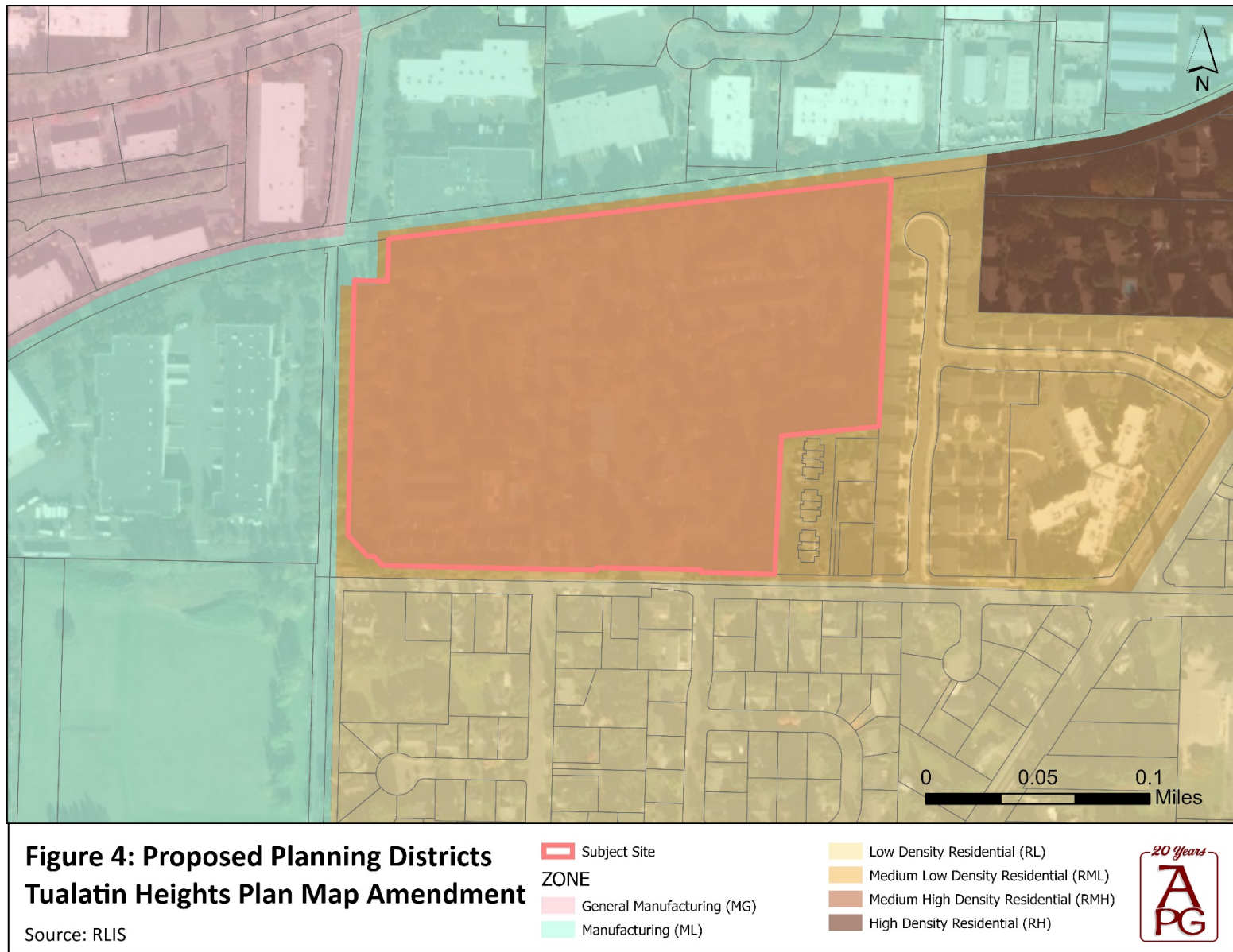


Figure 4. Proposed Planning District



Request

The requested Plan Map Amendment would increase the maximum permitted density on the site. With the increased density allowance, the applicant would like to redevelop portions of the complex internal to the site to create additional dwelling units. Findings of the Tualatin Housing Needs Analysis (HNA), completed in 2019, supports the need for additional multi-family housing in the City consistent with this proposed amendment request. The report demonstrates a need for multi-family dwelling units and land with medium- to high-density planning designations. As shown in Table 2 (Source: HNA), Tualatin has a surplus of dwelling unit capacity in the RML designation, with surplus capacity for approximately 315 units and 27 gross acres of land to accommodate growth. Meanwhile, there is a deficit of land for dwelling units in the RMH designation. A deficit of 109 dwelling units or 7 gross acres of land. In addition to the deficit, there is also a demand for 122 units in the RMH district (Source: See Table 2). The proposed amendment would provide potential capacity for an additional 116 dwelling units on the existing site and reduce the documented deficit of the RMH district.

In addition to the specific plan designations capacity needs, Tualatin has an overall citywide need for multi-family dwellings. According to the HNA,

“Tualatin will plan for more single-family attached and multi-family dwelling units in the future to meet the City’s housing needs. Historically, about 53% of Tualatin’s housing was single-family detached. While 40% of new housing in Tualatin is forecast to be single-family detached, the City will need to provide opportunities for development of new single-family attached (15% of new housing) and multi-family units (45% of new housing).”

According to the HNA, several demographic trends contribute to the need for “relatively affordable attached single-family housing and multi-family housing,” they are:

- *Demographic and economic trends will drive demand for relatively affordable attached single-family housing and multi-family housing in Tualatin. The key demographic trends that will affect Tualatin’s future housing needs are: (1) the aging of the Baby Boomers, (2) aging of the Millennials, and (3) continued growth in the Latinx population.*
- *As the Baby Boomers age, growth of retirees will drive demand for housing types specific to seniors, such as small and easy-to-maintain dwellings, assisted living facilities, or age-restricted developments.*
- *Tualatin’s ability to retain Millennials will depend on whether the city has opportunities for housing that both appeals to and is affordable to Millennials.*
- *Growth in the number of Latinx households will result in increased demand for housing of all types, both for ownership and rentals, with an emphasis on housing that is comparatively affordable. Latinx households are more likely to be larger than average, with more children and possibly with multigenerational households. (Source: 2019 HNA)*

As described in Goal 3.2 of the Comprehensive Plan, “Encourage development and preservation of housing that is affordable for all households in Tualatin,” Tualatin encourages housing for all that is

affordable and meets the needs of all its residents. The demographic trends reflect a diversity of residents (in age and race) that have diverse housing needs.

Table 2. Comparison of Plan Designation Capacities (Source: HNA Exhibit 4.)

Exhibit 4. Comparison of capacity of existing residential land with demand for new dwelling units and land surplus or deficit, Tualatin City Limits and Basalt Creek, 2020 to 2040

Source: Buildable Lands Inventory; Calculations by ECONorthwest. Note: DU is dwelling unit.

Residential Plan Designations	Capacity (Dwelling Units)	Demand for New Housing	Remaining Capacity (Supply minus Demand)	Land Surplus or (Deficit) Gross Acres
Low Density	523	466	57	10
Medium Low Density	386	71	315	27
Medium High Density	13	122	(109)	(7)
High Density	285	254	31	2
High Density High-Rise	-	101	(101)	(4)

This application requests the following Plan Map Amendment to change the Tualatin Heights designation from Medium Low Density Residential (RML) to Medium High Density Residential (RMH), subject to a Type VI-A review. The requested zone change would allow for an additional 116 units on the subject site, where the applicant plans to add additional multi-family units. A conceptual site plan showing how additional units can be developed is provided in Exhibit A.

Section 2: Compliance with Statewide Planning Goals

This section responds to the applicable Oregon Statewide Planning Goals.

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Response: Pursuant to the City of Tualatin requirements, a Neighborhood/Developer Meeting was held on June 9, 2021. A summary of the meeting is found in Exhibit B. Neighbors expressed specific concerns related to vehicle parking. The applicant heard these concerns, conducted a parking study, and is proposing the action noted in the Parking Assessment prepared by Kittelson & Associates. The assessment evaluated on-site and off-site parking conditions to improve understanding of the current conditions and to inform the parking management strategy. It also describes the current parking management policies for on-site parking.

A review of the on-street and apartment complex parking conditions revealed the following key findings:

- During the mid-week and Saturday time periods, existing on-street parking occupancy on the neighborhood street segments is never more than 54% utilized when looking at the collective whole. However, some segments along SW Sagert Street (between SW 95th Avenue and SW 93rd Avenue) have parking occupancy levels at 100% or close to 100% for most the study periods. It is unknown if the on-street parking is being generated by the adjacent single family homes, Tualatin Heights residents, or a combination of both.
- The total active parking supply within the Tualatin Heights apartment complex (excluding stalls available within the parking garage units that are primarily being used for storage) is 457 spaces.
- Peak apartment complex parking utilization was found during the 5:00-6:00 AM study period (79% during a mid-weekday and 81% on a Saturday). These findings indicate that the parking supply exceeds current demand.

For more information, the complete Parking Assessment is found in Exhibit C.

The application requires a Planning Commission and City Council hearing. Both public hearings will provide the opportunity for community members to provide comments on the application.

The proposed amendment is consistent with Goal 1.

Goal 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions. [...]

Response: The applicable Tualatin Comprehensive Plan and Development Code standards have been addressed in this application. The application will be reviewed pursuant to the Type VI-A review procedures for Plan Map Amendments.

The proposed amendment is consistent with Goal 2.

Goal 10 – Housing

To provide for the housing needs of citizens of the state.

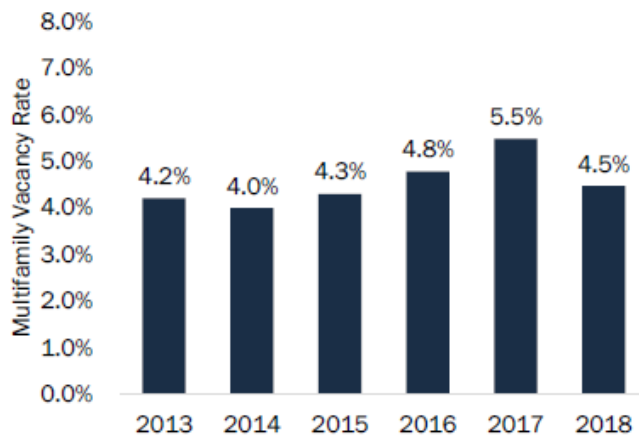
Response: The maximum permitted density would be increased on the site with the requested PMA, increasing the maximum density from 10 dwelling units per acre to 15 dwelling units per acre. This would add the potential for an additional 116 dwelling units through redevelopment of the Tualatin Heights site. The need for and importance of more multi-family units in Tualatin is supported by the HNA prepared in 2019. According to the HNA, Tualatin’s housing stock had a larger percentage of multi-family housing (42% of Tualatin’s housing stock) as compared to Washington County and Portland Metro region. However, the HNA also identified the need for more multi-family housing to meet the housing needs of a diverse range of Tualatin residents and provide housing opportunities for many of Oregon’s low-wage workers. According to the HNA, *“Tualatin’s key challenge over the next 20 years is providing opportunities for development of relatively affordable housing of all types, such as lower-cost single-family housing, townhouses and duplexes, market-rate multi-family housing, and government-subsidized affordable housing.”*

In addition, the extremely low vacancy rates for multi-family housing, see Table 3, shows there is strong demand for multi-family housing in Tualatin.

Table 3. Average Multi-family Vacancy Rates in Tualatin (Source: 2019 HNA)

Tualatin’s average multifamily vacancy rate dipped to a low of 4% in 2014. In 2018, Tualatin’s multifamily vacancy rate was 4.5%.

Exhibit 25. Average Multifamily Vacancy Rate, Tualatin, 2013 through 2018
Source: CoStar.



The proposed amendment will provide the opportunity for additional multi-family residential dwelling units in the City through a more efficient use of an existing site that is already a committed multi-family development.

The proposed Plan Map amendment is consistent with Goal 10.

Goal 11 – Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The proposed development is located within the Tualatin city limits. As a part of this application the applicant’s engineer prepared a reconnaissance analysis to determine if existing infrastructure is sufficient with the proposed increased density permitted by the PMA. The analysis determined that the infrastructure capacity is sufficient to accommodate the additional housing that would result from the PMA. A more detailed analysis of infrastructure would occur during subsequent permitting for development on the site. For more information, see the responses to the Tualatin Comprehensive Plan Chapter 8 policies in Section 3 of this narrative.

The proposed amendment is consistent with Goal 11.

Goal 12 – Transportation

To provide and encourage a safe, convenient and economic transportation system.

Response: Statewide Planning Goal 12 is implemented by the Transportation Planning Rule, OAR 660-012 (TPR). The applicant conducted a traffic assessment to determine future transportation conditions under the current zoning and under the proposed zoning. The following is the summary of the findings of that assessment. The full traffic assessment is presented in Exhibit D.

Existing Transportation Conditions

- Traffic counts were collected in June 2021 at all of the study intersections during the critical weekday AM and PM peak travel periods. Historical 2019 counts were supplemented at several key intersections in order to account for travel demand reductions associated with on-going COVID-related factors.
- Operational analyses indicate that all of the study intersections currently operate acceptably based on the applicable City of Tualatin and Washington county standards.

Future Year 2040 Traffic Conditions

- The proposed land use action is a unique case that would involve upzoning the Tualatin Heights apartment complex property. The complex is approximately 22 acres in size and contains 220-unit multifamily apartment units. The underlying

zoning is Residential Medium Low (RML) which currently allows for a maximum density of 10 dwelling units per acre. Accordingly, the Tualatin Heights apartment complex is essentially maximizing the allowed development potential under the existing zoning. In order to support a vision for additional housing units on the site, the property owner is proposing to modify the zoning to Residential Medium-High Density (RMH) which would increase the density to a maximum of 15 dwelling units per acre.

- Background traffic volumes for the 2040 planning horizon year were estimated using a combination of regional travel demand model output and historical growth trends. Since the existing site is built out to its maximum allowed density, the resulting 2040 background traffic volumes represent the future traffic conditions that can be expected under the existing RML zoning.
- Operations of the study intersections under 2040 Background conditions (assuming regional and local traffic growth but no land use action on the Tualatin Heights site) found that all of the study intersections are forecast to continue to operate acceptably during both the weekday AM and PM peak hours with the exception of the SW Boones Ferry Road/SW Sagert Street intersection. During the weekday AM Peak hour, this intersection is forecast to operate over capacity (v/c of 1.09) and at Level of Service F conditions.
- With the proposed RMH zoning, it was determined that the increased density allowance can potentially result in 116 additional multifamily housing units. Using ITE land use code 221, this increased density has the potential to generate approximately 630 net new daily trips, 42 net new AM peak hour trips, and 51 net new PM peak hour trips.
- Operations of the study intersections under the 2040 proposed RMH zoning scenario found that all of the study intersections are forecast to operate acceptably during both the weekday AM and PM peak hours with the continued exception of the SW Boones Ferry Road/SW Sagert Street intersection. During the weekday AM Peak hour, this intersection is forecast to also operate over capacity (v/c of 1.10) and at Level of Service F conditions. While a very small degradation in operations compared to existing zoning, this technically represents an impact to the operations of the intersection. To address TPR requirements, the identification of a long-term mitigation plan would be needed to restore capacity to the intersection and show it can meet operating standards.
 - Although not formally included in the City of Tualatin’s latest Transportation System Plan project list, the future year analysis behind the study did identify the potential for a northbound right-turn lane at the intersection. Such an improvement would restore capacity to the intersection and result in acceptable operations under both the 2040 no land use action and with the 2040 proposed RMH rezone.

The proposed amendment is consistent with Goal 12.

Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: The subject site is located inside the Tualatin city limits and the Metro UGB. The proposed PMA from RML to RMH for the Tualatin Heights Apartment site will permit more density on the site, allowing up to an additional 116 units on the 22-acre site. The PMA will provide the opportunity to more efficiently use an existing site that is already committed to multi-family residential use. Public facilities to serve the additional dwelling units are already in-place and have sufficient capacity to accommodate the new units.

The proposed amendment is consistent with Goal 14.

Section 3: Compliance with the Tualatin Comprehensive Plan (Tualatin 2040)

This section responds to the applicable policies and goals of the Tualatin Comprehensive Plan.

Chapter 1 – Community Involvement

POLICY 1.1.3 Conduct the planning process with adequate input and feedback from citizens in each affected neighborhood.

Response: The applicant hosted a Neighborhood/Developer Meeting to inform and received feedback from neighbors. A summary of the meeting can be found in Exhibit B. Pursuant to City of Tualatin requirements, the application will be reviewed through a Type VI-A process that includes public hearings at Planning Commission and City Council.

The proposed amendment is consistent with the policy.

Chapter 3 - Housing

POLICY 3.1.2 ZONING FOR MULTI-FAMILY. Provide zoning for multi-family development, which may be located in areas adjacent to transit.

Response: The site's use is multi-family housing, which is permitted in the current plan designation – RML. The proposed PMA would result in a RMH designation, which allows a higher density of multi-family development and would permit an additional 116 units on the 22-acre site. The site is located near several mass transit options. As shown in Figure 2, there are nine (9) bus stops located within a quarter mile from the site. Additionally, the Westside Express Service (WES) Tualatin station is located approximately a half mile from the site. The proposed amendment is consistent with the goal.

The proposed amendment is consistent with the policy.

GOAL 3.2 HOUSING FOR ALL. Encourage development and preservation of housing that is affordable for all households in Tualatin.

Response: Tualatin Heights Apartments is a multi-family housing complex that provides an alternative and typically a more affordable housing option to single-family detached housing for those who cannot afford a detached-single family home or prefer an alternative. The City's HNA prepared in 2019 detailed the demographic trends and groups that are more likely to live in multi-family housing.

The proposed PMA would allow development that would further enhance the choice of housing options in Tualatin as well as increase the availability of multi-family housing.

The proposed amendment is consistent with the goal.

GOAL 3.5 HOUSING AND TRANSPORTATION. Encourage development and redevelopment in Tualatin that supports all modes of transportation, including walking, biking, and mass transit.

Response: The proposed PMA will provide the opportunity to redevelop portions of the existing Tualatin Heights apartment complex and provide increased housing opportunities and density. Additional density typically supports transit service and alternative transportation options such as walking and biking. The site is located near several mass transit options. As shown in Figure 2, there are nine (9) bus stops located within a quarter mile from the site. Additionally, the Westside Express Service (WES) Tualatin station is located approximately a half mile from the site.

The proposed amendment is consistent with the goal.

Chapter 8 – Transportation

GOAL 8.1 ACCESS AND MOBILITY. Maintain and enhance the transportation system to reduce travel times, provide travel time reliability, provide a functional and smooth transportation system, and promote access for all users.

Response: Exhibit D demonstrates compliance with the TPR with policies that regulate safe, efficient, and effective transportation systems. Note, the requested PMA does not approve development on the site. Future development would require additional land use approvals. At that time, a Traffic Impact Analysis would be required (if the threshold is met) which would trigger an analysis of site impacts on the surrounding transportation system.

The proposed amendment is consistent with the goal.

Goal 9 – Public Facilities and Services

Goal 9.1 Water Plan, construct, and maintain a City water system that protects the public health, provides cost-effective water service, meets the demands of users, addresses regulatory requirements and supports all land uses.

Response: To achieve Goal 9.1, Policy 9.1.1 requires developers to aid in improving the water system by constructing facilities to serve new development and extend lines to adjacent properties.

The Tualatin Height Apartments are within the City of Tualatin Service Area B. The existing 222 multi-family units on the property are currently served by an existing, looped, 8-inch public main running through the site with two connections to a 12-inch public main in SW Sagert Street. The proposed PMA would provide the potential for an additional 116 multi-family units on the property. If the full 116 new units were constructed, the applicant's engineer has determined that the existing water infrastructure would be generally adequate to support future development and lines have already been constructed along the site frontage to adjacent properties. Detailed water modeling will be completed at the time of redevelopment to confirm the adequacy of the existing system.

The proposed amendment is consistent with Goal 9.1 and the corresponding policies of the Tualatin Comprehensive Plan.

Goal 9.2 Plan, construct, and maintain a City sewer system that protects the public health, protects the water quality of creeks, ponds, wetlands and the Tualatin River, provides cost-effective sewer service, meets the demands of users, addresses regulatory requirements and supports all land uses.

Response: To achieve Goal 9.2, Policy 9.2.4 requires developers to aid in improving the sewer system by constructing facilities to serve new development, as well as adjacent properties.

The 222 multi-family units at the Tualatin Heights Apartments are served by an existing, 8-inch public sewer main that runs in an easement along the north side of the site. The proposed PMA would provide the potential for an additional 116 multi-family units on the property. If the full 116 new units were constructed, the applicant's engineer has determined that the existing infrastructure would be generally adequate to support future development and adjacent parcels already have access to public sewer. Detailed sewer modeling will be completed at the time of redevelopment to confirm the adequacy of the existing system.

The proposed amendment is consistent with Goal 9.2 and the corresponding policies of the Tualatin Comprehensive Plan.

Goal 9.3 Provide a plan for routing surface drainage through the City, utilizing the natural drainages where possible. Update the plan as needed with drainage studies of problem areas and to respond to changes in the drainage pattern caused by urban development.

Response: To achieve Goal 9.3, Policy 9.3.7 requires the enforcement of drainage and stormwater management standards.

Stormwater runoff from the Tualatin Heights Apartments is currently collected and routed to an onsite stormwater management facility before discharging to an existing surface conveyance at the northeast corner of the site. The details and design parameters for the

existing facility are unknown. Redevelopment will trigger stormwater management improvements as required by Clean Water Services' Design and Construction Standards. A detailed storm report will be completed at the time of redevelopment to identify facilities that will address water quality, flow control and hydromodification requirements.

The proposed amendment is consistent with Goal 9.3 and the corresponding policies of the Tualatin Comprehensive Plan.

Section 4: Compliance with the Tualatin Development Code

This section responds to the applicable policies and goals of the Tualatin Development Code.

Ch. 33.070 Plan Amendments

(2)Applicability. Quasi-judicial amendments may be initiated by the City Council, the City staff, or by a property owner or person authorized in writing by the property owner. Legislative amendments may only be initiated by the City Council.

Response: The property owner is the applicant and has requested a Plan Map Amendment, a quasi-judicial amendment.

(3)Procedure Type.(a)Map or text amendment applications which are quasi-judicial in nature (e.g., for a specific property or a limited number of properties) is subject to Type IV-A Review in accordance with TDC Chapter 32.(b)Map or text amendment applications which are legislative in nature are subject to Type IV-B Review in accordance with TDC Chapter 32.

Response: The applicant understands the Plan Map amendment application is subject to a Type IV-A Review procedure.

(4)Specific Submittal Requirements. An application for a plan map or text amendment must comply with the general submittal requirements in TDC 32.140 (Application Submittal).

Response: This application package includes all applicable requirements for the application as described in TDC 32.140, they include, but are not limited to:

- Proof of Ownership (Exhibit F),
- Neighborhood Meeting Summary (Exhibit B),
- Application fees, and
- Application form.

(5) Approval Criteria.

(a) Granting the amendment is in the public interest.

Response: Amending the plan designation from RML to RMH will increase the permitted density on the site to allow for a maximum of 116 more units at the

Tualatin Heights Apartments site. The site currently contributes to diverse housing options in Tualatin, providing rental opportunities for apartments. The proposed PMA will enhance housing choices in the community and provide an affordable housing opportunity for existing and future residents. Housing is an important need in the Tualatin community, as supported by Tualatin Comprehensive Plan policies and goals (see Section 3 of this narrative). Providing additional housing opportunities and expanding housing choices within the City will support the public interest.

The requested Plan Map Amendment would increase the maximum permitted density on the site. With the increased density allowance, the applicant would like to redevelop portions of the complex internal to the site to create additional dwelling units. Findings of the Tualatin Housing Needs Analysis (HNA), completed in 2019, supports the need for additional multi-family housing in the City consistent with this proposed amendment request. The report demonstrates a need for multi-family dwelling units and medium- to high-density plan designations. As shown in Table 2 (taken from the City's HNA), Tualatin has a surplus of dwelling unit capacity in the RML designation, with surplus capacity for approximately 315 units and 27 gross acres of land to accommodate growth. Meanwhile there is a deficit of land for dwelling units in the RMH designation, a deficit of 109 dwelling units or 7 gross acres of land. In addition to the deficit, there is also a demand for 122 units in the RMH district (Source: See Table 2). The proposed amendment would provide potential capacity for an additional 116 dwelling units on the existing site and reduce the documented deficit within the RMH district.

The PMA will also provide the opportunity to further diverse housing options in Tualatin, through a more efficient use of an existing site that is already a committed multi-family development. Also, additional density typically supports transit service and alternative transportation options such as walking and biking. Public facilities to serve the additional dwelling units are already in-place and have sufficient capacity to accommodate the new units.

The criterion is met.

(b) The public interest is best protected by granting the amendment at this time.

Response: As demonstrated above, it is in the public interest to provide additional multi-family housing in Tualatin. In Chapter 4 of the HNA, trends affecting housing in Tualatin are discussed. Various trends remain pertinent and contribute to significant issues in the Tualatin and Oregon community: rent-burdened households and houselessness. According to the HNA, housing costs affect Oregon's low-wage workers the most, and low-wage employment is a growing share of the Oregon economy. Thus, the HNA states, "*Tualatin has a large share of multi-family housing (about 41% of the City's housing stock), but over half of renter households are cost burdened. Tualatin's key challenge over*

the next 20 years is providing opportunities for development of relatively affordable housing of all types, such as lower-cost single-family housing, townhouses and duplexes, market-rate multi-family housing, and government-subsidized affordable housing.”

The need for more housing has been and will continue to be an issue at the forefront of Oregon’s policy issues for years to come. The proposed PMA will provide the opportunity to redevelop portions of the existing Tualatin Heights apartment complex and provide increased housing opportunities and density. This proposed action will protect and enhance the public’s interest.

The criterion is met.

(c) The proposed amendment is in conformity with the applicable goals and policies of the Tualatin Comprehensive Plan.

Response: Conformance with applicable Tualatin Comprehensive Plan goals and policies are addressed in Section 3 of this narrative.

(d) The following factors were consciously considered:

(i) The various characteristics of the areas in the City;

Response: The neighborhood characteristics were considered in the proposal. The existing multi-family development site is located at the edge of a low- to medium-density residential neighborhood and abuts a light industrial zone to the north. The site’s current and proposed use and design are an ideal transition between the two zones.

With the increased density permitted on the site, the applicant intends to redevelop internal areas of the site to provide additional units. Changes internal to the site are expected to have minimal impacts on neighboring sites and will comply with applicable Tualatin Development Code standards, as determined through a future Architectural Review application following the PMA request.

At the Neighborhood/Developer Meeting neighbors expressed concerns about traffic and parking conditions in the site’s vicinity. In response, the applicant analyzed on-site and on-street parking abutting the site (see Parking Assessment, Exhibit C).

The criterion is met.

(ii) The suitability of the areas for particular land uses and improvements in the areas;

Response: The site is currently the location of the Tualatin Heights Apartments. There are 220 existing multi-family dwellings on the 22.4 acre site. The PMA would result in the redevelopment of a portion of the existing site with up to 116 additional multi-family dwelling units. The area is located near schools and employment opportunities. Tualatin Elementary school is within walking distance of the site, approximately ¼ mile away down SW 95th Ave . Tualatin High School is located just over a mile away.

There are a number of commercial and industrial businesses located along SW Tualatin-Sherwood Road, and SW Teton Ave, including the commercial hub located next to Interstate-5 located just over a mile from the site.

Multi-family development is often encouraged near transit. Within quarter-mile of the Tualatin Heights site there are nine (9) bus stops. Additionally, the Tualatin WES station is located approximately 0.8 miles walking distance from the site (see Figure 2).

The PMA will provide the opportunity to more efficiently use an existing site that is already committed to multi-family residential use. Public facilities to serve the additional dwelling units are already in-place and have sufficient capacity to accommodate the new units. The site and area are well-suited to support the proposed PMA.

The criterion is met.

(iii) Trends in land improvement and development;

Response: Recent land improvement and development trends have emphasized the need for a diversity in housing options. This finding is supported by the City's HNA prepared in 2019. The need to more efficiently use existing properties within the UGB is also a trend that is addressing housing costs and choice. The PMA will provide the opportunity to more efficiently use an existing site that is already committed to multi-family residential use. Public facilities to serve the additional dwelling units are already in-place and have sufficient capacity to accommodate the new units.

As noted in previous responses the proposed amendment is consistent with the trend of providing more multi-family housing to provide more housing choice and typically more affordable options to individuals and families.

The criterion is met.

(iv) Property values;

Response: The site is currently committed to multi-family development. Property values in the area already recognize the use as multi-family and

have accounted for any impact on value. The proposed PMA would continue this multi-family use on the site and would not alter property values.

The criterion is met.

(v) The needs of economic enterprises and the future development of the area; needed right-of-way and access for and to particular sites in the area;

Response: There is existing right-of-way and access to the site that does not obstruct or conflict with any surrounding sites. North of the site is a railroad right-of-way, which creates a buffering north and eliminates the potential for any access from the north of the property.

The criterion is met.

(vi) Natural resources of the City and the protection and conservation of said resources;

Response: There are no protected natural resources located on the site. The PMA would increase the permitted density on the site, allowing a more efficient use of land in the existing development. More efficient use of land located within the UGB and urban area of Tualatin could reduce pressure to expand the UGB.

The criterion is met.

(vii) Prospective requirements for the development of natural resources in the City;

Response: There are no protected natural resources located on the site.

The criterion is not applicable.

(viii) The public need for healthful, safe, esthetic surroundings and conditions; and

Response: The Tualatin Heights Apartments currently provides safe and healthy living conditions to its residents. The site includes amenities such as a pool and common rooms, and they will continue to exist and operate on the site.

The site provides buffering to the surrounding neighborhood via landscaping. Any future development will be reviewed for consistency with the TDC standards, including buffering and landscaping.

The Parking Assessment (Exhibit C) evaluated the current parking conditions at the Tualatin Heights Complex and on-street parking on the neighboring streets of SW Sager Street, SW 93rd Avenue, and SW Apache Drive. The

evaluation determined there are 457 spaces existing on the site: 417 surface parking spaces on the site and 40 covered spaces (either in carports or garages). With the existing 457 parking spaces there was a maximum utilization of 79%. The assessment accounted for buffers from fire hydrants and mailboxes. Concerns about access to mailboxes and waste collection were expressed by the neighbors during the Neighborhood/Developer Meeting.

The applicant and property owner/manager, UDR, has a well-organized system for delegating parking spaces to residents. They plan to maintain the structured, well-organized parking system and meet the parking requirements associated with additional units at the time of their construction, pursuant to TDC 73C.

As described above, the HNA demonstrates a clear need for additional multi-family housing in Tualatin. Approval of the requested PMA would permit development of additional multi-family units on the Tualatin Heights site, creating additional housing opportunities for the current and future Tualatin residents.

The criterion is met.

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

Response: The proposed plan map amendment is not associated with a mistake in the Plan Text or Plan Map, nor is there a change in the neighborhood or area. The PMA will provide the opportunity to more efficiently use an existing site that is already committed to multi-family residential use.

The criterion is not applicable.

(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.

Response: As demonstrated in Exhibit E, the additional dwelling units that would result from the proposed PMA can be reasonably accommodated by the Tigard/Tualatin School District schools that serve the Tualatin Heights apartments. The criterion is met.

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

Response: The applicant conducted a traffic assessment to determine future transportation conditions under the current zoning and under the proposed zoning. The following is the summary of the findings of that assessment. The full traffic assessment is presented in Exhibit D.

Existing Transportation Conditions

- Traffic counts were collected in June 2021 at all of the study intersections during the critical weekday AM and PM peak travel periods. Historical 2019 counts were supplemented at several key intersections in order to account for travel demand reductions associated with on-going COVID-related factors.
- Operational analyses indicate that all of the study intersections currently operate acceptably based on the applicable City of Tualatin and Washington county standards.

Future Year 2040 Traffic Conditions

- The proposed land use action is a unique case that would involve upzoning the Tualatin Heights apartment complex property. The complex is approximately 22 acres in size and contains 220-unit multifamily apartment units. The underlying zoning is Residential Medium Low (RML) which currently allows for a maximum density of 10 dwelling units per acre. Accordingly, the Tualatin Heights apartment complex is essentially maximizing the allowed development potential under the existing zoning. In order to support a vision for additional housing units on the site, the property owner is proposing to modify the zoning to Residential Medium-High Density (RMH) which would increase the density to a maximum of 15 dwelling units per acre.
- Background traffic volumes for the 2040 planning horizon year were estimated using a combination of regional travel demand model output and historical growth trends. Since the existing site is built out to its maximum allowed density, the resulting 2040 background traffic volumes represent the future traffic conditions that can be expected under the existing RML zoning.
- Operations of the study intersections under 2040 Background conditions (assuming regional and local traffic growth but no land use action on the Tualatin Heights site) found that all of the study intersections are forecast to continue to operate acceptably during both the weekday AM and PM peak hours with the exception of the SW Boones Ferry Road/SW Sagert Street intersection. During the weekday AM Peak hour, this intersection is forecast to operate over capacity (v/c of 1.09) and at Level of Service F conditions.
- With the proposed RMH zoning, it was determined that the increased density allowance can potentially result in 116 additional

multifamily housing units. Using ITE land use code 221, this increased density has the potential to generate approximately 630 net new daily trips, 42 net new AM peak hour trips, and 51 net new PM peak hour trips.

- Operations of the study intersections under the 2040 proposed RMH zoning scenario found that all of the study intersections are forecast to operate acceptably during both the weekday AM and PM peak hours with the continued exception of the SW Boones Ferry Road/SW Sagert Street intersection. During the weekday AM Peak hour, this intersection is forecast to also operate over capacity (v/c of 1.10) and at Level of Service F conditions. While a very small degradation in operations compared to existing zoning, this technically represents an impact to the operations of the intersection. To address TPR requirements, the identification of a long-term mitigation plan would be needed to restore capacity to the intersection and show it can meet operating standards.
 - Although not formally included in the City of Tualatin's latest Transportation System Plan project list, the future year analysis behind the study did identify the potential for a northbound right-turn lane at the intersection. Such an improvement would restore capacity to the intersection and result in acceptable operations under both the 2040 no land use action and with the 2040 proposed RMH rezone.

As demonstrated in Exhibit D, the proposed amendment is consistent with the TPR. The criterion is met.

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

Response: The following Functional Plan sections are applicable to the proposed amendment.

Title 1 – Housing Capacity requires a city or county maintain or increase its housing capacity.

The findings of the 2019 HNA demonstrate a need for housing, particularly multi-family housing in Tualatin. It also demonstrates a deficit and demand for medium-to high-density residential plan designations, which includes the proposed plan designation. The proposed amendment will facilitate development of additional multi-family units.

The requested Plan Map Amendment would increase the maximum permitted density on the site. With the increased density allowance, the applicant would like to redevelop portions of the complex internal to the site to create additional dwelling units. Findings of the Tualatin Housing Needs

Analysis (HNA), completed in 2019, supports the need for additional multi-family housing in the City consistent with this proposed amendment request. The report demonstrates a need for multi-family dwelling units and medium-to high-density plan designations. As shown in Table 2 (taken from the City's HNA), Tualatin has a surplus of dwelling unit capacity in the RML designation, with surplus capacity for approximately 315 units and 27 gross acres of land to accommodate growth. Meanwhile there is a deficit of land for dwelling units in the RMH designation, a deficit of 109 dwelling units or 7 gross acres of land. In addition to the deficit, there is also a demand for 122 units in the RMH district (Source: See Table 2). The proposed amendment would provide potential capacity for an additional 116 dwelling units on the existing site and reduce the documented deficit of the RMH district.

The PMA will also provide the opportunity to more efficiently use an existing site that is already committed to multi-family residential use. Public facilities to serve the additional dwelling units are already in-place and have sufficient capacity to accommodate the new units.

The standard is met.

Title 7 – Housing Choice implements policies regarding establishment of voluntary affordable housing production goals to be adopted by local governments.

3.07.730 Requirements for Comprehensive Plan and Implementing Ordinance Changes Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

(a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

(b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.

(c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.

The proposed amendment will allow an increase of diversity of housing in Tualatin by allowing development of additional multi-family units. Although, Tualatin Heights Apartments are not government regulated affordable housing, multi-family development is typically a more affordable housing option when compared to detached single family home.

Recent land improvement and development trends have emphasized the need for a diversity in housing options and choice. This finding is supported by the City's HNA prepared in 2019. The need to more efficiently use existing

properties within the UGB is also a trend that is addressing housing costs and choice. The PMA will provide the opportunity to more efficiently use an existing site that is already committed to multi-family residential use. Public facilities to serve the additional dwelling units are already in-place and have sufficient capacity to accommodate the new units.

As noted in previous responses the proposed amendment is consistent with the trend of providing more multi-family housing to provide more housing choice and typically more affordable options to individuals and families.

The standard is met.

Title 12 – Protection of Residential Neighborhoods protects existing residential neighborhoods from pollution, noise, crime, and provides adequate levels of public services.

3.07.1220 Residential Density Metro shall not require any city or county to authorize an increase in the residential density of a single-family neighborhood in an area mapped solely as Neighborhood.

The proposed development is located adjacent to low- to medium-density neighborhoods. It is also abutting the Light Industrial zone. The site provides a transition compatible with all surrounding uses.

The City is not required to authorize an increase of density through the requested PMA. However, this application demonstrates that the proposed amendment is a public interest to provide multi-family housing in the community where a deficit and need has been identified.

The standard is met.

(i) Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to applicable goals and policies in the Tualatin Comprehensive Plan, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

Response:

WATER

Goal 9.1 of the Tualatin Comprehensive Plan is to “Plan, construct and maintain a City water system that protects the public health, provides cost-effective water service, meets the demands of users, addresses regulatory requirements and supports all land uses.”

To achieve Goal 9.1, Policy 9.1.1 requires developers to aid in improving the water system by constructing facilities to serve new development and extend lines to adjacent properties.

The Tualatin Height Apartments are within the City of Tualatin Service Area B. The existing 222 multi-family units on the property are currently served by an existing, looped, 8-inch public main running through the site with two connections to a 12-inch public main in SW Sagert Street. The proposed PMA would provide the potential for an additional 116 multi-family units on the property. If the full 116 new units were constructed, the applicant's engineer has determined that the existing water infrastructure would be generally adequate to support future development and lines have already been constructed along the site frontage to adjacent properties. Detailed water modeling will be completed at the time of redevelopment to confirm the adequacy of the existing system.

The proposed amendment is consistent with Goal 9.1 and the corresponding polices of the Tualatin Comprehensive Plan.

SANITARY SEWER

Goal 9.2 of the Tualatin Comprehensive Plan is to *“Plan, construct and maintain a City sewer system that protects the public health, protects the water quality of creeks, ponds, wetlands and the Tualatin River, provides cost-effective sewer service, meets the demands of uses, addresses regulatory requirements and supports all land uses.”* To achieve Goal 9.2, Policy 9.2.4 requires developers to aid in improving the sewer system by constructing facilities to serve new development, as well as adjacent properties.

The 222 multi-family units at the Tualatin Heights Apartments are served by an existing, 8-inch public sewer main that runs in an easement along the north side of the site. The proposed PMA would provide the potential for an additional 116 multi-family units on the property. If the full 116 new units were constructed, the applicant's engineer has determined that the existing infrastructure would be generally adequate to support future development and adjacent parcels already have access to public sewer. Detailed sewer modeling will be completed at the time of redevelopment to confirm the adequacy of the existing system.

The proposed amendment is consistent with Goal 9.2 and the corresponding policies of the Tualatin Comprehensive Plan.

STORM DRAINAGE

Goal 9.3 of the Tualatin Comprehensive Plan is to “Provide a plan for routing surface drainage through the City, utilizing the natural drainages where possible. Update the plan as needed with drainage studies of problem area and to respond to changes in the drainage pattern caused by urban development.” To achieve Goal 9.3, Policy 9.3.7 requires the enforcement of drainage and stormwater management standards.

Stormwater runoff from the Tualatin Heights Apartments is currently collected and routed to an onsite stormwater management facility before discharging to an existing surface conveyance at the northeast corner of the site. The details and design parameters for the existing facility are unknown. Redevelopment will trigger stormwater management improvements as required by Clean Water Services’ Design and Construction Standards. A detailed storm report will be completed at the time of redevelopment to identify facilities that will address water quality, flow control and hydromodification requirements.

The proposed amendment is consistent with Goal 9.3 and the corresponding policies of the Tualatin Comprehensive Plan.

The criterion is met.

(j) The applicant has entered into a development agreement. This criterion applies only to an amendment specific to property within the Urban Planning Area (UPA), also known as the Planning Area Boundary (PAB), as defined in both the Urban Growth Management Agreement (UGMA) with Clackamas County and the Urban Planning Area Agreement (UPAA) with Washington County.

Response: The subject property is not located in the UPA.

The criterion is not applicable.

Section 5: Conclusion

In summary, the proposal complies with the applicable approval criteria. The applicant requests that the City approve the Plan Map Amendment to amend the subject site’s Plan Map designation to Medium High Density Residential (RMH).

CERTIFICATION OF SIGN POSTING



The applicant must provide and post a sign pursuant to Tualatin Development Code ([TDC 32.150](#)). The block around the word "NOTICE" must remain **blue** composed of the **RGB color values Red 0, Green 112, and Blue 192**. A template of this sign design is available at:

<https://www.tualatinoregon.gov/planning/land-use-application-sign-templates>

NOTE: For larger projects, the Community Development Department may require the posting of additional signs in conspicuous locations.

As the applicant for the Tualatin Heights Plan Map Amendment project, I hereby certify that on this day, 2 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: Emma Porricolo (Please Print)

Applicant's Signature: 

Date: 09/30/21



MEMORANDUM

Tualatin Heights Plan Map Amendment School Findings

DATE June 23, 2021
TO Traci Rose, Community Relations Division, Tigard-Tualatin School District
FROM Frank Angelo and Emma Porricolo, APG
CC Andrew Lavaux, UDR Inc.
Jon McGrew, Hennebery Edy Architects

Project Description

Tualatin Heights is a multifamily apartment development located at 9301 SW Sagert Street, Tualatin, Oregon, 97062. The existing development includes 220 multifamily dwellings on 22.4 acres. The property is currently zoned Residential Medium Low (RML), with a maximum density of 10 dwelling units per acre. The property owner, UDR Inc., would like to apply for a Plan Map Amendment to allow for Residential Medium-High Density (RMH) on the site, increasing the density to 15 dwelling units per acre for a maximum of 336 units. The attached site plan diagrams describe the proposed concept for developing two new multifamily buildings and relocating existing outdoor amenity space to accommodate their construction.

Plan Map Amendment – School Criteria

The City of Tualatin’s review criteria for a Plan Map Amendment includes providing findings for the following (Tualatin Code Section 33.070. 5.E):

(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.

The applicant has prepared the attached draft findings related to school capacity with the proposed Plan Map Amendment. These findings demonstrate no real impact on school capacity at the three schools students from the Tualatin Heights complex attend.

We would request that the Tigard-Tualatin School District staff review the attached findings and provide a response on the conclusions reached. The school findings and the District’s response will be included in the Plan Map Amendment application submitted to the City of Tualatin for review and approval.

If you have any questions, please contact Frank Angelo at fangelo@angeloplanning.com or at 503-577-5087. Thank you for your assistance in this matter.

Response: Tualatin Heights is a multifamily apartment development located at 9301 SW Sagert Street, Tualatin, Oregon, 97062. The existing development includes 220 multifamily dwellings on 22.4 acres. The property is currently zoned Residential Medium Low (RML), with a maximum density of 10 dwelling units per acre. The property owner, UDR Inc., will be submitting an application for a Plan Map Amendment to allow for Residential Medium-High Density (RMH) on the site, increasing the density to 15 dwelling units per acre for a maximum of 336 units. If approved, and additional 116 multifamily units could be developed on the site.

The City of Tualatin's review criteria for a Plan Map Amendment includes providing findings for the following (Tualatin Code Section 33.070. 5.E):

(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.

Given the request involves residential uses the application needs to address this review factor.

Student Forecast

Tualatin Heights is served by the following Tigard-Tualatin School District schools:

- Tualatin Elementary School
- Hazelbrook Middle School
- Tualatin High School

In order to forecast any potential impact on school capacity, we have assumed the following formula for the number of students generated by the 116 additional market rate units at Tualatin Heights:

- ES: 0.11 students / unit
- MS: 0.05 students / unit
- HS: 0.06 students / unit

This formula is the student generation formula used by the Beaverton School District when forecasting new students from a proposed development. The applicant searched the Tigard-Tualatin School District website for a similar formula but was unable to find one. Therefore, the applicant has used the best information available for this assessment.

Based on the above formula, the Plan Map Amendment from Residential Medium Low (RML) to Residential Medium-High Density (RMH) will generate the following number of new students at the three levels:

- Elementary School: $116 \text{ units} \times 0.11/\text{unit} = 13 \text{ ES students}$
- Middle School: $116 \times 0.05/\text{unit} = 6 \text{ MS students}$

- High School: $116 \times 0.06/\text{unit} = 7$ HS students

School Capacity

A review of the Tigard-Tualatin School District Enrollment Forecasts (2019/20 to 2028/29) prepared by the Portland State University Population Research Center for the District in January 2019 indicates that there is sufficient capacity at the three schools is question to accommodate the increase in student enrollment generated by the Tualatin Heights Plan Map Amendment. Attachment 1 shows the Forecasts for Individual Schools (in the TTSD), 2019-20 to 2028-29. This table notes that enrollment at both Tualatin Elementary School and Hazelbrook Middle School is forecasted to decrease over the 10-year period. The table also shows that Tualatin High School is expected to grow by a modest amount over the same period.

Tualatin Elementary School

Tualatin Heights Plan Map Amendment will generate 13 additional elementary school children at Tualatin Elementary School. Attachment 2 shows the enrollment forecast at Tualatin Elementary School compared to the student capacity of the school. As can be seen, between 2018/19 and 2028/29 student enrollment at Tualatin ES is expected to decline from 488 students to 467 students. The capacity of the Tualatin ES is shown as 624 students. Therefore, the addition of 13 new elementary school students resulting from the Tualatin Heights Plan Map Amendment will have no impact on the school capacity and the addition these 13 students would still leave Tualatin ES enrollment less than in 2018/19 (480 students).

Hazelbrook Middle School

Tualatin Heights Plan Map Amendment will generate 6 additional middle school children at Hazelbrook Middle School. Attachment 3 shows the enrollment forecast at Hazelbrook Middle School compared to the student capacity of the school. As can be seen, between 2018/19 and 2028/29 student enrollment at Hazelbrook MS is expected to decline from 995 students to 955 students. The capacity of the Hazelbrook MS is shown as 1,000 students. Therefore, the addition of 6 new middle school students resulting from the Tualatin Heights Plan Map Amendment will have no impact on the school capacity and the addition these 6 students would still leave Hazelbrook MS enrollment less than in 2018/19 (961 students).

Tualatin High School

Tualatin Heights Plan Map Amendment will generate 7 additional high school children at Tualatin High School. Attachment 4 shows the enrollment forecast at Tualatin High School. The school's student capacity is not shown on this table but can be determined from the description of the Tualatin HS School Bond project that was completed in 2019:

Tualatin High's main building was built for 1,700 students. Nearly 2,000 students are currently enrolled. It is undersized both for the number of students it serves now and in comparison to 2,000-student high schools being built today. More classrooms, restrooms, an expanded Commons (lunchroom), locker rooms and P.E. spaces are needed for existing and projected enrollments.

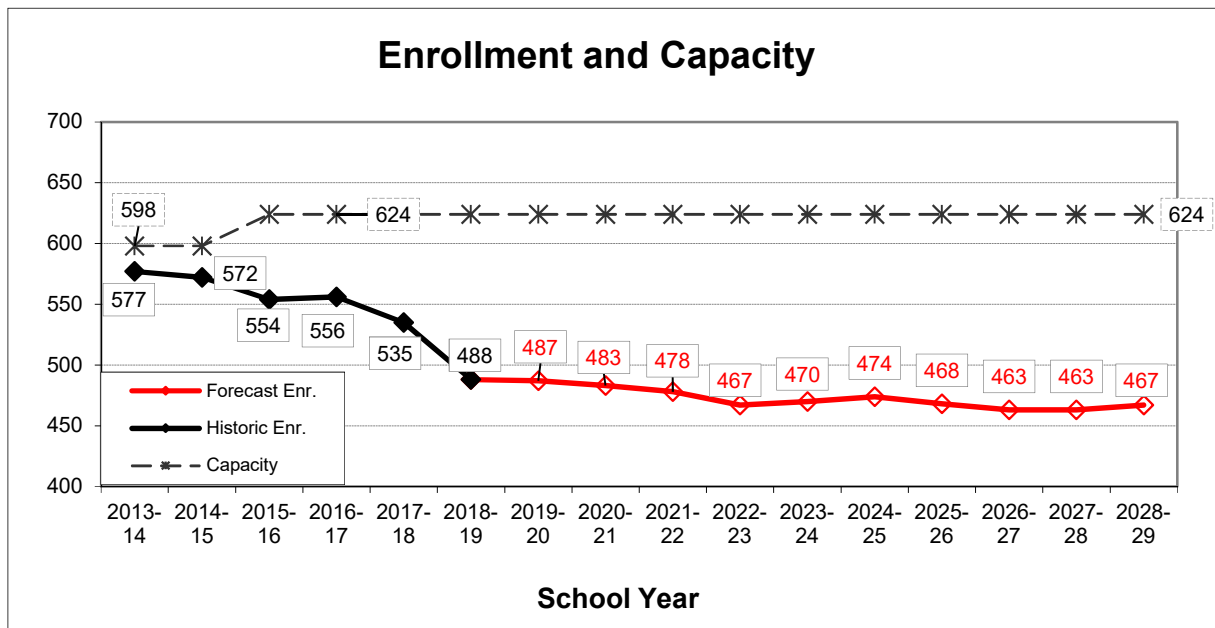
The School Bond passed by Tualatin SD voters in 2016 provided additional classrooms at Tualatin HS to bring the school's capacity to 2,000 students. As can be seen on Attachment 4, between 2018/19 and 2028/29 student enrollment at Tualatin HS is expected to increase from 1,947 students to 2,017 students. The capacity of the Tualatin HS is considered to be 2,000 students. Therefore, the addition of 6 new high school students resulting from the Tualatin Heights Plan Map Amendment will have no impact on the school capacity.

**Table 13
Enrollment Forecasts for Individual Schools, 2019-20 to 2028-29**

School	Actual 2018-19	Forecast										Change 2018-19- 2028-29
		2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	
Alberta Rider	558	559	591	601	623	642	657	677	693	703	711	153
Bridgeport	549	563	560	571	562	553	547	546	541	540	542	-7
Byrom	557	553	546	545	543	545	541	538	538	539	543	-14
C.F. Tigard*	478	493	495	493	502	501	495	488	488	489	496	18
Deer Creek	605	590	600	628	619	616	632	630	630	635	647	42
Durham	560	542	570	601	602	593	589	589	588	587	591	31
Mary Woodward	569	599	622	635	662	660	670	669	666	661	665	96
Metzger*	618	604	588	583	577	580	582	587	591	598	607	-11
Templeton	556	550	558	557	546	542	556	554	550	549	557	1
Tualatin	488	487	483	478	467	470	474	468	463	463	467	-21
Elementary Totals	5,538	5,540	5,613	5,692	5,703	5,702	5,743	5,746	5,748	5,764	5,826	288
Fowler M.S.	835	871	886	883	871	876	872	914	923	933	920	85
Hazelbrook M.S.	995	980	980	976	991	968	981	968	973	968	955	-40
Twality M.S.	1,034	1,093	1,066	1,052	1,021	1,076	1,090	1,101	1,109	1,145	1,142	108
Middle School Totals	2,864	2,944	2,932	2,911	2,883	2,920	2,943	2,983	3,005	3,046	3,017	153
Tigard H.S.	1,832	1,781	1,763	1,806	1,860	1,884	1,915	1,879	1,884	1,908	1,941	109
Tualatin H.S.	1,947	1,966	2,026	2,031	2,071	2,075	2,022	2,051	2,040	2,038	2,071	124
Durham Center	52	52	52	52	52	52	52	52	52	52	52	0
Tig.-Tual. Online	93	93	93	93	93	93	93	93	93	93	93	0
High School Totals	3,924	3,892	3,934	3,982	4,076	4,104	4,082	4,075	4,069	4,091	4,157	233
District Totals	12,326	12,376	12,479	12,585	12,662	12,726	12,768	12,804	12,822	12,901	13,000	674

**Note: Forecasts include the impact of a boundary change. New students residing in a portion of the former Metzger area were assigned to C.F. Tigard beginning in 2016-17. Population Research Center, Portland State University, December 2018.*

Tualatin Elementary School



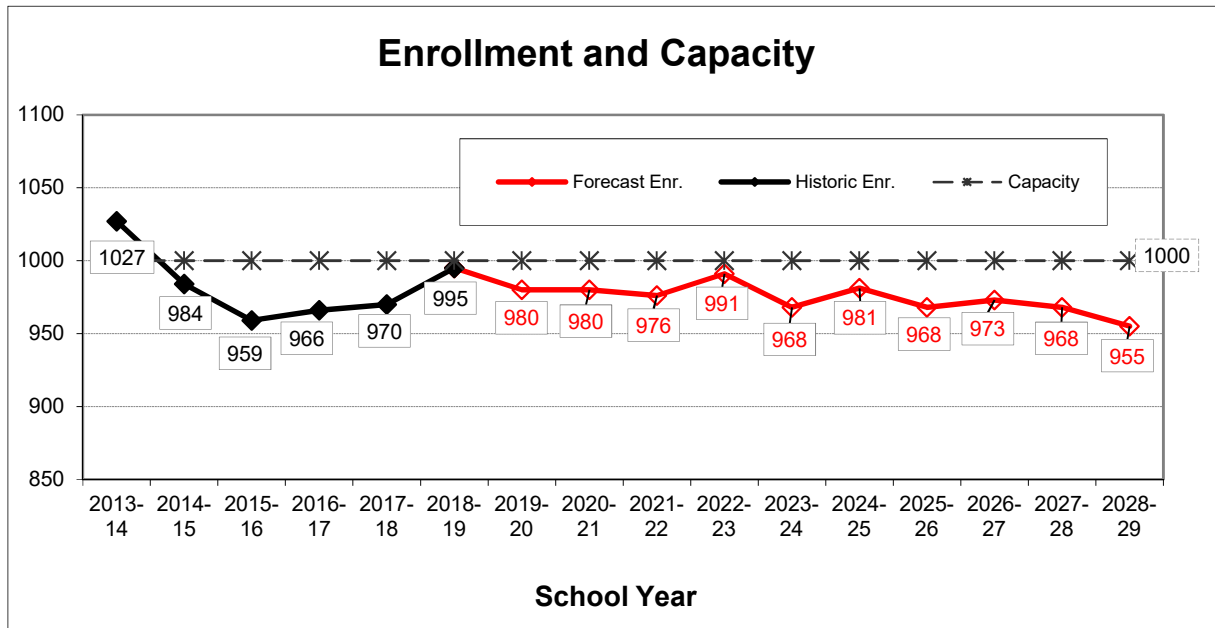
Note: Capacity prior to 2015-16 at all elementary schools includes some half day kindergarten classes. Beginning in 2015-16 all kindergarten classes are full day, thereby reducing capacity in some cases.

Enrollment History and Forecast				
	History		Forecast	
	2013-14	2018-19	2023-24	2028-29
Total enrollment	577	488	470	467
5 year Change		-89	-18	-3

New Housing Units Authorized by Building Permits					
	Permit Year				
	2014	2015	2016	2017	2018 (Jan-Sep)
Single Family Units	7	6	39	20	1
Multiple Family Units	0	14	0	0	0

Source: Permit reports from Construction Monitor, Inc., processed and geocoded by PSU-PRC.

Hazelbrook Middle School

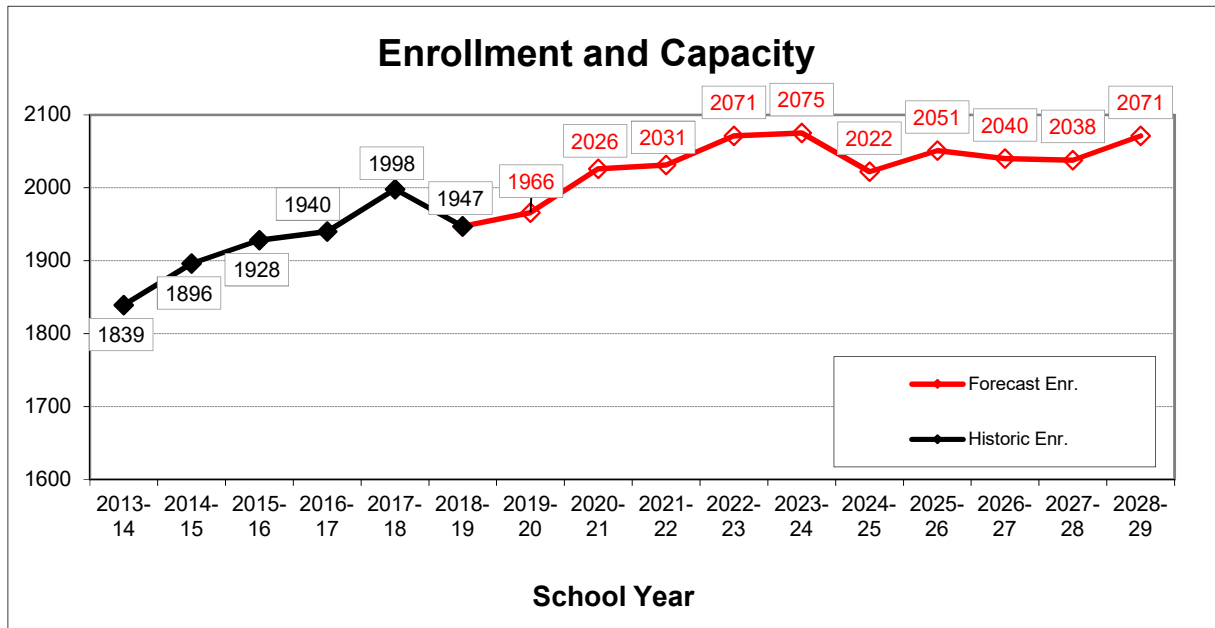


Enrollment History and Forecast				
	History		Forecast	
	2013-14	2018-19	2023-24	2028-29
Total enrollment	1027	995	968	955
5 year Change		-32	-27	-13

New Housing Units Authorized by Building Permits					
	Permit Year				
	2014	2015	2016	2017	2018 (Jan-Sep)
Single Family Units	15	18	45	23	66
Multiple Family Units	0	14	0	0	0

Source: Permit reports from Construction Monitor, Inc., processed and geocoded by PSU-PRC.

Tualatin High School



DRAFT PENDING UPDATE OF FUTURE CAPACITY

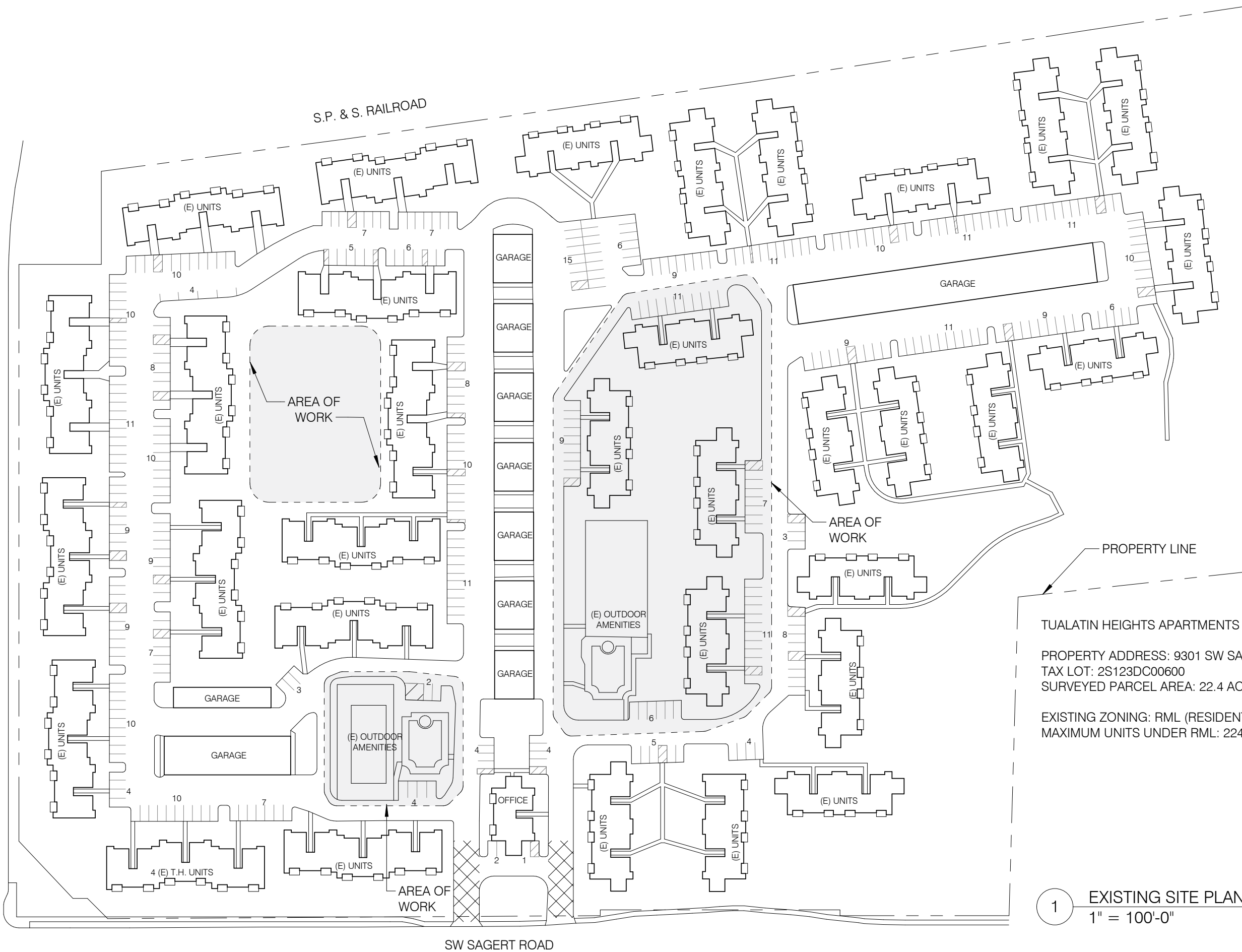
Enrollment History and Forecast				
	History		Forecast	
	2013-14	2018-19	2023-24	2028-29
Total enrollment	1839	1947	2075	2071
5 year Change		108	128	-4

New Housing Units Authorized by Building Permits					
	Permit Year				
	2014	2015	2016	2017	2018 (Jan-Sep)
Single Family Units	42	97	228	82	96
Multiple Family Units	0	206	0	20	0

Source: Permit reports from Construction Monitor, Inc., processed and geocoded by PSU-PRC.

SW 95TH AVE

S.P. & S. RAILROAD

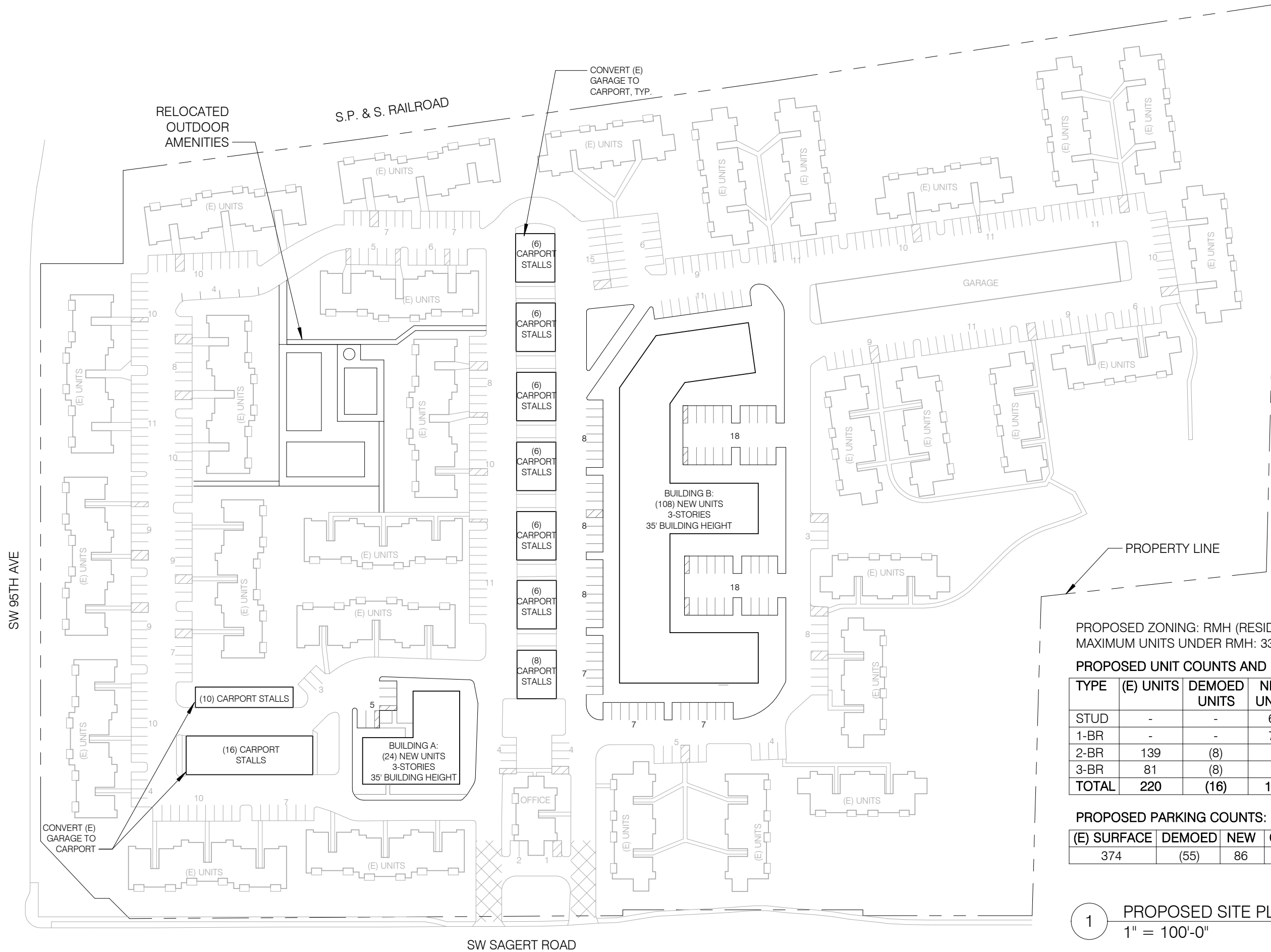


TUALATIN HEIGHTS APARTMENTS
 PROPERTY ADDRESS: 9301 SW SAGERT ST, TUALATIN, OR 97062
 TAX LOT: 2S123DC00600
 SURVEYED PARCEL AREA: 22.4 ACRES
 EXISTING ZONING: RML (RESIDENTIAL MEDIUM LOW)
 MAXIMUM UNITS UNDER RML: 224

1 EXISTING SITE PLAN
 1" = 100'-0"



SW SAGERT ROAD



PROPOSED ZONING: RMH (RESIDENTIAL MEDIUM HIGH)
 MAXIMUM UNITS UNDER RMH: 336

PROPOSED UNIT COUNTS AND REQUIRED PARKING:

TYPE	(E) UNITS	DEMOED UNITS	NEW UNITS	TOTAL UNITS	REQ. PARKING	REQ. GARAGE
STUD	-	-	60	60	60	0
1-BR	-	-	72	72	90	0
2-BR	139	(8)	-	131	196.5	0
3-BR	81	(8)	-	73	127.75	0
TOTAL	220	(16)	132	336	475	0

PROPOSED PARKING COUNTS:

(E) SURFACE	DEMOED	NEW	CONVERTED CARPORTS	TOTAL
374	(55)	86	70	475

1 PROPOSED SITE PLAN
 1" = 100'-0"



FORMERLY AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY FORM B-1970
(Rev. 10-17-70 and 10-17-84)

DUPLICATE

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS HEREOF, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, and costs, attorneys' fees and expenses which the Company may become obligated to pay hereunder, sustained or incurred by the insured by reason of:

- 1 Title to the estate or interest described in Schedule A being vested otherwise than as stated therein;
- 2 Any defect in or lien or encumbrance on such title;
- 3 Lack of a right of access to and from the land; or
- 4 Unmarketability of such title

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of the date of policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

Richard L. Polla
President

By:

Thomas J. Adams
Secretary



IMPORTANT

This policy necessarily relates solely to the title as of the date of the policy. In order that a purchaser of the real estate described herein may be insured against defects, liens or encumbrances, this policy should be reissued in the name of such purchaser.

SCHEDULE A

ALTA

Order Number : 96-0045-28
Re : TUALATIN HEIGHTS

Date of Policy : MARCH 28, 1996 at 8:00 A.M.

Amount of Insurance : \$11,138,000.00

1. Name of insured:

AMERICAN APARTMENT COMMUNITIES II, L.P. A DELAWARE LIMITED PARTNERSHIP

2. The estate or interest in the land which is covered by this policy is

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

THE NAMED INSURED

4. The land referred to in this policy is described as follows:

A TRACT OF LAND IN SECTION 23, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF TUALATIN, IN WASHINGTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO CLIFFORD G. KING, ET UX, BY DEED RECORDED AUGUST 13, 1964, IN BOOK 519, PAGE 362, WASHINGTON COUNTY DEED RECORDS, SAID POINT BEING 1624.78 FEET (1,624.5 FEET BY DEED) SOUTH 89°29'45" WEST ALONG THE SOUTH LINE OF SAID SECTION 23 FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 01°11'00" EAST, A DISTANCE OF 30.00 FEET TO THE NORTH LINE OF S.W. SAGERT ROAD AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 01°11'00" EAST, A DISTANCE OF 326.84 FEET TO AN IRON ROD AT THE SOUTHWEST CORNER OF THAT TRACT CONVEYED TO THE ROBERT RANDALL COMPANY BY DEED RECORDED AS RECORDER'S FEE NO. 81006269, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE SOUTHERLY LINE OF SAID ROBERT RANDALL COMPANY TRACT NORTH 82°44'44" EAST, A DISTANCE OF 231.06 FEET TO AN IRON ROD; THENCE NORTH 01°09'42" EAST, A DISTANCE OF 584.40 FEET TO AN IRON ROD SET ON THE SOUTH RIGHT OF WAY LINE OF THE S.P. & S. RAILROAD (BURLINGTON NORTHERN); THENCE SOUTH 81°30'52" WEST, A DISTANCE OF 1,194.87 FEET ALONG THE SOUTH LINE TO AN IRON ROD; THENCE SOUTH 00°07'32" WEST, A DISTANCE OF 100.00 FEET TO AN IRON ROD; THENCE NORTH 89°52'28" WEST, A DISTANCE OF 85.01 FEET TO AN IRON ROD; THENCE SOUTH 00°14'57" EAST, A DISTANCE OF 595.31 FEET TO AN IRON ROD; THENCE SOUTH 44°17'29" EAST, A DISTANCE OF 78.34 FEET; THENCE NORTH 89°29'45", A DISTANCE OF 15.66 FEET; THENCE SOUTH 44°17'29" EAST, A DISTANCE OF 29.37 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SW SAGERT ROAD; THENCE NORTH 89°29'45" EAST, A DISTANCE OF 505.98 FEET; THENCE NORTH 00°30'15" WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 89°29'45" EAST, A DISTANCE OF 246.00 FEET; THENCE SOUTH 00°30'15" EAST, A DISTANCE OF 6.00 FEET TO A POINT ON THE NORTH LINE OF SW SAGERT ROAD; THENCE NORTH 89°29'45" EAST, A DISTANCE OF 173.80 FEET TO THE PLACE OF BEGINNING.

SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

SPECIAL EXCEPTIONS:

1. TAXES FOR THE FISCAL YEAR 1995-1996, HAVE BEEN PAID IN FULL
AMOUNT : \$167,515.07
LEVY CODE : 023-76
ACCOUNT NO. : R1185835
MAP NO. : 2S123DC
TAX LOT NO. : 00600

2. THE PREMISES HEREIN DESCRIBED ARE WITHIN AND SUBJECT TO THE STATUTORY POWER, INCLUDING THE POWER OF ASSESSMENT OF THE UNIFIED SEWERAGE AGENCY OF WASHINGTON COUNTY. (THERE ARE NO UNPAID ASSESSMENTS AS OF THE DATE OF SAID REPORT)

3. STREET IMPROVEMENT AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:
DATED : JULY 14, 1988
RECORDED : FEBRUARY 7, 1989
RECORDING NO. : 89-05583
(NOTE: THERE ARE NO OBLIGATIONS OUTSTANDING WITH RESPECT TO SAID AGREEMENT AS OF THE DATE OF THIS POLICY)

4. DEED OF TRUST, SECURITY AGREEMENT, FIXTURE FILING AND ASSIGNMENT OF RENTS AND LEASES, GIVEN TO SECURE AN INDEBTEDNESS, AND THE TERMS AND CONDITIONS CONTAINED THEREIN:
AMOUNT : \$9,203,000.00
DATED : OCTOBER 11, 1995
RECORDED : OCTOBER 17, 1995
RECORDING NO. : 95075549
GRANTOR : AMERICAN APARTMENT COMMUNITIES OPERATING PARTNERSHIP, L.P., A DELAWARE LIMITED PARTNERSHIP
TRUSTEE : CHICAGO TITLE INSURANCE COMPANY, A MISSOURI CORPORATION
BENEFICIARY : TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA

5. ASSIGNMENT OF RENTS AND LEASES AND THE TERMS AND CONDITIONS CONTAINED THEREIN:
 DATED : OCTOBER 11, 1995
 RECORDED : OCTOBER 17, 1995
 RECORDING NO. : 95075550
 EXECUTED BY : AMERICAN APARTMENT COMMUNITIES OPERATING PARTNERSHIP,
 L.P., A DELAWARE LIMITED PARTNERSHIP
 TO : TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF
 AMERICA
6. SECOND DEED OF TRUST, SECURITY AGREEMENT, FIXTURE FILING AND ASSIGNMENT OF
 RENTS AND LEASES, GIVEN TO SECURE AN INDEBTEDNESS, AND THE TERMS AND CONDITIONS
 CONTAINED THEREIN:
 AMOUNT : \$113,905,000.00
 DATED : OCTOBER 11, 1995
 RECORDED : OCTOBER 17, 1995
 RECORDING NO. : 95075551
 GRANTOR : AMERICAN APARTMENT COMMUNITIES OPERATING PARTNERSHIP,
 L.P., A DELAWARE LIMITED PARTNERSHIP
 TRUSTEE : CHICAGO TITLE INSURANCE COMPANY, A MISSOURI
 CORPORATION
 BENEFICIARY : TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF
 AMERICA
7. SECOND ASSIGNMENT OF LEASES AND RENTS AND THE TERMS AND CONDITIONS CONTAINED
 THEREIN:
 DATED : OCTOBER 11, 1995
 RECORDED : OCTOBER 17, 1995
 RECORDING NO. : 95075552
 EXECUTED BY : AMERICAN APARTMENT COMMUNITIES OPERATING PARTNERSHIP,
 L.P., A DELAWARE LIMITED PARTNERSHIP
 TO : TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF
 AMERICA
8. FINANCING STATEMENT:
 SECURED PARTY : TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF
 AMERICA
 DEBTOR : AMERICAN APARTMENT COMMUNITIES OPERATION PARTNERSHIP,
 L.P., A DELAWARE LIMITED PARTNERSHIP
 RECORDED : OCTOBER 17, 1995
 RECORDING NO. : 95075553

9. ASSUMPTION OF LIABILITY SECURED BY REAL PROPERTY AND RELEASE OF ORIGINAL BORROWER AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:
 DATED : JANUARY 31, 1996
 RECORDED : MARCH 21, 1996
 RECORDING NO. : 96024354
 BY AND BETWEEN : TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA, A NEW YORK CORPORATION, AND AMERICAN APARTMENT COMMUNITIES OPERATING PARTNERSHIP, L.P., A DELAWARE LIMITED PARTNERSHIP, AND AMERICAN APARTMENT COMMUNITIES II, L.P., A DELAWARE LIMITED PARTNERSHIP
10. AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:
 DATED : AUGUST 8, 1988
 RECORDED : AUGUST 15, 1988
 RECORDING NO. : 88-35910
 IN FAVOR OF : CITY OF TUALATIN
 FOR : PUBLIC PEDESTRIAN WALKWAY AND BIKE PATH
 AFFECTS : THE SOUTHERLY PORTION OF THE SUBJECT PROPERTY
 RE-RECORDED : FEBRUARY 7, 1989
 RECORDING NO. : 89-05588
11. AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:
 DATED : OCTOBER 27, 1989
 RECORDED : NOVEMBER 21, 1989
 RECORDER'S FEE NO. : 89-56745
 IN FAVOR OF : CITY OF TUALATIN
 FOR : SANITARY SEWER LINE
 AFFECTS : THE NORTHERLY 10 FEET OF THE SUBJECT PROPERTY
12. AN EASEMENT CREATED BY INSTRUMENT, INCLUDING TERMS AND PROVISIONS THEREOF:
 DATED : OCTOBER 27, 1989
 RECORDED : NOVEMBER 21, 1989
 RECORDER'S FEE NO. : 89-56746
 IN FAVOR OF : CITY OF TUALATIN
 FOR : STORM DRAIN
 AFFECTS : THE SOUTHERLY AND EASTERLY PORTIONS OF THE SUBJECT PROPERTY
13. AN EASEMENT CREATED BY INSTRUMENT, INCLUDING TERMS AND CONDITIONS THEREOF:
 DATED : OCTOBER 27, 1989
 RECORDED : NOVEMBER 21, 1989
 RECORDER'S FEE NO. : 89-56747
 IN FAVOR OF : CITY OF TUALATIN
 FOR : WATER LINE

14. MEMORANDUM OF TELEVISION LICENSE AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

RECORDED : JULY 20, 1989
RECORDER'S FEE NO. : 89-32960

THE INTEREST OF MARQUIS CABLEVISION, AN OREGON GENERAL PARTNERSHIP, AS LICENSEE WAS ASSIGNED TO CABLE PLUS, INC., BY INSTRUMENT:

RECORDED : JANUARY 23, 1990
RECORDER'S FEE NO. : 90-03756

THE TERMS AND PROVISIONS OF SAID AGREEMENT WERE MODIFIED BY INSTRUMENT:

RECORDED : FEBRUARY 5, 1990
RECORDER'S FEE NO. : 90-06032

THE LIEN OF THE ABOVE ASSIGNMENT OF TELEVISION LICENSE AGREEMENT WAS SUBORDINATED TO THE LIEN OF THE TRUST DEED SHOWN HEREIN, BY INSTRUMENT:

DATED : DECEMBER 19, 1990
RECORDED : DECEMBER 20, 1990
RECORDER'S FEE NO. : 90-69573

15. ENCROACHMENT DISCLOSED BY SURVEY:

DATED : OCTOBER 10, 1989
SURVEYOR : W. B. WELLS AND ASSOC., INC.
SURVEY NO. : 87-126
BEING : ENCROACHMENT OF FENCE ALONG THE NORTHEASTERLY,
SOUTHEASTERLY AND SOUTHWESTERLY PORTIONS OF THE
SAID PROPERTY

UNRECORDED ACCESS EASEMENT

EVIDENCES OF UTILITIES: WATER VALVES, MANHOLES,
CLEANOUTS, AND TELEPHONE AND ELECTRIC SERVICE PADS

ENCROACHMENT OF BRICK PAVERS ONTO S. W. SAGERT ROAD

16. EXCLUSIVE LICENSE AND EASEMENT AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

DATED : MARCH 31, 1995
RECORDED : JUNE 26, 1995
RECORDER'S FEE NO. : 95043816
BY AND BETWEEN : AMERICAN APARTMENT COMMUNITY OPERATING PARTNERSHIP,
L.P., A DELAWARE LIMITED PARTNERSHIP AND INTERACTIVE
CABLE SYSTEMS, INC.

17. RIGHTS OF PARTIES IN POSSESSION, AS TENANTS ONLY.

...END OF SCHEDULE B...

RE: Tualatin Heights
Tualatin, Oregon

ENDORSEMENT

Attached to Policy No NBG NO 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The policy is hereby amended by adding as a named insured therein

AMERICAN APARTMENT COMMUNITIES II, L P., A DELAWARE LIMITED
PARTNERSHIP

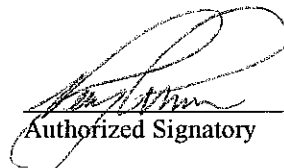
This endorsement does not extend the coverage of the policy to any later date than Date of Policy, nor does it impose any liability on the Company for loss or damage resulting from (1) failure of such added insured to acquire an insurable estate or interest in the land, or (2) any defect, lien or encumbrance attaching by reason of the acquisition of an estate or interest in the land by such added insured.

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and prior endorsements, if any, nor does it extend the effective date of the policy and prior endorsements or increase the face amount thereof.

Dated: December 8, 1998

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signatory

ENDORSEMENT

Attached to Policy No. 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The Company insures against loss or damage sustained by reason of:

1. Any incorrectness in the assurance that, as Date of Policy:
 - (a) There are no covenants, conditions or restrictions under which the estate insured in Schedule A can be divested or extinguished.
 - (b) Unless expressly excepted in Schedule B:
 - (1) There are no present violations on the land of any enforceable covenants, conditions or restrictions, nor do any existing improvements on the land violate any building setback lines on a plat of subdivision recorded or filed in the public records.
 - (2) Any instrument referred to in Schedule B as containing covenants, conditions or restrictions on the land does not, in addition, (i) establish an easement on the land; (ii) provide a lien for liquidated damages; (iii) provide for a private charge or assessment; (iv) provide for an option to purchase, a right of first refusal or the prior approval of a future purchaser of occupant
 - (3) There are no encroachments of existing improvements located on the land onto adjoining land, nor any encroachments onto the land of existing improvements located on adjoining land.
 - (4) There is no encroachment of existing improvements located on the land onto that portion of the land subject to any easement excepted in Schedule B
 - (5) There are no notices of violation of covenants, conditions and restrictions relating to environmental protection recorded or filed in the public records
2. Any future violation on the land of any existing covenants, conditions or restrictions provided the violation results in loss of title to the estate or interest in the land.
3. Damage to buildings:
 - (a) which are located on or encroach upon that portion of the land subject to any easement excepted in Schedule B, which damage results from the exercise of the right to maintain the easement for the purpose for which it was granted or reserved;
 - (b) resulting from the future exercise of any right to use the surface of the land for the extraction or development of minerals excepted from the description of the land or excepted in Schedule B.

4. Any final order or judgment requiring the removal from any land adjoining the land of any encroachment, other than fences, landscaping or driveways, excepted in Schedule B.
5. Any final court order or judgment denying the right to maintain any existing buildings on the land because of any violation of covenants, conditions, or restrictions or building setback lines shown on a plat of subdivision recorded or filed in the public records.

Wherever in this endorsement the words "covenants, conditions or restrictions" appear, they shall not be deemed to refer to or include the terms, covenants, conditions or limitations contained in an instrument creating a lease or declaration or condominium referred to in Schedule A.


As used in Paragraphs 1(b) (1) and 5, the words, "covenants, conditions, or restrictions" shall not be deemed to refer to or include any covenants, conditions or restrictions relating to environmental protections.

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and prior endorsements, if any, nor does it extend the effective date of the policy and prior endorsements or increase the face amount thereof.

Dated: March 28, 1996

CHICAGO TITLE INSURANCE COMPANY

By



Authorized Signatory

Comprehensive

ENDORSEMENT

Attached of Policy No. 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The Company hereby insures the Insured against loss which said insured shall sustain as a result of any exercise of the right to use or maintenance of the easement referred to in Paragraphs 10, 11, 12 and 13 of Schedule B - Part 1 over or through said land

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

CHICAGO TITLE INSURANCE COMPANY

By



Authorized Signatory

ENDORSEMENT

Attached to Policy No. 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The Company assures the Insured that said land is the same as that delineated on the plat of a survey made by W B Wells & Assoc Inc , File No 95-199, dated August 28, 1995


The Company hereby insures said Assured against loss which said Assured shall sustain in the event that the assurance herein shall prove to be incorrect

The total liability of the Company under said policy and any endorsement therein shall not exceed, in the aggregate, the face amount of said policy and costs which the Company is obligated under the conditions and stipulations thereof to pay.

This endorsement is made a part of said policy and is subject to the schedules, conditions, and stipulations therein except as modified by the provisions hereof.

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signatory

ENDORSEMENT

Attached to Policy No 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The Company hereby assures the Insured

That said land has legal and actual access sufficient for vehicular and pedestrian use to and from S. W. Sagert Road

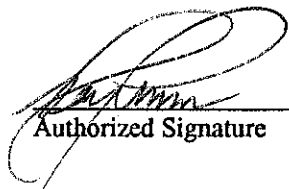
and the Company hereby insures said Assured against loss which said Assured shall sustain in the event said assurances herein shall prove incorrect.

The total liability of the Company under said policy and any endorsements therein shall not exceed, in the aggregate, the face amount of said policy and costs which the Company is obligated under the conditions and stipulations thereof to pay.

This endorsement is made part of said policy and is subject to the Schedules and the Conditions and Stipulation therein, except as modified by the provisions hereof.

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signature

ENDORSEMENT 103.7

ENDORSEMENT

Attached to Policy No 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

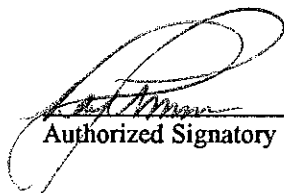
The Company hereby insures the Insured that the property referred to in Schedule B consists of a separate tax lot or lots and said lot or lots will not include any property not included with said parcels.

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and prior endorsements, if any, nor does it extend the effective date of the policy and prior endorsements or increase the face amount thereof.

Dated: March 28, 1996

CHICAGO TITLE INSURANCE COMPANY

By



Authorized Signatory

Separate Tax Lot

ENDORSEMENT

Attached to Policy No 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The Company agrees that if, within 10 years after the date of this policy, application is made to increase the face amount of the policy or to issue a new policy, it will issue additional title insurance policies, or increase the face amount of this policy insuring such title or interest as may then exist in the insured or the insured's designee. The amount of insurance to be issued will not exceed the amount of the mortgage to be placed on the land nor the fair market value of the land and improvements therein at the date of the application. In the event a claim has been made or is pending against the Company, or a defect in title has been discovered, the Company shall not be required to issue insurance for an amount greater than the face amount of this policy as to the defect discovered or resulting in said claim. Upon receipt of the application to issue a subsequent policy or increase the face amount of this policy, the Company will extend its examination of the title to the then current date and will then issue its policy or increase the face of this policy, subject to such matters created, first appearing in the public records attaching subsequent to the effective date of this policy, of which have become known to either the insured or the Company.

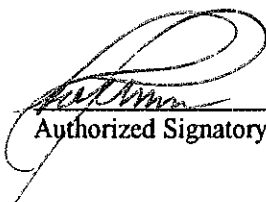
The insurance to be issued shall be issued for an additional premium equal to \$.70 per thousand dollars of additional amount of insurance. The Company shall not be obligated to issue additional insurance coverage which would exceed the amount of the usual reinsurance retention of the Company if, after the exercise of reasonable effort, the Company is unable to obtain reinsurance or co-insurance as may be required in order for it to issue the full amount of additional insurance for which application is made

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and prior endorsements, if any, nor does it extend the effective date of the policy and prior endorsements or increase the face amount thereof.

Dated: March 28, 1996

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signatory

4. Any final order or judgment requiring the removal from any land adjoining the land of any encroachment, other than fences, landscaping or driveways, excepted in Schedule B.
5. Any final court order or judgment denying the right to maintain any existing buildings on the land because of any violation of covenants, conditions, or restrictions or building setback lines shown on a plat of subdivision recorded or filed in the public records.

Wherever in this endorsement the words "covenants, conditions or restrictions" appear, they shall not be deemed to refer to or include the terms, covenants, conditions or limitations contained in an instrument creating a lease or declaration or condominium referred to in Schedule A.

As used in Paragraphs 1(b) (1) and 5, the words, "covenants, conditions, or restrictions" shall not be deemed to refer to or include any covenants, conditions or restrictions relating to environmental protections.

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and prior endorsements, if any, nor does it extend the effective date of the policy and prior endorsements or increase the face amount thereof.

Dated: March 28, 1996

CHICAGO TITLE INSURANCE COMPANY

By



Authorized Signatory

Comprehensive

ENDORSEMENT

Attached to Policy No. 96-0045-28

Issued by

CHICAGO TITLE INSURANCE COMPANY

The Company hereby assures the Insured that notwithstanding the provisions of paragraphs numbered 3(a) and 3(b) of the exclusions from coverage in the policy, in the event of loss or damage insured against under the terms of the policy, the Company will not deny its liability thereunder to the Insured on the ground that the Insured had knowledge of any matter solely by reason of notice thereof imputed to it through James D Klingbeil, American Apartment Communities, Inc., American Apartment Communities Operating Partnership, L.P., AAC Funding Partnership II, AAC Funding Partnership III, AAC Funding II, Inc., AAC Funding III, Inc., their current and former officers and directors, and their partners (collectively the "AAC Group")

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsement, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

Dated: March 28, 1996

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signatory

CONDITIONS AND STIPULATIONS

DEFINITION OF TERMS

The following terms when used in this policy mean:

(a) "insured": the insured named in Schedule A, and subject to any rights or defenses the Company may have had against the named insured, those who succeed to the interest of such insured by operation of law as distinguished from purchase including, but not limited to, heirs, distributees, devisees, survivors, personal representatives, next of kin, or corporate or fiduciary successors

(b) "insured claimant": an insured claiming loss or damage hereunder.

(c) "knowledge": actual knowledge, not constructive knowledge or notice which may be imputed to an insured by reason of any public records

(d) "land": the land described, specifically or by reference in Schedule A, and improvements affixed thereto which by law constitute real property; provided however the term "land" does not include any property beyond the lines of the area specifically described or referred to in Schedule A, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but nothing herein shall modify or limit the extent to which a right of access to and from the land is insured by this policy

(e) "mortgage": mortgage, deed of trust, trust deed, or other security instrument

(f) "public records": those records which by law impart constructive notice of matters relating to said land

2. CONTINUATION OF INSURANCE AFTER CONVEYANCE OF TITLE

The coverage of this policy shall continue in force as of Date of Policy in favor of an insured so long as such insured retains an estate or interest in the land or holds an indebtedness secured by a purchase money mortgage given by a purchaser from such insured, or so long as such insured shall have liability by reason of covenants of warranty made by such insured in any transfer or conveyance of such estate or interest; provided, however, this policy shall not continue in force in favor of any purchaser from such insured of either said estate or interest or the indebtedness secured by a purchase money mortgage given to such insured

3. DEFENSE AND PROSECUTION OF ACTIONS—NOTICE OF CLAIM TO BE GIVEN BY AN INSURED CLAIMANT

(a) The Company, at its own cost and without undue delay, shall provide for the defense of an insured in all litigation consisting of actions or proceedings commenced against such insured, or a defense interposed against an insured in an action to enforce a contract for a sale of the estate or interest in said land to the extent that such litigation is founded upon an alleged defect, lien, encumbrance or other matter insured against by this policy

(b) The insured shall notify the Company promptly in writing (i) in case any action or proceeding is begun or defense is interposed as set forth in (a) above; (ii) in case knowledge shall come to an insured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as insured, and which might cause loss or damage for which the Company may be liable by virtue of this policy; or (iii) if title to the estate or interest, as insured, is rejected as unmarketable. If such prompt notice shall not be given to the Company then as to such insured all liability of the Company shall cease and terminate in regard to the matter or matters for which such prompt notice is required; provided, however, that failure to notify shall in no case prejudice the rights of any such insured under this policy unless the Company shall be prejudiced by such failure and then only to the extent of such prejudice

(c) The Company shall have the right at its own cost to institute and without undue delay prosecute any action or proceeding or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as insured, and the Company may take any appropriate action under the terms of this policy, whether or not it shall be liable thereunder, and shall not thereby concede liability or waive any provision of this policy

(d) Whenever the Company shall have brought any action or interposed a defense as required or permitted by the provisions of this policy, the Company may pursue any such litigation to final determination by a court of competent jurisdiction and expressly reserves the right in its sole discretion, to appeal from any adverse judgment or order.

(e) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding, the insured hereunder shall secure to the Company the right to so prosecute or provide defense in such action or proceeding and all appeals therein, and permit the Company to use, at its option, the name of such insured for such purpose. Whenever requested by the Company, such insured shall give the Company all reasonable aid in any such action or proceeding, in effecting settlement, securing evidence, obtaining witnesses, or prosecuting or defending such action or proceeding, and the Company shall reimburse such insured for any expense so incurred

4. NOTICE OF LOSS—LIMITATION OF ACTION

In addition to the notices required under paragraph 3(b) of these Conditions and Stipulations, a statement in writing of any loss or damage for which it is claimed the Company is liable under this policy shall be furnished to the Company within 90 days after such loss or damage shall have been determined and no right of action shall accrue to an insured claimant until 30 days after such statement shall have been furnished. Failure to furnish such statement of loss or damage shall terminate any liability of the Company under this policy as to such loss or damage

5. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS

The Company shall have the option to pay or otherwise settle for or in the name of an insured claimant any claim insured against or to terminate all liability and obligations of the Company hereunder by paying or tendering payment of the amount of insurance under this policy together with any costs, attorneys' fees and expenses incurred up to the time of such payment or tender of payment, by the insured claimant and authorized by the Company

6. DETERMINATION AND PAYMENT OF LOSS

(a) The liability of the Company under this policy shall in no case exceed the least of:

(i) the actual loss of the insured claimant; or

(ii) the amount of insurance stated in Schedule A

(b) The Company will pay, in addition to any loss insured against by this policy, all costs imposed upon an insured in litigation carried on by the Company for such insured, and all costs, attorneys' fees and expenses in litigation carried on by such insured with the written authorization of the Company

(c) When liability has been definitely fixed in accordance with the conditions of this policy, the loss or damage shall be payable within 30 days thereafter.

7. LIMITATION OF LIABILITY

No claim shall arise or be maintainable under this policy (a) if the Company, after having received notice of an alleged defect, lien or encumbrance insured against hereunder, by litigation or otherwise, removes such defect, lien or encumbrance or establishes the title, as insured, within a reasonable time after receipt of such notice; (b) in the event of litigation until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as insured, as provided in paragraph 3 hereof; or (c) for liability voluntarily assumed by an insured in settling any claim or suit without prior written consent of the Company.

8. REDUCTION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees and expenses, shall reduce the amount of the insurance pro tanto. No payment shall be made without producing this policy for endorsement of such payment unless the policy be lost or destroyed, in which case proof of such loss or destruction shall be furnished to the satisfaction of the Company

9. LIABILITY NONCUMULATIVE

It is expressly understood that the amount of insurance under this policy shall be reduced by any amount the Company may pay under any policy insuring either (a) a mortgage shown or referred to in Schedule B hereof which is a lien on the estate or interest covered by this policy, or (b) a mortgage hereafter executed by an insured which is a charge or lien on the estate or interest described or referred to in Schedule A, and the amount so paid shall be deemed a payment under this policy. The Company shall have the option to apply to the payment of any such mortgages any amount that otherwise would be payable hereunder to the insured owner of the estate or interest covered by this policy and the amount so paid shall be deemed a payment under this policy to said insured owner.



MEMORANDUM

Neighborhood / Developer Meeting Summary
Tualatin Heights Plan Map Amendment

DATE August 31, 2021
TO City of Tualatin Planning
FROM Frank Angelo and Emma Porricolo, APG
CC Jon McGrew and Erica Thompson, HEA

Summary

The Neighborhood/Developer Meeting for the proposed Plan Map Amendment application was held on Tuesday, June 8, 2021 at 6:00 PM . The meeting was virtually hosted on GoToMeeting. Approximately 23 neighbors were in attendance. A list of attendees who signed into the meeting is found in Attachment A.

The project team provided a brief overview of the site, the application proposal, and Plan Map Amendment application requirements. Following the presentation, attendees were asked to share questions and comments. A summary of the questions and comments from neighbors (organized by topic), and the responses from the project team are as follows:

I. Traffic, Street Improvements, and Access

- The project team noted that emergency access is located on 95th Ave., just south of the railroad tracks. The 95th Ave. access will not be open to the public.
- Neighbors recommended more street improvements for safety, such as additional crosswalks near Tualatin Elementary School.
- Neighbors expressed concerns about the amount of traffic in the area and said they have seen many accidents around the site. They noted that Sagert St. is very congested, especially during rush hour.
- Neighbors suggested considering moving or adding entrance(s) to the site, suggested locating an entrance on 95th Ave.
 - Response (from project team): One of the constraints on access is the railroad tracks located to the north. The City is aware of the neighborhood traffic and parking conditions. A traffic assessment is required as a part of the Plan Map amendment application.

II. Parking

- Written comments regarding parking concerns were received prior to the meeting. Those are found in Attachment B.

- Many residents expressed concerns about the current parking conditions and resulting parking conditions that could occur from having more units at the Tualatin Heights Apartments. Comments included:
 - *Concerns about parking.*
 - The project team noted that the draft plans depict the City's parking requirements, that are based on number of bedrooms per unit. One attendee had concerns about parking minimums required by the City of Tualatin and did not feel they are adequate.
 - Neighbors expressed concerns about the parking permit fees at Tualatin Heights, assuming residents park on neighborhood streets to avoid fees.
 - *Concerns related to use of street parking.*
 - "It's almost impossible to live in the neighborhood with the situation that it is now, new units will create some difficulty. We can't put trash cans out, street sweeping, not able to park in front of house. It is a major issue. The issue changed when the apartment policy changed (has been in the neighborhood for 12 years). Are you aware of how serious the parking situation is for the neighborhood?" Several other neighbors in attendance echoed this concern.
 - One attendee suggested adding a parking garage or allowing on-street parking on 95th Ave and Sagert St.
 - Neighbors noted the difficulty to see when backing out of their driveways because of the cars parked on the street.
 - *Concerns about safety* due to proximity to the nearby Tualatin Elementary School.
 - "At Sagert St. & 93rd Ave. intersection, lots of kids live on 93rd Ave. It is a walking route to elementary school for many kids. With cars parking on Sagert St., is dangerous for kids and drivers. It is nerve racking have to pull out and not know what's around the corner." Neighbors also noted there is a school bus stop located on 93rd Ave. near the site.
 - Response: The project team thanked attendees for their comments. The comments would be shared with project team who will consider how they can be addressed. The development proposal has not been fully defined, that is a part of next steps.

III. Miscellaneous

- What are other zone changes in the city? Don't think this is an appropriate location for a high density zone considering the vicinity to low density zones.
 - Response: Not sure what other zones changes are proposed in the City, they aren't a part of this project.
- Does the zone change allow a greater maximum building height?
 - Response: It is only a change to maximum density. Heights and other siting requirements are consistent across two zones (existing and proposed zones).
- Is the water and waste infrastructure for the site currently adequate for the additional units?
 - Response: The project team is researching infrastructure capacity now. We will need to confirm that infrastructure capacity is adequate through development approval process.
- Will there be tree removal? Would like to retain large trees on the perimeter of the site.

- Response: The project team hasn't gotten to that level of detail yet. We are trying to keep changes to internal to the site and reduce impacts to neighbors. Also, the City has buffering/landscaping requirements that will be considered when development is proposed (not a part of this application).

Attachments

- A. Sign-in Sheet
- B. Written Comments
- C. Presentation
- D. Mailed Meeting Notice

Attachment A

Tualatin Heights Neighborhood Meeting

Attendance Sign- In

Name	Address	Phone	Email
Melissa Snowberger	[REDACTED]	[REDACTED]	[REDACTED]
Kathleen Cunnington	[REDACTED]	[REDACTED]	[REDACTED]
Rebekah Deal	[REDACTED]	[REDACTED]	[REDACTED]
Rebecca & Paulius Jurevicius	[REDACTED]	[REDACTED]	[REDACTED]
Jonathan Stone	[REDACTED]	[REDACTED]	[REDACTED]
Bob Haas	[REDACTED]	[REDACTED]	[REDACTED]
Mike Snowberger	[REDACTED]	[REDACTED]	[REDACTED]
Peter and Lauren Henkle;	[REDACTED]	[REDACTED]	[REDACTED]
Keith Crosby	[REDACTED]	[REDACTED]	[REDACTED]
Lisa Hayes	[REDACTED]	[REDACTED]	[REDACTED]
Amy & Paul Wheatcroft	[REDACTED]	[REDACTED]	[REDACTED]
Ryan Henderson	[REDACTED]	[REDACTED]	[REDACTED]

From: [Frank Angelo](#)
To: [Jon McGrew](#); [Erica Thompson](#); [Andrew J. Lavaux](#)
Cc: [Emma Porricolo](#)
Subject: FW: Opposition to Tualatin Heights Zone Change
Date: Tuesday, June 8, 2021 2:34:47 PM

fyi

From: Ryan Henderson [REDACTED]
Sent: Tuesday, June 08, 2021 2:20 PM
To: Frank Angelo <fangelo@angeloplanning.com>
Subject: Opposition to Tualatin Heights Zone Change

Hi

I'm a homeowner along 93rd AVE near the proposed zoning change. I'm concerned that increasing the apartment density will worsen the problematic illegal parking in front of my house.

Sometime in 2019 Tualatin Heights changed their parking policy which led to a significant increase in on-street parking in the neighborhood around the complex. The increase in traffic leads to more late night loud music, trash and blocked mailboxes. I can request for the City to remove cars parked over 72 hours, but that process can actually take 2 weeks from the time the car is parked until it is towed. In short, Tualatin Heights is currently using the public street as an extension to their own parking lot and this zoning change will make that worse.

I am opposed to increased traffic and noise this expansion will bring to the neighborhood, but I will be mostly impacted by the increase in parked cars in front of my house.

Increasing the population density of Tualatin heights by 50% needs at least a 100% increase in available parking. In addition, prohibiting overnight street parking in the surrounding neighborhood would lower the impact of the zoning change. Can these requirements be added to the zoning change?

Thank you for your time
- Ryan Henderson

From: [Frank Angelo](#)
To: [Jon McGrew](#); [Erica Thompson](#); [Andrew J. Lavaux](#)
Cc: [Emma Porricolo](#)
Subject: FW: Tualatin Heights expansion
Date: Tuesday, June 8, 2021 2:34:26 PM

fyi

From: Randi Ausland [REDACTED]
Sent: Tuesday, June 08, 2021 2:10 PM
To: Frank Angelo <fangelo@angeloplanning.com>
Subject: Tualatin Heights expansion

Mr. Angelo,

I would like to comment on the proposed expansion of Tualatin Heights. I have lived off Sagert Rd and SW 93rd for over 40 years. I am an active Real Estate Broker in Tualatin. I understand that affordable housing is needed in our community.

My objection to the expansion is due to the new policies the Tualatin Heights management has imposed on it's tenants. There was never a parking "spill over" into the neighborhood before the last year or two. I believe management started charging the tenants for parking. This pushed people out of the complex parking lot into the neighboring streets.

Mailboxes are blocked, property owners no longer have room for their guests or family to park in front of their homes. Adding an additional 130 units without addressing the parking situation is irresponsible.

Removing the garages and creating carports will address some of the problem but not nearly enough to make up for adding 130 units with the potential for 130 to 200 more cars. This is not an area with convenient mass transit or high walking scores. Cars are the norm. Neighborhoods are considering "permit" parking for our streets to discourage the overflow from Tualatin Heights. Where will the tenants park if that is enacted?

I hope to hear answers to these questions at the meeting scheduled for June 9th at 6:00pm.

--

Randi Ausland, Principal Broker

C 503-407-0828

O 503-692-3050

F 503-692-0592

Email [REDACTED]

Website www.metro-westrealty.com

From: [REDACTED]
To: [Frank Angelo](#)
Cc: [Jon McGrew](#); [Emma Porricolo](#); [Andrew J. Lavaux](#)
Subject: Re: Tualatin Heights Zone Change Virtual Meeting
Date: Wednesday, June 9, 2021 3:46:49 PM

Hi Frank (et al),

So this is the view from 93rd onto Sagert, facing northbound, on a fairly typical afternoon, from the marked “stop” line. I end up creeping forward another car length or so to see into the street well enough to make a turn (the road from the west comes out of an industrial area that has relatively high traffic during shift changes, so that’s more of an impact than the east side where a driveway forces some visibility). My guess is that the intersection is not directly related to the zoning change, but 50% more housing on that property is not going to improve things without changes to this intersection and the parking on the street.

- Tony



On Jun 2, 2021, at 09:51, Frank Angelo <fangelo@angeloplanning.com> wrote:

Hello Anthony - thank you for contacting me. I have shared your comments with the project team, and we will be sure to address them at the Neighborhood

meeting.
Thanks, Frank Angelo

-----Original Message-----

From: Anthony Mayernik <a[REDACTED]>
Sent: Friday, May 28, 2021 8:52 PM
To: Frank Angelo <fangelo@angeloplanning.com>
Subject: Tualatin Heights Zone Change Virtual Meeting

Hi Frank,

I got the notice today, much appreciate you guys sending this stuff out in advance. My only question/concern/comment on the proposed change:

Parking in/around that property is already bad. The street parking just outside the property is usually full. While I'm sure part of this is likely due to the property owner requiring tenants to pay for parking permits for 2nd vehicles or the "assigned" space being inconvenient to the tenant's unit, I'm curious to know how the increased zoning will affect the parking situation? It feels like more units in the same space would make the problem worse. It's hard enough making the turn onto Sagert when northbound on 93rd (I usually end up nosing into the intersection so I can see cross traffic), I'm just trying to picture how things will be with a 50% increase in unit density on that property.

Regards,
Anthony Mayernik

From: [Frank Angelo](#)
To: [REDACTED] planning@tualatin.gov
Cc: [Jon McGrew](#); [Emma Porricolo](#); [Andrew J. Lavaux](#)
Subject: RE: Tualatin Heights zoning proposal question for June 9 meeting
Date: Wednesday, June 2, 2021 9:48:48 AM

Hello Tim - thank you for contacting me. I have shared your comments with the project team, and we will be sure to address them at the Neighborhood meeting.
Thanks, Frank Angelo

-----Original Message-----

From: Tim G <hadasaugh@comcast.net>
Sent: Tuesday, June 01, 2021 8:42 PM
To: planning@tualatin.gov
Cc: Frank Angelo <fangelo@angeloplanning.com>
Subject: Fwd: Tualatin Heights zoning proposal question for June 9 meeting

Resent as a forwarded email to the entire Planning Group at the City of Tualatin, as L. Sanford no longer works there.

> ----- Original Message -----

> From: Tim G [REDACTED]
> To: "fangelo@angeloplanning.com" <fangelo@angeloplanning.com>
> Cc: "lsanford@tualatin.gov" <lsanford@tualatin.gov>
> Date: 06/01/2021 8:31 PM
> Subject: Tualatin Heights zoning proposal question for June 9 meeting

> Dear Mr. Angelo,

> This email is in response to the broadcast mailer sent to local residences by your organization dated May 25, 2020; RE: Tualatin Heights Comprehensive Plan Map Amendment.

> I thank you for the opportunity for us to express our interests and concerns. I ask that the below matter and question be submitted in the documentation and addressed during the upcoming June 9, 2021 virtual meeting.

> A copy of this email has also been forwarded to the City of Tualatin Planning Group to ensure they are also aware of the major concern identified below.

> Presently, with 220 units at Tualatin Heights, the present tenants have one space and pay a "surface fee" of \$25.00, or \$175.00 for a monthly unattached garage fee. Many tenants choose to do neither and opt to park their vehicles in front of residential properties on the surrounding neighborhood streets of SW Sagert, SW Apache, and SW 93rd, and occasionally SW Umat.

> These tenants are parking there because of the fee-based parking demanded by Tualatin Heights, and because Tualatin Heights presently either does not provide enough adequate parking for all tenants and their vehicles now, or refuses to address tenant issues regarding multiple vehicles per occupancy unit.

> Cutting to the chase, in adding 130 plus more units, current and new tenants will park even more personal vehicles in front of more residential homes - blocking more curbside space for our families, friends, and visitors to park when they visit us in our residential homes.

> The simple question is:

>

> What makes us (neighborhood home owners) believe Tualatin Heights will abruptly change their policies and provide adequate, free parking for existing and future tenants, when they do not adequately provide parking now?

>

> In asking this question, an indifferent or dismissive response by the owner and managers of Tualatin Heights is unacceptable.

>

> Tualatin Heights must first address issues regarding their tenants' parking all over our residential streets. It needs to be in writing and contained in changes to the property planning documentation and blueprints to show ample parking will accommodate any future expansion/zone changes.

>

> If nothing is done to formally address this major concern in planning and development documents, the zone change proposal must be denied.

>

> Tim G

> Lieutenant Commander, US Navy (ret)

> SW Tonopah Street

From: [Emma Porricolo](#)
To: [Emma Porricolo](#)
Subject: RE: tualatin heights
Date: Monday, June 28, 2021 12:02:49 PM

From: Jeff McGinty [REDACTED]
Sent: Friday, June 04, 2021 6:12 PM
To: Frank Angelo <fangelo@angeloplanning.com>
Subject: Re: tualatin heights

Hello frank,

I have some questions about the proposed zone change. First is on street parking and added traffic. Some of the tenants are parking extra junk cars in front of my house now with 220 units. Adding another 116 units or less with two cars each could be a problem. Is there going to be enough overflow parking that they can rent to park junk?

Are there plans to add a entrance from 95th ave to ease traffic on sagert? So many cars are running the stop sign at apache dr. seems like every one is in hurry.

Is there any idea how much more delivery traffic will be added to sagert from FedEx, Amazon, ups, grub hub....?

Do think that there will be added noise to the neighborhood from more people? And how does that effect wild life, birds?

Will the zone change lower my property value?

Will I see any postvie things from the zone change?

Do any of the owners of the property live close by?

I really like this neighborhood and don't want to see more junk cars. I've attached some picture for reference from this morning.

I think It's a great idea to make more home's for people. I just don't want to make tualatin like south salem or Portland.

Thanks for answering all my questions, looking forward to hearing from you.



Tualatin Heights Apartments Plan Map Amendment Neighborhood Meeting



Virtual Sign-In

- Please complete the quick online sign-in sheet
- Options
 - Type your information in the chat/message box
 - Email the following information to fangelo@angeloplanning.com
- Please list:
 - Name
 - Address
 - Email address
 - Phone number

Agenda

- ❑ Welcome
- ❑ Background
- ❑ Plan Map Amendment
- ❑ Architectural Review Process
- ❑ Questions & Comments

Existing Site

Location

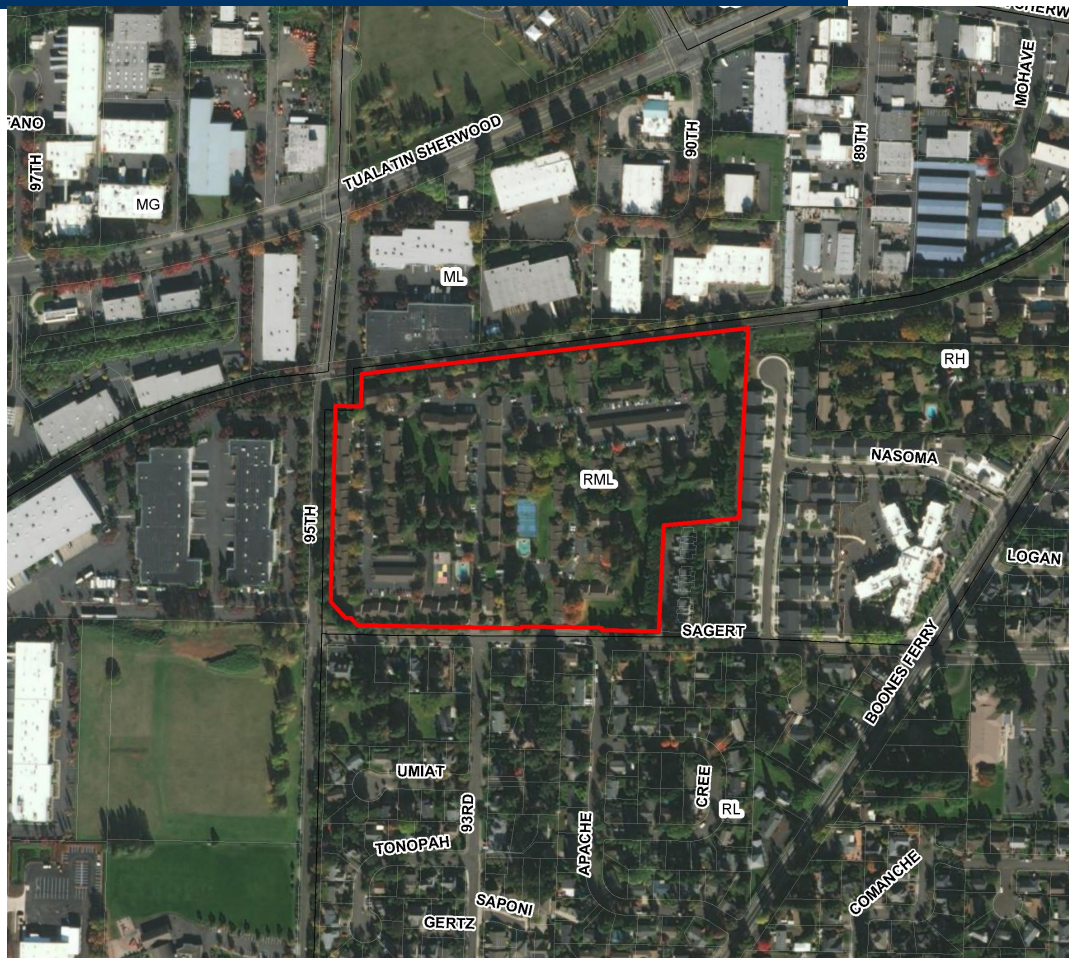
9301 SW Sagert Street

Current Use

220 multifamily units

Site Size

22.4 acres



Background

- ❑ History of site
 - ❑ 220 multi-family units
- ❑ Current opportunity
 - ❑ The City has determined there is a lack of medium-high density (RMH) zoning in the City. (Source: Housing Needs Analysis, 2019)
 - ❑ There is an opportunity to infill on the existing Tualatin Heights site to provide additional 116 units.

Plan Map Amendment Application Process

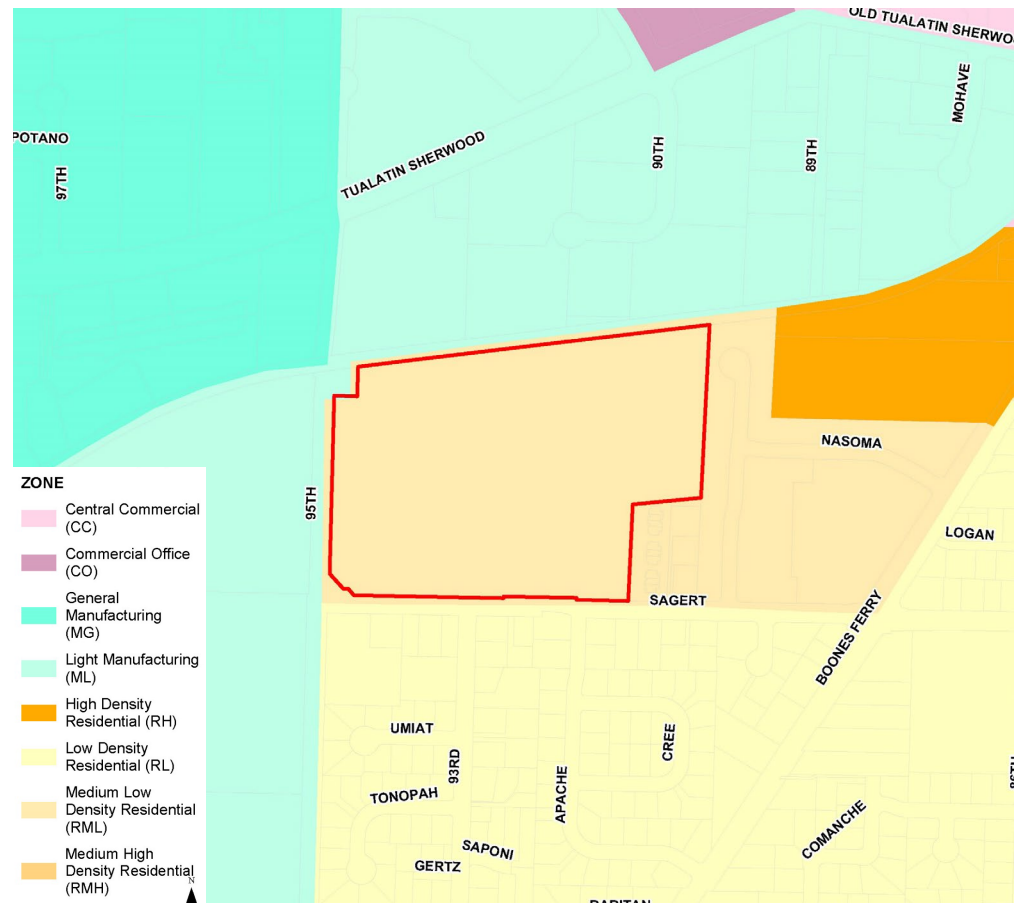
- ❑ Comprehensive Plan Map Amendment (also known as a Zone Change)
 - ❑ Current Zoning is Residential Medium Low (RML)
 - ❑ Proposed Zoning is Residential Medium High (RMH)
- ❑ Review process
 - ❑ A Type IV-A process with Planning Commission public hearing
 - ❑ Planning Commission recommendation to City Council
 - ❑ Tualatin City Council final action

Existing Zoning Map

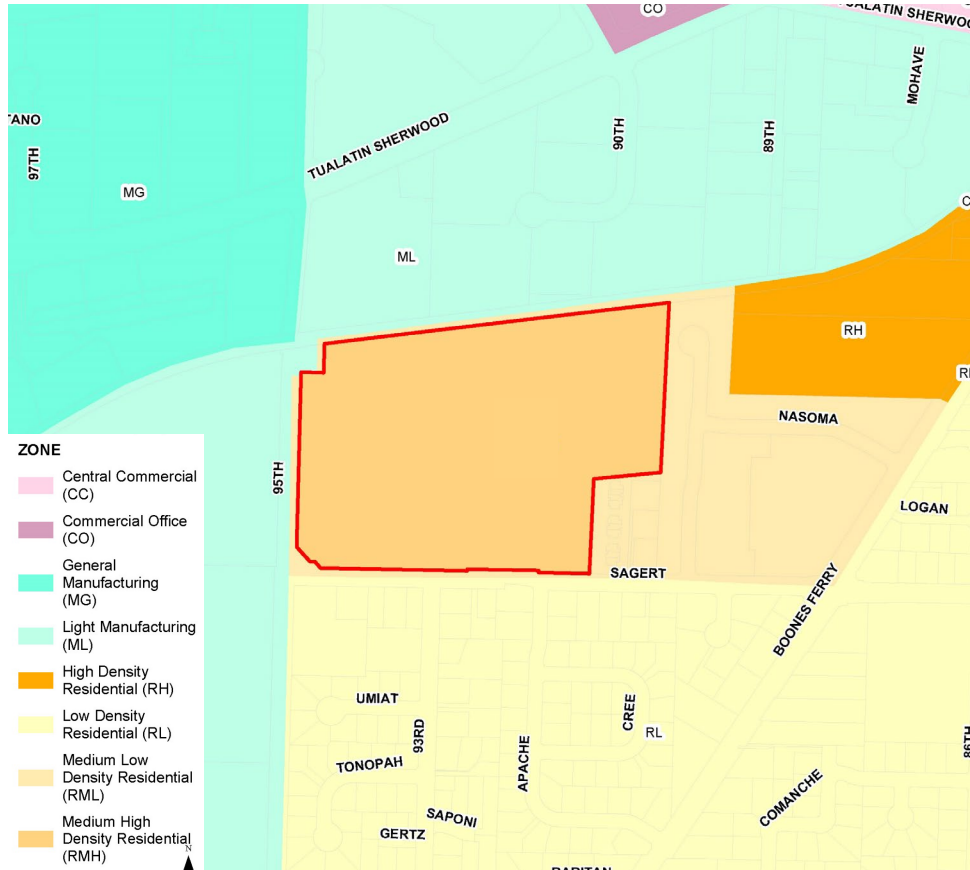
Current Zoning
Residential Medium Low
(RML)

Maximum density
10 units/acre

224 Units



Proposed Zoning Map



Proposed Zoning
Residential Medium-
High Density (RMH)

Maximum density
15 units/acre

Maximum of 336 units,
or 116 more units

Standards for Approval of Plan Map Amendment

- ❑ The following review factors will be applied to the proposed amendments:
 - ❑ Comprehensive Plan Policies
 - ❑ Neighborhood Plan Policies
 - ❑ Housing Needs Analysis (2019)
 - ❑ Transportation Planning Rule
 - ❑ Statewide Planning Goals

Architectural Review Process

- ❑ Following approval of Plan Map Amendment, an Architectural Review Application will be filed to the City.
- ❑ Architectural Review application will apply applicable Tualatin Development Code criteria, and consider:
 - ❑ Site Design
 - ❑ Building Design
 - ❑ Traffic
 - ❑ Parking
 - ❑ Public Facilities
- ❑ Architectural Review Type III for 100 units or more.
 - ❑ Type III Architectural Review Applications go to a hearing at the Architectural Review Board.

Existing Site Plan

BIM 360://21007 - UDR Tualatin Heights Apartments/21007_UDR Tualatin Heights Apartments_Central - 2020.rvt 3/9/2021 1:45:45 PM



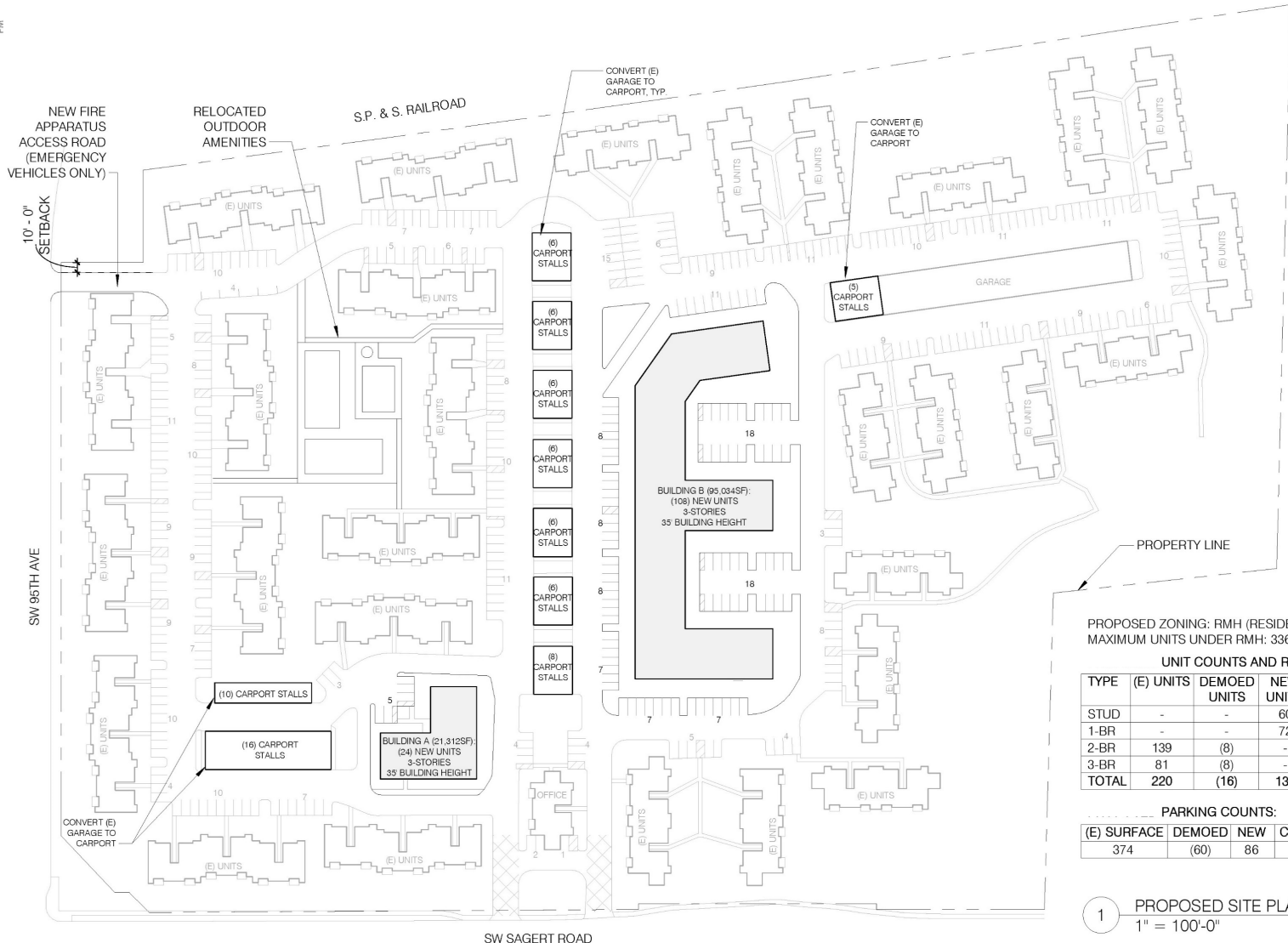
TUALATIN HEIGHTS APARTMENTS
 PROPERTY ADDRESS: 9301 SW SAGERT ST, TUALATIN, OR 97062
 TAX LOT: 2S123DC00600
 SURVEYED PARCEL AREA: 22.4 ACRES
 EXISTING ZONING: RML (RESIDENTIAL MEDIUM LOW)
 MAXIMUM UNITS UNDER RML: 224

1 EXISTING SITE PLAN
 1" = 100'-0"



Conceptual Site Plan

BIM 360://21007 - UDR Tualatin Heights Apartments/21007_UDR Tualatin Heights Apartments_Central - 2020.rvt 5/20/2021 3:20:38 PM



PROPOSED ZONING: RMH (RESIDENTIAL MEDIUM HIGH)
 MAXIMUM UNITS UNDER RMH: 336

UNIT COUNTS AND REQUIRED PARKING:

TYPE	(E) UNITS	DEMOED UNITS	NEW UNITS	TOTAL UNITS	REQ. PARKING	REQ. GARAGE
STUD	-	-	60	60	60	0
1-BR	-	-	72	72	90	0
2-BR	139	(8)	-	131	196.5	0
3-BR	81	(8)	-	73	127.75	0
TOTAL	220	(16)	132	336	475	0

PARKING COUNTS:

(E) SURFACE	DEMOED	NEW	CONVERTED CARPORTS	TOTAL
374	(60)	86	75	475

1 PROPOSED SITE PLAN
 1" = 100'-0"



SW SAGERT ROAD

Next Steps

Dates are tentative

- ❑ July 2021: File application for proposed Plan Map Amendment
- ❑ August 2021: Planning Department Application Review
- ❑ Fall 2021: Planning Commission Review and Tualatin City Council Hearings
- ❑ TBD: Development proposal – Architectural Review Application
- ❑ TBD: Development review

Questions / Comments

Contact: Frank Angelo

Principal, Angelo Planning Group

fangelo@angeloplanning.com

503.227.3664



May 25, 2020

RE: Tualatin Heights Comprehensive Plan Map Amendment

Dear Property Owner:

You are cordially invited to attend a virtual Neighborhood/Developer Meeting on **Wednesday, June 9, 2021 at 6:00pm** (see page 3 for instructions on how to join the virtual meeting). This meeting is being held to discuss a proposed zone change for the Tualatin Heights property located at 9301 SW Sagert Street. Tualatin Heights is a multifamily apartment development; existing development includes 220 multifamily dwellings on 22.4 acres. The property is currently zoned Residential Medium Low (RML), with a maximum density of 10 dwelling units per acre. The property owner, United Dominion Realty, L.P., is interested in a zone change to allow for Residential Medium-High Density (RMH) on the site, increasing the density to 15 dwelling units per acre for a maximum of 336 units.

City approval is required for a zone change, formally referred to as Comprehensive Plan Map Amendment. The Tualatin Planning Commission will review the application and the Planning Commission will make a recommendation to the Tualatin City Council who will make the final decision.

Please note this meeting will be an informational meeting on the zone change application only. No development is planned at this time.

Because of the current COVID-19 situation, the City of Tualatin has prepared Temporary Guidance for Neighborhood/Developer Meetings. This Guidance allows the Neighborhood/Developer Meeting to be conducted as a Virtual Meeting. The Tualatin Heights Plan Map Amendment Virtual Neighborhood/Developer Meeting will be held on **Wednesday, June 9, 2021 at 6:00pm. See page 3 for instructions on how to join the virtual meeting.**

The City of Tualatin has laid out the following requirements for a Virtual Neighborhood Meeting:

- Be publicly accessible
- Does not require user login
- Allows a call-in option for non-internet users

Accordingly, we are providing the attached instructions for you to use if you choose to participate in this Neighborhood/Developer Meeting for the proposed Tualatin Heights zone change.

Mailed notice of this Virtual Meeting has been provided in the same manner as specified in TDC 32.120.

a. This notice includes the following information:

- i. Instructions for how to join the virtual meeting and how to submit written comments both prior to and during the meeting. See attachment.*
- ii. Instructions for how to obtain or view materials to be presented during the virtual meeting. Such materials shall be made available, upon request or on a publicly accessible digital platform, a minimum of two days prior to the meeting and a minimum of 10 days after the meeting concludes. See attachment.*
- iii. Preliminary details of the major elements of the proposed development. See description above.*
- iv. Whether the development proposal includes a single or multiple applications. The application is for a Comprehensive Plan Map Amendment.*

The purpose of this meeting is to provide a forum for surrounding property owners / residents to review the proposal and to identify issues so they can be considered before the formal application is submitted to the City of Tualatin. This meeting gives you the opportunity to share with us any special information you know about the property involved. Please note that this will be an informational meeting on preliminary development plans prior to official submission to the City.

Please contact me at 503-227-3664 (leave a message) or at fangelo@angeloplanning.com if you have questions about this meeting or the proposed project. We look forward to discussing this proposal with you.

Sincerely,



Frank Angelo, Principal
Angelo Planning Group
fangelo@angeloplanning.com

Attachment: Tualatin Heights Project Neighborhood/Developer Meeting Instructions
Project Location Map

Tualatin Heights Zone Change Virtual Neighborhood Meeting Instructions

The following are the instructions to participate in the Tualatin Heights Zone Change Virtual Neighborhood/Developer Meeting to be held on **Wednesday, June 9, 2021 at 6:00 PM.**

1. Log or call in via GoToMeeting using the information below:

Website for video: <https://www.gotomeet.me/AngeloPlanning/thzonechange>

You can also dial in using your phone.

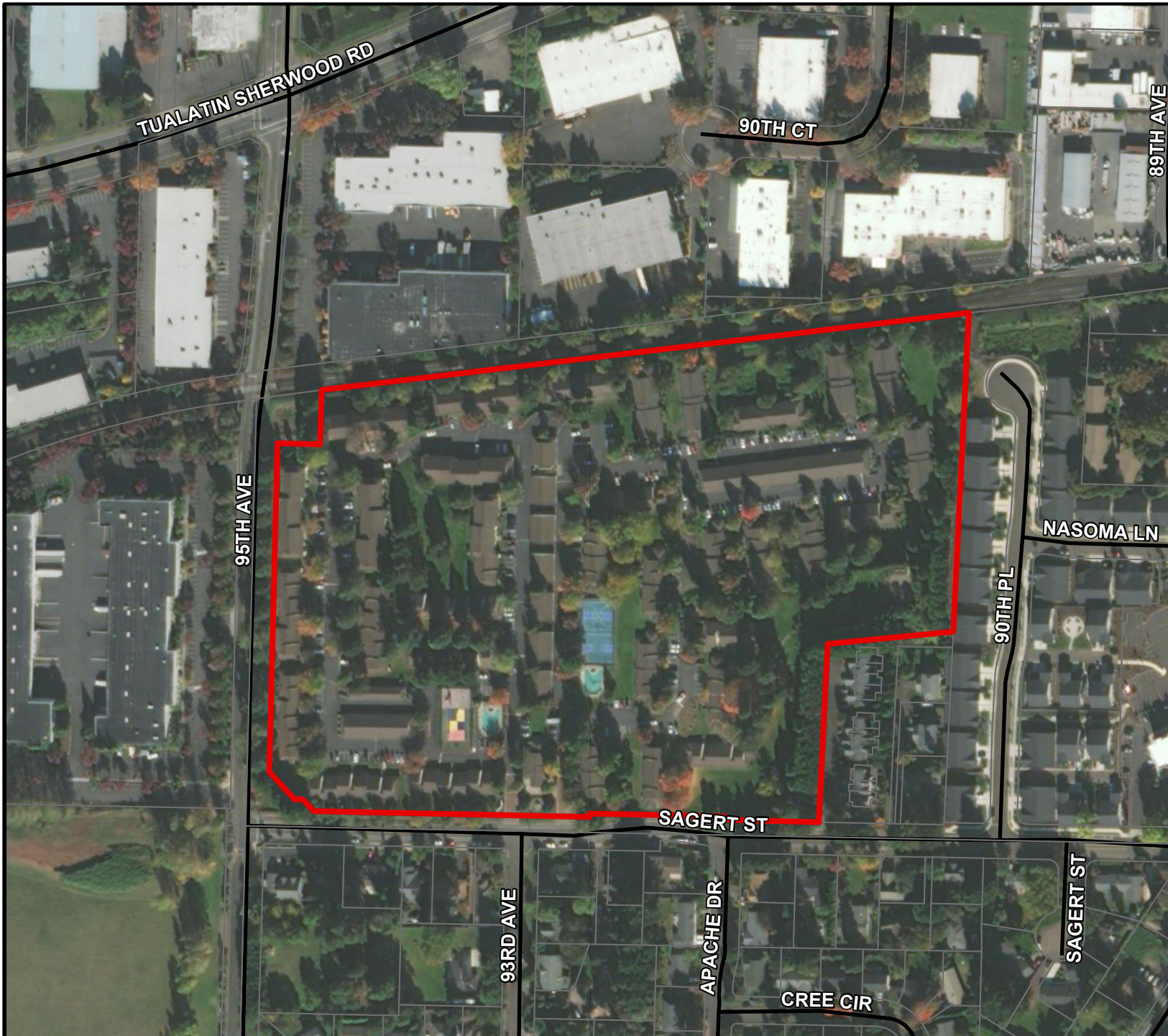
United States: [+1 \(571\) 317-3122](tel:+15713173122) and use **Access Code:** 585-997-213

If you are new to GoToMeeting? Get the app now and be ready when your first meeting starts:

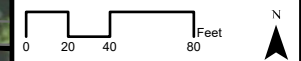
<https://global.gotomeeting.com/install/585997213>

2. Submit written questions before or during the meeting by emailing Frank Angelo at: fangelo@angeloplanning.com
3. Materials presented at the meeting will be available to view online 2 days prior to, and 10 days after, the meeting at the following link: <https://tinyurl.com/thzonechange>
(The link will take you to a Dropbox folder.)

Tualatin Heights Zone Change Vicinity Map



 Site



Prepared By: Angelo Planning Group
Date: 05/19/2021

Coordinate System: NAD 1983 HARN
StatePlane Oregon North FIPS 3601 Feet Intl
Data Sources: Metro RLIS, WWSP

This map is intended for informational purposes only. While this map represents the best data available at the time of publication, APG makes no claims, representations, or warranties as to its accuracy or completeness. Metadata available upon request.

CERTIFICATION OF SIGN POSTING

<p>NOTICE</p> <p>NEIGHBORHOOD / DEVELOPER MEETING</p> <p>06/09/20²¹10:00 P.m.</p> <p>SW _____</p> <p>503-691-3026</p>
--

In addition to the requirements of TDC 32.150, the 18" x 24" sign must display the meeting date, time, and address as well as a contact phone number. The block around the word "NOTICE" must remain orange composed of the RGB color values Red 254, Green 127, and Blue 0. A PowerPoint template of this sign is available at: <https://www.tualatinoregon.gov/planning/land-use-application-sign-templates>.

As the applicant for the Tualatin Heights Plan Amendment project, I hereby certify that on this day, 2 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: Frank Angelo
(Please Print)

Applicant's Signature: [Handwritten Signature]

Date: May 26, 2021

AFFIDAVIT OF MAILING NOTICE

STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Emma Pomcoib being first duly sworn, depose and say:

That on the 26 day of May, 2021, I served upon the persons shown on Exhibit "A" (Mailing Area List), attached hereto and by this reference incorporated herein, a copy of the Notice of Neighborhood/Developer Meeting marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail with postage fully prepared thereon.

[Handwritten Signature]
Signature

SUBSCRIBED AND SWORN to before me this 26th day of May, 2021.



[Handwritten Signature]
Notary Public for Oregon
My commission expires:

RE: Tualatin Heights Plan Amendment

Tualatin Heights Apartments | 9301 SW Sagert Street

Pre-Application Meeting 4/7/21 Summary

Thank you for discussing the proposed Plan Map Amendment and redevelopment. Below, please find a summary of some of the points we were able to discuss. If there is anything else you would like to document from our meeting, please respond with your notes as well. Thank you.

Required Land Use Reviews

All land use reviews may be submitted electronically via eTrakit:
<https://permits.ci.tualatin.or.us/eTrakit/>

A Neighborhood/Developer meeting

- Holding a new Neighborhood/Developer meeting is required for both a Plan Map Amendment and Architectural Review application; these meetings may be combined.
- One Neighborhood/Developer meeting may cover multiple applications but should generally be held no more than six months prior to application. More detailed information about this meeting, including options for virtual meetings during the present pandemic response, is online here: <https://www.tualatinoregon.gov/planning/neighborhood-developer-meetings>
- Applicants are responsible for mailing and posting notice of your Neighborhood Developer meeting. The City can provide a list of addresses for your notice letters. This mailing list includes neighboring property owners, but communicating with your current residents is also encouraged to proactively address concerns. Please email us at planning@tualatin.gov to request a Mailing List for a \$32 fee.

Plan Map Amendment

An applicant-initiated Plan Map Amendment is a [Type IV-A](#) process with review by Tualatin City Council.

An advisory recommendation is sought at Tualatin Planning Commission prior to a City Council hearing. The applicant team is invited to attend and share information at this meeting, as are members of the public, but it is not a formal hearing.

Plan Map Amendment application packet:

https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/page/5083/pma_instructions_withform.pdf

Criteria to address in your narrative:

- TDC 33.070(5):
https://library.municode.com/or/tualatin/codes/development_code?nodeId=THDECOTUOR_CH33APAPCR_TDC_33.070PLAM

With an upzone adding residential density, special attention is needed to the Transportation Planning Rule (TPR) analysis. Your findings should also address public capacity for sanitary sewer conveyance and water availability.

The proposal should also respond to the current Housing Needs Analysis and housing development goals. The HNA shows a deficient of capacity within RMH zoning.

- Housing Needs Analysis (2019): <https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/page/22631/hna.pdf>
- Tualatin 2040 information: <https://www.tualatinoregon.gov/planning/tualatin-2040>

Tualatin Comprehensive Plan:

https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/page/4716/comprehensive_plan_web.pdf

Architectural Review (AR)

- Architectural Review (Type III for 100 units or more). Type III ARs go to a hearing at the Architectural Review Board.
- AR Application: https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/page/5081/ar_instructions_2019_withforms.pdf

Criteria to address in your AR narrative includes:

Tualatin Municipal Code:

- [Chapter 03-02: Sewer Regulations; Rates;](#)
- [Chapter 03-03: Water Service;](#)
- [Chapter 03-05: Soil Erosion, Surface Water Management, Water Quality Facilities, and Building and Sewers;](#)

Tualatin Development Code:

- [TDC 42: Medium High Density Residential](#)
- [TDC 73A: Site Design,](#)
- [73B: Landscaping Design,](#)
- [73C: Parking Standards, and](#)
- [73D: Waste and Recyclables Management Standards;](#)
- [TDC 74: Public Improvements;](#)
- [TDC 75: Access.](#)

While not directly applicable to larger multi-family development, changes to the Tualatin Development Code related to middle housing and consistent with Oregon House Bill 2001 are anticipated in the second half of 2021. Minor changes in the development code such as definition updates may possibly be relevant to this project. Updates on this project at: <https://www.tualatinoregon.gov/planning/middle-housing>.

Highlighted Site Design Standards

RMH Standards:

https://library.municode.com/or/tualatin/codes/development_code?nodeId=THDECOTUOR_CH42MEHI_DEREZORM

Community Design Standards:

The 73A “Common wall” standards must be met unless the applicant team seeks a Variance prior to Architectural Review. Where it may not be immediately clear that the design meets these standards, making the case in your narrative for how the design meets the standards is key.

Parking:

TDC 73C requires garages in addition to the parking thresholds. Your plans should reflect this requirement.

Access:

TVF&R has described the need for a secondary access off of SW 95th Ave. See additional comments from TVF&R.

Natural resources:

Clean Water Services will comment on any applicable natural resource concerns, including any possible required dedications and mitigations, through their Environmental Review process. The Service Provider Letter from CWS is a requirement of a complete Architectural Review submittal. For more information, see <http://www.cleanwaterservices.org/permits-development/step-by-step-process/environmental-review/>

Public Utilities and Other Site Development

- An Erosion Control permit is required from Tualatin for projects disturbing over 500 square feet.
 - Additionally if between one and five acres are disturbed, a 1200CN is needed from CWS.
 - If over five acres are disturbed, a 1200C is needed from DEQ.

- A Water Quality Permit is needed for construction and modification of public and private impervious areas. The permit will include wetland mitigation/revegetation required by CWS SPL in addition to treatment, detention per [TMC 3-5-3-220\(4\)](#), and hydromodification per CWS D&CS Ch 4.
 - Improve existing facilities to adequate condition
 - Include all private stormwater treatment and conveyance within a maintenance agreement including existing facilities.
 - Stormwater plans and calculations certified by an Oregon registered, professional engineer in accordance with TMC 3-5-390(1) proving proposed systems:
 - In accordance with TMC 3-5-200 through 3-5-430, TDC 74.630 and 74.650, Public Works Construction Code (PWCC), and Clean Water Services’ (CWS) Design and Construction Standards (D&CS) Chapter 4.
 - Show onsite facilities for proposed new and modified impervious areas.
 - Address runoff from all new and modified private impervious areas.

- Treat new and modified impervious areas in accordance with CWS D&CS 4.08.1.d meeting phosphorous removal in accordance with TMC 3-5-350 per the design storm in accordance with TMC 3-5-360 and CWS D&CS 4.08.2.
 - Detain up to the 25 year storm event in accordance with TMC 3-5-220(4), TMC 3-5-230, and CWS D&CS 4.08.
 - Accommodate hydromodification in accordance with CWS D&CS 4.03.5.
 - Include conveyance calculations that accommodates up to a 25-year storm event with 100-year overland flow to the public stormwater system in accordance with TDC 74.640 and CWS D&CS 5.05.2.d.
 - Downstream evaluation with a maximum of 82% capacity within public lines per [TMC 3-5-210 - Review of Downstream System](#)
 - Obtain any permissions to reach Tualatin's public lines. An ODOT Rail Contact that may be beneficial Bob Stolle, PE, PMP, Crossing Engineer, Commerce and Compliance Division, 3930 Fairview Industrial Dr. SE | Salem , OR , 97302-1166, C. 503-551-0618 | bob.stolle@odot.state.or.us
 - Demonstrate compliance with the Clean Water Services' Service Provider Letter CWS conditions sufficient to obtain a Stormwater Connection Permit Authorization Letter in accordance with TDC 74.650(2) and CWS D&CS 3.01.2(d).
 - Geotech/soil/infiltration report: An infiltration test report will need to be submitted to Engineering for a complete land use application if the proposed water quality facility includes infiltration in the design.
- A Public Works Permit is needed for any work within right-of-way or public easements.
 - Typical improvements to bring into code compliance
 - Separate water laterals for domestic and fire
 - Sanitary sewer and stormwater cleanouts near the right-of-way
 - Sidewalks and ramps adjacent to the lot must be evaluated. If not in compliance with ADA requirements, they must be improved.
 - Dedicate and construct/reconstruct public street cross-sections. Sidewalks and ramps adjacent to the lot must be evaluated. If not in compliance with ADA requirements, they must be improved.
 - The City Engineer may allow modification of the cross-sections based on existing development, Traffic Impact Analysis results, and Tualatin Moving Forward projects.
 - [Figure 11-1: Functional Classification and Street Signal Plan](#)
 - Sagert and 95th are classified as [Minor Collectors](#)
 - Fee-in-lieu potentials may include cross-walks, sidewalks, or signal relating Tualatin Moving Forward, 95th Ave and Avery St (Tualatin Elementary School), <https://www.tualatinmovingforward.com/95th-avenue-and-avery/>
 - Please propose alternatives that are less than preferred for confirmation with the City Engineer ahead of land use for initial responses and potential modification to proposed plans.
 - Rezoning includes the possibility of increase of public sanitary sewer downstream conveyance and water use. Capacity and availability must be confirmed.

- Hydraulic Modeling is required for over 48,300 square footage of new building area, 870 gallons/acre/day use, and/or more than 49 residential units. Hydraulic Modeling may be requested in advance of application for a land use to confirm availability and requirements, but may need to be updated depending on changes due to conditions of approval. When submitting a modeling application include:
 - Requirements/alternatives allowed by Tom Mooney, TVF&R (503) 259-1419; thomas.mooney@tvfr.com
 - Hydrant flow test results. Request testing via <https://www.tualatinoregon.gov/publicworks/hydrant-flow-tests>. For questions contact Terrance Leahy, Water Division Manager, (503) 691-3095; [tleahy@tualatin.gov](mailto:t Leahy@tualatin.gov)

Transportation and Site Access

- Have your transportation engineer confirm their proposed Traffic Impact Analysis scope by emailing Mike McCarthy, Principal Traffic Engineer, mmccarthy@tualatin.gov (please also copy tdoran@tualatin.gov).

Fire

- Additional comments from Tualatin Valley Fire and Rescue are attached.
- Tom Mooney, TVF&R (503) 259-1419; thomas.mooney@tvfr.com)
- Flow testing: Terrance Leahy, Water Division Manager, (503) 691-3095; [tleahy@tualatin.gov](mailto:t Leahy@tualatin.gov))

Fees

- Current fee schedule: <https://www.tualatinoregon.gov/finance/fee-schedule>
- For calculating SDC fees, please work with Lauren Gonzalez, lgonzalez@tualatin.gov