

Responses to the appeal regarding the 10510 SW 155th Ave 3-lot Partition

The following are some comments that relate to the appeals from Richard King's attorney and the appeal from the letter from MOA:

1) In their appeal the comment is made, "The proximity and relative sizes of the proposed homes and yards are in stark contrast to those in the immediate neighborhood." And that, "the home proposed for Lot 3 is a mere 1,034 square feet."

Answer:

According to the Washington County Assessment and Taxation Report, Tax Roll Date 9/21/2016, a total of 7 lots surround this property.

A) There are 3 lots that border this property on its East side - 15465, 15460, and 15430, all on SW Heron Court. And, 4 lots on its West side, across the BPA ROW - 10640, 10650, 10670, and 10690, all on SW Oriole Circle. The average size of the 7 lots is 8,401 square feet. The average size of just the 3 lots on the East side is 9,002 square feet.

The average lot size of the 3 lots involved in this partition will be 9,288 square feet - 887 square feet larger than the average of the 7 lots. And, 286 square feet larger than the 3 lots on SW Heron Ct.

B) According to this same Taxation Report, Richard King's home is 2,686 square feet, the home at 15465 is 3,080 square feet, the home at 15430 is 3,606 square feet, the home at 10640 is 2076 square feet, the home at 10650 is 2457 square feet, the home at 10670 is 2299 square feet, the home at 10690 is 2495 square feet, and the existing home on the property is 2,522 square feet.

So the average for the 8 existing homes is 2,671. The average for just the 4 existing homes on Heron Ct. and the home already on the property is 2,973.5 square feet.

The average size of the 2 new homes that are shown on the application is 2,990 square feet - 319 square feet larger than the 8 existing homes, 16.5 feet larger than the average of just the 4 lots, and 304 square feet larger than Mr. King's home.

It is easy to see that the proximity and relative sizes of the proposed homes and yards are NOT in stark contrast to those in the immediate neighborhood. Both lot size and home size exceed the existing lot and home size

C) And that, the home proposed for Lot 3 is NOT a mere 1,034 square feet. it is larger than most of the existing homes that surround the property.

2) The comment is made, "Storm water drainage is inadequate..."

Answer:

The partition will not cause drainage problems. All hydrology engineering will meet the City of Beaverton's standards for retaining and removal of storm water. All neighboring properties will

be protected from channelized flow of storm water. In fact, we are deeding a 2,477 square foot tract to CWS for "storm sewer, surface water drainage and detention tract.", as outlined in the application.

3)The comment was made, "This application shows an aggressive removal of trees..."

Answer:

- a) Kinder-Morgan must maintain the ability to perform an aerial inspection of their pipeline. To facilitate this, the planting of any trees or shrubs in their easement is not permitted. Before we even purchased the property, Kevin Wallace - their representative - informed us that they would be removing seven trees and all shrubs that were preventing aerial inspections.
- b) Of the 14 trees that are outside the Kinder-Morgan easement, we will preserve any tree in the new utility easement that does not suffer root damage.
- c) Finally, on Page 17 of the application we have included the planting of 26 trees, 125 shrubs, and ground cover for a 2,477 square foot Vegetated Corridor Enhancement tract that we are deeding to CWS.

This will actually increase the wildlife habitat and the air quality within the Murrayhill community.

4)The comment was made, "The decision dismisses concerns regarding traffic safety..."

Answer:

The existing driveway, which requires that vehicles back out onto SW 155th Ave. will be replaced with an improved driveway that will allow vehicles to enter facing the sidewalk and roadway. The increased line of sight is an obvious safety improvement.

Also, there are Traffic Calming Solutions within a few feet of this property. We talked about this in our Sept. 7th meeting. It was agreed that the new driveway will not slow or impede traffic on 155th. In fact, it will be much safer.

5) The comment was made, "there are serious concerns about the owner's ability to complete the proposed partition plat based on the information provided in the application"

Answer:

This is an easy comment to refute. Surely Mr. King's attorney realizes that all site development requires performance bonding by the city of Beaverton.

6) The comment was made, regarding Mike Safstrom, "it is unclear if he is an authorized agent for the owner."

Answer:

Mike Safstrom is an authorized agent and partial owner.

7) Comment was made regarding legal access to the property

Answer:

During our Sept. 7th meeting, Jim Duggan made the comment, "to not allow development would go against all the planning and land use decisions made over the last 40 years."

8) Comment was made that a Flexible Setback should not be granted

Answer:

A Flexible Setback is not needed. The reason we applied for this setback was in the interest of being good neighbors. By using a Flexible Setback we endeavored to move the house on Lot 3 as far away from the East Property line as possible. It would be simple to redesign the home so that no Flexible Setback would be needed.

Finally, when Scott asked us to provide information about the type of equipment we would use on this project I sent him the following email:

From: Tynisha Safstrom <mandtdevelopmentllc@icloud.com>
Date: September 22, 2016 at 9:34:45 AM PDT
To: Scott Whyte <swhyte@beavertonoregon.gov>
Subject: Providing maximum protection to sensitive areas

Good morning Scott.

Sorry I didn't get this out last night. When we got back from the museum I was exhausted. I think sometimes with the health challenges I have my brain is still writing checks that my body can't cash.

Here are the specs and picture of the machine we would use on any excavation on our project. As you can see, this machine was designed to be used on sensitive areas. It's extremely light weight - 6,000 pounds - and broad track make it capable of being used on established lawns, without even damaging the grass.

Also, any accessibility needed to use the existing utilities will be from our property.

Finally, we were planning on providing a new manhole. But, if you would like us to use the existing manhole next to our property, Jim would just need to let us know if there is any specific clean out that is acceptable for the change of direction.

This description is from the Bobcat website: "The Bobcat® E26 compact excavator features minimal tail swing to reduce the risk of damage to the machine and surrounding objects...With its compact size and excellent flotation, the E26 easily maneuvers established lawns, crowded jobsites and sensitive surfaces...The E26 is also available in a long arm model."

Have a great day!
Tynisha & Mike Safstrom
M&T Development LLC



10510 SW 155th Ave 3-lot Partition

We have been in constant communication with the City of Beaverton and have followed all of your suggestions and comments so that this project would be compatible with topography, vegetation, building character, and site development. If there are any other issues you would like us to address, please let us know.

Have a great day,
Mike Safstrom
M&T Development LLC & ADTM Development LLC