



Oregon

Kate Brown, Governor

EXHIBIT S

Department of Transportation

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May 24st, 2021

ODOT #12104

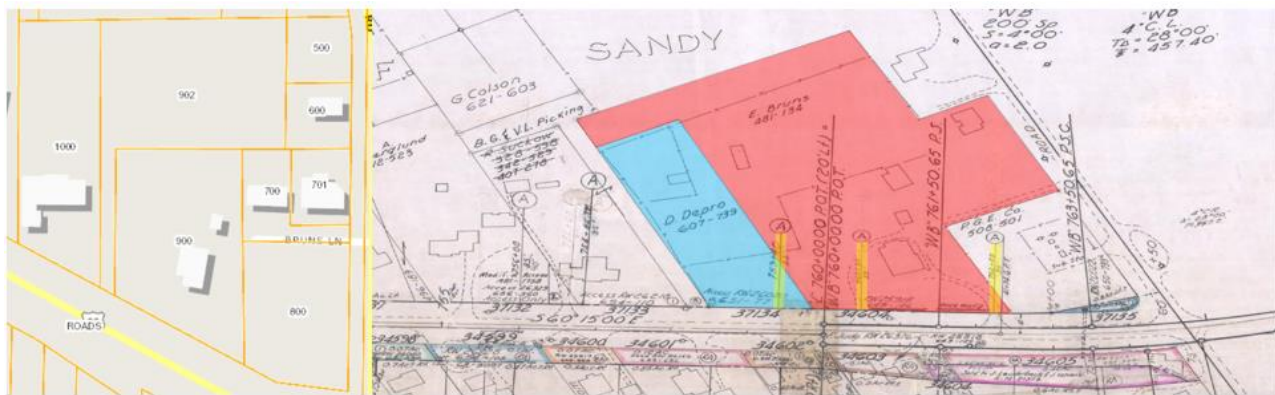
ODOT Response

Project Name: State Street Homes	Applicant: State Street Homes
Jurisdiction: City of Sandy	Jurisdiction Case #: BKM_PrimJuriCase
Site Location: 2S4E14AD TL902 adjacent to 38015 Hwy 26, Sandy, OR	State Highway: US 26

ODOT Facilities and Access Control Research

ODOT has permitting authority for US 26 and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. The applicant is proposing 42 multifamily units with ground floor storage located on the bottom level. The site of this proposed land use action is for TL 902 which is flag lot that is adjacent to US 26.

This section of US26 is access controlled, meaning ODOT has acquired highway access rights along the frontage of TL 1000, TL 902 and TL 900. At the time ODOT acquired access rights TL 902 and TL 900 were part of the same property or had the same owner. Properties only have the right to apply for access to the highway at specific locations identified at specific engineering stations which are called reservations of access. The right of way map below shows reservation locations in yellow. The blue property (TL 1000) has a single reservation of access to serve that tax lot and the property shown in red (TL 902 and TL 900) has two. Based on this research, TL 902 only has the right to apply for access to the highway at reservations of access located on TL 900.



2S-4E-14AD-TL 902 (portion of red area) Access is controlled along US26 (the Mt. Hood Highway) with reservations of access at sta. 760+50 and 762+25.

2S-4E-14AD-TL 1000 (blue) Access is controlled along US26 with a reservation of access at sta. 759+40. For ODOT to review a highway approach that serves TL 902, the property owner needs (1) access rights to the state highway (2) a highway approach permit application.

Access Options

Option 1

Work with property of TL 900 to establish a cross over easements to one of reservations located on the frontage of TL 902 (762+25, 35' or 760+50,35').

Option 2

For ODOT to consider an approach application for a shared access between TL 1000 and TL 902 at the reservation located at engineering station 759+40, the applicant will be required to do the following:

1. Relinquish their interest to access rights at engineering stations 760+50 and 762+25 located on TL 900, in exchange for establishing access rights at 759+40 to benefit TL 902.

To facilitate the exchange of access rights, a Reciprocal Conveyance of Access Rights will be required an Indenture of Access application, checklist and associated fee will be needed:

https://www.oregon.gov/odot/Engineering/Docs_AccessMngt/734-3792.pdf

2. Establish cross over access easements between TL 1000 and TL 902
3. Submit a State Highway Approach Road Application for highway access at engineering station 759+40. Site access to the state highway is regulated by [OAR 734.51. Application for a Permit to Construct a State Highway Approach.](#)

The recommended conditions of approval below are made under the assumption that the applicant will choose to move forward with Option 2.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Access to the State Highway

- A State Highway Approach Road Permit from ODOT for access to the state highway documenting that the existing approach is legal for the proposed use is required. Truck turning templates shall be provided as needed to ensure vehicles can enter and exit the approach safely. Site access to the state highway is regulated by [OAR 734.51. Application for a Permit to Construct a State Highway Approach](#) link.
Note: It may take **2 to 3 months** to process a State Highway Approach Road Permit.
- The applicant shall record a cross-over access easement to TL 1000 with the County Assessor to facilitate shared access. Shared access will improve highway safety by reducing potential conflicts between vehicles and between vehicles and pedestrians and bicyclists at closely spaced driveways and will implement ODOT Access Management Program goals.

Access Control

- The applicant shall relinquish their interest to access rights at engineering stations 760+50 and 762+25 located on TL 900, in exchange for establishing access rights at 759+40 to benefit TL 902.

To facilitate the exchange of access rights, a Reciprocal Conveyance of Access Rights will be required through an Indenture of Access. An application, checklist and associated fee will be required. [Indenture of Access Application Link.](#)

Permits and Agreements to Work in State Right of Way

☒ An ODOT Miscellaneous Permit is required for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way.

A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:

1. Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
2. The improvements create an increase of the impervious surface area greater than 10,758 square feet.

[Application for ODOT Permit to Occupy or Perform Operations Upon a State Highway Link.](#)

Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.

Send the Land Use Notice to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

ODOT_R1_DevRev@odot.state.or.us

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221 Abraham.tayar@odot.state.or.us
District Contact: Loretta Kieffer	503.667.7441 Loretta.l.kieffer@odot.state.or.us