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**EXHIBIT** 28

This is a modification of LD2016-0002, TP2016-0003.

These modifications are being proposed to address appellant concerns of Murrayhill Owners Association and Rick King.

Modification 1 – The proposed partition will now be a 2-Lot partition with Lot 3 now being a Tract - designated as Tract "B" and "C" to be donated to and maintained by Murrayhill Owners Association. We are currently working with their attorney to draft a document that will be finalized by the final plat phase.

(See "2-Lot Partition Plan", Sheet 2. This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

Modification 2 – Tract "A" is smaller. This modification still provides for vehicular and pedestrian circulation systems that connect to surrounding circulation systems in a safe and efficient manner.

(See "Site Grading/Erosion Control", Sheet 4. This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

Modification 3 – No flexible setbacks are needed. Both lots meet all setback requirements (front, back and sides). (Sec. 40.30.15.3)

(See "2-Lot Partition Plan", Sheet 2. This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

Modification 4 – Appellants now agree that Tract "A" (a shared driveway), the Southern Pacific Pipeline, INC easement, the Beaverton Public stormwater and sanitary sewer easement, Tract "B", and Tract "C" are non-buildable, as outlined in Oregon Revised Statutes (ORS Code).

Modification 5 - Tree Plan – By changing Lot 3 into a non-buildable tract (Tract "B"), we are able to save trees 16, 17, 18, 24, 25, 26, 27, and 28. (See page 6, Sec. 40.90)

(See "Tree Plan", Sheet 6 and Arborist Addendum, "Tree Plan for 10510 SW 155<sup>th</sup> Ave." This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

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MAR 21 2017

City of Beaverton  
Planning Services

2-Lot Partition  
10510 SW 155<sup>th</sup> Avenue  
Beaverton, Oregon 97007

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Modification 6 – Utilities – There are no franchise utility connections necessary for Tract “B” – originally designated Lot 3.

(See “Utilities Plan”, Sheet 7. This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

Modification 7 – Stormwater Treatment – All stormwater from new impervious areas will now be directed to a LIDA Swale and overflow path. This modification includes a 6’ wide elbow and a rock reinforced berm to alleviate Mr. King’s concerns regarding the possibility of stormwater runoff to his property.

(See “Stormwater Plan”, Sheet 8. This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

Modification 8 – Sanitary Sewer – There is no sanitary sewer connection necessary for Tract “B” – originally designated Lot 3.

(See “Sanitary Sewer & Water Plan”, Sheet 9. This revision meets the applicable approval criteria that was designated for the original 3-lot partition.)

**Addressing concerns raised by planning commissioners:**

- 1) By making Lot 3 a non-buildable tract (tract “B”) we are able to save trees 16, 17, 18, 24, 25, 26, 27, and 28.  
(See “Tree Plan”, Sheet 6 and Arborist Addendum, “Tree Plan for 10510 SW 155th Ave.”)
- 2) The new driveway will have a much more gentle slope.  
(See “Site Grading/Erosion Control Plan”, Sheet 4)
- 3) 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.” (See Note on “Utilities Plan”, Sheet 7) Any vegetation that does diminish visibility to the current driveway will be pruned.

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