



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

April 26, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Tualatin Plan Amendment
DLCD File Number 001-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 9, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

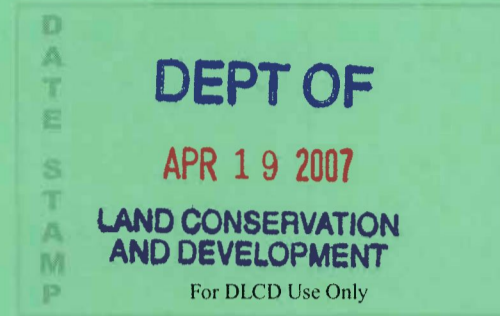
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Stacy Humphrey, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Will Harper, City of Tualatin

<paa> ya/

PROF 2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Tualatin Local file number: PTA-07-02

Date of Adoption: 4/9/2007 Date Mailed: 4/18/2007

Date original Notice of Proposed Amendment was mailed to DLCD: 1/9/2007

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

This Plan Text Amendment amends the access management regulations of TDC 75.120 to allow a 2nd ingress/egress access for a property (Tax Lot 300 on Assessors Map 2S122) on the south side of SW Leveton Drive, a Major Arterial street.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

SAME

Plan Map Changed from: n/a to: _____

Zone Map Changed from: n/a to: _____

Location: n/a Acres Involved: _____

Specify Density: Previous: n/a New: _____

Applicable Statewide Planning Goals: none

Was and Exception Adopted? YES NO

DLCD File No.: 001-07 (15867)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

n/a

Local Contact: Will Harper, Asst. Planner Phone: (503) 691-3027 Extension: _____

Address: 18880 SW Martinazzi Avenue City: Tualatin

Zip Code + 4: 97062- Email Address: wharper@ci.tualatin.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



City of Tualatin

18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
TDD 503.692.0574

NOTICE OF ADOPTION

On April 9, 2007, the City of Tualatin adopted Ordinance #1234-07 (File No. PTA-07-02), an Ordinance amending the Tualatin Development Code (TDC) to access management on SW Leveton Drive adjoining Tax Lot 300, Assessors Map 2S122 and amending TDC 75.120.

A copy of the ordinance is also available for review at the Tualatin Planning Department located at 18880 SW Martinazzi Avenue from 8 a.m. to 12 noon and from 1:00 to 5:00 p.m., Monday through Friday.

Review of land use decisions is commenced by filing a Notice of Intent to Appeal with the Land Use Board of Appeals as provided in ORS 197.830 to 197.845. The notice of intent to appeal a land use decision must be filed within 21 days of the date the decision is mailed to parties entitled notice under ORS 197.615.

Date notice mailed: April 18, 2007

file: PTA-07-02

c: Mark Labadie, TVA Architects, Inc., 920 SW 6th Avenue, Suite 1500, Portland, OR 97210

ORDINANCE NO. 1234-07

AN ORDINANCE RELATING TO ACCESS MANAGEMENT ON SW LEVETON DRIVE ADJOINING TAX LOT 300, ASSESSORS MAP 2S122; AND AMENDING TDC 75.120 (PTA-07-02)

WHEREAS upon initiation by the City of Tualatin, a public hearing was held before the City Council of the City of Tualatin on March 26, 2007, relating to access management on SW Leveton Drive adjoining Tax Lot 300, Assessors Map 2S122; amending TDC 75.120 (PTA-07-02); and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on March 8, 2007, in The Times, a newspaper of general circulation within the City which is evidenced by the Affidavit of Publication marked "Exhibit A," attached and incorporated by this reference; by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting, marked "Exhibit B," attached and incorporated by this reference; by mailing to all potentially affected property owners and to all neighborhood organizations recognized by the City Council, which is evidenced by the Affidavit of Mailing, marked "Exhibit C," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on March 26, 2007, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council voted 5 - 0, with Councilors Barhyte and Harris absent, to direct staff to bring back an ordinance with amended language; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report dated March 26, 2007, attached as "Exhibit D," attached and incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by adopting the amendment at this time; and the amendment conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended. Therefore,

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TDC 75.120, the Leveton Drive section only, is amended to read as follows:

Section 75.120 Existing Streets.

LEVETON DRIVE

118th Avenue to 108th Avenue

On the north side of Leveton Drive, JAE (2S122B/200) shall align a driveway across from 118th Avenue and be permitted a second driveway approximately 50 feet from their east property line. Novellus (2S122AA/500 and 2S122AB/100) shall be permitted three driveways

located approximately 25 feet and 950 feet from the west property line for Tax Lot 100 and 600 feet west of 108th Avenue for Tax Lot 500.

On the south side, Fujimi *Phight Inc.* (2S122/300) shall ~~align their driveways with the east JAE driveway or~~ **be allowed a driveway aligned with** the west Novellus (2S122AB/100) driveway **and a driveway adjacent to their east property line.** Fujimi (2S122/400) shall be allowed a driveway adjacent to their west property line and east property line. Tofle (2S122AD/400) shall be allowed a driveway aligning across from the Novellus (2S122AA/500) driveway and a second driveway approximately 260 feet west of 108th Avenue.

INTRODUCED AND ADOPTED this 9th day of April, 2007.

CITY OF TUALATIN, Oregon

BY _____

Mayor

ATTEST:

BY _____

City Recorder



STAFF REPORT CITY OF TUALATIN

TO: Members of the Tualatin Planning Advisory Committee

THROUGH: Doug Rux, Community Development Department *DR*

FROM: *WH* William Harper, AICP
Associate Planner

DATE: March 8, 2007

SUBJECT: PTA-07-02—RELATING TO ACCESS MANAGEMENT ON
SW LEVETON DRIVE ADJOINING TAX LOT 300, ASSESSORS
MAP 2S122; AMENDING TDC 75.120.

ISSUE BEFORE THE TUALATIN PLANNING ADVISORY COMMITTEE (TPAC):

TPAC consideration and development of a recommendation to the City Council regarding the request for a Plan Text Amendment to the Tualatin Development Code (TDC) Chapter 75-Access Management, would allow two ingress/egress accesses (a 2nd access, in addition to the one access currently allowed) on the south side of the SW Leveton Drive adjacent to Tax Lot 300 on Assessors Map 2S122.

RECOMMENDATION:

- Staff recommends TPAC recommend that the City Council consider the staff report and supporting attachments and direct staff to prepare an ordinance granting PTA 07-02.

EXECUTIVE SUMMARY:

- This matter is a proposed amendment to the TDC and a decision by the City Council is a legislative action. Because the decision affects a specific property, it will be considered using the Quasi-judicial process. TPAC will make a recommendation to the City Council on the proposal. The City Council will consider the matter in a legislative public hearing.
- This matter is a Plan Text Amendment to the Tualatin Development Code.
- The applicant is Mark Labadie of TVA Architects, representing Phight, Inc. the owner of the 29.59 acres, Tax Lot 300 (Map 2S122) property located at 11500 SW Leveton Drive in the MP Planning District and in the Leveton Tax Increment District. A Vicinity Map, a Tax Map and a Site Map are included as Attachments A, B & C respectively. The applicant's materials are included as Attachment D.

In 2006, Phight Inc. purchased the property from the owners of the adjacent Fujimi Corp. facility (to the east) and is preparing to develop a 18 acre eastern portion of the property as Phase I of an animated cinema production facility with 3 buildings totaling approximately 225,000 square feet of building area, loading and receiving areas and parking and services to support up to 600 employees. Due to the size and configuration of the proposed animation facility and due to current site access, building code and fire & life safety standards, a minimum of two ingress/egress accesses are required for the Phase I development, with a third access necessary as the western portion of the Tax Lot 300 property is developed.

Currently, access management standards in TDC 75.120 restrict Tax Lot 300 to one access on SW Leveton Drive, to be located across from an existing access on the Novellus Systems Inc. property located north of SW Leveton Drive. The applicant seeks to amend the Access Management provisions for SW Leveton Drive in TDC 75.120 to allow a second ingress/egress access to SW Leveton Drive for Tax Lot 300.

The submitted traffic analysis (Attachment D, Kittleson & Associates Memorandum) based on worst case development scenarios concludes that allowing the second access for the property will not create traffic congestion or reduced level of service for street intersections in the vicinity or result in roadway safety problems. The City of Tualatin Engineering Division concurs with the traffic impact analysis and agrees that another access on SW Leveton Drive is suitable.

The proposed version of the amendment is provided in Attachment E. The Applicant has prepared a narrative that addresses the Plan Amendment approval criteria (Attachment D) and staff has reviewed the Applicant's material and included pertinent excerpts in the Analysis and Findings section of this report (Attachment G).

- The City Council approved the Transportation System Plan and its implementing provisions in the TDC in PTA-01-03 (Ord. 1103-02) that designated SW Leveton Drive as an Arterial Street, Eb&t (Figure 11-1) and established access management for the street (TDC 75.030). The Background Information (Attachment F) and the Analysis and Findings (Attachment G) explain the existing access management requirements adopted by the City Council.
- The applicable policies and regulations that apply to the proposed amendment to the access management requirements for SW Leveton Drive and development in the MP Planning District include: TDC 7.040 Manufacturing Planning District Objectives; TDC 11.610 Transportation Goals and Objectives; TDC 11.620 Street System Plan (4) Access Management; TDC 30.020 Leveton Tax Increment Plan; TDC 73.400 Access; TDC Chapter 75-Access Management on Arterial Streets. The Analysis and Findings (Attachment G) considers the applicable policies and regulations.

- Before granting the proposed amendment, the City Council must find that the criteria listed in TDC 1.032 are met: The Analysis and Findings (Attachment G) examines the application in respect to the criteria for a Plan Amendment.

OUTCOMES OF DECISION:

Approval of the Plan Text Amendment request will result in the following:

1. Allows two (2) ingress/egress access locations on the south side of SW Leveton Drive adjoining Tax Lot 300 of Map 2S122 where currently one access is allowed in TDC 75.120.
2. Allows the applicant to develop the property in the MP Planning District with the necessary and desired accesses to SW Leveton Drive and construct the planned Phase I project in conformance with access, building code and fire & life safety requirements.
3. This action will not reduce the function, capacity or safety of SW Leveton Drive or other transportation facilities in the vicinity.

Denial of the Plan Map Amendment request will result in the following:

1. The current access management requirements allowing one (1) access from SW Leveton Drive to Tax Lot 300 will remain unchanged.
2. The applicant needs to revise the proposed facility development to meet access, building code, and fire & life safety requirements with a second access to SW 118th Avenue. The revisions may not conform to the applicant's facility design concept in terms of site planning and building sizes.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for TPAC are:

- Recommend the Council approve the proposed amendment with alterations.
- Recommend the Council deny the request for the proposed amendments.
- Continue the discussion of the proposed amendment and return to the matter at a later date.

FINANCIAL IMPLICATIONS:

Approving or denying the proposed amendment will not result in financial outlays by the City of Tualatin. The Tualatin Development Commission agreed to sponsor the application and pay the required application fee.

PUBLIC INVOLVEMENT:

The Applicant conducted a Neighbor/Developer meeting on January 25, 2007, at 5:45 p.m. at the Tualatin Senior Center, to explain their development and plan amendment proposals to neighboring property owners and to receive comments. This meeting was attended by two (2) members of the public (nearby property developers).

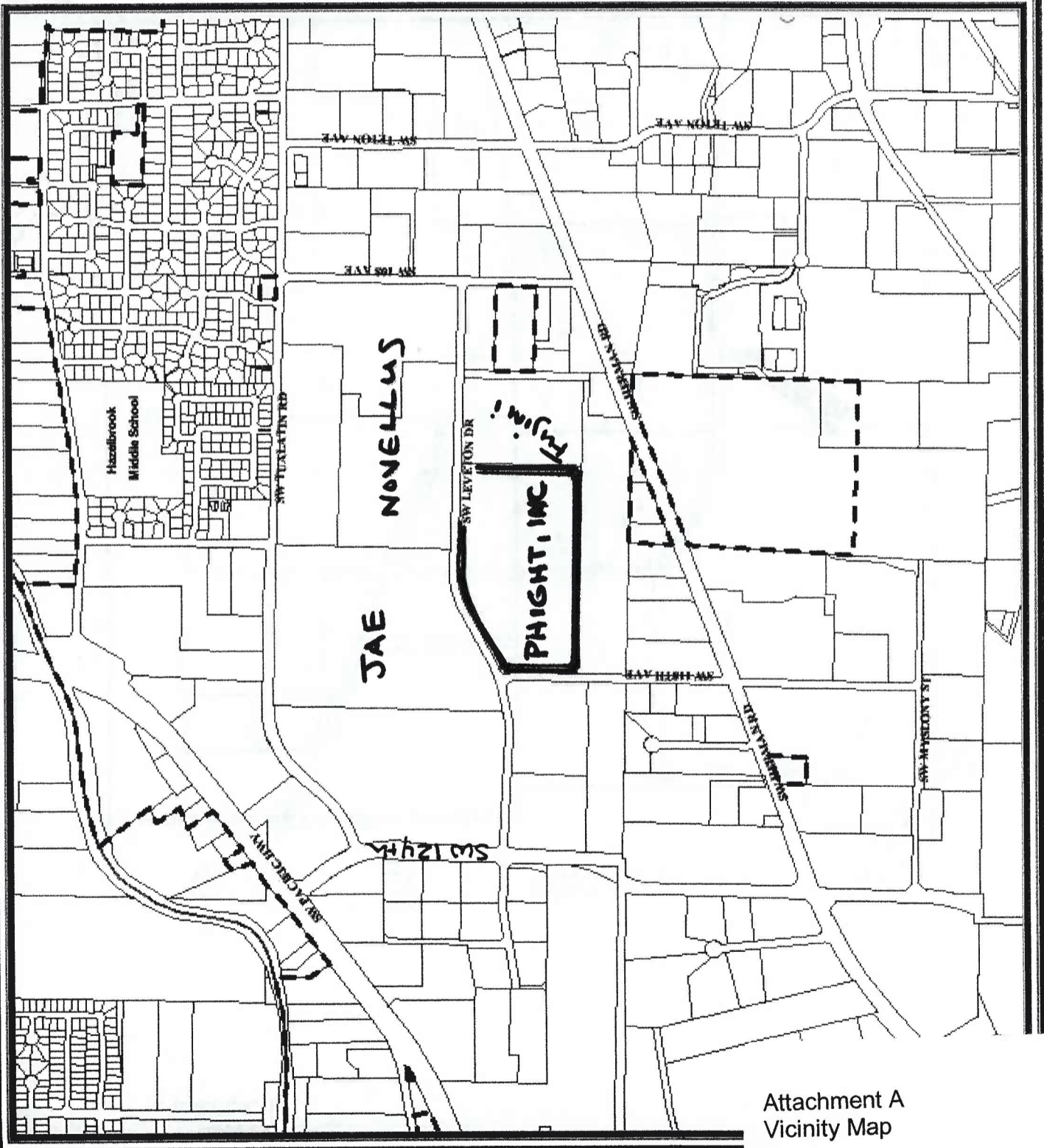
STAFF REPORT to TPAC: PTA-07-02—Additional Access to SW Leveton Drive
March 8, 2007
Page 4

- Attachments:**
- A. Vicinity Map
 - B. Tax Map
 - C. Site Map
 - D. Applicant's Materials and Supporting Information.
 - E. Proposed Text Amendment Language-TDC 75.120 – Leveton Drive.
 - F. Background Information
 - G. Analysis and Findings
 - H. Engineering Division Memorandum



Legend

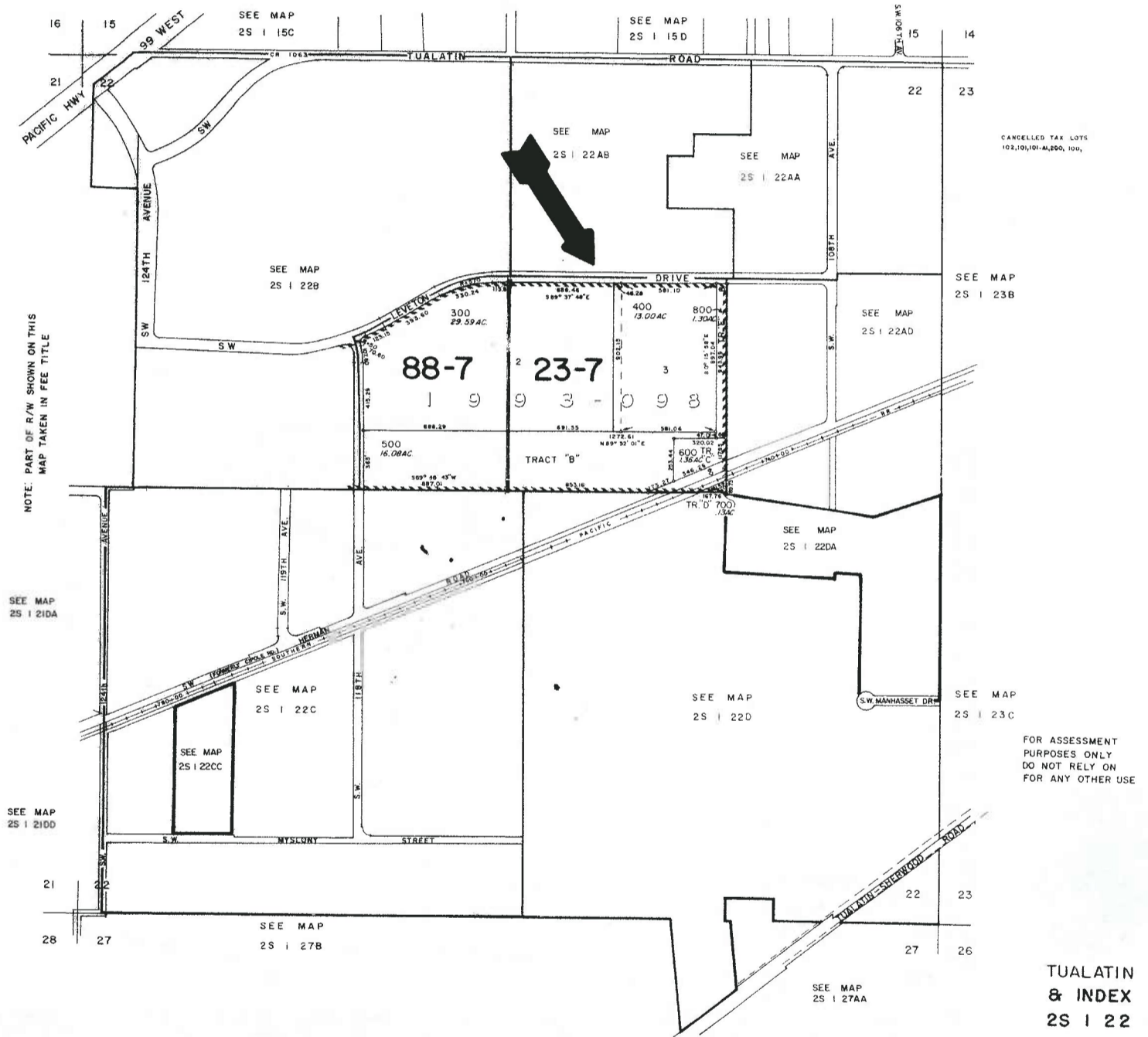
Scale 1:13,546
1 in = 1,129 ft



Attachment A
Vicinity Map

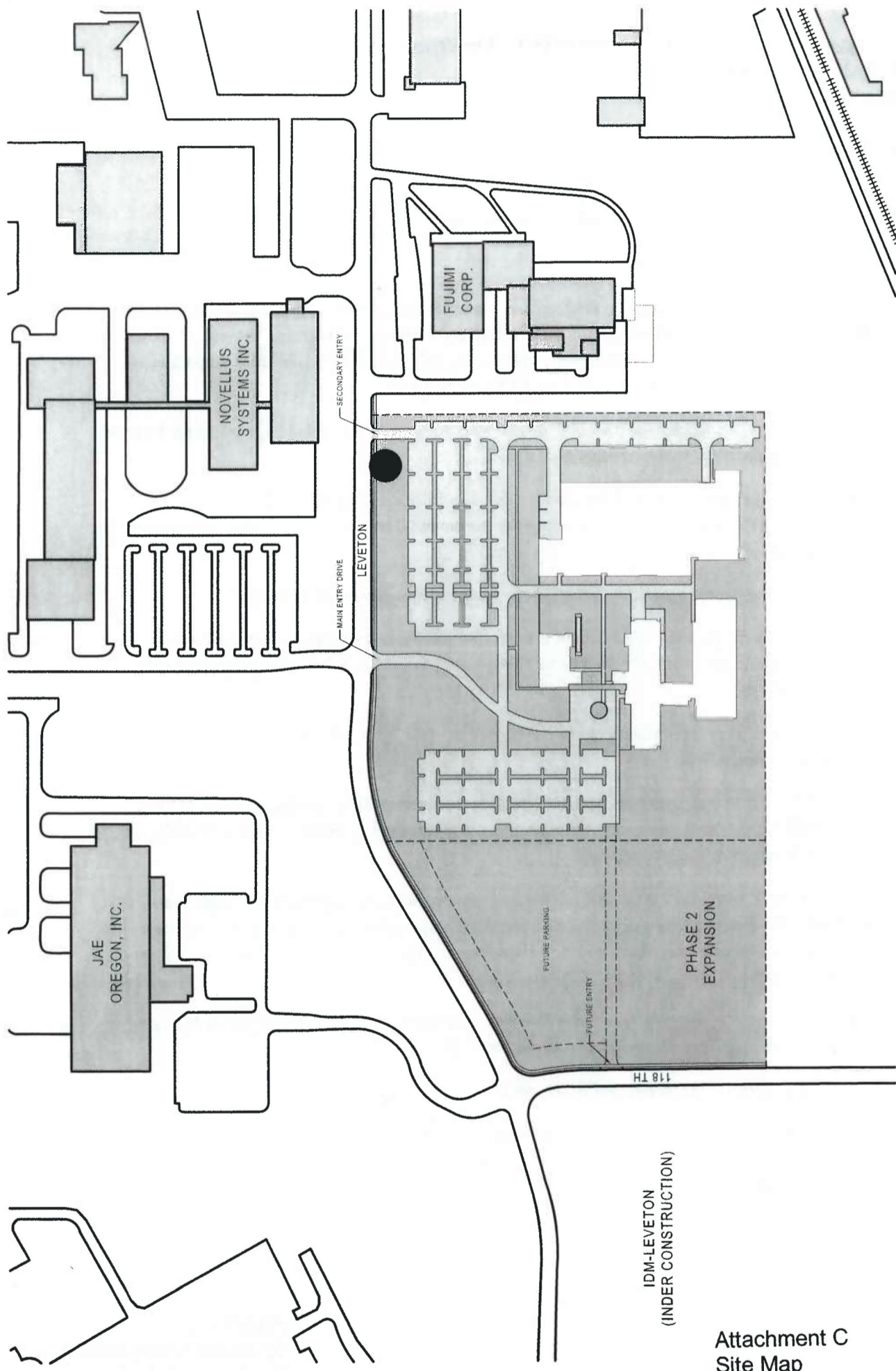
SECTION 22 T2S R1W W.M.
 WASHINGTON COUNTY OREGON
 SCALE 1"=400'

2S | 22
 & INDEX



Attachment B
 Tax Map

TUALATIN
 & INDEX
 2S | 22



IDM-LEVELTON
(INDER CONSTRUCTION)

Attachment C
Site Map

APPLICATION FOR PLAN TEXT AMENDMENT – TDC 75.120
APPLICANT: TVA ARCHITECTS, INC.
OWNER: PHIGHT, INC.

RESPONSE TO QUESTIONS A. - D.
February 5, 2007

A. *Is granting the plan text amendment in the public interest?*

Yes, for the following reasons:

It is in the public interest that this proposal be granted because the proposed second access will provide more than one point of access for vehicles both entering and leaving the site. This will serve to distribute vehicular trips between two access points, lessening the traffic impact at a given location and allowing more efficient traffic circulation.

The proposal will also provide a second access point for emergency vehicles, enhancing the level of protection provided to the occupants of the site.

The proposed second access will be used for delivery trucks serving the food service and fabrication facilities on the site. Separating this commercial traffic from automobiles entering the site will improve circulation for both types of traffic.

B. *Is the public interest protected by granting the plan text amendment at this time?*

Yes. Granting the plan text amendment is timely because it is consistent with the overall development and construction schedule; at this time the Owner is only developing the easterly portion of the site.

C. *Is the proposed plan text amendment in conformity with the applicable objectives of the Tualatin Community Plan?*

TDC 75 Access Management on Arterial Streets is intended to limit “conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties.”

As noted in the Kittelson traffic analysis memo provided with the Application, this proposal for a controlled driveway access will provide a needed and appropriate access to the proposed site while limiting turning movement conflicts with the existing driveway access to the neighboring Fujimi property.

D. *Explain how each of the factors listed below was consciously considered. If a particular factor is not applicable, state the reasons why it is not applicable.*

1. *The various characteristics of the area.*

Providing a second point of access for this property is consistent with existing conditions for other properties in the area. For example, the service access from Leveton Drive onto the Fujimi property is located adjacent to the east property line of the subject property.

Attachment D
Applicant's Materials and
Supporting Information

APPLICATION FOR PLAN TEXT AMENDMENT – TDC 75.120

APPLICANT: TVA ARCHITECTS, INC.

OWNER: PHIGHT, INC.

2. *The suitability of the area for the particular land use and improvements.*

The Leveton Tax Improvement District is perfectly suited for the proposed use. As noted above, similar developments in the immediate vicinity, such as Fujimi and Novellus, benefit from multiple access points onto SW Leveton Drive.

3. *Trends in land improvement and development.*

As noted above, the proposed project is consistent with existing development patterns in the area. Tualatin Community Development has stated that the project is allowed outright by right under the existing zoning for the property.

4. *Property values.*

By improving traffic circulation on the site, the proposed second access will increase the value of the campus use proposed for the site.

In addition, improvements to traffic circulation in the neighborhood will contribute to property values in the Leveton Tax Improvement District.

5. *The needs of economic enterprises and the future development of the area.*

Improved traffic circulation to and from the site serves the economic needs both of this property and of the surrounding area.

6. *Needed right-of-way and access for and to particular sites in the area.*

As noted in the Kittelson traffic analysis memo provided with the Application, the proposed access will enhance circulation for the proposed site and will have only a very minimal impact on traffic access to the adjacent property to the east.

7. *Natural resources of the City and the protection and conservation of said resources.*

The natural resources of the City are not affected by this proposal.

8. *Prospective requirements for the development of natural resources in the City.*

Prospective requirements for the development of natural resources of the City are not affected by this proposal.

9. *The public need for healthful, safe, aesthetic surroundings and conditions.*

The public's access to healthful, safe, aesthetic surroundings and conditions is not affected by this proposal.

APPLICATION FOR PLAN TEXT AMENDMENT – TDC 75.120
APPLICANT: TVA ARCHITECTS, INC.
OWNER: PHIGHT, INC.

10. *Proof of change in a neighborhood or area.*

Review and approval of this proposal is not dependent on demonstrating or proving a change in a neighborhood or area. The character of the Leveton Tax Improvement District is changing due to the increased level of development in the area.

11. *A mistake in the Community Plan or plan text for the property under consideration.*

This proposal is not in response to a mistake in the Community Plan.

APPLICATION FOR PLAN TEXT AMENDMENT – TDC 75.120

APPLICANT: TVA ARCHITECTS, INC.

OWNER: PHIGHT, INC.

RESPONSE TO STATEWIDE PLANNING GOALS

February 5, 2007

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.

Consistent with the requirements of TDC 1.010-1.032, a Neighborhood/Developer Meeting was held on January 25, 2007 pursuant to TDC 31.063. (See meeting minutes and sign-in sheet provided with this application.) The meeting was properly advertised and neighboring property owners were notified and invited to attend.

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.

The proposed plan text amendment has been prepared and submitted consistent with the Tualatin Community Plan which contains guidelines and policies governing the land use planning process as required by Goal 2.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

The proposed plan text amendment does not affect any designated agricultural lands.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The proposed plan text amendment does not affect any designated forest lands.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

The proposed plan text amendment does not affect any designated natural resources.

APPLICATION FOR PLAN TEXT AMENDMENT – TDC 75.120

APPLICANT: TVA ARCHITECTS, INC.

OWNER: PHIGHT, INC.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

Air quality in the affected area will be improved as a consequence of improved traffic circulation.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards.

The proposed plan text amendment does not affect any areas subject to natural hazards.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The proposed plan text amendment does not affect siting of necessary recreational facilities.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

By improving traffic circulation both on site and on Leveton Drive, the proposed plan text amendment is supportive of the continuing economic development of the Leveton Tax Improvement District.

GOAL 10: HOUSING

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

The proposed plan text amendment will have no effect on the provision of housing.

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.

By improving traffic circulation on Leveton Drive, the proposed plan text amendment will be supportive of the public transportation system in the area. It will have no effect on other public facilities and services.

APPLICATION FOR PLAN TEXT AMENDMENT – TDC 75.120

APPLICANT: TVA ARCHITECTS, INC.

OWNER: PHIGHT, INC.

GOAL 12: TRANSPORTATION

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

By improving traffic circulation on Leveton Drive, the proposed plan text amendment will help to conserve energy and facilitate the flow of goods and services in a manner conforming with the local comprehensive land use plan.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

By improving traffic circulation on Leveton Drive, the proposed plan text amendment will help to conserve energy.

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.

The proposed plan text amendment will have no effect of the transition from rural to urban land uses, as the site has already been zoned for manufacturing use.



KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING / PLANNING
610 SW Alder Street, Suite 700, Portland, OR 97205 P 503.228.5230 F 503.273.8169

MEMORANDUM

Date: February 6, 2007
To: Kaaren Hofmann & Tony Doran
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-0369
From: Marc Butorac, P.E., P.T.O.E. and Joe Bessman
Project: Phight Production Facility
Subject: Leveton Road Access Modification Request

Project #: 7874.0

CITY OF TUALATIN
RECEIVED

FEB 06 2007

COMMUNITY DEVELOPMENT
PLANNING DIVISION

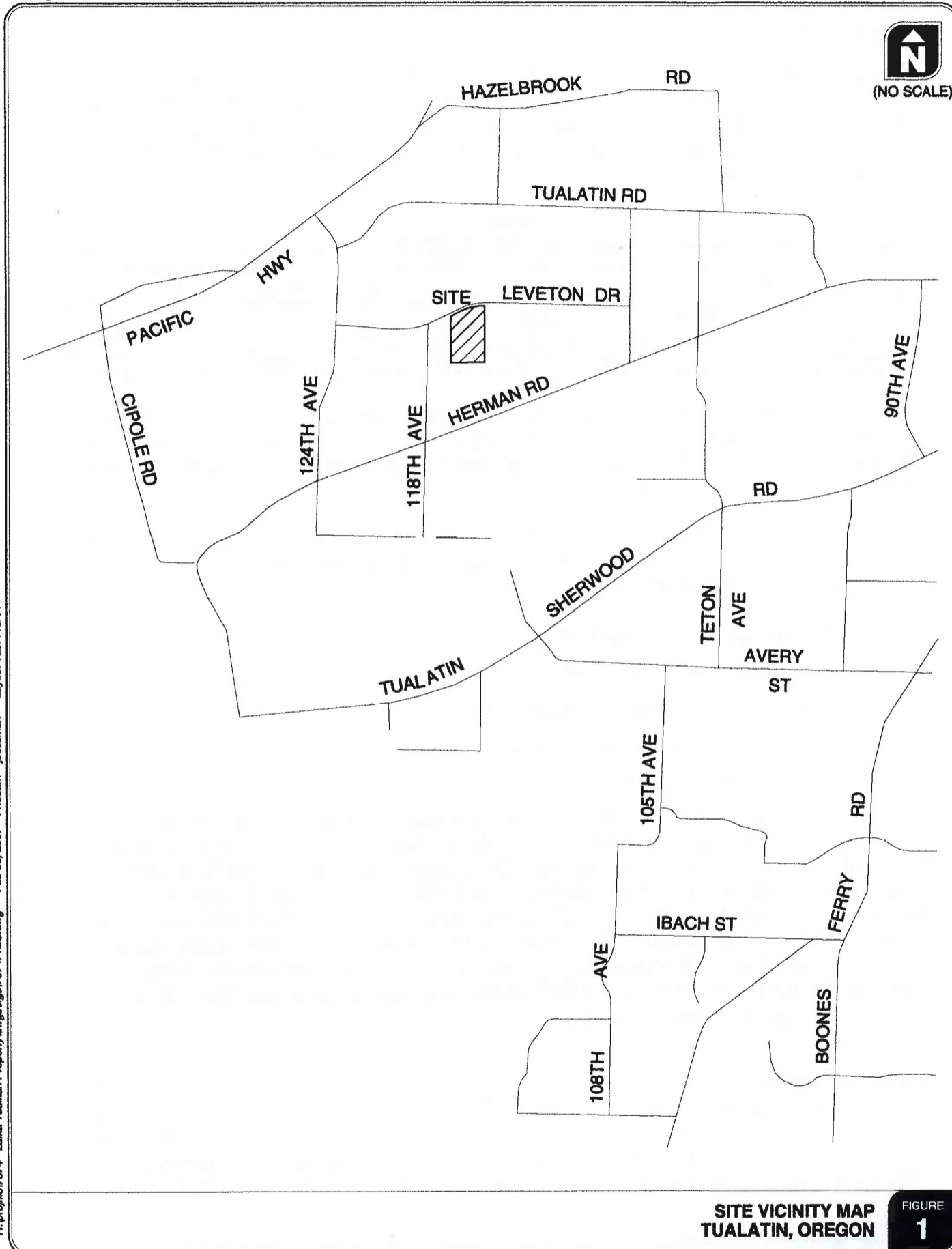
The purpose of this memorandum is to justify a Plan Text Amendment (PTA) for a second access onto SW Leveton Drive for the Phight Production Facility located in Tualatin, Oregon. The proposed production facility will be located immediately west of the Fujimi Corporation site, and the entire parcel is approximately thirty acres in size. The site is expected to contain up to 600 employees during peak periods upon full site build-out. Figure 1 shows the location of the site.

Background

As part of previous land use approvals, the site was granted a single access onto SW Leveton Road and a secondary access onto SW 118th Avenue. However, the Phight facility is not planned to extend throughout the entire parcel, and development will not abut SE 118th Avenue with the current site layout. Accordingly, it is proposed that a secondary access location be provided onto SW Leveton Road to facilitate truck deliveries, emergency response, and typical employee ingress and egress. This secondary access is proposed to be located approximately 120 feet from the private gated access to Fujimi Corporation's facilities.

Access Operations

Based on the development information provided to date, a preliminary trip generation and distribution analysis was completed for the proposed Phight Production Facility. Trips from the office component and sound stage were estimated separately in the analysis to better capture the trip characteristics of each. The warehousing land use was selected to estimate the trip generation potential of the sound stage component of the site based on conversations with the project team. As the sound stage may be vacant for portions of the year, this estimate is expected to summarize a reasonable worst-case analysis scenario.



H:\projects\17874 - Laika Tualatin Property\chgs\figs\17874\FIGS.dwg Feb 06, 2007 - 11:53am - joesman Layout Tab: FIG 01

SITE VICINITY MAP
TUALATIN, OREGON

FIGURE
1

Estimates of daily, weekday a.m., and weekday p.m. peak hour vehicle trip ends for the proposed development were prepared based on empirical observations at similar developments. These observations are summarized in the standard reference *Trip Generation, 7th Edition*, published by the Institute of Transportation Engineers. Table 2 shows the trip generation estimates for the proposed development.

**Table 1
Estimated Trip Generation**

Land Use	ITE Code	Size (SF)	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
General Office	710	150,953	1,830	260	230	30	250	45	205
Warehousing	150	79,250	390	35	30	5	35	10	25
Net New Trips			2,220	295	260	35	285	55	230

As shown in Table 1, the proposed site is estimated to generate approximately 2,220 net new daily trips on an average weekday, of which approximately 295 trips (260 in, 35 out) are expected to occur during the weekday a.m. peak hour and 285 trips (55 in, 230 out) will occur during the weekday p.m. peak hour.

The distribution of site-generated trips onto the study area roadway system was estimated based on a review of the local traffic volumes and roadway connections serving the site. The estimated trip distribution pattern is as follows:

- 40% northbound on Highway 99W
- 10% southbound on Highway 99W
- 20% eastbound on Herman and Tualatin Road
- 25% eastbound on Tualatin-Sherwood Road
- 5% southbound on Teton Avenue

Based on these travel patterns, during the critical weekday p.m. peak hour approximately 120 vehicles are expected to leave the site traveling to the east, with 120 vehicles also leaving the site to the west. While the single access location is able to accommodate these traffic levels with the current through volumes along SW Leveton Road, with additional future development in the site vicinity it is expected that not only will minor street turning movements may experience increasing delay, but traffic along SW Leveton Road may also experience delay due to queuing at the main entrance. With the second proposed access location onto Leveton Road, it is expected that traffic will better disperse both entering and leaving the site, and that both access locations will operate well below capacity.

Truck Circulation

The production facility differs from standard office developments due to its integrated soundstage that will operate similar to a warehouse facility from a trip generation perspective. To accommodate special material needs, tractor trailer access to the site will occasionally be required. To serve this demand, the eastern access location provides a direct connection between

the on-site loading areas and Leveton Road, without the need for trucks to circulate through the employee and visitor parking areas.

Access Spacing

The proposed eastern Leveton Road access location is spaced approximately 120 feet west of the Fujimi Corporation private access. Given the likelihood for development in the area, traffic volumes along Leveton Road are expected to increase, which will continue to add to the delay for minor-street turning movements and further increase the need for a second access to the site.

Given the relatively short spacing from the Fujimi access, and to ensure the safe and efficient function of the second access location, a queuing analysis was reviewed to identify the westbound left-turn queue that could potentially conflict with the Fujimi access. For the analysis, an annual growth rate of 2.5 percent was applied to obtain year 2025 base traffic. Approved development traffic from three other projects in the site vicinity were also included. Based on this analysis, it was shown that the ninety-fifth percentile westbound queues entering the site would extend only a single vehicle length during both the weekday a.m. peak hour and the weekday p.m. peak hour, with full build-out of the Phight facility. With the second access point, the western access will continue to function as the main entrance along SW Leveton Road.

Worst-Case Analysis Scenario

Traffic operations under a reasonable worst-case development scenario were also reviewed to ensure the proposed Plan Text Amendment (PTA) would not create an undue burden on the public roadway system if the site were redeveloped in the future. This analysis reviewed development of the entire site, with traffic volumes along SW Leveton Road obtained from the City of Tualatin Transportation System Plan. It should be noted that as there are no changes to the proposed zoning, the worst-case trip generation estimates effect only the site-access operations along SW Leveton Road.

The thirty-acre site is currently zoned as a Manufacturing Park Planning District (MP), with permitted uses including industrial, manufacturing, and limited office categories. The site includes a seventy-foot height restriction, which could allow multiple story on-site development. For the purposes of this analysis, it was assumed that only surface parking would be provided, and on-site landscaping would meet minimum code requirements.

Under this scenario, from a trip generation perspective, the most intense allowable land use on a square-foot basis is the Corporate Headquarters Building. Given space allocations for the landscaping and associated parking, the maximum development potential is expected to consist of a three-story building of approximately 708,000 square-feet. Trip generation estimates for this development are shown in Table 2 below.

**Table 2
Worst-Case Trip Generation Estimate**

Land Use	ITE Code	Size (SF)	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
Corporate Headquarters Building	714	708,000	5,410	985	915	70	830	85	745

As shown, the Corporate Headquarters Building could generate up to 985 weekday a.m. peak hour trips (915 trips in, 70 trips out) and 830 weekday p.m. peak hour trip (85 trips in, 745 trips out) under this worst-case development scenario with the current zoning.

Based on the traffic patterns, it is expected that the weekday a.m. peak hour is the critical analysis period for public trips along SW Leveton Road given the higher number of conflicting westbound left-turns. Table 3 summarizes the resulting weekday a.m. peak hour intersection delay under both the existing and proposed access scenario in 2025 using linear growth rates, due to a lack of forecast traffic volume data for the weekday a.m. peak hour. As shown in Table 3, the second access point would reduce the overall delay in the northbound and westbound directions, with a slight increase in delay to eastbound drivers.

Table 3
Year 2025 Forecast AM Peak Hour Intersection Operations

Movement Delay	Western Access	Eastern (Proposed) Access
<i>Single Access Scenario</i>		
EB Delay	5.0 seconds/vehicle	
WB Delay	9.4 seconds/vehicle	
NB Delay	10.7 seconds/vehicle	
Overall Delay	7.9 seconds/vehicle	
<i>Second Access Scenario</i>		
EB Delay	3.7 seconds/vehicle	4.3 seconds/vehicle
WB Delay	4.6 seconds/vehicle	4.6 seconds/vehicle
NB Delay	6.0 seconds/vehicle	4.4 seconds/vehicle
Overall Delay	4.2 seconds/vehicle	4.5 seconds/vehicle

Further, the City of Tualatin Transportation System Plan identifies this area for significant job growth over the twenty year horizon period. While the effect of individual applications on the roadway system will need to be analyzed as part of the respective land use applications, given the amount of developable land in the vicinity, it is expected that growth along SW Leveton Road could be significantly higher than estimated. In this scenario, it is expected that the benefits of the second access point will be increased, as the second access will better disperse traffic, and allow better use of the gaps in traffic along SW Leveton Road reducing delay for through trips.

Queuing was also reviewed under this worst-case development scenario and found to be similar to that under the proposed development conditions. Accordingly, it is expected that the existing spacing between the Fujimi access and the eastern site access can accommodate the 95th-percentile forecast year 2025 queuing during the critical weekday a.m. peak hour.

Off-Site Traffic Impacts

As both access points are proposed along SW Leveton Road, there are not expected to be any changes in the regional travel patterns or resulting impacts due to the second access location. As

traffic impacts are related to the allowable land use, and as no land use changes are proposed, no impacts will occur on the public roadway system outside of the immediate SW Leveton Road frontage.

Roadway Safety

As no changes in traffic volumes or traffic patterns are anticipated with the proposed Plan Text Amendment outside of the immediate site frontage, it is expected that there will be no change in intersection safety at regional intersections as a result of the text amendment, and any potential impacts will be limited to SW Leveton Road along the site frontage.

SW Leveton Road currently contains a two-lane cross-section with on-street bicycle lanes and an approximate four-foot wide striped center median. Vehicles turning left to enter the site will create delay for through vehicles along SW Leveton Road, who will be forced to wait for vehicles to clear the left-turn queue. With a second access onto SW Leveton Road, similar vehicle conflicts will be present. However, as the roadway is flat and tangent, and adequate intersection sight-distance is available, no safety concerns were identified.

For egress traffic, with the second access location vehicles will be better dispersed onto SW Leveton Road. Consolidation of access under the worst-case zoning scenario could lead to excessive delays for vehicles exiting the site, resulting in drivers accepting smaller gaps in traffic, and increasing the likelihood for collisions. Accordingly, provision of the second access point would not be expected to increase the crash incidence along SW Leveton Road, but could help to reduce crashes along SW Leveton Road by reducing minor-street delay.

Conclusion

The Phight campus has proposed a new access location onto Leveton Road to provide a total of two access locations for the Phight campus with the initial site development proposal. While the site has been approved for a second access location onto SW 118th Avenue, site development is limited to the eastern portion of the site. Accordingly, a secondary access point is requested to serve as an emergency access, to accommodate freight movements, and to better distribute employee and visitor trips to and from the site onto the public roadway system.

Based on this transportation review, the second access point is shown to operate acceptably and to better distribute traffic to the roadway network. As no queue conflicts are anticipated with the adjacent Fujimi access, it is proposed that full access movements be provided at both the main access as well as at the proposed eastern access. With this configuration, both the near-term and long-term safety and efficiency of the site are expected to be maintained at both access locations.

As the proposed Plan Text Amendment will not result in a change in allowable uses or zoning, impacts of the amendment will be limited to the immediate site frontage. With the second access point, the dispersion of vehicles is expected to reduce delays for westbound vehicles along SW Leveton Road, who are forced to wait for the left-turn queues to clear.

No safety concerns were identified based on this review, as traffic volumes outside of the immediate site frontage are not expected to be affected, adequate intersection sight distance is

available, and as minor-street traffic exiting the site will experience less delay than under a consolidated access scenario.

We trust that this letter satisfies your informational needs related to the proposed Plan Text Amendment request. If you have any questions or need additional information please call us at (503) 228-5230.

ATTACHMENT F

PTA-07-02: BACKGROUND INFORMATION

Pertinent background information obtained from the submitted application for PTA-07-02 and other supporting documents is summarized in this section.

The applicant is Mark Labadie of TVA Architects, representing Phight, Inc. the owner of the 29.59 acres Tax Lot 300 (Map 2S122) property located at 11500 SW Leveton Drive in the MP Planning District and in the Leveton Tax Increment District. The property has approximately 1,440 f. of frontage on SW Leveton Drive on the north and approximately 590 ft. of frontage on SW 118th Avenue on the west. SW Leveton Drive is a Major Arterial Street. The property adjoins an undevelopable wetland mitigation property on the south.

In 2006, Phight Inc. purchased the property from the owners of the adjacent Fujimi Corp. facility (to the east) and is preparing to develop the 18 acre eastern portion of the property as Phase I of an animated cinema production facility with 3 buildings totaling approximately 250,000 square feet of building area, loading and receiving areas and parking and services to support up to 600 employees. The facility will serve as the animation company's corporate headquarters with extensive office space for administration and graphic development as well as a complete animation production facility.

Due to the size and configuration of the proposed animation facility and due to current site access, building code and fire & life safety standards, a minimum of two ingress/egress accesses are required for the Phase I development, with a third access necessary as the western portion of the Tax Lot 300 property is developed. The site design of the Phight Inc. Phase I project shows a formal entrance drive aisle accessing the site at the Novellus Systems west driveway location on SW Leveton Drive and a second access near the Tax Lot 300 east property line for employees, service and delivery. Because the SW 118th Avenue ROW on the west side of Tax Lot 300 is approximately 800 ft. from the Phase I development area, obtaining a second access from SW 118th Avenue is infeasible and unsatisfactory at this time.

Currently, access management standards in TDC 75.120 restrict Tax Lot 300 to one access on SW Leveton Drive, to be located across from an existing access on the Novellus Inc. property located north of SW Leveton Drive. The access management requirements for this section of SW Leveton Drive were established in 2001 when Fujimi Corp. owned both Tax Lots 400 and 300 and had plans to continue expanding the Fujimi facilities onto Tax Lot 300. Fujimi developed Tax Lot 400 with two of the three access driveways allowed by TDC 75.120, leaving one SW Leveton Drive access for development of Tax Lot 300.

To develop the Tax Lot 300 site as proposed in the Phight Inc. Phase I plan, a second ingress/egress access on SW Leveton Drive is necessary to meet access, building code and fire & life safety requirements. A second access will also allow a separate formal entrance for visitors to the corporate headquarters building and allow easterly entrance to the site for employees, service and delivery. The applicant seeks to amend the Access Management provisions for SW Leveton Drive in TDC 75.120 to allow a second ingress/egress access to SW Leveton Drive for Tax Lot 300.

PTA-07-02: Background Information
March 8, 2007
Page 2

The submitted traffic analysis (Attachment D, Kittleson & Associates Memorandum) based on worst case development scenarios concludes that allowing the second access for the property will not create traffic congestion or reduced level of service for street intersections in the vicinity or result in roadway safety problems. The City of Tualatin Engineering Division concurs with the traffic impact analysis and agrees that another access on SW Leveton Drive is suitable.

ATTACHMENT G

PTA-07-02: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 1.032 must be met if the proposed PTA is to be granted. The Applicant has prepared a narrative that addresses the criteria (Attachment D) and staff has reviewed the Applicant's material and included pertinent excerpts below.

A. Granting the amendment is in the public interest.

The proposed amendment to the Tualatin Development Code (TDC) Chapter 75 Access Management on Arterial Streets section 75.120-Leveton Drive, to allow a second access to SW Leveton Drive for Tax Lot 300 of Map 2S122. The public interest is to provide a safe, convenient and economic transportation system and preserve the safety and capacity of the street system including SW Leveton Drive and other streets serving the MP Planning District. The public interest is to allow for appropriate access for all properties including the large, campus style industrial properties in the MP Planning District.

The purpose of access management as stated in TDC 75.010 is "...to promote the development of a safe, convenient and economic transportation systems and preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties." Allowing a second access on the SW Leveton Drive frontage of the Tax Lot 300 property will not create conflicts for the safety and capacity of SW Leveton Drive and for other properties in the vicinity. This is reinforced by the limits on the number and separation of driveways allowed on this section of SW Leveton Drive and the location of access driveways in respect to existing street and driveway intersections in the vicinity as enforced by development requirements for access in the MP Planning District. The proposal is supported by the traffic analysis (Attachment D, Kittleson & Associates Memorandum) and by Engineering Division comments. The safety and capacity of the street system is retained.

The applicant states "the proposed second access will provide more than one point of access for vehicles both entering and leaving the site." (Attachment D, Applicant's Response, pg. 1). Access, building code and fire & life safety standards require a minimum of two accesses for the proposed Phase I project on the Phight Inc. property. The applicant describes the need for dispersing vehicular access to and from the site for more efficient traffic circulation, providing a second access for emergency vehicles, and allowing separation of commercial and industrial vehicles from the autos of employees and visitors to the facility. Additional access is necessary and appropriate for this property.

Granting the amendment is in the public interest. Criterion "A" is met.

B. The public interest is best protected by granting the amendment at this time.

The applicant notes that "Construction is timely because it is consistent with the overall development and construction schedule." (Attachment D, Applicant's Response, pg. 1). The applicant is planning to develop the easterly portion of the Phight, Inc. property with a Phase I three building animated cinema production facility with a corporate headquarters, parking, service and loading and extensive landscaping. The proposed amendment allowing a second SW Leveton Drive access will allow the applicant to construct the facility consistent with current access, building code, fire & life safety and development standards in a feasible and timely manner. The opportunity to allow a the animated cinema production facility development in the MP Planning District and Leveton Tax Increment District exists with this developer and in the current economic and development conditions.

If adopted at this time, the proposed amendment would allow Phight Inc. to proceed with development of the proposed Phase I animated cinema production facility and corporate headquarters consistent with the company's construction an development schedule and in the current economic and development conditions.

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

Criterion "B" is met.

C. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The applicable objectives of the Tualatin Community Plan are presented below along with the Applicant's responses, which are also included in Attachment D.

The following TDC Objectives apply.

TDC 7.030(1): "Encourage new industrial development."

The proposed amendment will allow a needed second ingress/egress access to SW Leveton Drive for large new industrial development in the MP Planning District. The proposed amendment conforms to TDC 7.030.

TDC 11.610(10) Goal 9 Capacity: "(d) Maintain and update the City's access management standards in the Tualatin Development Code to preserve the safe and efficient operation of the City's roadways, consistent with their functional classification."

The proposed amendment will allow the property a needed second ingress/egress access to SW Leveton Drive, an arterial street in the MP Planning District. The application and traffic information shows that allowing the second access will not harm the safe and efficient operation of the public street. The proposed amendment conforms to TDC 11.610(10).

TDC 11.620 (4) Access Management "Managing access to the City's road system is necessary to preserve the capacity of the City's arterial street system, by minimizing the number of points where traffic flow may be disrupted by traffic entering and exiting the roadway, and to enhance safety along all City roadways by minimizing the number of potential conflict points. The City of Tualatin has developed specific descriptions of where access will occur on the City's arterial street system, which can be found in Chapter 75 of the Tualatin Development Code."

The proposed amendment will allow the property a needed second ingress/egress access to SW Leveton Drive, an arterial street in the MP Planning District. The application and traffic information shows that allowing the second access will not create a disruption by traffic entering and exiting SW Leveton Drive and not creating a conflict point. The proposed amendment is in compliance with TDC 11.620(4).

TDC 30.020 Leveton Tax Increment Plan: Goal 3 Improved Traffic and Transportation.

The proposed amendment will allow the property a needed second ingress/egress access to SW Leveton Drive, an arterial street in the Leveton Tax Increment District and the MP Planning District. The application and traffic information shows that allowing the second access will not harm the safe and efficient operation of the public street. The proposed amendment conforms to the Leveton Tax Increment Plan.

TDC 75.010 Purpose (Access Management on Arterial Streets).

The applicant cites the Access Management purpose in TDC 75.010 and provides supporting analysis showing the proposed amendment is in conformity (Attachment D, pg. 1). Staff agrees that the proposed amendment conforms to TDC 75.010.

The proposed amendments conform to the applicable objectives of the Tualatin Community Plan.

Criterion "C" is met.

D. The factors listed in Section 1.032(4) were consciously considered:

The various characteristics of areas in the City.

The characteristics of the area of the City affected by this amendment are the industrial developments located in the MP Planning District and LTID. The character of this area is primarily the existing hi-tech industrial developments on SW Leveton Drive and east of SW 124th Avenue. The developments in the MP Planning District are large campus-style industrial facilities with that need adequate transportation facilities to serve employment and production activities.

The applicant notes that the proposed second access to SW Leveton Drive is consistent with the accesses for other developments in the MP Planning District and LTID. The proposed Phight, Inc. development and the proposal to allow a second access to serve the facility are consistent with the industrial and employment characteristics of the area.

The suitability of the area for particular land uses and improvements.

As indicated above, the proposed amendment will allow a second access for a new large development in the LTID and the MP District. The proposed amendment will likely increase the suitability of the area for industrial land uses and developments.

Trends in land improvement and development.

As indicated by the applicant, the amendment is "...consistent with existing development patterns in the area." (Attachment D, pg. 2) The TDC calls for high value industrial development and employment in the LTID. The developer desires to build a very high value and architecturally significant facility at the subject location. The proposed amendment is a response to the current access, building code and fire & life safety standards, with the City's efforts to attract high value industrial development and with the applicant's development plans.

Property values.

Allowing a second access to SW Leveton Drive on the Tax Lot 300 property will not negatively affect the suitability of the area for particular land uses and improvement and therefore not negatively affect property values.

The needs of economic enterprises and the future development of the area.

The applicant states "Improved traffic circulation to and from the (Phight Inc.) site serves the economic needs of both of this property and the surrounding area." (Attachment D, pg. 2) Staff concurs.

Needed right-of-way and access for and to particular sites in the area.

The applicant states "As noted in the Kittelson traffic analysis memo provided with the Application the proposed access will enhance circulation for the

proposed site and will have only a very minimal impact on traffic access to the adjacent property to the east." (Attachment D, Applicant's Response, pg. 2) The Engineering Division Staff concur. The application materials and staff report establish the need for two or more access points on SW Leveton Drive for the 29 acre Phight, Inc. property and the proposed development on the site.

Natural resources of the City and the protection and conservation of said resources.

Not applicable because the access management amendment does not impact or alter natural resources associated with a development.

Prospective requirements for the development of natural resources in the City.

Not applicable because the access management provision does not impact or alter natural resources associated with a development.

The public need for healthful, safe, aesthetic surroundings and conditions.

The proposed amendment retains the safety factors of access management and contributes to a safe condition in the MP Planning District.

Proof of a change in a neighborhood or area.

The Industrial areas in the western portion of Tualatin are experiencing substantial development activity and interest in the past several years in response to economic conditions. The proposed amendment is a response to the continued development interest in the MP Planning District and the need to update development standards such as access management on SW Leveton Drive.

A mistake in the plan map or text.

None is alleged.

The factors listed in Section 1.032(4) were consciously considered.

Criterion "D" is met.

E. The criteria in the Tigard-Tualatin School District Facility Plan were considered.

The criteria in the Facility Plan were considered and found to not be applicable to this amendment regarding access management on SW Leveton Drive because the provision does not apply to existing school sites and does not represent a constraint or conflict with land available for future school sites.

F. Oregon Statewide Planning Goals

Of the 14 Statewide Goals, 13 Goals were considered and found to not be applicable to this amendment regarding access management on SW Leveton Drive. Staff has determined that Goal 12, Transportation is applicable and must be addressed.

The applicant briefly addresses Goal 12 in the application narrative and the traffic analysis addresses it (Attachment D, Applicant's Response, Kittelson & Associates Memorandum).

Statewide Planning Goal 12, Transportation is implemented by the Transportation Planning Rule (TPR) in OAR-660-012-060. The TPR requires that any amendment to comprehensive plans or land use regulations (such as this Plan Text Amendment) that "significantly affect a transportation facility..." must assure that the allowed land uses "...are consistent with the identified function, capacity and performance standards of the facility." The affected transportation facilities in this case are SW Leveton Drive, SW 124th Avenue and SW Tualatin Road.

The traffic information submitted with the application and City of Tualatin Engineering Division comments indicates that the proposed 2nd access to SW Leveton Drive to serve the Phight Inc. property development will not result in significant impacts to the transportation facilities (Attachment D, Kittelson Memo). A February 27, 2007 Memorandum from the City of Tualatin Engineering Division concurs. The function, capacity and performance of SW Leveton Drive, SW 124th Avenue, SW 108th Avenue and SW Tualatin Road are not significantly affected. Goal 12 and the TPR are satisfied.

G. Metro's Urban Growth Management Functional Plan (UGMFP).

The UGMFP and TDC Map 9-4 Design Type Boundaries, identify the SW Drive MP District area including the Phight, Inc. property as "Industrial Area". The proposed amendment allowing a second access at the Phight, Inc. site is consistent with the type and intensity of development expected in the classification.

H. Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's Planning Area.

See Attachment H, a memorandum from Tony Doran, Engineering Associate, regarding compliance with Criterion "H".

ATTACHMENT E

PTA-07-02: PROPOSED TEXT AMENDMENT LANGUAGE

ORDINANCE NUMBER __ DRAFT

AN ORDINANCE RELATING TO ACCESS MANAGEMENT ON SW LEVETON DRIVE ADJOINING TAX LOT 300, ASSESSORS MAP 2S122; AMENDING TD 75.120. (PTA 07-02)

Section 1. TDC 75.120 is amended to read as follows (Language to be removed in ~~strikeout~~ / New language in ***Bold Italic***):

Section 75.120 Existing Streets.

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

LEVETON DRIVE

118th Avenue to 108th Avenue

On the north side of Leveton Drive, JAE (2S122B/200) shall align a driveway across from 118th Avenue and be permitted a second drive-way approximately 50 feet from their east property line. Novellus (2S122AA/500 and 2S122AB/100) shall be permitted three driveways located approximately 25 feet and 950 feet from the west property line for Tax Lot 100 and 600 feet west of 108th Avenue for Tax Lot 500.

On the south side, Fujimi ***Phight Inc.*** (2S122/300) shall ~~align their driveways with the east JAE driveway or~~ ***be allowed a driveway aligned with*** the west Novellus (2S122AB/100) driveway ***and a driveway adjacent to their east property line.*** Fujimi (2S122/400) shall be allowed a driveway adjacent to their west property line and east property line. Tofle (2S122AD/400) shall be allowed a driveway aligning across from the Novellus (2S122AA/500) driveway and a second driveway approximately 260 feet west of 108th Avenue.

MEMORANDUM

DATE: February 27, 2007

TO: Will Harper, AICP
Associate Planner

FROM: Tony Doran, EIT
Engineering Associate

SUBJECT: **PTA 07 02, Phight, Inc. Second Access to SW Leveton Drive**

On February 12, 2007 the Engineering Division received Plan Text Amendment Notice PTA 07 02 for a property in the Leveton Tax Increment District, 11500 SW Leveton Drive - TLID 2S122 #300, to obtain a second access to SW Leveton Drive.

The applicant submitted a Memorandum from Kittelson & Associates dated February 6, 2007. The analysis of the worst-case scenario states that allowing a second access would:

- Not create an undue burden on the public roadway system if the site were redeveloped in the future.
- Reduce the overall delay in the northbound and westbound directions, with a slight increase in delay to eastbound drivers.
- Will better disperse traffic and allow better use of the gaps in traffic along SW Leveton Drive reducing delay for through trips.
- Not expected to change the regional travel patterns or resulting impacts.
- Not impact the public roadway system outside of the immediate SW Leveton Drive frontage.
- Not change the intersection safety at regional intersections.

Adequate intersection sight-distance is available; no safety concerns were identified. Provision of the second access point would not be expected to increase the crash incidence along SW Leveton Drive, but could help to reduce crashes by reducing minor-street delay.

OAR 660-012-0060 (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.

Attachment H
Engineering Division
Memorandum

Based on the following, for the City of Tualatin, the proposed amendment to the comprehensive plan will not significantly affect any transportation facilities in the area.

(a) Change the functional classification of an existing or planned transportation facility

Adjacent to the subject area is SW 118th Avenue & SW Leveton Drive, both City of Tualatin facilities. The City of Tualatin classifies SW 118th Avenue as a Minor Collector and SW Leveton Drive as a Major Arterial. The proposed amendment does not change the functional classifications of SW 118th Avenue & SW Leveton Drive for the City of Tualatin.

(b) Change standards implementing a functional classification system

The proposed plan text amendment will not necessitate changes to the standards implementing the functional classification system for SW Leveton Drive.

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan

The Kittelson Memorandum indicates that a second access to SW Leveton Drive will not impact the level of service at any intersection, meeting the City of Tualatin's requirement.

TDC Section 1.032 Burden of Proof: (8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

The submitted Memorandum from Kittelson & Associates indicates that the second access to SW Leveton Drive will not impact the level of service at any intersection therefore this requirement is satisfied. Intersections surrounding the area to be analyzed on development include: SW 124th Ave. & SW Pacific Hwy, SW 124th Ave. & SW Leveton Drive, SW Herman Road & SW 118th Ave., SW Leveton Drive & 118th, SW Herman Road & SW 108th Ave., SW Leveton Drive & SW 108th Ave., Tualatin & SW 108th Ave.

In summary, this plan text amendment is consistent with the City of Tualatin transportation plan and meets TDC Section 1.032 Burden of Proof (8).