



ARCHITECTURAL REVIEW BOARD DECISION

June 8, 2022

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| Case #: | AR 21-0001 |
| Project: | Plambeck Garden Apartments |
| Location: | 23500 SW Boones Ferry Road; Tax Lot: 2S135D000303 |
| Representative | Kayla Zander, Carleton Hart Architecture |
| Owner: | Community Partners for Affordable Housing |

I. FINDINGS

- A. An application for Architectural Review (AR 22-0001) was filed by Carleton Hart Architecture requesting approval of a 116 unit multi-family development known as Plambeck Garden Apartments.
- B. The Architectural Review Board (ARB) conducted a noticed quasi-judicial public hearing on June 8, 2022 in conformance with the laws of the State of Oregon and the City of Tualatin.
- C. At the June 8, 2022 public hearing, the ARB found that with conditions of approval to further the implementation of the requirements of the Tualatin Development Code, and in order to meet purpose and objectives of community design standards to achieve pleasant environments for living and ensure all public facilities are adequate to serve the development, as described in TDC 33.020.

II. ACTION

The Architectural Review Board Decision approves AR 22-0001 and adopted the staff analysis and findings, dated June 8, 2022, with the following Conditions of Approval (**bold underline** conditions were added by the Architectural Review Board at the hearing and are supported by the staff findings and discussion on the record):

GENERAL:

- A1. This Architectural Review approval shall expire after two years unless a building, or grading permit submitted in conjunction with a building permit application, has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division, or an extension is granted under TDC 33.020(10).

PRIOR TO EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMIT ISSUANCE:

Submit to [eTrakit](#) for review and approval:

- A2. The applicant must submit Final Street Improvement Plans in accordance with TDC 74.120, 74.130, 74.210, 74.320, 74.330, 74.350, 74.420, 74.450, 74.470, 74.485, 74.660, 74.765, 75.020, and 75.040 that show:

- a. Frontage improvements for the east side of SW Boones Ferry Road, as approved by the City Engineer, consisting of:
 - i. Dedication of adequate right-of-way required to permit the construction of the public improvements;
 - ii. Striping;
 - iii. Curbs and gutters;
 - iv. A 4-foot wide planter strip (the curb is not included in this width). This width may be reduced in locations, as needed to accommodate existing improvements and/or constraints, subject to approval by the City Engineer;
 - v. Street trees and planting locations with irrigation consistent with TDC 74.745
 - vi. A 12-foot wide multi-use path; and,
 - vii. An 8-foot wide public utility easement adjacent to right-of-way with additional as required to support any Portland General Electric support poles, water meters, and vaults; this width may be reduced in locations, as needed to accommodate existing improvements and/or constraints, subject to approval by the City Engineer.
 - b. Access to SW Boones Ferry Road from this site:
 - i. Via a public access and utility easement over Tax Lot 106 (2S13 5D) and Tract L of the Autumn Sunrise Subdivision to SW Mahogany Road with public improvements consisting of:
 1. A 24-foot wide paved travel surface striped for two-way traffic;
 2. Curbs and gutters on both sides of the travel surface; and,
 3. A 5-foot wide sidewalk on the west side of the travel surface.
 4. Alternatively, the applicant may show interim access directly to SW Boones Ferry Road, subject to the approval of a Design Exception by Washington County and approval by the City Engineer, until such time as access to SW Mahogany Road can be constructed, at which time direct access to SW Boones Ferry Road would be abandoned and closed subject to applicable closure requirements of Washington County and the City of Tualatin.
- A3. The applicant must submit Final Water Plans in accordance with code section TDC 74.610, TMC 3-3, and the Public Works Construction Code that show:
- a. Construction of the C-Level public water system from the intersection of SW Boones Ferry Road and SW Norwood Road to the south property line of this development with a 12-inch diameter main to meet public water system requirements of the MurraySmith Technical Memorandum dated November 2, 2021 and included as Exhibit N;
 - b. A gate valve at the main for domestic and fire service laterals; and,
 - c. Adjacent to the SW Boones Ferry Road right-of-way:
 - i. Reduced pressure backflow prevention and water meter for the domestic lateral;
 - ii. The water meter must be located within the planter strip. If inadequate width of strip is approved, then behind the sidewalk and within and surrounded by five feet of public utility easement;
 - iii. Irrigation after a domestic meter and reduced pressure backflow device; and,
 - iv. The fire vault surrounded by five feet of public utility easement.

- A4. The applicant must submit Final Sanitary Sewer Plans in accordance with code section TDC 74.620, TMC 3-2, and the Public Works Construction Code that show:
- a. The location of the lines, grade, materials, and other details;
 - b. The gravity service lateral releasing to a public manhole at the north end of a public sanitary sewer easement to the south; and,
 - c. Construction of the public gravity sanitary sewer system as needed to serve this development within public sanitary sewer easements and right-of-way.
- A5. The applicant must submit Final Stormwater Plans certified by an Oregon registered, professional engineer in accordance with TDC 74.630 and 74.650, TMC 3-5-200 through 3-5-430, Public Works Construction Code (PWCC), and Clean Water Services' (CWS) Design and Construction Standards (D&CS) Chapter 4 that show:
- a. A downstream analysis, including but not limited to erosion, and include solutions within final plans for $\frac{1}{4}$ mile downstream from the release from the private development through the public stormwater system, in accordance with TMC 3-5-210(1 through 4);
 - b. With gravity flow five feet from the outside of the established line of the building to the public stormwater system in accordance with CWS D&CS 1.03.39 and 5.09.3(a) (1) and (4), or as otherwise approved by the City Engineer;
 - c. Discharge to an approved public system; and,
 - d. Capture of runoff from all new and modified private and public impervious areas, including:
 - i. Runoff from new impervious area located within the public access easement on Tax Lot 106 and Tract L within Phase 3 of the Autumn Sunrise Subdivision (File No. SB21-0001);
 - ii. This runoff may be captured and treated within stormwater facilities of the subject development subject to compliance with CWS D&CS approved Proprietary Treatment Systems or City Engineer approved alternative; and,
 - iii. Treatment of new and modified impervious areas in accordance with CWS D&CS 4.08.1.d meeting phosphorous removal in accordance with TMC 3-5-350 per the design storm in accordance with TMC 3-5-360 and CWS D&CS 4.08.2, including:
 1. Stormwater from public impervious areas may be alternatively equivalently treated and detained within the subject development's private stormwater facilities;
 2. Public water quality facilities may be LIDA street swales or can connect to the public water quality facility constructed by Autumn Sunrise, subject to final approval by the City Engineer; and
 3. If additional public stormwater facilities are required, additional dedication of right-of-way may be needed; and,
 4. Detention in accordance with TMC 3-5-220, TMC 3-5-230, and CWS D&CS 4.08;
 5. On-site facilities accommodating hydromodification, meeting release rates for $\frac{1}{2}$ the 2-year or 5-year storm events for proposed new and modified impervious areas in accordance with CWS D&CS 4.03.5;
 6. Conveyance calculations demonstrating the proposed public facilities can accommodate up to a 25-year storm event in accordance with TDC 74.640 and CWS D&CS 5.05.2.d; and,
 7. Compliance with the following, in accordance with TDC 74.650(2) and CWS D&CS 3.01.2(d):

- a. The submitted Clean Water Services' Service Provider Letter CWS File Number 21-002248 dated September 7, 2021 and its requirement to obtain a Stormwater Connection Permit Authorization Letter (Exhibit A6);
 - b. And updated Service Provider Letter, if required due to plan modifications; and,
 - c. Requirements stated within the Clean Water Services' Memorandum included as Exhibit D; and,
 - d. The applicant must submit financial assurance for construction performance in accordance with TMC 3-390(3), PWCC 102.14.00, and amount per CWS D&CS 2.07 Table 2-1; and,
 - e. The applicant must submit a copy of the recorded private stormwater maintenance agreement in accordance with TMD 3-5-390(4). The agreement must assure the owner as responsible for maintenance of the constructed portions of private stormwater systems within their lot. The identified system must include all conveyance, detention, hydromodification, and treatment.
- A6. The applicant must submit Final Erosion Control Plans in accordance with TDC 74.640 and 74.650, TMC 3-5-050 and 3-5-060, the Tualatin Public Works Construction Code, and Clean Water Services' Design and Construction Standards Chapters 2 and 6 that show:
- a. Grading within the public right-of-way and public easements, as approved by the City Engineer; and,
 - b. For total disturbed area up to five acres, a copy of the National Pollution Discharge Elimination System (NPDES) 1200-CN Stormwater Discharge Permit from Clean Water Services as an agent of Oregon DEQ, or
 - c. For total disturbed area of five or more acres, a copy of the National Pollution Discharge Elimination System (NPDES) 1200-C Construction Erosion Control permit from Oregon DEQ.

PRIOR TO BUILDING OR ENGINEERING PERMIT ISSUANCE:

Submit to [eTrakit](#) for review and approval:

- A7. The applicant must obtain approved Erosion Control, Public Works, and Water Quality Permits from the City of Tualatin
- A8. The applicant must provide a copy of recorded dedication of sufficient right-of-way for SW Boones Ferry Road from the centerline plus any additional to accommodate final accepted public street and stormwater improvements in accordance with TDC 74.210, 74.420, 74.470, 74.485, and 74.765.
- A9. The applicant must provide a copy of the recorded easement for the following, in accordance with TDC 74.320, 74.330, 74.350:
- a. A public utility easement, as approved by City Engineer, adjacent to SW Boones Ferry Road including, five foot wide public water easement surrounding water meter, backflow protection, and/or fire vaults, and additional width as needed for PGE support poles and guy wires.

- b. A 50-foot wide public access and utility easement dedicated to the City of Tualatin, or as otherwise approved by the city Engineer over Tax Lot 106 and Tract L of Phase 3 of the Autumn Sunrise Subdivision
- A10. The applicant must provide a copy of:
 - a. A Design Exception, if needed for direct access to Boones Ferry Road;
 - b. Approved Facility Permits from Washington County; and,
 - c. A 1200-CN National Pollution Discharge Elimination System (NPDES) Stormwater Discharge Permit from Clean Water Services as an agent of Oregon DEQ if less than five acres are disturbed, or a National Pollution Discharge Elimination System (NPDES) 1200-C Construction Erosion Control permit from Oregon DEQ if more than five acres are disturbed.
- A11. The applicant must submit a Final Site Plan Set (in PDF format) to the Planning Division that is in substantial conformance to the submitted site plans and includes:
 - a. Tree Preservation Plan that corresponds to the Tree Assessment Report (submitted as Exhibit A3) that is drawn to scale that includes the location of all trees proposed for removal and preservation that are eight inches or more in diameter, all existing and proposed structures, all existing and proposed public and private improvements, and all existing public and private easements in accordance with TDC 33.110(4)(a).
 - b. Trees identified for retention in Tree Assessment Report (Exhibit A3) must be identified on the grading plan, consistent with TDC 73B.080(3). This includes on-site Tree 29 and fifteen off-site trees. Tree protection fencing and other preservation measures recommended by the Arborist should also be specified on the grading plan.
 - c. Private outdoor areas of 80 square feet or greater attached to each ground level unit, consistent with TDC 73A.200(1).
 - d. Balcony areas of 48 square feet or greater provided for each above-ground unit, consistent with TDC 73A.200(2).
 - e. Entry areas of 24 square feet or greater provided for each unit, or a minimum combined area of 1,392 square feet or greater for each multi-family building, consistent with TDC 73A.200(3).
 - f. Shared outdoor area of 34,800 square feet or greater with features consistent with TDC 73A.200(4).
 - g. Children’s play area of 17,400 square feet or greater with features consistent with TDC 73A.200(5).
 - h. Storage areas for each unit that are a minimum of: 24 square feet for one-bedroom units, 36 square feet for two-bedroom units, and 48 square feet for three-bedroom or greater units, consistent with TDC 73A.200(6).
 - i. Walkways that are a minimum of 6 feet in width; constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete; and meet ADA standards at time of construction, consistent with TDC 73A.200(7).
 - j. An accessway that is a minimum 8 feet in width; constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete; meets ADA standards at time of construction; and connects the private on-site walkways to the public sidewalk or multiuse path on Boones Ferry Road, consistent with TDC 73A.200(7). The width may be reduced, as needed to accommodate right-of-way improvements and/or constraints, subject to approval by the City Engineer.
 - k. Details to demonstrate that proposed bicycle parking meets the standards of TDC 73C.050(2)(a)-(c), and that a minimum of 116 covered bicycle parking spaces are provided, in conformance with TDC 73C.100(1).

- l. A minimum of 170 parking spaces are provided as approved under VAR 21-0003 (Exhibit F) that meet the dimensional standards set forth in Figure 73-1 (Exhibit I). Sub-compact parking spaces must not exceed 35% of the total required parking, or 60 spaces, consistent with TDC 73C.020(7).
- m. Trees, as approved by the Architectural Review Board, must be planted no more than 30 feet apart on the perimeter of vehicle circulation areas consistent with TDC 73C.210(3)-(5).
- n. A minimum of 4,250 square feet or 25 square feet per parking stall improved with parking lot landscape island area with one deciduous shade trees for every four parking spaces, consistent with TDC 73C.210(6).
- o. A minimum of 580 square feet of trash enclosure area must be shown on the plans. These facilities must comply with the location, design, and access standards in TDC 73D.070.

DURING CONSTRUCTION ACTIVITY:

- A12. The applicant must install the tree protection fencing consistent with the Tree Assessment Report submitted as Exhibit A3 and Section 73B.080(3). Please contact the Planning Division to schedule an inspection with a minimum of 48 hours' notice. Where site conditions make grading or other similar encroachment upon a preserved tree's drip-line area, such grading or similar encroachment must only be permitted under the direction of a qualified arborist.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- A13. Provide an identification system which clearly locates buildings and their entries for patrons and emergency services, pursuant to TDC 73A.200(10)(c). Building identification approved by TVF&R must be placed in a position that is plainly legible and visible from the street fronting the property. Numbers must contrast with their background, be a minimum of 4 inches high, and have a minimum stroke width of 1/2 inch.
- A14. Areas impacted by grading and all areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas, or undisturbed natural areas must be landscaped, pursuant to TDC 73B.030(1).
- A15. The applicant must install bicycle parking signage per MUTCD standards, pursuant to TDC 73C.050(2)(d).
- A16. The applicant must construct proposed buildings and all site improvements as illustrated on the approved Final Site Plan and Final Color Architectural Elevations. The applicant must contact the Planning Division for a site inspection at least 72 hours prior to requesting a certificate of occupancy. This inspection is separate from inspection(s) done by the Building Division.
- A17. The applicant must complete all the private stormwater and public improvements as shown on the approved permit plans. All improvements must also be accepted by the City in accordance with TDC 74.120, 74.130, and 74.170.
- a. If the public sanitary sewer system necessary to serve this development is not constructed to the extent of property/available easements at the time of request for a Certificate of Occupancy the applicant must:
 - i. Obtain approval to extend the public sanitary sewer system from the north end of the vicinity of future Tract L within Phase 3 of the Autumn Sunrise Subdivision (File No. SB21-

- 00001) to connect to approved and constructed mains and the Clean Water Services' Norwood Road Pump Station; or
- ii. Obtain approval for revised Erosion Control, Public Works, and Water Quality permits from the City to construct all necessary portions of the public system yet to be constructed; and,
 - iii. Provide a means of compliance with the contractor insurance and bond requirements of the City of Tualatin.
- b. If public street and stormwater improvements required by Conditions of Approval for Phase 3 of the Autumn Sunrise Subdivision (File No. SB21-0001) have not been constructed and accepted by the City at the time of a request for a Certificate of Occupancy for this project, then the applicant shall provide evidence of an agreement or obtain approval for revised Erosion Control, Public Works, and Water Quality permits from the City, as approved by the City Engineer, allowing this project to design and construct the following:
- i. For Private Tract L including:
 1. A 24-foot wide paved travel surface, striped to accommodate two-way traffic;
 2. A blanket public access and utility easement;
 3. A 5-foot wide sidewalk on the west side of the travel surface;
 4. Curbs and gutters on both sides of the travel surface; and,
 5. A six-foot deep concrete approach where the access meets SW Mahogany Street, matching the travel surface width.
 - ii. For SW Mahogany Street including:
 1. A traffic signal at SW Boones Ferry Road based on applicable signal warrants, as determined by Washington County and the City of Tualatin;
 2. Crosswalks and receiving ramp on the west side of SW Boones Ferry Road;
 3. Street signs with local street name for SW Mahogany Street approved by the City Engineer; and,
 4. Associated water quality and quantity facilities.
- A18. The applicant must submit paper and electronic as-builts of the Engineering permits along with maintenance bonds and any final fees for public and water quality improvements City in accordance with TDC 74.120, 74.130, and 74.170.

THE FOLLOWING ITEMS APPLY TO THE SITE IN AN ON-GOING MANNER:

- A19. All mechanical equipment must be screened in accordance with TDC 73A.200(11)(c). Prior to approval of a mechanical permit, the applicant or property owner must submit scaled elevations illustrating that above-grade or on-grade equipment will be screened by parapet, sight-obscuring fence, landscaping, or other method.
- A20. All sign permits require separate sign permit approval per TDC Chapter 38. This approval does not constitute sign permit approval.
- A21. All site, building exterior, and landscaping improvements approved through the AR process must be continually maintained, so as to remain substantially similar to original approval through the

AR process, except as permitted under TDC 33.020(7) (Modifications to Previously Approved Final Architectural Review Decisions).

- A22. All parking spaces shall be continuously maintained in compliance with the dimensional standards specified in TDC Figure 73-1 (Exhibit I).
- A23. No vehicular parking, hedge, planting, fence, wall structure, or temporary/permanent physical obstruction is permitted between 30 inches and eight feet above the established height of the curb in the vision clearance area specified in TDC Figure 73-2 (Exhibit J).

III. APPEAL

The applicant or any person who submitted written comments or testified orally or in writing at the Tualatin Architectural Review Board hearing and who may be adversely affected by the Board's decision may file a request for review of the final decision of the Tualatin Architectural Review Board to the City Council.

The Tualatin Architectural Review Board's decision will be final after 14 calendar days from the mailing of this order, unless a written appeal is received by the **Tualatin Planning Division at 10699 SW SW Herman Road, Tualatin, Oregon, before 5:00 p.m., June ____, 2022. The appeal must be submitted on the City appeal form with all the information requested provided thereon, signed by the appellant, and include the applicable appeal fee.** The plans and appeal forms are available at the Planning Division offices. The appeal forms must include reasons, current appeal fee, and meet the requirements of Section 32.310 of the Tualatin Development Code. The City Council will review and make a decision. The parties will be notified of the Council meeting date.

ADOPTED THIS ____ DAY OF JUNE.

ARCHITECTURAL REVIEW BOARD
CITY OF TUALATIN

BY:

Nancy Grimes, Acting Chair
Architectural Review Board