



**Engineering Memo for
AR22-0008, 20400 SW MARTINAZZI AVE, Alden Apartments
February 15, 2022**

Planning Division,

Please incorporate the following conditions of approval and findings within the combined decision.

II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented herein, is **approved** subject to the following conditions:

PRIOR TO EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMIT ISSUANCE:

Submit to the Engineering Division via [eTrakit](#) for review and approval:

- A1. The applicant must apply for applicable Engineering Erosion Control, Water Quality, and Public Works permits:
- a. Apply using [eTrakit](#). With the initial Engineering permit(s) application(s) include:
 - i. One combined set of 24"x36" plans including all applicable Engineering permits attached to one Engineering permit. Include a note on other Engineering permits stating which application includes the set; and,
 - ii. Payment for an Erosion Control permit fee per the [fee schedule](#); and,
 - iii. Engineering estimate and deposit for each Water Quality or Public Works permit per the [fee schedule](#); and,
 - b. Deliver two 24"x36" hard copies of the combined Engineering permit plan sets to:
City of Tualatin
Attn: Engineering Division c/o Principal Engineer
10699 SW Herman Road
Tualatin, OR 97062
- A2. The applicant must submit Final Street Improvement Plans for SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street adjacent to the lot in accordance with applicable sections of Tualatin Development Code (TDC) 74 and 75 and Public Works Construction Code (PWCC) that show:
- a. Dedication of half-street right-of-way from centerline totaling:
 - i. 25 feet for SW Avery Street; and,
 - ii. 38 feet for SW Martinazzi Avenue; and,
 - iii. 37 feet for SW Sagert Street; and,

- b. Any additional dedication needed for SW Avery Street and SW Martinazzi Avenue and construction:
 - i. On the north side of SW Avery Street to the Shaniko Greenway Trail:
 - 1. A 4-foot-wide planter strip; and,
 - 2. Street trees; and,
 - 3. Widened to accommodate any required LIDA street swales for public stormwater to meet current CWS requirements; and,
 - 4. A 5-foot-wide public sidewalk; and,
 - 5. Street lighting improvements as necessary to meet Tualatin standards.
 - ii. Ramps at the northeast corner of the intersection of SW Avery Street and SW Martinazzi Avenue; and,
- c. Ramp replacement at the intersection of SW Avery Street and SW Martinazzi:
 - i. For the northeast and southeast corners crossing the east side of the intersection; and,
 - ii. For the northwest and northeast corners crossing the north side of the intersection with curb extensions; and,
- d. Continental striping of all four crosswalks of the intersection of SW Avery Street and SW Martinazzi Avenue.
- e. SW Martinazzi Avenue on the east side including:
 - i. Preferred half-street improvements including on-street parallel parking along Martinazzi. This section may be adjusted as necessary (as determined by the City Engineer) to preserve existing large mature trees; and,
 - ii. Street lighting improvements as necessary to meet City Engineer standards including PGE's Option A.
 - iii. A planter strip with street trees:
 - 1. With a minimum 6-foot width where possible; and,
 - 2. Widened to preserve street and private trees or accommodate any required LIDA street swales for public stormwater to meet current CWS requirements; and,
 - iv. A 6-foot-wide sidewalk meandered as needed for topography, tree preservation, and to match the planter strip; and,
- f. An 8-foot-wide public utility easement and any required slope easement, or existing equivalent approved by the City Engineer, adjacent to SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street including:
 - i. Five feet of public utility easement surrounding water meter, backflow protection, and fire vault; and,
 - ii. Any proposed private retaining walls must be outside of public utility and slope easements; and,
 - iii. The City Engineer may allow existing right-of-way in excess of the Preferred half-street to equivalently reduce the required easement width; and,
- g. Bring into compliance of ADA standards:
 - i. All public sidewalks adjacent to the lot; and,
 - ii. Driveways serving the lot; and,

- iii. All ramps adjacent to the lot including receiving ramps at the northwest and southeast corner at the intersection of SW Avery Street and SW Martinazzi Avenue; and,

- A3. The applicant must submit Final Water System Plans in accordance with Tualatin Development Code (TDC) 74.610, Tualatin Municipal Code (TMC) 3-3, and Public Works Construction Code (PWCC) that show:
 - a. Separate laterals for domestic and fire services; and,
 - b. A gate valve at the main for both domestic and fire service laterals; and
 - c. Adjacent to public right-of-way:
 - i. Reduced pressure backflow prevention for the domestic lateral; and,
 - ii. Water meter(s) behind the curb within the planter strip, and
 - iii. If within final plans, irrigation after a domestic meter and reduced pressure backflow device; and,
 - iv. Fire vault(s) surrounded by a five foot public utility easement.

- A4. The applicant must submit Final Sanitary Sewer System Plans in accordance with Tualatin Development Code (TDC) 74.620, Tualatin Municipal Code (TMC) 3-2, and Public Works Construction Code (PWCC) that show location of the lines, grade, materials, and other details including cleanout at right-of-way.

- A5. The applicant must submit:
 - a. Proof from DEQ of approval of construction of the Underground Infiltration Facility or accommodation of associated stormwater infiltration volume within detention facilities approvable under City of Tualatin codes and Clean Water Services' Design and Construction Standards; and,
 - b. Final Stormwater System Calculations and Plans in accordance with Tualatin Development Code (TDC) 74.630 and 74.650, Tualatin Municipal Code (TMC) 3-5-200 through 3-5-430, Public Works Construction Code (PWCC), and Clean Water Services' (CWS) Design & Construction Standards (D&CS) Chapter 4 stamped by an Oregon registered, professional engineer in accordance with TMC 3-5-390(1) that:
 - i. Provide a downstream analysis, including but not limited to erosion, and include solutions within final plans for ¼ mile downstream from the release from the private development through the public stormwater system, in accordance with TMC 3-5-210(4); and,
 - ii. Accommodate up to a 25-year storm event within the City of Tualatin's public stormwater system with a maximum capacity of 82% for Tualatin's lines in accordance with TDC 74.640, CWS D&CS 5.05.2.d, and the City Engineer; and,
 - iii. Evaluate the 100-year check storm for any release directly or indirectly to ODOT's stormwater system in accordance with the ODOT Hydraulics Manual; and

- iv. Address runoff from all new and modified private and public impervious areas; and,
 - v. Prove gravity flow five feet from the outside of the established line of the building to the public stormwater system or as otherwise approved by the City Engineer, in accordance with CWS D&CS 1.03.39 and 5.09.3(a) (1) and (4); and,
 - vi. Discharge to an approved public system; and,
 - vii. 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; and,
 - viii. Prove infiltration rates in accordance with CWS D&CS 4.08.03; and,
 - ix. Detain as required for conveyance with the City of Tualatin's stormwater system and up to the 50-year storm event for release to ODOT's stormwater system in accordance with the ODOT Hydraulics Manual, TMC 3-5-220, TMC 3-5-230, and CWS D&CS 4.08; and,
 - x. Accommodate hydromodification including post-development runoff rates not exceeding pre-development runoff rates for ½ the 2-year storm event and the 5-year and 10-year storm events for proposed new and modified impervious areas in accordance with CWS D&CS 4.03.5; and,
 - xi. In accordance with TDC 74.650(2) and CWS D&CS 3.01.2(d), comply with:
 - 1. The submitted Clean Water Services' Service Provider Letter CWS File Number dated July 19, 2022 conditions to obtain a Stormwater Connection Permit Authorization Letter, and,
 - 2. Requirements stated within the Clean Water Services' Memorandum dated November 10, 2022; and,
 - c. Financial assurance for construction performance in accordance with TMC 3-390(3), PWCC 102.14.00, and amount per CWS D&CS 2.07 Table 2-1; and,
 - d. A copy of the recorded private stormwater maintenance agreement in accordance with TMD 3-5-390(4). The agreement must assure the owner as responsible for maintenance of the constructed portions of private stormwater systems within their lot. The identified system must include all conveyance, detention, hydromodification, and treatment.
- A6. The applicant must submit Final Erosion Control Plans in accordance with Tualatin Development Code (TDC) 74.640, Tualatin Municipal Code (TMC) 3-5-050 and 3-5-060, Public Works Construction Code (PWCC), and Clean Water Services' (CWS) Design & Construction Standards (D&CS) Chapters 2 and 6 that:
- a. Minimize the impact of stormwater from the development to adjacent properties; and,
 - b. Are sufficient to obtain a National Pollution Discharge Elimination System (NPDES) 1200-CN Stormwater Discharge Permit from Clean Water Services as an agent of Oregon Department of Environmental Quality if disturbance is between 1 and 5 acres.

PRIOR TO BUILDING PERMIT ISSUANCE:

- A7. The applicant must submit copies of recorded deeds of right-of-way dedication along with public utility and slope easements, as approved by the City Engineer, in accordance with Tualatin Development Code (TDC) 74.210 and 74.330 which show:
- a. Right-of-way dedication including:
 - i. A half-street from centerline for a total of:
 1. 25 feet for SW Avery Street; and,
 2. 38 feet for SW Martinazzi Avenue; and,
 3. 37 feet for SW Sagert Street; and,
 - ii. Any additional at the intersection of SW Avery Street and SW Martinazzi Avenue to construct a 5-foot-wide public sidewalk and 4-foot-wide planter strip along with ramps at the northeast corner of the intersection; and,
 - iii. Any additional to accommodate and any final public street improvements or stormwater LIDA facilities; and,
 - b. 8-foot-wide public utility and any necessary slope easements, adjacent to SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street including:
 - i. A 10-foot-wide public utility easement centered on any water lateral extending onsite past the public utility easement adjacent to right-of-way; and,
 - ii. Five feet of public utility easement surrounding water meters, backflow protection, and fire vaults; and
 - iii. Reduced width of easements from standard due to existing right-of-way in excess of the Preferred half-street width as determined by the City Engineer; and,
- A8. The applicant must obtain:
- a. A National Pollution Discharge Elimination System (NPDES) 1200-CN Stormwater Discharge Permit from Clean Water Services as an agent of Oregon Department of Environmental Quality, and,
 - b. ODOT Miscellaneous Permit
 - c. Erosion Control, Public Works, and Water Quality Permits from the City of Tualatin.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR CERTIFICATE OF COMPLETION:

- A9. The applicant must complete all the private stormwater and public improvements as shown on the approved permit plans. All improvements must also be accepted by the City in accordance with Tualatin Development Code (TDC) 74.120.
- A10. The applicant must submit paper and electronic as-builts of the Engineering permits along with maintenance bonds and any final fees for public and water quality improvements.

III. FINDINGS

These findings reference the Tualatin Development Code (TDC), unless otherwise noted.

[ENGINEERING FINDINGS]

Chapter 74: Public Improvement Requirements

[...]

TDC 74.120 Public Improvements.

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

Finding:

*All public improvements will be installed by the applicant at their expense after approval of plans and issued Erosion Control, Water Quality, and Public Works Permits. With recommended Conditions of Approval **A8 and A9**, this standard is met.*

TDC 74.130 Private Improvements.

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

Finding:

*All private improvements will be installed by the applicant at their expense and will require prior approval of plans and building permits. With recommended Conditions of Approval **A8 and A9**, this standard is met.*

TDC 74.140 Construction Timing.

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

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

Finding:

*All public and private improvements proposed and modified by conditions of approval will be completed and accepted by the City prior to receiving a Certificate of Occupancy. With recommended Conditions of Approval **A8 and A9**, this standard is met.*

[...]

TDC 74.210 Minimum Street Right-of-Way Widths.

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

[...]

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

Finding:

*The proposal is adjacent to SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street. Required dedication of right-of-way and construction of public street surface infrastructure will benefit this development's expected addition of bicycle, pedestrian, and vehicular trips utilizing streets and sidewalks. This includes dedication to enable construction of a sidewalk with planter strip on SW Avery Street, a parking strip on SW Martinazzi Avenue, and widening SW Sagert Street to enable a center-turn lane serving the subject property's driveway and sidewalk to the east. Final plans will include a minimum of half-street right-of-way dedications to Preferred cross-sections along with improvements within SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street meeting the requirements of the City of Tualatin. With recommended Conditions of Approval **A2 and A7**, this standard is met.*

[...]

TDC 74.320. - Slope Easements.

(1) The applicant must obtain and convey to the City any slope easements determined by the City Manager to be necessary adjacent to the proposed development site to support the street improvements in the public right-of-way or accessway or utility improvements required to be constructed by the applicant.

[...]

(3) For all other development applications, a slope easement dedication must be submitted to the City Manager; building permits must not be issued for the development prior to acceptance of the easement by the City.

Finding:

*Any required slope easements necessary to support SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street will be granted to the City. With recommended Conditions of Approval **A2 and A7**, this standard is met.*

TDC 74.330. - Utility Easements.

(1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities must be granted to the City.

[...]

(4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement must be granted to the City; building permits must not be issued for the development prior to acceptance of the easement by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council must determine when condemnation proceedings are to be used.

(5) The width of the public utility easement must meet the requirements of the Public Works Construction Code. All subdivisions and partitions must have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines. Other easements may be required as determined by the City Manager.

Finding:

*Any required public utility easement will be granted to the City. The public utility easement width will be 8-foot-wide adjacent to the final dedicated right-of-way of SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street. Additional width of public utility easement will include accommodation of water system meters and vaults to meet the Public Works Construction Code. With recommended Conditions of Approval **A2 and A7**, these standards are met.*

[...]

TDC 74.420 Street Improvements.

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

(1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 must be improved to standards as set out in the Public Works Construction Code.

(2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.

(3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.

(4) Where development abuts an existing street, the improvement required must apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Manager to ensure a smooth transition between a new improvement and the existing roadway (half-street improvement). Additional right-of-way and street

improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement must connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.

(5) If additional improvements are required as part of the Access Management Plan of the City, TDC Chapter 75, the improvements must be required in the same manner as the half-street improvement requirements.

(6) All required street improvements must include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.

[...]

(8) For development applications other than subdivisions and partitions, all street improvements required by this section must be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.

[...]

(10) Streets within, or partially within, a proposed development site must be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code.

(11) Existing streets which abut the proposed development site must be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).

(12) Sidewalks with appropriate buffering must be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.

(13) The applicant must comply with the requirements of the Oregon Department of Transportation (ODOT), Tri-Met, Washington County and Clackamas County when a proposed development site is adjacent to a roadway under any of their jurisdictions, in addition to the requirements of this chapter.

(14) The applicant must construct any required street improvements adjacent to parcels excluded from development, as set forth in TDC 74.220 of this chapter.

[...]

(17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.

[...]

Finding:

A Trip Generation Letter from Kittelson was submitted with plans focused on onsite redevelopment. City staff have reviewed the proposal against the above requirements. Required dedication of right-of-way and construction of public street surface infrastructure will benefit this development's expected addition of bicycle, pedestrian, and vehicular trips utilizing streets and sidewalks. This includes dedication to enable construction of a sidewalk with planter strip on SW Avery Street, a parking strip on SW Martinazzi Avenue, and widening SW Sagert Street to enable a center-turn lane serving the subject property's

driveway and sidewalk to the east. With recommended Conditions of Approval **A2, A7, A8 and A9**, these standards are met.

TDC 74.425 Street Design Standards.

(1) Street design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, and safety. They are necessary to ensure that the system of streets, as it develops, will be capable of safely and efficiently serving the traveling public while also accommodating the orderly development of adjacent lands.

(2) The proposed street design standards are shown in Figures 72A through 72G. The typical roadway cross sections comprise the following elements: right-of-way, number of travel lanes, bicycle and pedestrian facilities, and other amenities such as landscape strips. These figures are intended for planning purposes for new road construction, as well as for those locations where it is physically and economically feasible to improve existing streets.

[...]

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

(a) Arterials:

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

(b) Collectors:

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

[...]

Finding:

*The proposal is adjacent to SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street. These are designated on Tualatin Comprehensive Plan Map 8-1: Tualatin Functional Classification Plan and Traffic Signal Plan as a Local, Minor Collector, and Minor Arterial classifications, respectively. A Transportation Impact Analysis from Kittelson did not recommend additional improvements greater than the Preferred cross-sections. With recommended Conditions of Approval **A2 and A7**, these standards are met.*

[...]

TDC 74.440 Streets, Traffic Study Required.

(1) The City Manager may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Manager determines that such a study is necessary in connection with a proposed development project in order to:

(a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or

(b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.

(2) The required traffic study must be completed prior to the approval of the development application.

(3) The traffic study must include, at a minimum:

(a) An analysis of the existing situation, including the level of service on adjacent and impacted facilities.

(b) An analysis of any existing safety deficiencies.

(c) Proposed trip generation and distribution for the proposed development.

(d) Projected levels of service on adjacent and impacted facilities.

(e) Recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.

(f) The City Manager will determine which facilities are impacted and need to be included in the study.

(g) The study must be conducted by a registered engineer.

(4) The applicant must implement all or a portion of the improvements called for in the traffic study as determined by the City Manager.

Finding:

A Trip Generation Letter from Kittelson did not recommend any improvements. Their summary included:

ColRich (applicant) is proposing to redevelop a portion of the Alden Apartments located in the southeast corner of the SW Martinazzi Avenue/SW Sagert Street intersection in Tualatin. The development plan proposes to remove 15 apartment units and construct 45 townhome units and associated amenities. Access to the townhomes will be provided by the existing driveways to the Alden Apartments on SW Sagert Street and SW Martinazzi Avenue. No new driveways are proposed nor modifications to off-site intersections.

This letter provides trip generation and trip distribution/assignment estimates for the proposed redevelopment in accordance with Tualatin Development Code Section 74.440. As documented herein, the proposed redevelopment is estimated to generate fewer than 500 daily trips and fewer than 60 morning and evening peak hour trips. In addition, the proposed redevelopment is expected to generate fewer than 20 large truck trips per day. Therefore, a full transportation

impact analysis is not expected to be required per Tualatin Development Code Section 74.440 and the following trip generation and trip distribution estimates are expected to satisfy the requirements of the Tualatin Development Code.

City staff have reviewed the subject analysis and have determined that it meets the requirements above. This standard is met.

[...]

TDC 74.485. - Street Trees.

[...]

(2) In nonresidential subdivisions and partitions street trees must be planted by the owners of the individual lots as development occurs.

(3) The Street Tree Ordinance specifies the species of tree which is to be planted and the spacing between trees.

*The applicant will plant street trees as shown within approved permit plans. With recommended Conditions of Approval **A2, A8, and A9**, this standard is met.*

[...]

TDC 74.610 Water Service.

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

[...]

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

Finding:

Existing services will be improved as needed to meet current code. Separate laterals will serve domestic and fire services. A gate valve will be located near the main for each water lateral. Water meters and fire vaults will be located adjacent to right-of-way. A public utility easement will surround the water meter and fire vault by five feet.

*With recommended Conditions of Approval **A3, A7, A8 and A9**, these standards are met.*

TDC 74.620 Sanitary Sewer Service.

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

Finding:

*Existing services will be improved as needed to meet current code including a cleanout will be installed adjacent to right-of-way. With recommended Conditions of Approval **A4, A8, and A9**, this standard is met.*

TDC 74.630 Storm Drainage System.

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

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

[...]

TDC 74.640 Grading.

(1) Development sites must be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.

(2) A development applicant must submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Manager may require the applicant to remove all excess material from the development site.

TDC 74.650 Water Quality, Storm Water Detention and Erosion Control.

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

[...]

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

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

Finding:

The Utility Plan illustrates capturing stormwater runoff from the sites developed areas with conveyance discharging to an existing vegetated channel. The channel conveys flow to storm drain infrastructure within the ODOT right-of-way which conveys flow easterly for approximately 0.5 miles and discharges to Saum Creek. The submitted Preliminary Stormwater Report prepared by 3J Consulting includes modifying existing and construction of new onsite stormwater facilities to provide treatment, hydromodification, and detention for all private impervious areas including an Underground Infiltration Facility. ODOT submitted a response dated November 14, 2022 requiring a design meeting the ODOT Hydraulics Manual specifications and to obtain an ODOT Miscellaneous Permit. Modified impervious areas within SW Avery Street, SW Martinazzi Avenue, and SW Sagert Street right-of-ways will be addressed by construction of public LIDA street swales as approved by the City Engineer.

Final plans and stormwater calculations will demonstrate that the development has direct access by gravity to public stormwater systems with adequate infiltration and/or downstream capacity in accordance with City of Tualatin, Clean Water Services, DEQ, and ODOT Hydraulics Manual.

The site disturbance is approximately 1.85 acres. Erosion and sediment control plans and permit applications conforming to the requirements of the City of Tualatin, CWS, and Oregon Department of Environmental Quality will be provided with the construction permit submittal documents. The applicant will obtain an erosion control permit from the City of Tualatin for disturbance greater than 500 square feet. In addition these plans must be sufficient to obtain a National Pollution Discharge Elimination System (NPDES) 1200-CN Stormwater Discharge Permit from Clean Water Services as an agent of Oregon Department of Environmental Quality if between 1 and 5 acres of disturbance or a National Pollution Discharge Elimination System (NPDES) 1200-C Construction Erosion Control permit from Oregon DEQ for over 5 acres.

*A Clean Water Services' Service Provider Letter and Memorandum were received. After land use decision issuance the applicant will submit final plans complying with the Service Provider Letter conditions and CWS Memorandum that are sufficient to obtain a Stormwater Connection Permit Authorization Letter from Clean Water Services in accordance with TDC 74.650(2) and CWS D&CS 3.01.2(d). With recommended Conditions of Approval **A5, A6, A8, and A9** these standards are met.*

[...]

Chapter 75: Access Management

TDC 75.020. - Permit for New Driveway Approach.

(1) Applicability. A driveway approach permit must be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

(2) Exceptions. A driveway approach permit is not required for:

(a) The construction, relocation, reconstruction, enlargement, or alteration of any driveway approach that requires a state highway access permit; or

(b) The construction, relocation, reconstruction, enlargement or alteration of any driveway approach that is part of the construction of a publicly or privately engineered public improvement project.

(3) Procedure Type. A Driveway Approach Permit is processed as a Type II procedure under TDC 32.220 (Type II).

(4) Submittal Requirements. In addition to the application materials required by TDC 32.140 (Application Submittal), the following application materials are also required:

(a) A site plan, of a size and form and in the number of copies meeting the standards established by the City Manager, containing the following information:

- (i) The location and dimensions of the proposed driveway approach;**
- (ii) The relationship to nearest street intersection and adjacent driveway approaches;**
- (iii) Topographic conditions;**
- (iv) The location of all utilities;**
- (v) The location of any existing or proposed buildings, structures, or vehicular use areas;**
- (vi) The location of any trees and vegetation adjacent to the location of the proposed driveway approach that are required to be protected pursuant to TDC Chapter 73B or 73C; and**
- (vii) The location of any street trees adjacent to the location of the proposed driveway approach.**

(b) Identification of the uses or activities served, or proposed to be served, by the driveway approach; and

(c) Any other information, as determined by the City Manager, which may be required to adequately review and analyze the proposed driveway approach for conformance with the applicable criteria.

(5) Criteria. A Driveway Approach Permit must be granted if:

- (a) The proposed driveway approach meets the standards of this Chapter and the Public Works Construction Code;**
- (b) No site conditions prevent placing the driveway approach in the required location;**
- (c) The number of driveway approaches onto an arterial are minimized;**
- (d) The proposed driveway approach, where possible:**
 - (i) Is shared with an adjacent property; or**
 - (ii) Takes access from the lowest classification of street abutting the property;**
- (e) The proposed driveway approach meets vision clearance standards;**
- (f) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;**
- (g) The proposed driveway approach does not result in significant adverse impacts to the vicinity;**
- (h) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and**

(i) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

(6) **Effective Date.** The effective date of a Driveway Approach Permit approval is the date the notice of decision is mailed.

(7) **Permit Expiration.** A Driveway Approach Permit approval expires one year from the effective date, unless the driveway approach is constructed within the one-year period in accordance with the approval decision and City standards.

[...]

TDC 75.040. - Driveway Approach Requirements.

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

[...]

(4) **Requirements for Development on Less than the Entire Site.**

(a) To promote unified access and circulation systems, lots and parcels under the same ownership or consolidated for the purposes of development and comprised of more than one building site must be reviewed as one unit in relation to the access standards. The number of access points permitted must be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations must be met. This must also apply to phased development plans. The owner and all lessees within the affected area must comply with the access requirements.

(b) All access must be internalized using the shared circulation system of the principal commercial development or retail center. Driveways should be designed to avoid queuing across surrounding parking and driving aisles.

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

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

(7) To afford safe pedestrian access and egress for properties within the City, a sidewalk must be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section must be constructed to City standards,

[...]

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

TABLE 75-1

Driveway Approach Width

Use	Minimum Driveway Approach Width	Maximum Driveway Approach Width
Multi-family	5-49 Units = 24 feet 50-499 = 32 feet Over 500 = as required by the City Manager	May provide two 16 foot one-way driveways instead of one 24 foot driveway May provide two 24-foot one-way driveways instead of one 32 foot driveway

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

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

(a) At the intersection of collector or arterial streets, driveways must be located a minimum of 150 feet from the intersection.

[...]

(12) Vision Clearance Area.

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

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

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

[...]

TDC 75.120. - Collector Streets Access Standards.

[...]

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

[...]

TDC 75.140. - Existing Streets Access Standards.

The following list describes in detail the freeways and arterials as defined in TDC 75.050 with respect to access. Recommendations are made for future changes in accesses and location of future accesses. These recommendations are examples of possible solutions and shall not be construed as limiting the City's authority to change or impose different conditions if additional studies result in different recommendations from those listed below.

[...]

(1) INTERSTATE 5 (I-5). I-5 is a State facility and access is controlled by the State.

[...]

(14) SAGERT STREET.

(a) Martinazzi Avenue to 65th Avenue. No new driveways or streets shall be allowed,

[...]

Finding:

*No modification to existing or new accesses are proposed. Modifications to the existing streets to match Preferred cross-sections will meet vision clearance requirements. With recommended Conditions of Approval **A2, A7, A8, and A9**, these standards are met.*