



# AR 21-0011 Extension Request

Tualatin Logistics Park  
20400 SW Cipole Road

AR 21-0011 Extension Request  
Tualatin Logistics Park

ARCHITECTURAL REVIEW BOARD  
August 9, 2023



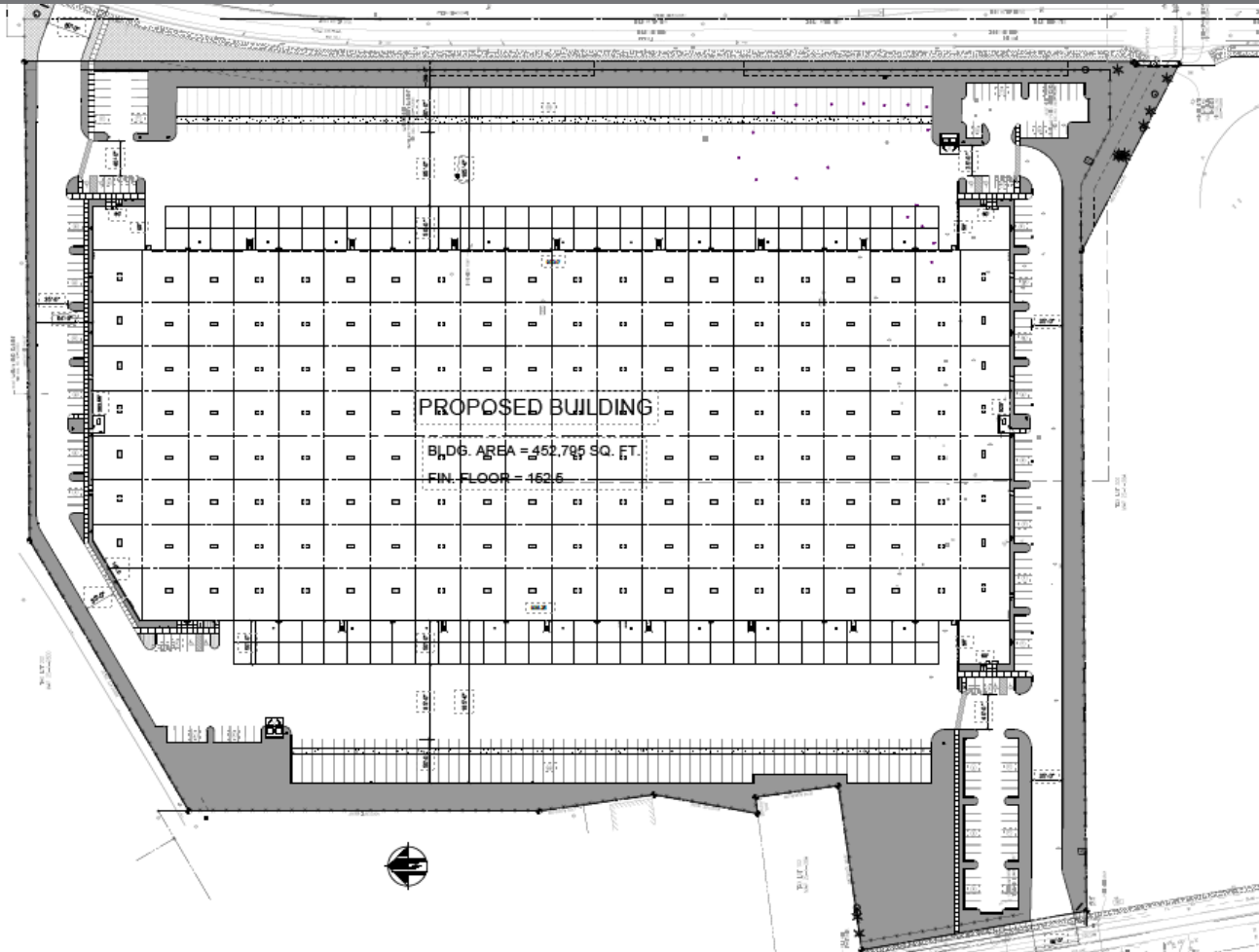
# Extension Request: AR 21-0011

VLMK Engineering + Design, on behalf of Fore-Sight Balboa, LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR 21-0011. The applicant requests to extend the decision through March 14, 2025.





# Project Overview



AR 21-0011 Extension Request  
Tualatin Logistics Park

ARCHITECTURAL REVIEW BOARD  
August 9, 2023



# Architectural Review

**Architectural Review 21-0011** was reviewed against the criteria listed in Chapter 33, 73A through 73G, 74 and 75 including:

- Tree Removal
- Site Design Standards, Landscaping Standards, Parking Standards, Waste & Recyclable Management Standards
- Public Improvements and Access Management

**Adopted with Conditions of Approval on March 14, 2022.** The decision is included in Exhibit E1.



# Permit Expiration

## TDC 33.020(9) Permit Expiration.

*Architectural Review decisions (including Minor Architectural Review decisions) expire two years from the effective date unless the applicant has received a building, or grading permit submitted in conjunction with a building permit application, substantial construction has occurred pursuant to the building permit, and an inspection has been performed by a member of the Building Division.*

Effective Date of AR 21-0011: **March 14, 2022**

Expiration Date of AR 21-0011: **March 14, 2024**



## Procedures Decision Extension – TDC 33.020(10)

### Type III Architectural Review Extension Request:

- (a) An Architectural Review approval may be extended if the applicant, or successor interest, submits a written request for an extension of time within two years of the effective date. – [Request submitted July 6, 2023.](#)
  
- (c) Upon receipt of a request for an extension of time, the City will process the extension request as follows:
  - (ii) If the Architectural Review Board (ARB) approved the Architectural Review, then the ARB will decide the extension request under the Type III quasi-judicial procedures in TDC 32.230. – [ARB Hearing scheduled August 9, 2023.](#)
  
- (d) The City must provide notice of the extension request to past recipients of the Architectural Review notice of decision and the applicant must post a sign pursuant to TDC 32.150. – [Staff provided notice on July 17, 2023. Applicant posted sign.](#)



# Approval Criteria - TDC 33.020(10)(e)

**(e) The City Manager or Architectural Review Board, as applicable, may grant the extension of time upon finding the following:**

- (i) The applicant submitted a written extension request prior to the expiration date;
- (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.





# Approval Criteria - TDC 33.020(10)(e)

**(i) The applicant submitted a written extension request prior to the expiration date;**

- Effective Date of AR 21-0011: March 14, 2022
- Expiration Date of AR 21-0011: March 14, 2024
- **Applicant submitted extension request for AR 21-0011 on July 6, 2023.**



# Approval Criteria - TDC 33.020(10)(e)

**(ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;**

- Applicant stated VLMK Engineering + Design and Lancaster Mobley reviewed the Tualatin Development Code, Clean Water Services Design and Construction Standards as adopted November 12, 2019, in addition to traffic-related codes and regulations, and stated the Project remains in compliance with each.
- Staff have compared the AR 21-0011 decision to the current Tualatin Development Code and have not noted any significant changes in the City's conditions, ordinances, regulations, or standards that affect the previously approved project.
- Applicable agencies were noticed on July 17, 2023. CWS provided comments that there were no concerns or objections to the extension request.



# Approval Criteria - TDC 33.020(10)(e)

**(iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and**

**Applicant provided a memorandum from Lancaster Mobley on the Transportation Impact Analysis (TIA) that was completed on December 15, 2021.**

- Outlined the original assumptions, findings, and changes since the report.
- TIA for AR 21-0011 considered a buildout condition several years beyond the completion date of project construction. The buildout year of 2025 was still applicable with the request extension.
- Reviewed studies for other projects that have been approved or submitted for review
- Demonstrated the findings of the TIA are still applicable and the conclusions that the study area can accommodate the project have not changed.
- Concluded there is no supplemental TIA analysis needed to accommodate the requested extension.

**Applicant provided a letter stating VLMK Engineering + Design created the Site and Site Utilities to meet Clean Water Services (CWS) Design and Construction Standards.**

- CWS Standards used for the design of AR 21-0011 were enacted in November 12, 2019, and the Standards are still currently in effect.



# Approval Criteria - TDC 33.020(10)(e)

**(iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.**

- The applicant maintained the site with ongoing business operations by the Tualatin Island Greens Golf Center & Grill, to ensure that blight did not become a factor.
- With Condition of Approval A4 this standard is met.



# Proposed Conditions of Approval

- A1. The extension can be no more than a single one-year extension. The original decision for Architectural Review 21-0011 became effective on March 14, 2022, with an expiration date of March 14, 2024. This decision will extend the expiration timeline by one year to March 14, 2025.
- A2. The proposed extension must adhere to the conditions of the original decision of Architectural Review 21-0011.
- A3. The proposed extension must comply with all applicable standards and objectives in Tualatin Development Code Chapters 32 and 33.
- A4. The site must continue to not be neglected so as to allow the site to become blighted in accordance with TDC 33.020(10)(e)(iv).



# Conclusion

- The findings demonstrate that the request for extension meets the applicable criteria of the Tualatin Development Code with the recommended Conditions of Approval.
- Therefore, Staff respectfully recommends approval of the one-year extension of Architectural Review 21-0011 for a revised expiration date of March 14, 2025.
- Questions?