

The following information is meant to address the concerns of both the appellants and the commissioners that were raised regarding the approval of the 10510 S.W 155th Ave. 3-Lot partition.

1) Because the appeal stated that the Planning Staff did not have the right to use their discretion in determining what is the "Front Lot Line", we have agreed to use their code interpretation - "The following words and phrases shall be construed to have the specific meanings assigned to them by definition." Of course, the primary word referred to was "Initial" construction. To rectify this concern, we have revised the plan to show the front lot line as facing SW 155th Ave. (Please see 11"x 17" sheet "Page 1")

Now, all 3 lots meet all front, back, and side setbacks required by the current code in the city of Beaverton.

2) One of the appeals stated that we did not meet minimum density standards. We did provide a shadow plat of how density standards can be met in the future, as required by Beaverton's code. As noted in item 1, the appellate stated - "The following words and phrases shall be construed to have the specific meanings assigned to them by definition." The "specific meaning" of the word "future" is very straightforward. According to several dictionaries, the word "future" means "Time regarded as still to come", "at a later time.", "The indefinite time yet to come."

Therefore, the criteria are met for the density standards of Beaverton.

3) Setback clarification: This is no longer an issue. As noted in item 1, all setback requirements have been met. In fact, we have withdrawn our flexible setback application.

4) That the storm water system was fatally flawed and limits the ability to save trees. As was demonstrated in the previous meeting, hydrology reports showed that no stormwater would be directed to the outfall. In fact, there was a 73% buffer, only 27% of the stormwater would need to be retained for a 25 year storm. However, as a good neighbor, to alleviate any fears that Mr. King has, We have moved the outfall of the storm water system down into the vegetated Corridor. (Please see the amended service provider letter from CWS.)

Also, after meeting with the staff, we will not need to remove existing trees, 26, 27, and 28 from the utility easement. In addition, to further remove the possibility of any damage to the root systems, we will change our boring from 4 feet below surface to 6 feet below the surface. Therefore the criteria are met.

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NOV 23 2016

City of Beaverton  
Planning Services

5) Outstanding traffic issues traffic safety issues: We agreed that traffic safety at this location is very important. As Commissioner Wilson noted there is a definite traffic safety vision problem with respect to the slope of the current driveway.

Mr. King's attorney stated that our proposal to rectify this problem "is simply not true and that the proposed driveway would further diminish visibility and exacerbate this traffic safety problem."

This is a very simple math calculation. In order to determine degree of slope, all you need to do is divide the rise in elevation by the run, that is, the length involved. (Please see Exhibit 3), to make the matter even more clear we have provided a profile of the existing driveway and the proposed. Also, her contention that raising the back of the driveway approach makes the slope worse is simply not true. This is very easy to demonstrate, this is demonstrated at the walking path just a few feet to the west of the property.

6) Regarding the large bushes on the neighboring property which diminish visibility; Beaverton regulations state that "no fence, berm, wall, commercial sign, vehicle, hedge, offstreet parking space, or other planting or structure shall be erected, planted, placed, or maintained within a sight clearance area." This vegetation does diminish visibility to the current driveway.

However, because we wish to be good neighbors we will merely need to move the driveway 9 feet to the West, which we are willing to do. This will allow all sideline requirements to be met and at the same time allow the neighbor to keep his current landscaping.

Because the new driveway now allows a much shallower approach to SW 155th Ave., for much better visibility, and because the driveway will no longer have its sight impeded by brush, it is easy to see that a much greater safety level is achieved.

7) In their letter dated Nov. 9, 2016, the appellant asked for an updated Service Provider Letter from Clean Water Services. Please see the new CWS letter and map, which states their approval of the partition.

We have withdrawn our application for any Flexible Setbacks. By enhancing the Vegetated Corridor, we have met the 20' backyard requirements.

Also, after talking to the Planning Staff, we have agreed to accomplish any needed excavating by "hand digging". So no equipment will enter any sensitive environment area.

8) The appeal stated that Mike Safstrom is not involved in ownership: See attached ADTM document 'New Member Acknowledgement'.

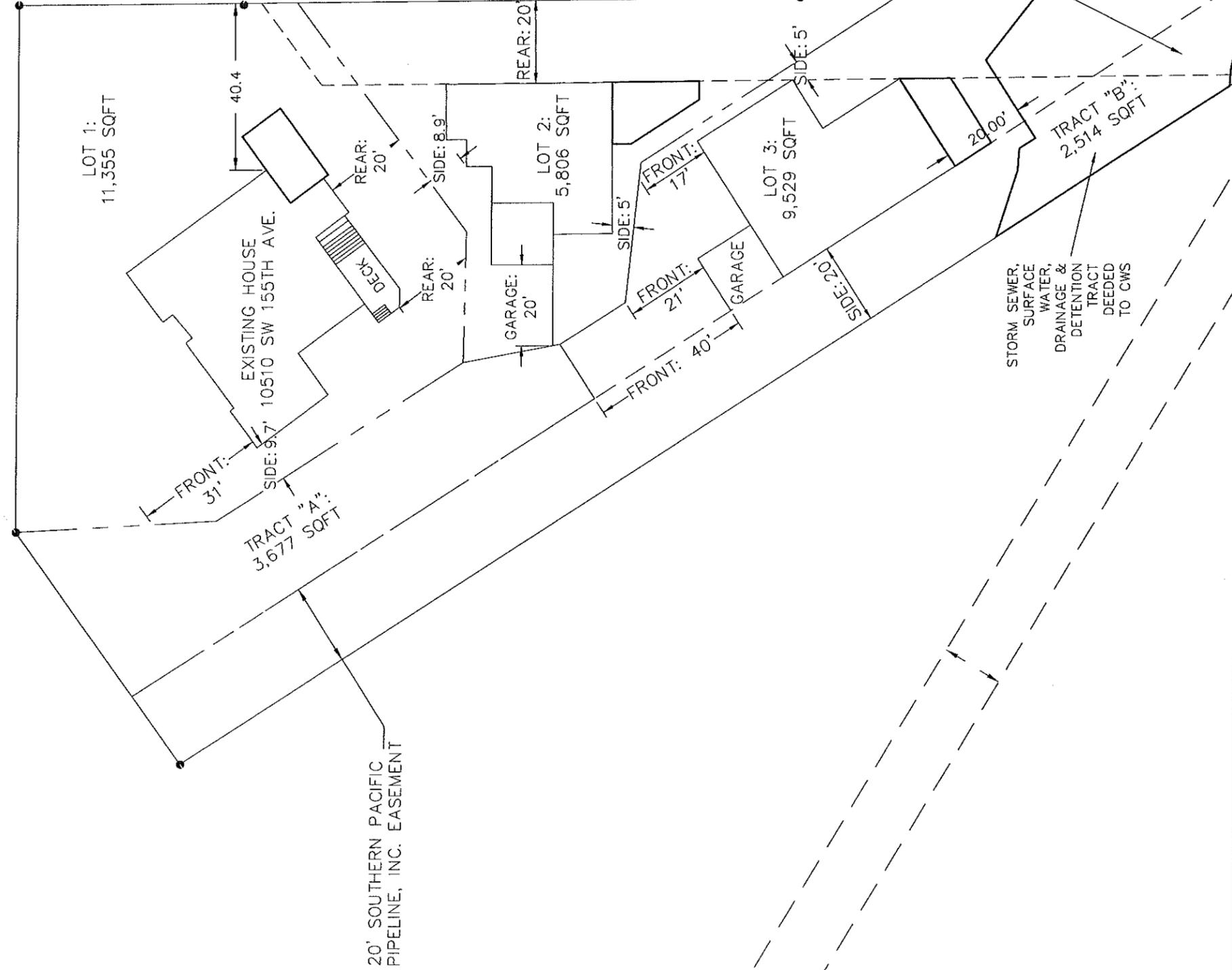
9) The appeal states that this is a subdivision instead of a partition. ORS definitions are very clear, a development that results in 3 lots is a partition. However, the only difference in approval is the amount of fees that would be collected by the city of Beaverton.

10) Finally, Commissioner Wilson wanted to see how the location of tree #8 was related to the pipeline, so we have included pictures to clarify.

We respectfully appreciate your consideration in these matters,

Tynisha and Mike Safstrom

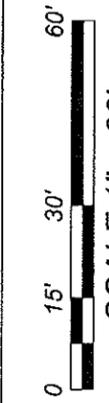
SW 155TH AVE  
30.00'



20' SOUTHERN PACIFIC PIPELINE, INC. EASEMENT

STORM SEWER, SURFACE WATER, DRAINAGE & DETENTION TRACT DEEDED TO CWS

STORM SEWER, SURFACE WATER, DRAINAGE & DETENTION EASEMENT TO CWS



SCALE 1" = 30'  
IF SCALE BAR DOES NOT MEASURE 2", DRAWING NOT TO SPECIFIED SCALE.

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NOV 23 2016

City of Beaverton  
Planning Services

**R&T**  
ENGINEERING  
LLC

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EMAIL: RANDYTALLMAN@CANBY.COM  
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CANBY, OR 97013

CHECKED BY:  
JMS

DRAWN BY:  
RST

Tract "A" & 3-Lot Partition-10510 SW 155th Ave

T: 1S, R: 1W, Sec: 32BD, TL: 100 (EMS 15-0057)

3-Lot Partition Plan (Rev. 11/22/16)

PAGE 2 of 15

November 22, 2016

SCALE: 1"=30'



**In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:**

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 07-20, Chapter 3.
2. Prior to any site clearing, grading or construction the Vegetated Corridor shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 07-20, Section 3.06.1 and per approved plans.
3. **If there will be any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits.**
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. **Prior to ground disturbance an erosion control permit is required. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.**
6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 07-20, Section 5.10.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. If applicable, the water quality facility shall be planted with Clean Water Services approved native species, and designed to blend into the natural surroundings.
10. **Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.**

**SPECIAL CONDITIONS**

11. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
12. For Vegetated Corridors up to 50 feet wide, the applicant shall enhance the portion of the Vegetated Corridor that is on-site to meet or exceed good corridor condition as defined in R&O 07-20, Section 3.14.2, Table 3-3.
13. Prior to any site clearing, grading or construction, the applicant shall provide the City with a Vegetated Corridor enhancement/restoration plan as part of the engineering submittal. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 07-20, Appendix A, and shall include planting specifications for all Vegetated Corridor.
14. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Pest Management Plan.
15. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Landscape Requirements (R&O 07-20, Appendix A).
16. **Maintenance and monitoring requirements shall comply with R&O 07-20, Section 2.11.2. If at any time during the warranty period the landscaping falls below the 80% survival**

level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two-year maintenance period shall begin again from the date of replanting.

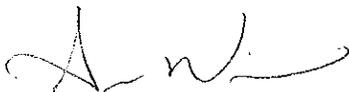
17. Performance assurances for the Vegetated Corridor shall comply with R&O 07-20, Section 2.06.2.
18. For any developments which create multiple parcels or lots intended for separate ownership, Clean Water Services shall require that the sensitive area and Vegetated Corridor be contained in a separate tract and subject to a ""STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY"" to be granted to Clean Water Services or the City.

#### FINAL PLANS

19. Final plans shall include landscape plans. In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required.
20. A Maintenance Plan shall be included on final plans including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
21. Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
22. Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of signage between the development and the outer limits of the Vegetated Corridors. Signage details to be included on final construction plans.

**This Service Provider Letter is not valid unless CWS-approved site plan is attached.**

Please call (503) 681-3653 with any questions.



**Amber Wierck**  
Environmental Plan Review

**Attachments (1)**

**LEGEND**

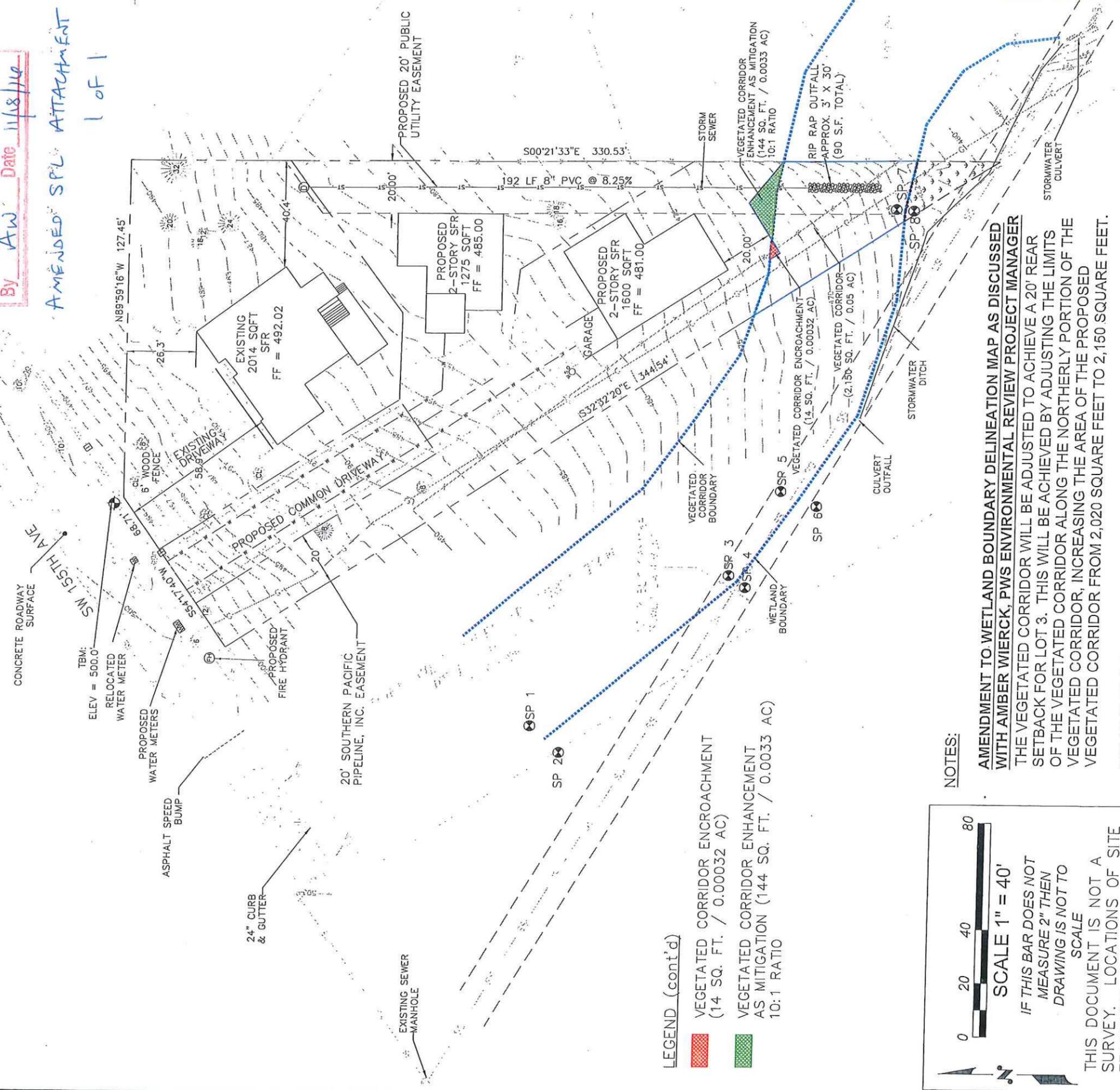
- EXISTING DECIDUOUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING CONIFEROUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING TELEPHONE RISER
- EXISTING ELECTRIC RISER
- EXISTING ELECTRIC VAULT
- EXISTING LIGHT POLE
- EXISTING WATER METER
- EXISTING IRRIGATION VALVE
- EXISTING WATER SPIGOT
- EXISTING UNDERGROUND GAS LINE
- EXISTING CATCH BASIN
- EXISTING CONCRETE CULVERT
- EXISTING SANITARY MANHOLE
- EXISTING STORM MANHOLE

- EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE
- EXISTING FENCE
- ROAD C. LINE
- PROPOSED WATER LINE
- PROPOSED STORM SEWER LINE
- SAMPLE POINT
- WETLAND BOUNDARY
- VEGETATED CORRIDOR BOUNDARY

10510 SW 155TH AVE  
BEAVERTON, OR 97007

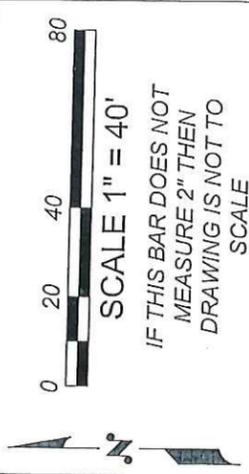
CWS FILE NO. 15-002187  
Approved  
Clean Water Services  
FOR ENVIRONMENTAL REVIEW  
By AW Date 11/18/16

AMENDED SPL ATTACHMENT  
1 of 1



**LEGEND (cont'd)**

- VEGETATED CORRIDOR ENCROACHMENT (14 SQ. FT. / 0.00032 AC)
- VEGETATED CORRIDOR ENHANCEMENT AS MITIGATION (144 SQ. FT. / 0.0033 AC) 10:1 RATIO



**NOTES:**

**AMENDMENT TO WETLAND BOUNDARY DELINEATION MAP AS DISCUSSED WITH AMBER WIERCK, PWS ENVIRONMENTAL REVIEW PROJECT MANAGER. THE VEGETATED CORRIDOR WILL BE ADJUSTED TO ACHIEVE A 20' REAR SETBACK FOR LOT 3. THIS WILL BE ACHIEVED BY ADJUSTING THE LIMITS OF THE VEGETATED CORRIDOR ALONG THE NORTHERLY PORTION OF THE VEGETATED CORRIDOR, INCREASING THE AREA OF THE PROPOSED VEGETATED CORRIDOR FROM 2,020 SQUARE FEET TO 2,150 SQUARE FEET. REMOVE INVASIVE NON-NATIVE SPECIES WITHIN THE CORRIDOR BY HAND AND REVEGETATE CLEARED AREA VIA LOW IMPACT METHODS.**

**R&T ENGINEERING LLC**

PHONE: 503.878.3643  
EMAIL: RANDYTALLMAN@CANBY.COM  
2073 N MAPLE STREET  
CANBY, OR 97013

CHECKED BY: JMS  
DRAWN BY: RST

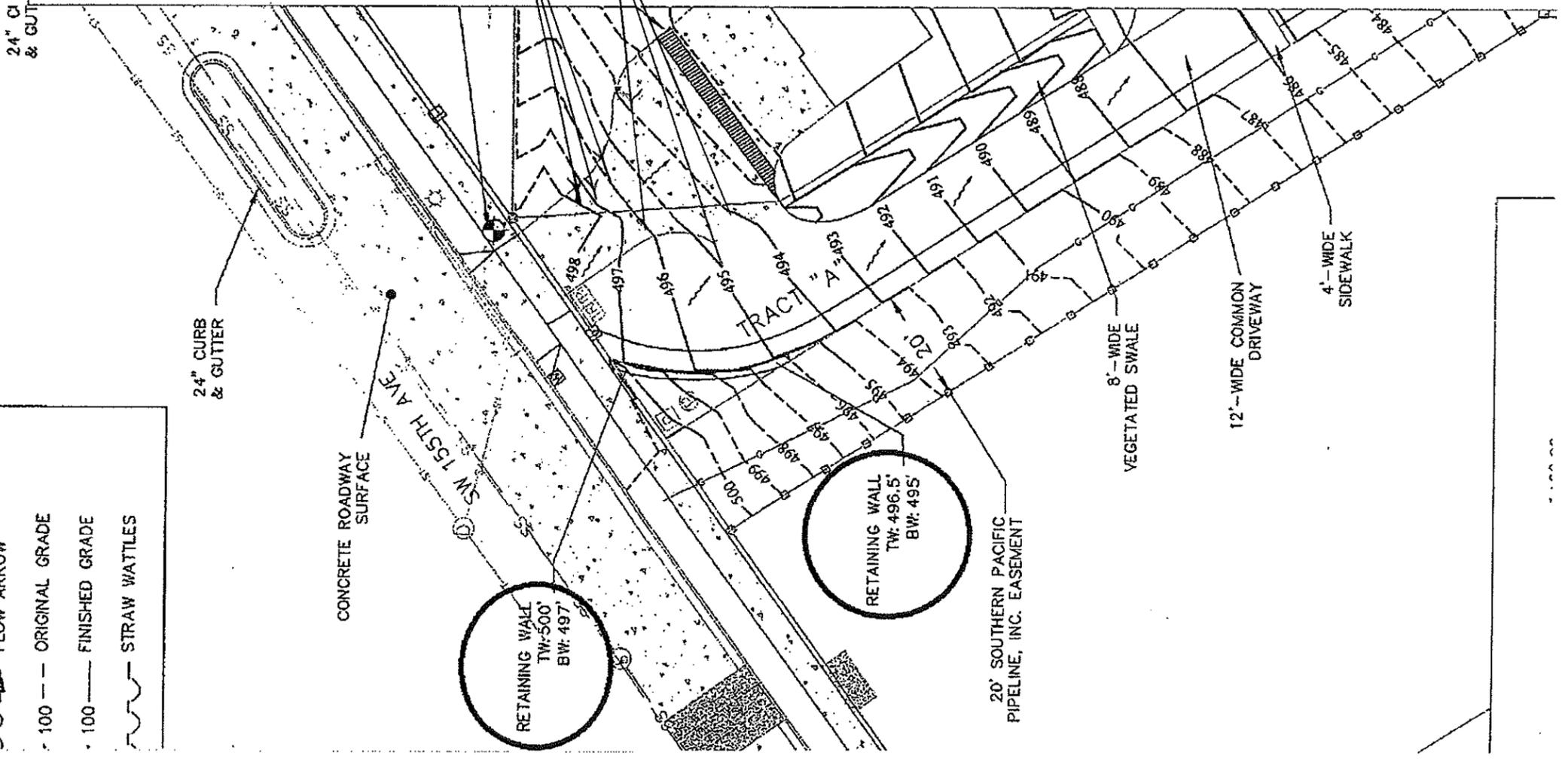
Tract "A" & 3-Lot Partition-10510 SW 155th Ave  
T: 1S, R: 1W, Sec: 32BD, TL: 100 (EMS 15-0057)  
Wetland Boundary Delineation Map (Rev. 11/17/16)

FIGURE 6B  
November 17, 2016  
SCALE: 1"=40'

**LEGEND:**

- STORM SEWER MANHOLE
- CATCH BASIN
- TEMPORARY SILT FENCE
- FLOW ARROW
- 100' ORIGINAL GRADE
- 100' FINISHED GRADE
- STRAW WATTLES

24" CI X  
& GUT

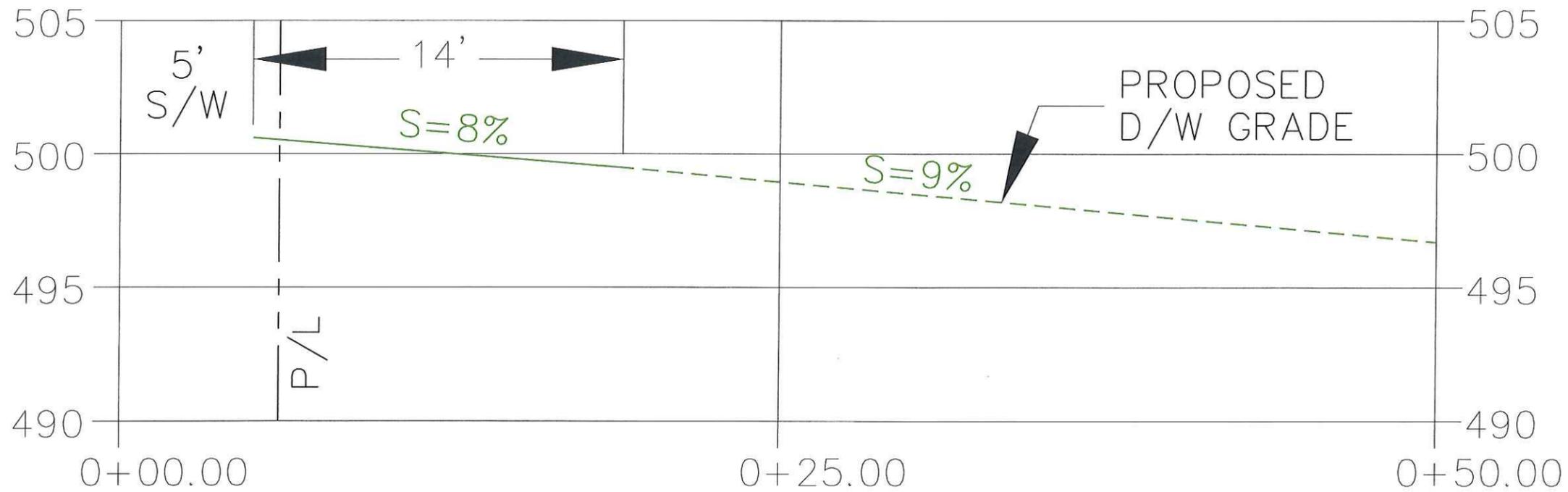


The formula for determining slope is rise ÷ run.  
 All of these contours are 1' increments, so the closer they are to each other - the steeper the slope.

Very close  
 22 1/2% slope  
 8% slope



EXISTING DRIVEWAY PROFILE  
SCALE: 1"=5'



PROPOSED DRIVEWAY PROFILE  
SCALE: 1"=5'

FIGURE 4B

3-Lot Partition-10510 SW 155th Ave

November 22, 2016

T: 1S, R: 1W, Sec: 32BD, TL: 100 (EMS 15-0057)

DRIVEWAY PROFILE (Rev. 11/22/16)

CHECKED BY:  
JMS

DRAWN BY:  
RST

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**M&T Development, LLC**

CCB# 205449

6729 Childs Road | Lake Oswego OR 97035

Tynisha 503-451-4665 - Mike 503-890-6884

City of Beaverton Planning Division

Attn: Elena Sasin

PO Box 4755

Beaverton OR 97076-4755

503-526-2494

RE: FS2016-0001 in connection with LD2016-0002 & TP2016-003 – (10510 SW 155<sup>th</sup> Ave, Beaverton OR 97007 3-Lot Partition)

Dear Elena,

We would like to withdraw our flexible setback application, file no. FS2016-0001 - Site address: 10510 SW 155<sup>th</sup> Ave, Beaverton OR 97007.

Thank you,

Mike Safstrom

ADTM Development LLC

503-890-6884

mandtdevelopmentllc@icloud.com

**Subject:** Sight clearances

**From:** Tynisha Safstrom <mandtdevelopmentllc@icloud.com>

**Date:** Wed, 23 Nov 2016 10:23:47 -0800

**To:** usa1338@fedex.com

This section can be found in the Engineering Design Manual:

#### 210.10.1 Visibility at Intersections:

All work within the public right-of-way and adjacent to public streets and accessways shall comply with the standards of this section.

1. Except as otherwise provided in this section, no fence, berm, wall, commercial sign, vehicle, hedge, off-street parking space, or other planting or structure shall be erected, planted, placed, or maintained within a sight clearance area. If the relation of the surface of the lot to the streets is such that visibility is already obscured, nothing shall be done to reduce visibility within the sight clearance area.

a. The horizontal limits of the sight clearance area shall be a triangular area measuring 15 feet along the right-of-way or private access, as shown in the following diagram. The edge of the hard surfaced area of the private access, be it roadway, curb, or sidewalk, shall be treated as the right-of-way line in determining the site clearance areas.

**NEW MEMBER ACKNOWLEDGEMENT**

of

**ADTM Development, LLC**

**AN OREGON LLC**

At a meeting held this 2<sup>nd</sup> day of January, 2015, the members of ADTM Development, LLC unanimously named J. Michael Safstrom, a member pursuant to section 8 of the current Operating Agreement of ADTM Development, LLC.

I, J. Michael Safstrom, the new member hereby agree to abide and be governed by the Operating Agreement of ADTM Development, LLC.

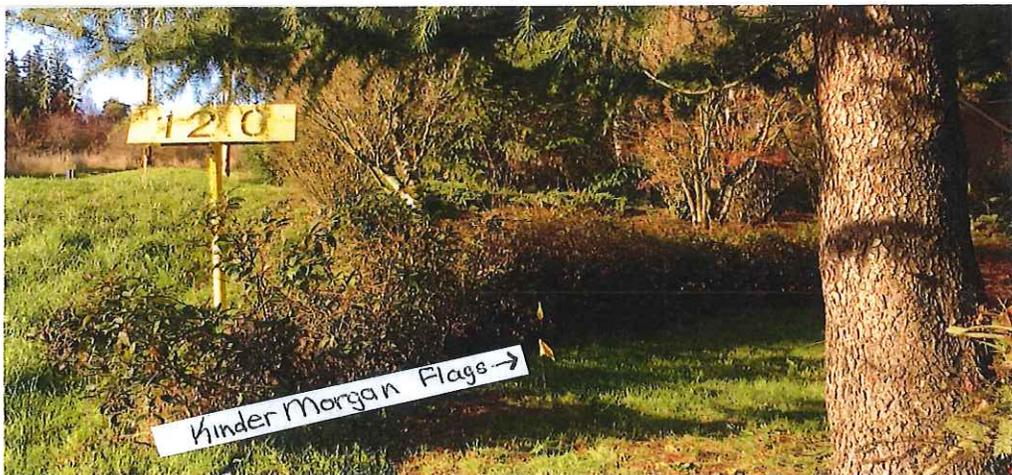
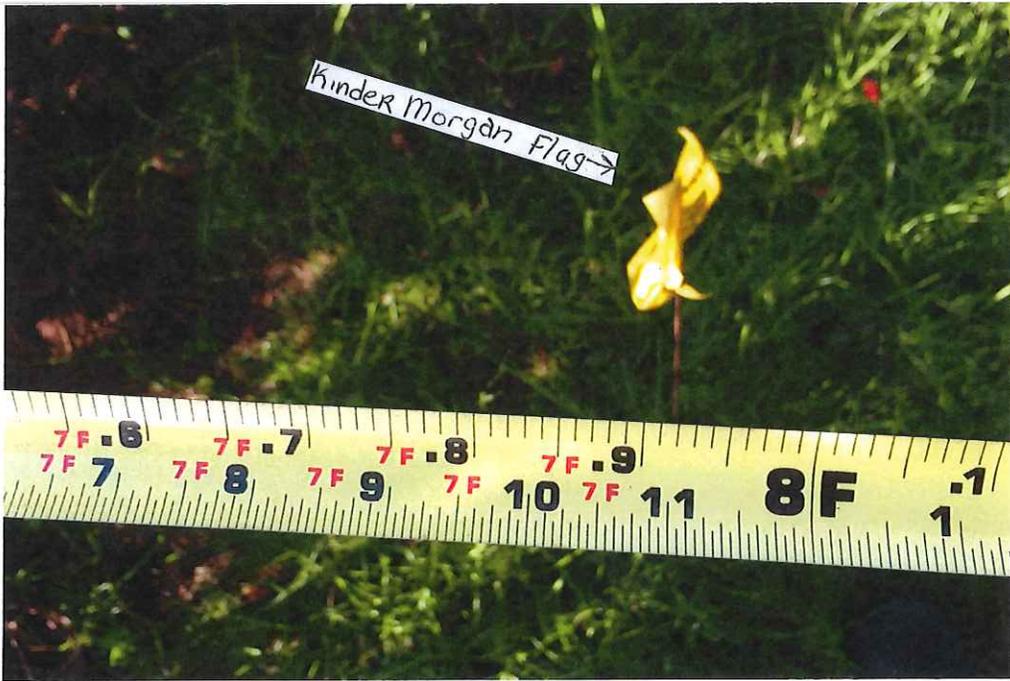
DATED this 2<sup>nd</sup> day of January, 2015  
(#) (Month) (Year)

Existing Member(s) Signature(s):

[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

New Member Signature:

J. Michael Safstrom  
\_\_\_\_\_





**CITY OF BEAVERTON**  
 Community and Economic Development Department  
**Planning Division**  
 12725 SW Millikan Way PO Box 4755  
 Beaverton, OR 97076  
 Tel: (503) 526-2420 Fax: (503) 526-3720  
[www.BeavertonOregon.gov](http://www.BeavertonOregon.gov)

**CONTINUANCE - REQUEST**

Revised 04/2004

TO: CITY OF BEAVERTON, PLANNING DIVISION

RE: Case File No: <sup>1</sup> LD2016-0002, TP2016-0003, FS2016-0001 (SW 155<sup>th</sup> Ave 3-Lot Partition)

I, Mike Safstrom, as the applicant or with authority to act on behalf of the applicant, hereby request pursuant to ORS 227.178(5), a continuance of the City's action on this case file. I understand and accept that the State of Oregon's 120 day processing rule for land use decisions will be extended by the length of the continuance.

Application Deemed Complete Date:\* August 10, 2016

Original 120 Day Final Decision Date:\* December 8, 2016

Number of Days of Continuance Request: 120 days

Final Written Decision Date: \_\_\_\_\_

Continuance Shall Not Exceed (240 day date): April 7, 2017

I understand Beaverton Development Code Section 50.25.8 - 10 allows the applicant to continue this application forward by no more than 120 additional days. No matter the number or length of continuance requests, the Development Code requires that a final decision be made within 240 days as determined from date of application completeness.

Dated this 14 day of November, 2016  
 (day) (month) (year)

Signature: [Signature]  
 Print Name: Mike Safstrom  
 Representing: ADTM Development LLC

\* City staff will provide this date

<sup>1</sup> In the event there is a request for continuance of more than one (1) application, a separate Request for Continuance form shall be completed for each application.