



City of Tualatin
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NOTICE OF DECISION

On February 26, 2018, the City of Tualatin approved with conditions AR17-0004 for Marquis Tualatin Cottages – Heritage Tree Removal, 19945 SW Boones Ferry Road (Tax Lot: 2S123DD00501 and 00502).

This staff level decision will be final after 14 calendar days from the date of this mailing unless a written request for review is received by the **Community Development Department – Planning Division at 18880 SW Martinazzi Avenue, Tualatin, OR 97062 before 5:00 p.m.** The appeal must be submitted on the City Request for Review (i.e. Appeal) form with all the information requested, as required by TDC 31.075, and signed by the appellant. Only those persons who submitted comments during the notice period may submit a request for review. The plans and appeal forms are available at the Planning Counter. The appeal forms must include reasons, the appeal fee and meet the requirements of Section 31.076 of the Tualatin Development Code.

Date notice mailed: 02/26/2018

Date a Request for Review must be filed: 03/12/2018

File: AR17-0004



City of Tualatin

www.tualatinoregon.gov

February 26, 2018

ARCHITECTURAL REVIEW

AR-17-0004

**** APPROVAL WITH CONDITIONS ****

Case #:17-0004

Project: Marquis Tualatin Cottages – Heritage Tree Removal

Location: 19945 SW Boones Ferry Road

Applicant/Owner: Scott Miller; Tualatin LTC Properties II, LLC

Applicant/Rep.: Gretchen Stone; CB Two Architects

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Arrangements can be made to provide these materials in alternative formats such as large type or audio recording. Please contact the Planning Division at 503.691.3026 and allow as much lead time as possible.

I. INTRODUCTION

A. Project Description

The property owner, Tualatin LTC Properties II, LLC, represented by CB Two Architects requests the removal of two trees located at the Marquis Tualatin senior housing development to mitigate safety risk and to modify the site plan to provide a larger community garden. Marquis Tualatin's overall development plan allows seniors to age in place by offering a variety of residential options and support services.

An assisted living building, community building and 34 independent cottage units are existing on-site. The applicant is currently entering Phase 3 and 4 of the development to permit the remaining 32 cottage units and the community garden approved through AR 14-07.

The subject proposal requests a modification of AR 14-07 condition of approval AR 2.U.2, Tree Preservation to allow for the removal of the two specified trees. One tree is a 56" dbh Douglas fir (Tree #301) that is designated a heritage tree and lies at the site of unit 63/64. The second tree is a 44" dbh Grand fir (Tree #303) that is located at the site of unit 47/48. The applicant also seeks to modify the Phase 3 and 4 Site Plan that was approved through MAR-17-0038. This request is a result of discoveries that have been made during the construction of previous phases and the design process for the final phases.

B. Site Description

Marquis Tualatin is located west of SW Boones Ferry Road and north of SW Sagert Street. Phase 3 and 4 of the Marquis development are located on a portion of Washington County Tax Lots 2S1 23DD 00501 and 00502. The subject area is approximately 2.96 acres of the overall 10.83 acre site. The land gently slopes up-hill to the southeast corner of the site.

The Marquis Tualatin lots are located in the Medium-Low Density Residential District (RML).

C. Project Schedule

The Neighborhood/Developer meeting required by Tualatin Development Code (TDC) 31.063 was held on April 24, 2017 commencing at 6:30 PM at the Tualatin Heritage Center, located at 8700 SW SW Drive, Tualatin, OR 97062. Four members from the community attended the meeting, along with one representative from the City of Tualatin and five representatives from the applicant team. The meeting was adjourned at approximately 6:50 PM.

Notice was mailed to owners of property within 1,000 feet of the subject site, and to owners of property in any residential subdivision within 1,000 feet of the subject site on January 10, 2018, pursuant to TDC 31.064(1). Staff did receive five sets of written comments during the comment period that ended January 24, 2018. Dannielle Yates and Rob Porter, as well as, Kathleen and Matthew Cunningham asked that the trees be preserved. Clo Eve Allen asked that the grand fir be saved for medicinal purposes. These comments were shared with the applicant, in which they responded. The comments are provided as Attachment 102.

Figure 1. Aerial Map of Subject Site



II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented, staff recommends approval of AR-17-0004 subject to the following Architectural Features (AF) conditions:

CONDITIONS OF APPROVAL:

AF-1 The applicant must not remove trees #301 and #303 prior to the conclusion of the AR-17-0004 appeal period (March 13, 2018).

PRIOR TO ISSUANCE OF BUILDING PERMITS FOR UNITS 47-54 and 57-66:

AR-2 The applicant must execute a Partial Release of Heritage Designation and Preservation Agreement (“Partial Release”) for Douglas Fir Tree #301, and the Partial Release must be notarized and recorded with Washington County. The Partial Release will be on forms provided by the City of Tualatin.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR UNITS 45-66:

AF-3 The applicant shall construct proposed buildings and all site improvements as illustrated on approved plans and conditions of approval.

PLEASE BE ADVISED:

- The plan sets for the Planning Division must contain sheets relevant to AR conditions of approval while also not being a full building permit set. For example, because the Planning Division needs no erosion control or roof framing plan sheets, exclude them.
- Following Planning Division approval of revised plans and when the constructed site is ready, the applicant must contact the Planning Division for a site inspection in order to obtain a certificate of occupancy. This inspection is separate from inspection(s) done by the Building Division. Staff recommends scheduling a Planning inspection at least three business days in advance of the desired inspection date.

III. PLANNING FINDINGS

The Planning Division findings in the following section are based on interpretive compliance with the Tualatin Development Code (TDC) and other applicable ordinances. All references are to sections in the TDC unless otherwise noted.

In the following section, planning staff comments, findings, and conditions of approval are in Italic font.

A. Previous Related Land Use Actions

- ANN-39-01, ANN-72-02, and ANN-73-04 annexed the subject
- HIST-08-01 demolition of historic landmark: Tualatin Elementary School (1939)
- PMA-09-01 rezoned tax lot 500 from RL to RML by Ordinance No. 1284-09
- PLA-10-01 adjusted north and west line of Tualatin Gardens Lot 34
- PMA-10-01 rezoned tax lots 501 and 502 from RL to RML by Ordinance No. 1308-10
- AR-10-04 approved assisted living and skilled nursing facility
- AR-14-07 approved 66 cottage units
- PLA-16-0005 adjusted west line of Tualatin Gardens Lot 34
- MAR-17-0004 expansion of assisted living parking lot
- MAR-17-0038 modification to Phase 3 and 4 cottage layout

B. Planning Districts and Adjacent Land Uses

The subject property is located in the Medium Low Density Residential (RML) Planning District multi-family dwellings and nursing facilities are permitted pursuant to 41.020(1) and (9).

Adjacent planning districts and land uses are:

North: Planning District (RH)

- Cypress Garden Apartments
- Chelan Apartments
- Portland & Western Railroad (PNWR)

East: Planning District (RML)

- Tualatin Marquis assisted living and skilled nursing facility
- Boones Ferry Road

South: Planning District (RL)

- Sagert Street
- Silveys Subdivision

West: Planning District (RML)

- Rebecca Woods Condominiums
- Tualatin Heights Apartments

C. Planning District Uses

Section 41.020 Permitted Uses

The Marquis cottages were reviewed under AR 14-07. The proposed use has not changed under this application.

D. Lot Sizes

Section 41.040 Lot Sizes for Permitted Uses

The Marquis cottages were reviewed under AR 14-07. The size of lots has not changed under this application.

E. Setback Requirements

Section 41.060 Setback Requirements for Permitted Uses

The Marquis cottages were reviewed under AR 14-07. The configuration of Phase 3 and 4 was modified under MAR 17-0038, and further modified under this proposal. Units 63/64 – 57/58 have moved counter-clock wise to provide greater area for a community garden. Although there is a slight modification of unit layout, setbacks have not changed under this application.

F. Structure Height

Section 41.090 Structure Height

The Marquis cottages were reviewed under AR 14-07. The height of units has not changed under this application.

G. Development Review Approval

Section 73.050 Criteria and Standards

The Marquis cottages were reviewed under AR 14-07. No additional development is proposed under this application.

H. Landscape and Building Maintenance

Section 73.100 Landscaping and Building Installation and Maintenance

- (1) All landscaping approved through the Architectural Review Process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered with Community Development Director approval.**
- (2) All building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval.**

These standards apply to the site in an on-going manner. Violation of these standards is a matter of code enforcement.

I. Site Planning

Section 73.130 Standards

The Marquis cottages were reviewed under AR 14-07. No changes to outdoor areas; safety and security; service delivery, and screening; or accessways are proposed under this application.

J. Structure Design

Section 73.190 Standards

The Marquis cottages were reviewed under AR 14-07. No changes to storage or garages are proposed under this application.

K. Tree Removal and Preservation

Section 34.200 Tree Removal on Private Property without Architectural Review, Subdivision or Partition Approval, or Tree Removal Permit Prohibited

- (1) Except as provided in TDC 34.200(3), no person shall remove a tree within the City limits except as follows:**
 - (a) For a tree on private property, the person must first obtain a Tree Removal Permit from the City or obtain approval through Architectural Review, Subdivision Review, or Partition Review. A request for a Tree Removal Permit is subject to a Neighborhood/Developer Meeting pursuant to TDC 31.063. Submittal of a permit request shall include a list of mailing recipients pursuant to TDC 31.064(1). The applicant shall post a sign pursuant to TDC 31.064(2).**
- (2) As used in this ordinance, “park” means a City-owned parcel, lot or tract of land, designated and used by the public for active and passive recreation.**
- (3) The following exemptions apply to tree removal:**
 - (a) General Exemption. Four or fewer trees may be removed within a single calendar year from a single parcel of property or contiguous parcels of property under the same ownership without a permit, except when the tree to be removed:**
 - (i) Is located in the Natural Resource Protection Overlay District (NRPO);**
 - (ii) Is located in the Wetlands Protection Area (WPA) of the Wetlands Protection District (WPD);**
 - (iii) Is a Heritage Tree;**
 - (iv) Was previously required to be retained under an approved Architectural Review decision**

The applicant wishes to remove two trees (Tree #301 and 303) that were required to be retained under AR 14-07 Condition of Approval: AR-2(U.)(2.): “The applicant shall submit a tree preservation plan sheet or sheets that uniquely identifies all on-site trees, including all Heritage Trees; identifies species and caliper; distinguishes among those to be removed and those to be preserved; preserves those trees within the northerly western boundary of the site development area for which their preservation would not conflict with CWS SPL 10-001901 Amended August 8, 2012; and preserves any trees that do not meet the removal criteria of 34.230(1).” One of the trees proposed for removal is also designated a Heritage Tree; therefore, an Architectural Review has been submitted for tree removal.

Section 34.210 Application for Architectural Review, Subdivision or Partition Review, or Tree Removal Permit

- (1) Architectural Review, Subdivision, or Partition. When a property owner wishes to remove trees, other than the exemptions permitted under TDC 34.200(3), to develop property, and the development is subject to Architectural Review, Subdivision Review, or Partition Review approval, the property owner shall apply for approval to remove trees as part of the Architectural Review, Subdivision Review, or Partition Review application process.**
 - (a) The application for tree removal shall include:**
 - (i) A Tree Preservation Site Plan, drawn to a legible scale, showing the following information: a north arrow; existing and proposed property lines; existing and proposed topographical contour lines; existing and proposed structures, impervious**

surfaces, wells, septic systems, and stormwater retention/detention facilities; existing and proposed utility and access locations/easements; illustration of vision clearance areas; and illustration of all trees on-site that are eight inches or more in diameter (including size, species, and tag i.d. number). All trees proposed for removal and all trees proposed for preservation shall be indicated on the site plan as such by identifying symbols, except as follows:

- (A) Where Clean Water Services (CWS) has issued a Service Provider Letter that addresses the proposed development currently under consideration, and
 - (B) Where CWS has approved delineation of a “sensitive area” or “vegetated corridor” on the subject property, and
 - (C) Where CWS has required dedication of an easement that prohibits encroachment into the delineated area, then
 - (D) All trees located within the CWS-required easement need not be individually identified on the Tree Preservation Site Plan if the CWS-required easement boundary is clearly illustrated and identified on the Tree Preservation Site Plan.
- (ii) A tree assessment prepared by a qualified arborist, including the following information: an analysis as to whether trees proposed for preservation can in fact be preserved in light of the development proposed, are healthy specimens, and do not pose an imminent hazard to persons or property if preserved; an analysis as to whether any trees proposed for removal could be reasonably preserved in light of the development proposed and health of the tree; a statement addressing the approval criteria set forth in TDC 34.230; and arborist’s signature and contact information. The tree assessment report shall have been prepared and dated no more than one calendar year proceeding the date the development application is deemed complete by the City. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located within the CWS-required easement need not be included in the tree assessment report.
- (iii) All trees on-site shall be physically identified and numbered in the field with an arborist-approved tagging system. The tag i.d. numbers shall correspond with the tag i.d. numbers illustrated on the site plan. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located in the CWS-required easement need not be tagged.
- (b) The application for tree removal shall be approved or denied based on the criteria in TDC 34.230.
- (c) The approval or denial of an application to remove trees shall be a part of the Architectural Review, Subdivision Review, or Partition Review decision.

The applicant has provided a Tree Preservation Plan, labeled Marquis Tualatin Tree Exhibit, Sheet 1 of 1, dated 12.4.17. A tree assessment authored by Morgan Holen & Associates, dated 10.13.17. An arborist report, authored by Morgan Holen & Associates and dated 5.29.17 was also submitted for the designated Heritage tree (56” dbh Doug fir – Tree #301). This report contained an aerial risk tree inspection report that was performed by Bartlett Tree Experts and is dated 5.1.17. Refer to TDC 34.230 below for discussion on tree removal criteria.

Section 34.230 Tree Removal Criteria

The Community Development Director shall consider the following criteria when approving, approving with conditions, or denying a request to cut trees.

- (1) An applicant must satisfactorily demonstrate that any of the following criteria are met:
- (a) The tree is diseased, and
 - (i) The disease threatens the structural integrity of the tree; or
 - (ii) The disease permanently and severely diminishes the esthetic value of the tree; or

Section 34.250 Notice of Decision.

- (1) Architectural Review, Subdivision or Partition Review.** Notice of decision shall be in accordance with the Architectural Review, Subdivision Review or Partition Review Process in Chapters 31 and 36 respectively. If approval is granted to remove a Heritage Tree, a copy of the decision shall be sent to the chairman of the Tualatin Park Advisory Committee.

Staff supports the decision to remove Tree #301 with Heritage Tree designation pursuant to TDC 34.230(1)(c). The notice of application and decision have been shared with the Community Services Director. Community Services commented that a condition of approval is necessary to remove the Heritage Tree designation of Tree #301.

Condition of Approval: The applicant must execute a Partial Release of Heritage Designation and Preservation Agreement (“Partial Release”) for Douglas Fir Tree #301, and the Partial Release must be notarized and recorded with Washington County. The Partial Release will be on forms provided by the City of Tualatin.

- (2) Tree Removal Permit.** The decision shall be in writing and shall be sent in accordance with TDC 31.074. If the application for tree removal pertains to a Heritage Tree, the decision shall also be sent to the chairman of the Tualatin Park Advisory Committee.

As stated previously, the notice of application and decision have been shared with the Community Services Director. Community Services commented that a condition of approval (AF-2) is necessary to remove the Heritage Tree designation of Tree #301.

Section 73.250 Tree Preservation

- (1) Trees and other plant materials to be retained shall be identified on the landscape plan and grading plan.**

Applicant Response: Trees to be retained are shown on the Tree Preservation Plan.

- (2) During the construction process:**
- (a) The owner or the owner’s agents shall provide above and below ground protection for existing trees and plant materials identified to remain.**
 - (b) Trees and plant materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.**
 - (c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in TDC 31.060.**
 - (d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.**
 - (e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree’s drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.**
 - (f) Tree root ends shall not remain exposed.**

Applicant Response: Tree protection will be implemented to comply with City standards, and where necessary, under the direction of a qualified arborist.

The site has been previously graded. Trees proposed for retention are noted on Marquis Tualatin Tree Exhibit, dated 12.4.17. Two trees will be retained in the development area of Phase 3 and 4. Trees #302 and 304 are located on the southern lot line and abut SW Sagert Street.

- (3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.**

Applicant Response: Landscaping has been designed to incorporate the preserved trees into the overall plan.

- (4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, nearby landscape materials. Native trees are encouraged.**

Applicant Response: Landscaping will be provided as required. The provided landscaping will be consistent with the landscaping that has been implemented on previously completed phases. Landscaping plans will be included with the building permit plans as required for review for compliance by the applicable departments.

- (5) Pruning for retained deciduous shade trees shall be in accordance with National Arborist Association "Pruning Standards For Shade Trees," revised 1979.**

Applicant Response: Pruning of retained deciduous shade trees will be done by a qualified professional and will comply with required standards.

L. Time Limit on Approval

Section 73.056 Time Limit on Approval

Architectural Review approvals shall expire after two years unless:

- (1) 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**
- (2) The Architectural Review (AR) applicant requests in writing an extension and the City approves it. If the Community Development Director and City Engineer or their designees approved the AR. then the Community Development Director and City Engineer shall decide upon the extension request. If the Architectural Review Board (ARB) approved the AR. then the ARB shall decide upon the extension request. The applicant shall provide notice of extension request to past recipients of the AR notice of application and post a sign pursuant to TDC 31.064. Before approving an extension, the deciding party shall find the request meets these criteria:
 - (a) The applicant submitted a written extension request prior to the original expiration date.**
 - (b) There have been no significant changes in any conditions, ordinances, regulations or other standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for AR.**
 - (c) If the previously approved application included a special study, the applicant provided with the extension a status report that shows no significant changes on the site or within the vicinity of the site. A letter from a recognized professional also would satisfy this criterion if it states that conditions have not changed after the original approval and that no new study is warranted.**
 - (d) If the AR applicant neglected site maintenance and allowed the site to become blighted, the deciding party shall factor this into its decision.**
 - (e) The deciding party shall grant no more than a single one-year extension for an AR approval.**
 - (f) If the Community Development Director and City Engineer or their designees are the deciding party, then they shall decide within thirty (30) days of receipt of the request. If the ARB is the deciding party. then the ARB shall decide within sixty (60) days of receipt of the request. If the deciding party fails to decide within the applicable time period, the decision shall default to approval.****

IV. APPEAL

The Architectural Review portion of this decision will be final after 14 calendar days on **March 13, 2018** unless a written appeal is received by the **Community Development Department – Planning Division at 18880 Martinazzi Avenue, Tualatin, Oregon 97062 before 5:00 p.m., March 12, 2018. The appeal must be submitted on the City appeal form with all the information requested provided thereon and signed by the appellant.** The plans and appeal forms are available at the Community Development Department – Planning Division offices. Appeals of a staff Architectural Features decision are reviewed by the Architectural Review Board (ARB).

Submitted by:



Erin Engman
Associate Planner

Issued by:



Aquilla Hurd-Ravich
Planning Manager, AICP

Attachments:

- 101: Application Materials
- 102: Public Commentary
- 103: Engineering Department Memorandum – January 12, 2018
- 104: Clean Water Services Memorandum – January 30, 2018
- 105: Resolution No. 2123-88



City of Tualatin

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**"NECESSARY PARTIES"
MARKED BELOW**

NOTICE OF APPLICATION SUBMITTAL

- ANNEXATION
- CONDITIONAL USE PERMIT
- PLAN TEXT AMENDMENT
- ARCHITECTURAL REVIEW
- PLAN MAP AMENDMENT
- OTHER:

CASE/FILE: AR17-0004 (Community Development Dept.: Planning Division)

PROPOSAL	Removal of two trees (56" dbh Douglas-fir heritage tree and 44" dbh Grand Fir). Removal of the heritage tree requires a modification to AR14-07 condition of approval AR2.U.2.
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PROPERTY	<input type="checkbox"/> n/a	Name of Application	Marquis Tualatin Cottages & Community Center			
		Street Address	19945 SW Boones Ferry Road			
		Tax Map and Lot No(s).	2S1 23DD 00501 & 00502			
		Planning District	RML	Overlays <input type="checkbox"/>	NRPO <input type="checkbox"/>	Flood Plain <input type="checkbox"/>
		Previous Applications	AR10-04, AR14-07 MAR17-0004, MAR17-0038 PMA09-01, PMA10-01, PLA16-0005	Additional Applications: N/A		CIO 3

DATES	Receipt of application	6/5/17	Deemed Complete	1/08/18	CONTACT	Name: Erin Engman
	Notice of application submittal			1/10/18		Title: ASSOCIATE PLANNER
	Project Status / Development Review meeting			1/9/18		E-mail: EENGMAN @tualatin.gov
	Comments due for staff report			01/24/18		Phone: 503-691-3024
	Public meeting: <input type="checkbox"/> ARB <input type="checkbox"/> TPC <input checked="" type="checkbox"/> n/a					Notes: You may view the application materials through this City web page: www.tualatinoregon.gov/projects
	City Council (CC) <input checked="" type="checkbox"/> n/a					

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|---|--|---|
| <p>City Staff</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> Building Official <input checked="" type="checkbox"/> Chief of Police <input checked="" type="checkbox"/> City Attorney <input checked="" type="checkbox"/> City Engineer <input checked="" type="checkbox"/> Community Development Director <input checked="" type="checkbox"/> Community Services Director <input checked="" type="checkbox"/> Economic Development liaison <input checked="" type="checkbox"/> Engineering Associate* <input checked="" type="checkbox"/> Finance Director <input checked="" type="checkbox"/> GIS technician(s) <input checked="" type="checkbox"/> IS Manager <input checked="" type="checkbox"/> Operations Director* <input checked="" type="checkbox"/> Parks and Recreation Coordinator <input checked="" type="checkbox"/> Planning Manager <input checked="" type="checkbox"/> Street/Sewer Supervisor <input checked="" type="checkbox"/> Water Supervisor <p>Neighboring Cities</p> <ul style="list-style-type: none"> <input type="checkbox"/> Durham <input type="checkbox"/> King City Planning Commission <input type="checkbox"/> Lake Oswego <input type="checkbox"/> Rivergrove PC <input type="checkbox"/> Sherwood Planning Dept. <input type="checkbox"/> Tigard Community Dev. Dept. | <ul style="list-style-type: none"> <input type="checkbox"/> Wilsonville Planning Division <p>Counties</p> <ul style="list-style-type: none"> <input type="checkbox"/> Clackamas County Dept. of Transportation and Development <input checked="" type="checkbox"/> Washington County Dept. of Land Use and Transportation (ARs) <input type="checkbox"/> Washington County Long Range Planning (LRP) (Annexations) <p>Regional Government</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metro <p>School Districts</p> <ul style="list-style-type: none"> <input type="checkbox"/> Lake Oswego School Dist. 7J <input type="checkbox"/> Sherwood SD 88J <input type="checkbox"/> Tigard-Tualatin SD 23J (TTSD) <input type="checkbox"/> West Linn-Wilsonville SD 3J <p>State Agencies</p> <ul style="list-style-type: none"> <input type="checkbox"/> Oregon Dept. of Aviation <input checked="" type="checkbox"/> Oregon Dept. of Environmental Quality (DEQ) <input type="checkbox"/> Oregon Dept. of Land Conservation and Development (DLCD) (via proprietary notice) <input checked="" type="checkbox"/> Oregon Dept. of State Lands: Wetlands Program | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Oregon Dept. of Transportation (ODOT) Region 1 <input type="checkbox"/> ODOT Maintenance Dist. 2A <input checked="" type="checkbox"/> ODOT Rail Division <input type="checkbox"/> OR Dept. of Revenue <p>Utilities</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Republic Services <input checked="" type="checkbox"/> Clean Water Services (CWS) <input checked="" type="checkbox"/> Comcast [cable]* <input checked="" type="checkbox"/> Frontier Communications [phone] <input checked="" type="checkbox"/> Northwest Natural [gas] <input checked="" type="checkbox"/> Portland General Electric (PGE) <input checked="" type="checkbox"/> TriMet <input checked="" type="checkbox"/> Tualatin Valley Fire & Rescue <input checked="" type="checkbox"/> USPS (Washington; 18850 SW Teton) <input type="checkbox"/> USPS (Clackamas) <input checked="" type="checkbox"/> Washington County Consolidated Communications Agency <p>Additional Parties</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Tualatin Citizen Involvement Organization (CIO) <p>*Paper Copies</p> |
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- 1.032: Burden of Proof
- 31.071 Architectural Review Procedure
- 31.074 Architectural Review Application Review Process
- 31.077 Quasi-Judicial Evidentiary Hearing Procedures
- Metro Code 3.09.045 Annexation Review Criteria
- 32.030 Criteria for Review of Conditional Uses
- 33.020 Conditions for Granting a Variance that is not a Sign or a Wireless Communication Facility
- 33.022 Criteria for Granting a Sign Variance
- 33.024 Criteria for Granting a Minor Variance
- 33.025 Criteria for Granting a Variance
- 34.200 Tree Cutting on Private Property without Architectural Review, Subdivision or Partition Approval, or Tree Removal Permit Prohibited
- 34.210 Application for Architectural Review, Subdivision or Partition Review, or Permit
- 34.230 Criteria (tree removal)
- 35.060 Conditions for Granting Reinstatement of Nonconforming Use
- 36.160 Subdivision Plan Approval
- 36.230 Review Process (partitioning)
- 36.330 Review Process (property line adjustment)
- 37.030 Criteria for Review (IMP)
- 40.030 Conditional Uses Permitted (RL)
- 40.060 Lot Size for Conditional Uses (RL)
- 40.080 Setback Requirements for Conditional Uses (RL)
- 41.030 Conditional Uses Permitted (RML)
- 41.050 Lot Size for Conditional Uses (RML)
- 41.070 Setback Requirements for Conditional Uses (RML)
- 42.030 Conditional Uses Permitted (RMH)
- 42.050 Lot Size for Conditional Uses (RMH)
- 42.070 Setback Requirements for Conditional Uses (RMH)
- 43.030 Conditional Uses Permitted (RH)
- 43.060 Lot Size for Conditional Uses (RH)
- 43.090 Setback Requirements for Conditional Uses (RH)
- 44.030 Conditional Uses Permitted (RH-HR)
- 44.050 Lot Size for Conditional Uses (RH-HR)
- 44.070 Setback Requirements for Conditional Uses (RH-HR)
- 49.030 Conditional Uses (IN)
- 49.040 Lot Size for Permitted and Conditional Uses (IN)
- 49.060 Setback Requirements for Conditional Uses (IN)
- 50.020 Permitted Uses (CO)
- 50.030 Central Urban Renewal Plan – Additional Permitted Uses and Conditional Uses (CO)
- 50.040 Conditional Uses (CO)
- 52.030 Conditional Uses (CR)
- 53.050 Conditional Uses (CC)
- 53.055 Central Urban Renewal Area – Conditional Uses (CC)
- 54.030 Conditional Uses (CG)
- 56.030 Conditional Uses (MC)
- 56.045 Lot Size for Conditional Uses (MC)
- 57.030 Conditional Uses (MUCOD)
- 60.040 Conditional Uses (ML)
- 60.041 Restrictions on Conditional Uses (ML)
- 61.030 Conditional Uses (MG)
- 61.031 Restrictions on Conditional Uses (MG)
- 62.030 Conditional Uses (MP)
- 62.031 Restrictions on Conditional Uses (MP)
- 64.030 Conditional Uses (MBP)
- 64.050 Lot Size for Permitted and Conditional Uses (MBP)
- 64.065 Setback Requirements for Conditional Uses (MBP)
- 68.030 Criteria for Designation of a Landmark
- 68.060 Demolition Criteria
- 68.070 Relocation Criteria
- 68.100 Alteration and New Construction Criteria
- 68.110 Alteration and New Construction Approval Process
- 73.130 Standards
- 73.160 Standards
- 73.190 Standards – Single-Family and Multi-Family Uses
- 73.220 Standards
- 73.227 Standards
- 73.230 Landscaping Standards
- 73.300 Landscape Standards – Multi-Family Uses
- 73.310 Landscape Standards – Commercial, Industrial, Public and Semi-Public Uses
- 73.320 Off-Street Parking Lot Landscaping Standards
- 73.470 Standards
- 73.500 Standards



City of Tualatin

www.tualatinoregon.gov

APPLICATION FOR ARCHITECTURAL REVIEW

Direct Communication to:			
Name: Gretchen Stone		Title: Project Coordinator	
Company Name: CB Two Architects			
Current address: 500 Liberty Street SE, Suite 100			
City: Salem		State: OR	ZIP Code: 97301
Phone: (503) 480-8700	Fax: (503) 480-8701	Email: gretchen@cbtwoarchitects.com	
Applicant			
Name: Scott Miller		Company Name: Marquis Companies	
Address: 4560 SE International Way		Suite 100	
City: Milwaukie		State: OR	ZIP Code: 97222
Phone: (971) 206-2330	Fax:	Email: smiller@marquiscompanies.com	
Applicant's Signature: <i>Scott T. Miller</i>		Date: 6-26-17	
Property Owner			
Name: Tualatin LTC Properties II, LLC			
Address: 4560 SE International Way		Suite 100	
City: Milwaukie		State: OR	ZIP Code: 97222
Phone: (971) 206-2330	Fax:	Email: smiller@marquiscompanies.com	
Property Owner's Signature: <i>[Signature]</i>		Date: 6-30-17	
(Note: Letter of authorization is required if not signed by owner)			
Architect			
Name: CB Two Architects			
Address: 500 Liberty Street SE		Suite 100	
City: Salem		State: OR	ZIP Code: 97301
Phone: (503) 480-8700	Fax: (503) 480-8701	Email: matt@cbtwoarchitects.com	
Landscape Architect			
Name:			
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Engineer			
Name: Emerio Design			
Address: 8285 Nimbus Avenue		Suite 180	
City: Beaverton		State: OR	ZIP Code: 97008
Phone:	Fax:	Email:	
Project			
Project Title: Marquis Tualatin Cottages & Community Center			
Address: N/A			
City: Tualatin		State: CA	ZIP Code:
Brief Project Description: Modification to AR-14-07 to allow for removal of a heritage tree due to risk of damage and safety in the event of its failure.			
Proposed Use: Property will be built out with cottage units as part of the Marquis Tualatin campus as proposed.			

Value of Improvements: Cost to remove tree is approximately \$4,750.00

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION ABOVE, ON THE FACT SHEET, AND THE SURROUNDING PERTY OWNER MAILING LIST IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.

Applicant's Signature:  Date: 6-26-17

Office Use

Case No:	Date Received:	Received by:
Fee: Complete Review :	Receipt No:	
Application Complete as of:	ARB hearing date (if applicable):	
Posting Verification:	6 copies of drawings (folded)	
1 reproducible 8 1/2" X 11" vicinity map	1 reproducible 8 1/2" X 11" site, grading, LS, Public Facilities plan	
Neighborhood/Developer meeting materials		

ARCHITECTURAL REVIEW

I. GENERAL INFORMATION

Property Owner/Applicant	Tualatin LTC Properties II, LLC / Marquis Companies Scott Miller 4560 SE International Way, Suite 100 Milwaukie, OR 97222 (971) 206-2330
Applicant's Representative	CB Two Architects Gretchen Stone 500 Liberty Street SE, Suite 100 Salem, OR 97301 (503) 510-5510
Map and Tax Lot	2S1 23DD 00501& 502
Site Location	Southwestern quarter of the Marquis Tualatin senior housing campus located at the northwest corner of SW Boones Ferry Rd. and SW Sagert St.
Size	2.96 Acres for this phase
Zoning	RML
Pre-Application Meeting	January 25, 2017
Neighborhood Meeting	April 16, 2017
Request	Architectural Review for approval to remove two trees from final cottage phases.

II. INTRODUCTION

Project Description –

Marquis Companies, operator of the Marquis Tualatin senior housing development that is in its final few phases of construction, along with the property owner, Tualatin LTC Properties II, LLC, and CB Two Architects respectfully request that the City of Tualatin approve the submitted Architectural Review which will allow for the removal of two trees that were not identified for removal in previous land use approvals. The development team has been working with the City of Tualatin on the Marquis Tualatin senior housing campus for a decade. This request is limited to work within the third and fourth phases; 2.96 acres of the overall 12.65 acre campus and is specific to the removal of two trees to allow for completion of the development.

Marquis Tualatin's overall development plan allows seniors to age in place by offering a variety of residential options and support services. Construction of the development is occurring in phases with the post-acute rehabilitation, assisted living, community building and 34 independent cottage / duet units having been completed. The remaining 32 cottage units, the balance of the 66 cottage / duet type units approved through AR 14-07 and the community garden are in design or permitting now.

We are asking that the City of Tualatin consider a modification of AR 14-07 condition of approval AR 2.U.2, Tree Preservation to allow for the removal of the two specified trees. This request is a result of discoveries that have been made during the construction of previous phases and the design process for the final phases. Since the previous approvals we have determined that two trees initially intended for preservation will need to be removed to allow for completion of the approved development plan. These trees consist of: a heritage tree, tree #301, which is a 50" Douglas fir that is within a proposed building footprint of a future cottage unit and a perceived safety concern of residents and the Owner; and tree# 303, a 40" grand fir which is within the proposed building footprint of a future cottage unit. Both are identified on the provided Tree Preservation Plan and interfere with the development.

Site Description -

Both trees are located within the third and fourth cottage phase development area, which is generally the southwest quarter of the campus. Tree #301, a Douglas fir and a Heritage Tree, sits between future buildings with units 51/52 and 53/54. This tree is more than 250 feet north of SW Sagert and more than 400 feet from SW Boones Ferry, well within the Marquis Tualatin campus. Tree #303, the grand fir, sits where future units 65/66 are proposed, adjacent to SW Sagert Street. The Tree Preservation Plan provides more detail as to the location of the trees in relation to the development and proposed cottage units.

IV. PLANNING FINDINGS

A. Tree Removal and Preservation

TDC 34.230 Criteria

The Community Development Director shall consider the following criteria when approving, approving with conditions, or denying a request to cut trees.

- (1) *An applicant must satisfactorily demonstrate that applicable criteria is met, in this case it is Criterion (c)*

"It is necessary to remove the tree to construct proposed improvements based on Architectural Review approval, building permit, or approval of a subdivision or Partition Review."

RESPONSE: The criterion is met as follows:

Tree #301, a 50" Douglas fir and Heritage Tree is sitting within the building footprint of a proposed cottage building with units 63/64. The cottage has been sighted in this location to provide a larger community garden which increases usable green space within the campus. Redesign was pursued as a result of concerns about the tree's health and risk of failure. Potential for failure will have catastrophic consequences to residents and property. Recommendations by two consulting arborists for mitigation measures would reduce the risk of failure; however neither will guarantee that the proposed measures would assure the total health or longevity of the tree. The consequences and associated liability imposed will not be diminished if there is failure, despite the proposed mitigation recommendations. Furthermore, the proximity to future cottage buildings with units 51/52 and 53/54 creates construction challenges that may result in damage to the tree or its root system that cannot be reasonably avoided. The continued existence of the tree compromises the ability to successfully complete the development of the campus.

Tree #303, a 40" grand fir, is located within the proposed building footprint of future a cottage building. This tree must be removed in order for the units to be constructed.

The developer is working to satisfy the density requirements of AR14-07 Marquis Tualatin Cottages & Community Center, the trees need to be removed so that the proposed cottage buildings and associated units 51/52, 53/54 and 65/66 can be constructed as approved.

As noted, Marquis Companies, the developer of Marquis Tualatin, has been working with the City of Tualatin for nearly a decade on improvement of the Marquis Tualatin campus. The development team believes that the request is reasonable and necessary to allow for the successful completion of the approved master plan.

B. TDC 73.250 – TREE PRESERVATION

(1) Trees and other plant materials to be retained shall be identified on the landscape plan and grading plan.

RESPONSE: Trees to be retained are shown on the Tree Preservation Plan.

(2) During the construction process:

(a) The owner or the owner's agents shall provide above and below ground protection of existing trees and plan materials identified to remain.

(b) Trees and plan materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.

(c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in TDC 31.060.

(d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

(e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.

(f) Tree root ends shall not remain exposed.

RESPONSE: Tree protection will be implemented to comply with City standards, and where necessary, under the direction of a qualified arborist.

(3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.

RESPONSE: Landscaping has been designed to incorporate the preserved trees into the overall plan.

(4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and replanted with trees that relate to the present landscape plan, or if there is not landscape plan, then trees that are complementary with existing, nearby landscape materials. Native trees are encouraged.

RESPONSE: Landscaping will be provided as required. The provided landscaping will be consistent with the landscaping that has been implemented on previously completed phases. Landscaping plans will be included with the building permit plans as required for review for compliance by the applicable departments.

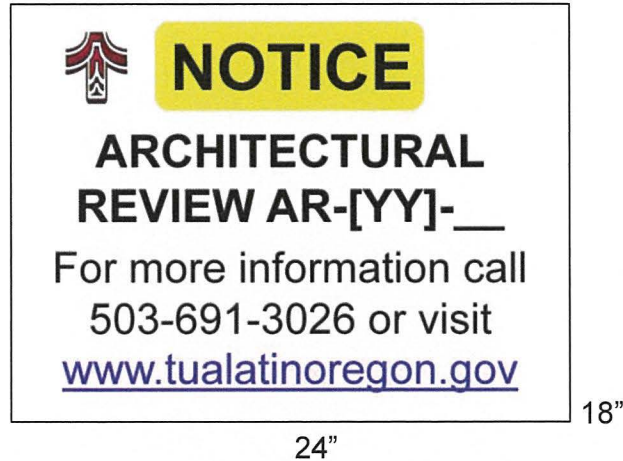
(5) Pruning for retained deciduous shade trees shall be in accordance with the National Arborist Association "Pruning Standards For Shade Trees," revised 1979.

RESPONSE: Pruning of retained deciduous shade trees will be done by a qualified professional and will comply with required standards.

V. CONCLUSION

The approval of the Architectural Review request is necessary for the successful completion of the Marquis Tualatin campus development as previously approved by AR14-07. The request is the minimum needed and will have no negative impacts to surrounding properties or the community as a whole. Moreover, this request provides greater benefit to the Marquis Tualatin residents by increasing useable green space and removed risk. Further, it allows for the development to meet the density requirements of previous approvals.

ARCHITECTURAL REVIEW CERTIFICATION OF SIGN POSTING



The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain **primary yellow** composed of the **RGB color values Red 255, Green 255, and Blue 0**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at < www.tualatinoregon.gov/planning/land-use-application-sign-templates>.

NOTE: For larger projects, the Community Development Department may require the posting of additional signs in conspicuous locations.

As the applicant for the Marquis Tualatin Cottages & Community Center (AR-17-0004) project, I hereby certify that on this day, June 15, 2017 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Department - Planning Division.

Applicant's Name: Scott Miller, Marquis Companies
(PLEASE PRINT)

Applicant's Signature: 

Date: 6-20-17

No.	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Treatment
101	American chestnut	<i>Castanea dentata</i>	72	45	4	construction complete adjacent to tree	retain
102	American chestnut	<i>Castanea dentata</i>	2x18	34	3	construction complete adjacent to tree	retain
103	black locust	<i>Robinia pseudoacacia</i>	20	26	3	construction complete adjacent to tree	retain
104	black locust	<i>Robinia pseudoacacia</i>	2x16	32	3	construction complete adjacent to tree	retain
105	bigleaf maple	<i>Acer macrophyllum</i>	18	26	3	construction complete adjacent to tree	retain
106	catalpa	<i>Catalpa spp.</i>	40	28	4	construction complete adjacent to tree	retain
107	horse-chestnut	<i>Aesculus hippocastanum</i>	31	26	4	construction complete adjacent to tree; codominant stems and leaders, branch with included bark and end weight to parking lot is high risk	retain, safety prune or cable/brace
108	catalpa	<i>Catalpa spp.</i>	45	32	4	construction complete adjacent to tree	retain
109	catalpa	<i>Catalpa spp.</i>	45	28	4	construction complete adjacent to tree	retain
301	Douglas-fir	<i>Pseudotsuga menziesii</i>	56	22	4	codominant leaders present moderate risk potential	remove
302	beech	<i>Fagus spp.</i>	44	28	4	on property boundary	retain
303	grand fir	<i>Abies grandis</i>	44	16	4	broken leader	?
304	catalpa	<i>Catalpa spp.</i>	38	28	4	moderate crown structure, asymmetry	?

existing sanitary line close to tree should be left in place to avoid root zone disturbance

plot dripline on site plan -- can tree be protected at this distance or is encroachment for building planned?

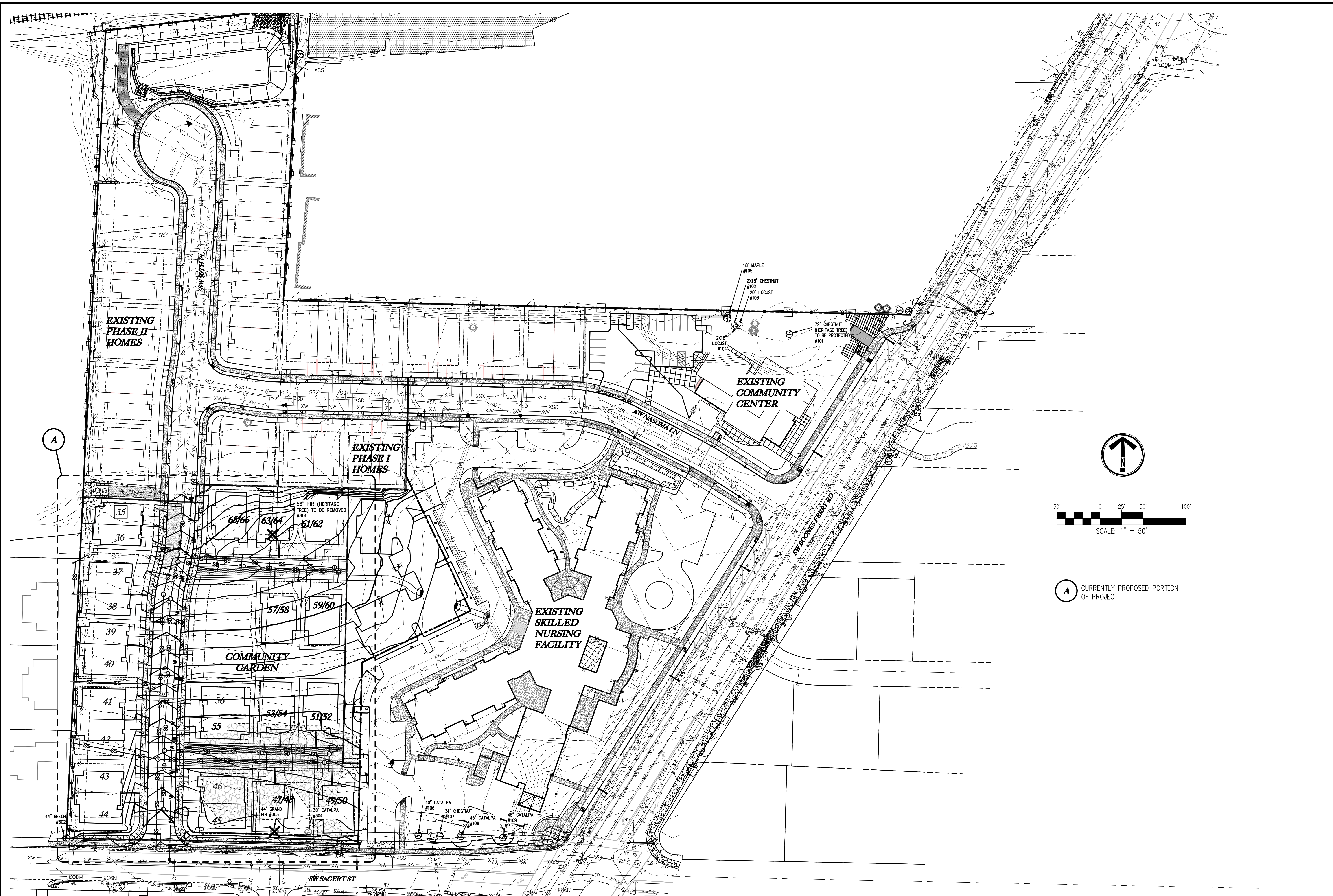
plot dripline on site plan -- can tree be protected at this distance or is encroachment for building planned?

¹DBH is tree diameter measured at 4.5-feet above the ground level in inches; multiple trunks splitting below DBH are measured separately and individual trunk measurements are separated by a comma, except multiple trunks of the same size are indicated with an asterisk (quantity x size).

²C-Rad is crown radius measured in feet.

³Cond is an arborist assigned rating to generally describe the condition of individual trees as follows-

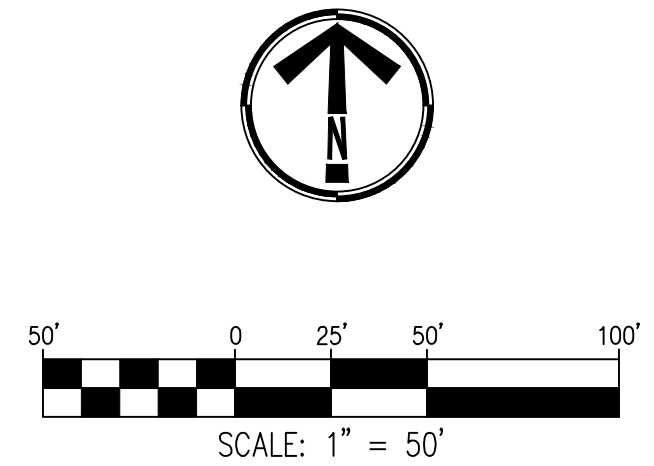
1: Dead / Hazardous; 2: Poor Condition; 3: Fair Condition; 4: Good Condition; and 5: Excellent Condition



MARQUIS TUALATIN RESIDENTIAL
 PHASE 3
 TAX LOT 500 & 502
 SE 1/4 SE 1/4 OF SEC. 23, T2S R1W
 CITY OF TUALATIN, OREGON

MARQUIS TUALATIN
 TREE EXHIBIT

NO.	DATE	DESCRIPTION



A CURRENTLY PROPOSED PORTION OF PROJECT

EMERIO
Design
 8285 SW ANIBUS AVE, SUITE 180
 BEAVERTON, OREGON 97008
 PHONE: (503) 639-9592
 FAX: (503) 639-9592
 www.emeriodesign.com

CITY OF TUALATIN FACT SHEET

General

Proposed use:					
Site area:	2.95	acres	Building footprint:	40,345	sq. ft.
Development area:	1.8	acres	Paved area:	38,302	sq. ft.
	78,647	Sq. ft.	Development area coverage:	61	%

Parking

Spaces required (see TDC 73.400) N/A (example: warehouse @ 0.3/1000 GFA) _____ @ _____ /1000 GFA = _____ _____ @ _____ /1000 GFA = _____ _____ @ _____ /1000 GFA = _____ Total parking required: N/A spaces ADA accessible = _____ Van pool = _____ Compact = (max. 35% allowed) = Loading berths = N/A	Spaces provided: Total parking provided: N/A spaces Standard = _____ ADA accessible = _____ Van pool = _____ Compact = _____ Loading berths = _____
--	---

Bicycles

Covered spaces required: N/A	Covered spaces provided: N/A
--	--

Landscaping

Landscaping required: <u>25</u> % of dvpt. area 32,151 Square feet	Landscaping provided: <u>39</u> % of dvpt. area 49,958 Square feet
Landscaped parking island area required: %	Landscaped parking island area provided: N/A %

Trash and recycling facility

Minimum standard method: N/A square feet	
Other method:	square feet

For commercial/industrial projects only

Total building area:	N/A	sq. ft.	2 nd floor:	sq. ft.
Main floor:		sq. ft.	3 rd floor:	sq. ft.
Mezzanine:		sq. ft.	4 th floor:	sq. ft.

For residential projects only

Number of buildings: 16	Total sq. ft. of buildings: 55,411 sq. ft.
Building stories: 1 & 2	



Clean Water Services File Number

17-002337

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Washington County

2. Property Information (example 1S234AB01400)

Tax lot ID(s): 2S1 23DD 00501 & 502

3. Owner Information

Name: Scott Miller (Contact)

Company: Tualatin LTC Properties, LLC

Address: 4560 SE International Way, Suite 100

City, State, Zip: Milwaukie, OR 97222

Phone/Fax: (971) 206-2330

E-Mail: smiller@marquiscompanies.com

OR Site Address:

City, State, Zip: Tualatin, OR

Nearest Cross Street: _____

4. Development Activity (check all that apply)

- Addition to Single Family Residence (rooms, deck, garage)
- Lot Line Adjustment Minor Land Partition
- Residential Condominium Commercial Condominium
- Residential Subdivision Commercial Subdivision
- Single Lot Commercial Multi Lot Commercial

Other Minor Architectural Review (MAR) - minor changes to approved "lot" configurations due to a change in site size.

5. Applicant Information

Name: Gretchen Stone

Company: CB Two Architects

Address: 500 Liberty Street SE, Suite 100

City, State, Zip: Salem, OR 97301

Phone/Fax: (503) 480-8700

E-Mail: gretchen@cbtwoarchitects.com

6. Will the project involve any off-site work? Yes No Unknown

Location and description of off-site work _____

7. Additional comments or information that may be needed to understand your project Changes to lot configuration and shifting of approved unit types due to site size being reduced as a result of a PLA. There are no changes to the total number of approved units.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Gretchen Stone

Print/Type Title Project Coordinator

Signature _____

Date 7.11.17

FOR DISTRICT USE ONLY

- Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.
- Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 17-05, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.
- Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 17-05, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.
- This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.**
- The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Laurie Bunce

Date 07/13/17

Once complete, email to: SPLReview@cleanwaterservices.org • Fax: (503) 681-4439
OR mail to: SPL Review, Clean Water Services, 2550 SW Hillsboro Highway, Hillsboro, Oregon 97123



- UNIT 1 & 3 (A/C) CONFIGURATION
- UNIT 2 & 2 (B/B) CONFIGURATION
- UNIT 1 & 1 (A/A) CONFIGURATION
- UNIT 1 & 2 (A/B) CONFIGURATION
- UNIQUE DESIGN MULTIFAMILY UNITS (D/E)

* CHANGED TYPE FROM ONE PREVIOUSLY APPROVED TO ANOTHER PREVIOUSLY APPROVED

LOTS WITH ADDITIONAL ORNAMENT

PREVIOUS PHASES

PHASE 1	PHASE 2
2 E	17 N
12 E	18 S
	27 N

CURRENT PHASES

PHASE 3	PHASE 4
36 S	N/A
37 N	
44 S	
45 S	
46 N	
53 S	
65 S	
















NOTE: 2 STORY UNIT ON LOT 65/66 TO BE "ALTERNATE TYPE" TO ACCOMMODATE ORNAMENTATION REQUIREMENTS.

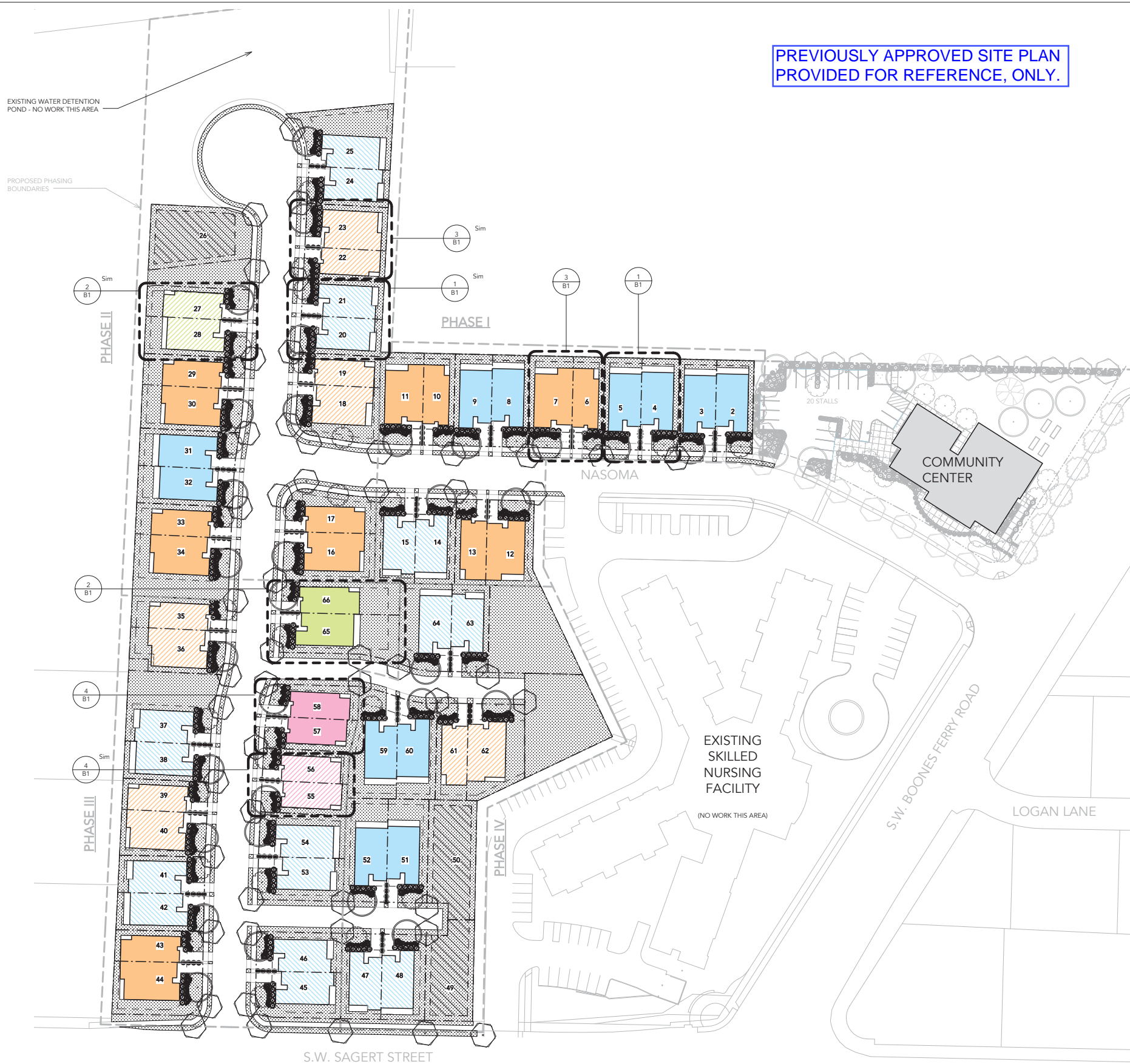
OVERALL SITE PLAN PHASE 3 & 4

1" = 100'-0"

PREVIOUSLY APPROVED SITE PLAN PROVIDED FOR REFERENCE, ONLY.

LEGEND

	UNIT 1 & 3 CONFIGURATION		UNIT 1 & 2 ALTERNATE
	UNIT 1 & 3 ALTERNATE		UNIQUE DESIGN MULTIFAMILY UNITS
	UNIT 2 & 2 CONFIGURATION	- - - - -	POTENTIAL FUTURE PROPERTY LINES
	UNIT 2 & 2 ALTERNATE	- - - - -	POTENTIAL FUTURE SETBACK LINES
	UNIT 1 & 1 CONFIGURATION		OCTOBER GLORY RED MAPLE
	UNIT 1 & 1 ALTERNATE		KATSURA TREE
	UNIT 1 & 2 CONFIGURATION		CAPITAL FLOWERING PEAR OR WHITE CREPE MYRTLE
			GRASS
			BARK MULCH
			SEE ENLARGED LANDSCAPE PLANS FOR INDICATION OF SHRUBS



1 OVERALL LANDSCAPE PLAN
1" = 50'-0"

OVERALL LANDSCAPE PLAN

A2 CONCEPTUAL

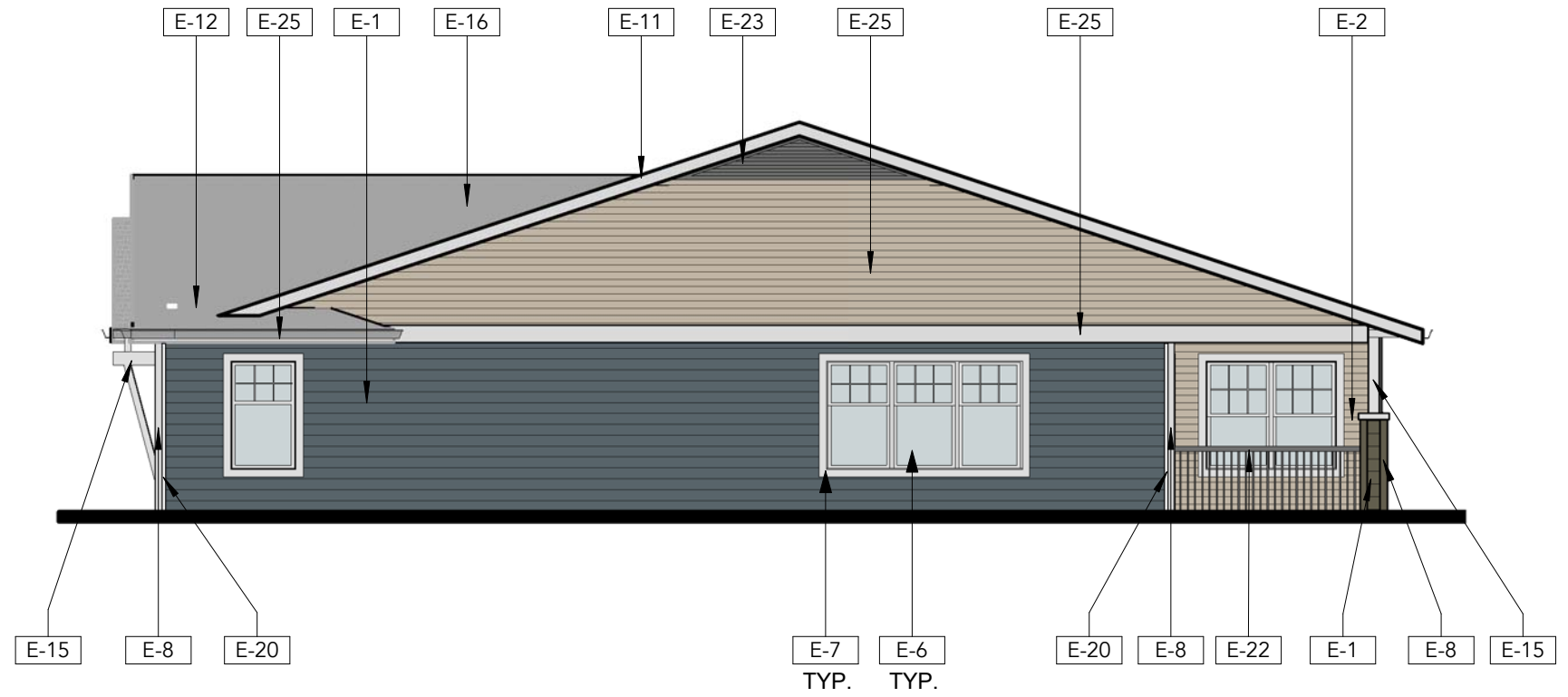
MARQUIS TUALATIN COTTAGES & COMMUNITY CENTER

MAY 20, 2014



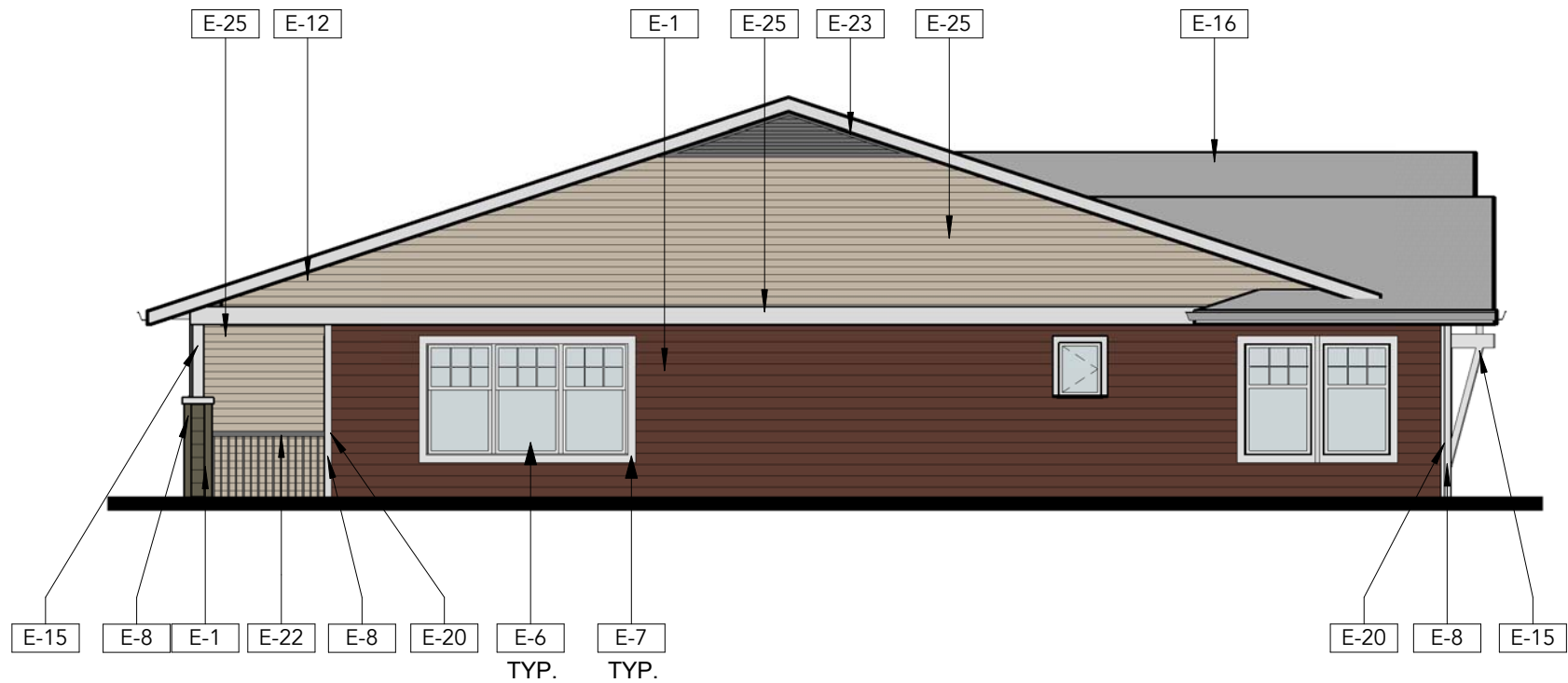
500 Liberty Street SE, Suite 100 / Salem, Oregon 97301
Ph: 503.480.8700 / Fx: 503.480.8701

KEY NOTE LEGEND	
KEY NOTE #	DESCRIPTION
E-1	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 7" EXPOSURE WIDTH, RUSTIC CEDAR FINISH
E-2	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 4" EXPOSURE WIDTH, SMOOTH FINISH
E-6	WINDOW PER SCHEDULE
E-7	1x4 FIBER CEMENT WINDOW TRIM
E-8	1x4 EXTERIOR CORNER BUILDING TRIM
E-11	2x8 BARGE BOARD WITH DECORATIVE TRIM (CUT ENDS PRIMED)
E-12	2x8 FASCIA BOARD WITH DECORATIVE TRIM (CUT ENDS PRIMED)
E-15	DECORATIVE WOOD POST, KNEE BRACE, BEAM - ARCHITECTURAL GRADE CEDAR
E-16	30 YEAR ARCHITECTURAL COMPOSITION SHINGLE ROOFING
E-20	DOWNSPOUT
E-22	DECK RAILING (TREX)
E-23	DECORATIVE GABLE END VENT
E-25	1X8 BELLY BAND (CUT ENDS PRIMED)



TYP. UNIT A

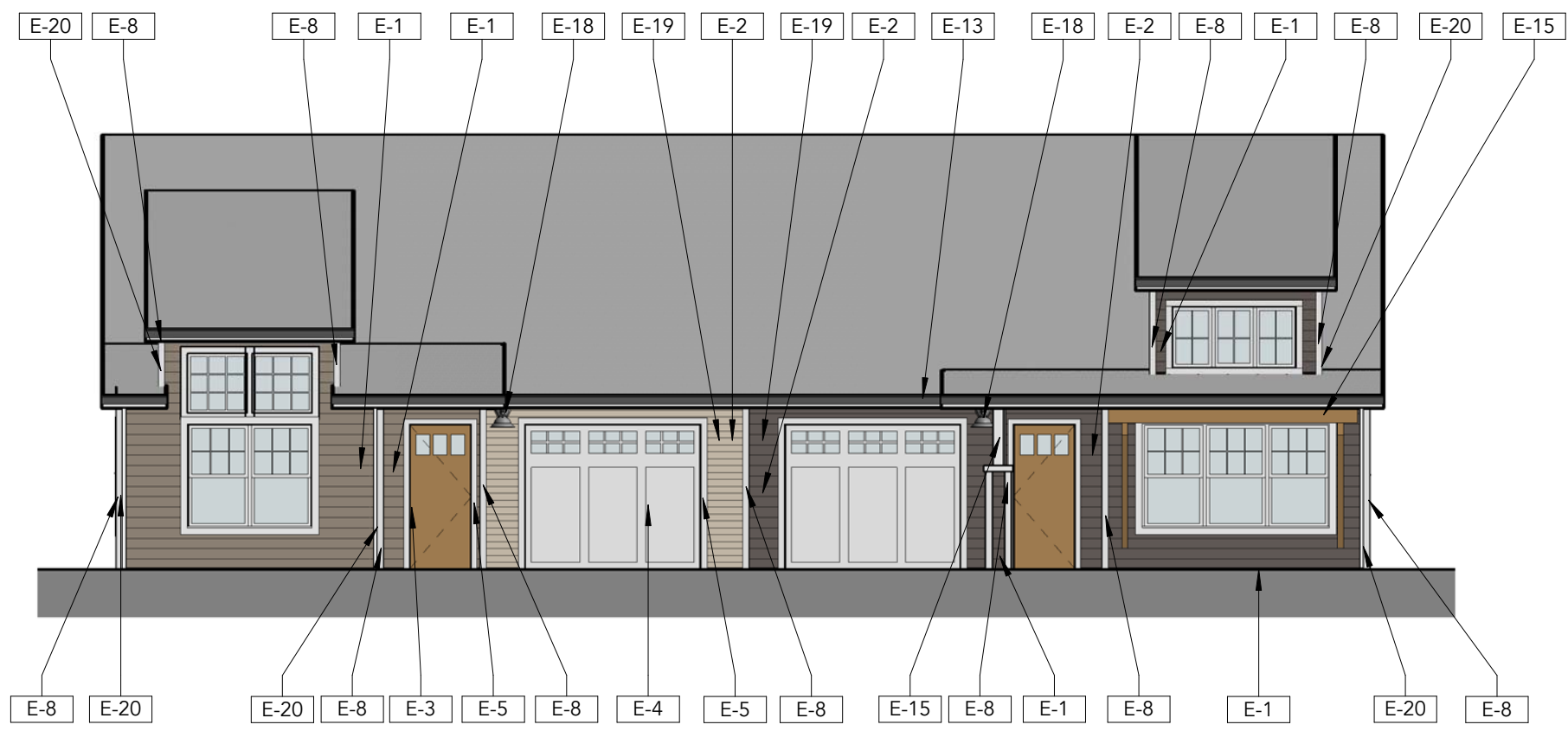
1/8" = 1'-0"



TYP. UNIT C

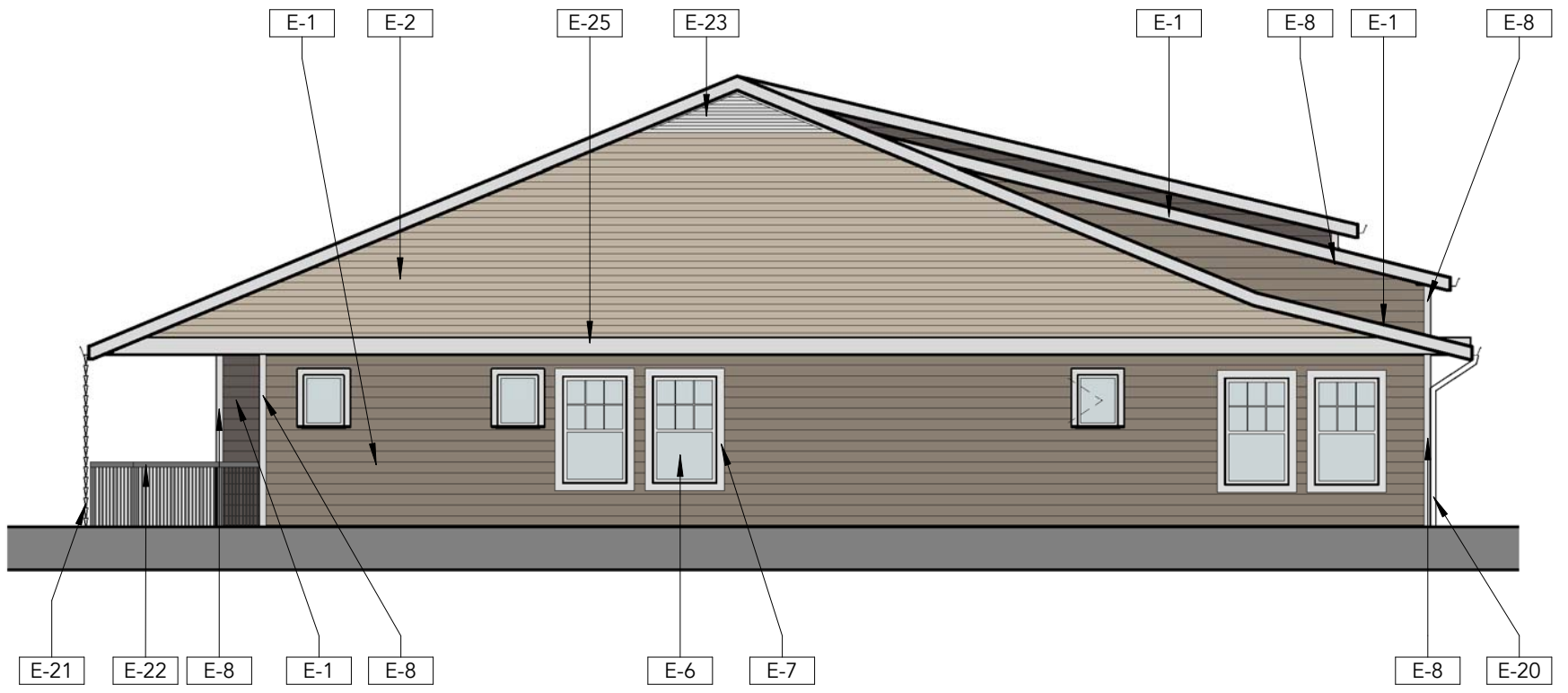
1/8" = 1'-0"

KEY NOTE LEGEND	
KEY NOTE #	DESCRIPTION
E-1	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 7" EXPOSURE WIDTH, RUSTIC CEDAR FINISH
E-2	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 4" EXPOSURE WIDTH, SMOOTH FINISH
E-3	DOOR PER SCHEDULE
E-4	GARAGE DOOR PER SCHEDULE
E-5	1x4 FIBER CEMENT DOOR TRIM
E-6	WINDOW PER SCHEDULE
E-7	1x4 FIBER CEMENT WINDOW TRIM
E-8	1x4 EXTERIOR CORNER BUILDING TRIM
E-13	PRE-FINISHED ALUMINUM GUTTER - BOX STYLE (K STYLE NOT ACCEPTABLE) *FIELD PAINTED ACCEPTABLE AS ALTERNATE
E-15	DECORATIVE WOOD POST, KNEE BRACE, BEAM - ARCHITECTURAL GRADE CEDAR
E-18	DARK BRONZE LIGHT FIXTURE
E-19	ADDRESS SIGNAGE - PRE-FINISHED CUT ALUMINUM LETTERS, APPROXIMATELY 6" TALL. FONT SHALL BE FINALIZED BY OWNER. LOCATION, SIZE, AND ADDRESS SHALL BE APPROVED BY FIRE DEPARTMENT.
E-20	DOWNSPOUT
E-21	RAIN CHAIN
E-22	DECK RAILING (TREX)
E-23	DECORATIVE GABLE END VENT
E-25	1X8 BELLY BAND (CUT ENDS PRIMED)



TYP. UNIT PAIR B-B

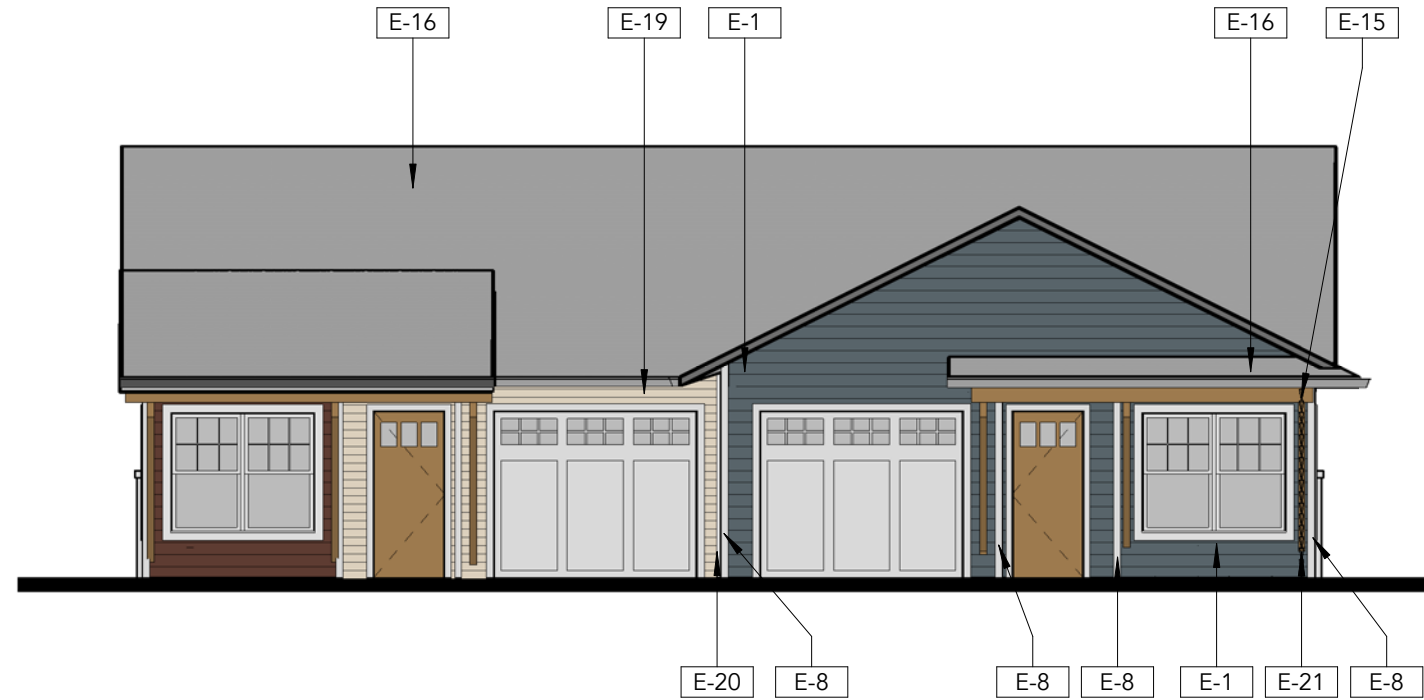
1/8" = 1'-0"



TYP. UNIT PAIR B-B

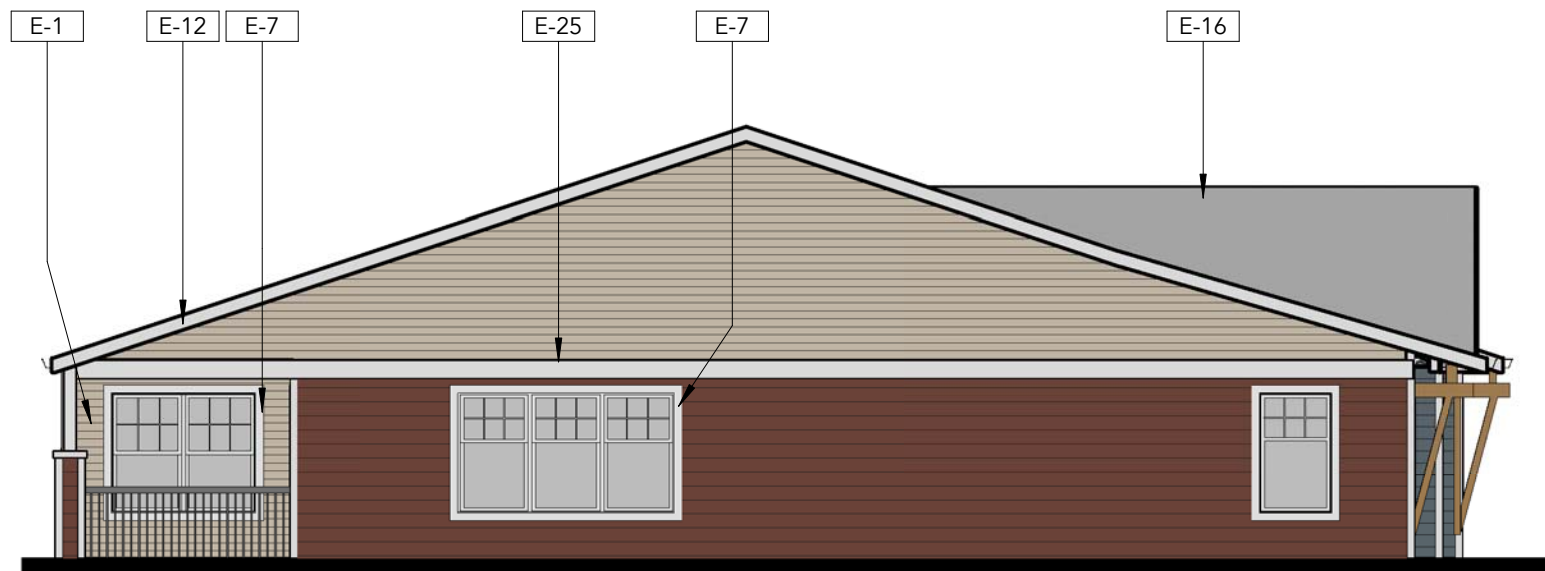
1/8" = 1'-0"

KEY NOTE LEGEND	
KEY NOTE #	DESCRIPTION
E-1	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 7" EXPOSURE WIDTH, RUSTIC CEDAR FINISH
E-7	1x4 FIBER CEMENT WINDOW TRIM
E-8	1x4 EXTERIOR CORNER BUILDING TRIM
E-12	2x8 FASCIA BOARD WITH DECORATIVE TRIM (CUT ENDS PRIMED)
E-15	DECORATIVE WOOD POST, KNEE BRACE, BEAM - ARCHITECTURAL GRADE CEDAR
E-16	30 YEAR ARCHITECTURAL COMPOSITION SHINGLE ROOFING
E-19	ADDRESS SIGNAGE - PRE-FINISHED CUT ALUMINUM LETTERS, APPROXIMATELY 6" TALL. FONT SHALL BE FINALIZED BY OWNER. LOCATION, SIZE, AND ADDRESS SHALL BE APPROVED BY FIRE DEPARTMENT.
E-20	DOWNSPOUT
E-21	RAIN CHAIN
E-25	1X8 BELLY BAND (CUT ENDS PRIMED)



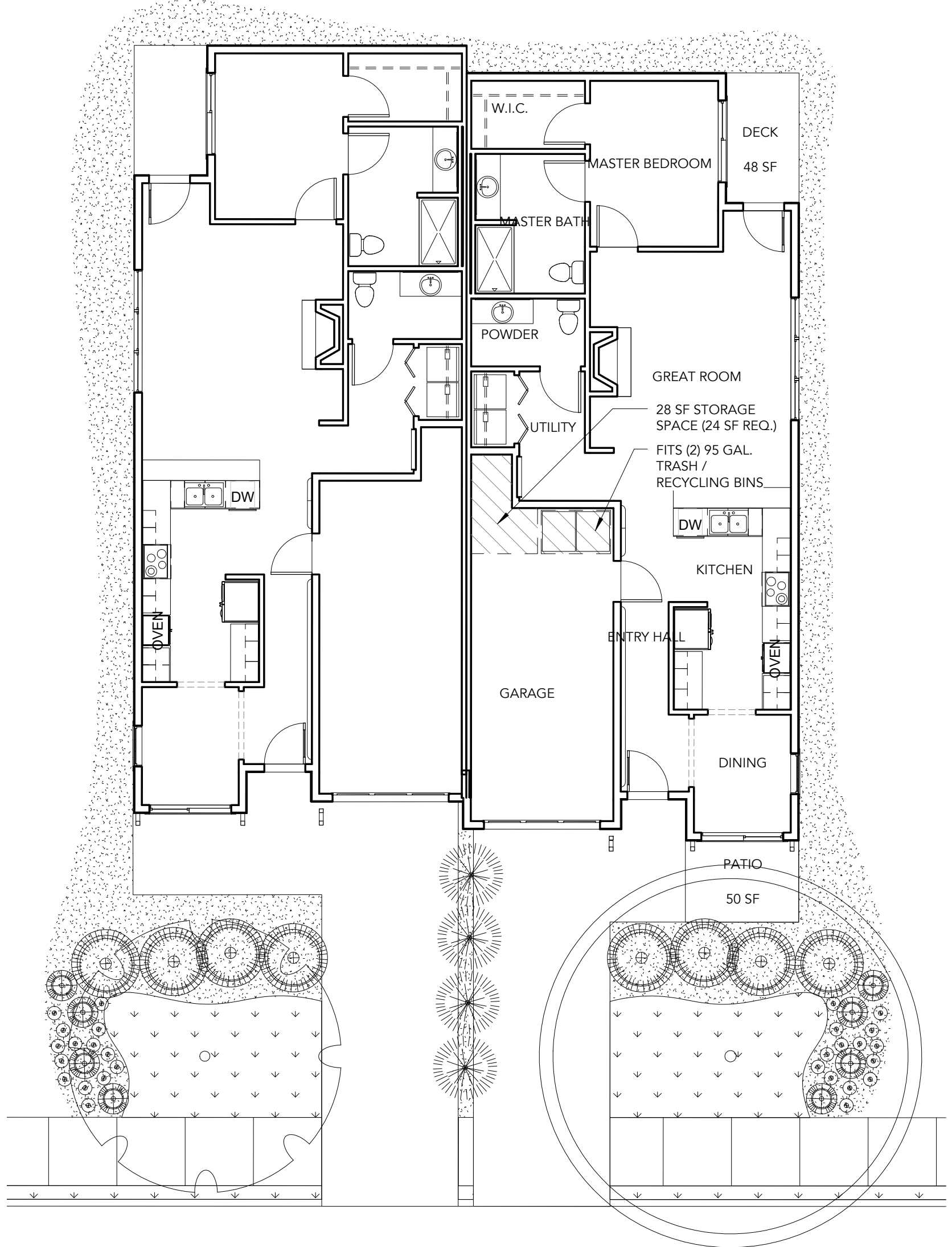
UNIT PAIR A-A FRONT

1/8" = 1'-0"



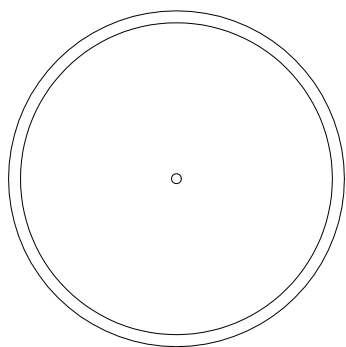
UNIT A-A SIDE

1/8" = 1'-0"

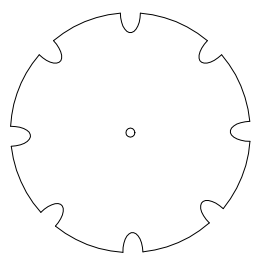


UNIT PAIR A-A LANDSCAPE PLAN

1/8" = 1'-0"



KATSURA TREE



CAPITAL FLOWERING PEAR OR WHITE CREPE MYRTLE



RHODODENDRON, HYDRANGEA, & LAVENDER SHRUB VARIETIES



BOXWOOD SHRUB VARIETIES



TALL GRASSES: ICE DANCER SEDGE & BLUE OAT GRASS



PERENNIAL GROUND COVER VARIETIES: BERGENIA & LENTEN ROSE



GRASS



BARK MULCH

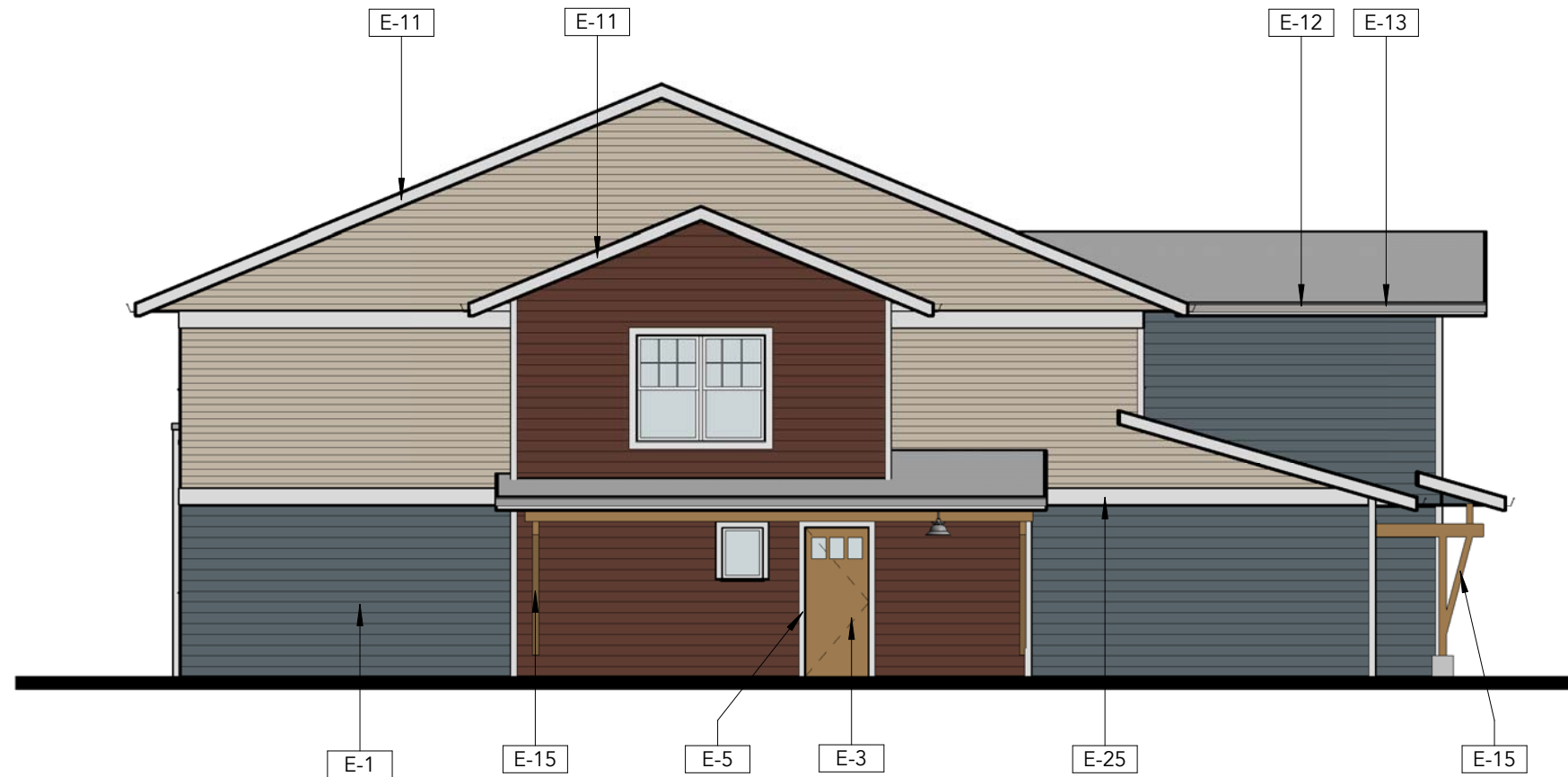
PLANT MATERIALS LEGEND

KEY NOTE LEGEND	
KEY NOTE #	DESCRIPTION
E-1	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 7" EXPOSURE WIDTH, RUSTIC CEDAR FINISH
E-2	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 4" EXPOSURE WIDTH, SMOOTH FINISH
E-3	DOOR PER SCHEDULE
E-4	GARAGE DOOR PER SCHEDULE
E-5	1x4 FIBER CEMENT DOOR TRIM
E-8	1x4 EXTERIOR CORNER BUILDING TRIM
E-11	2x8 BARGE BOARD WITH DECORATIVE TRIM (CUT ENDS PRIMED)
E-12	2x8 FASCIA BOARD WITH DECORATIVE TRIM (CUT ENDS PRIMED)
E-13	PRE-FINISHED ALUMINUM GUTTER - BOX STYLE (K STYLE NOT ACCEPTABLE) *FIELD PAINTED ACCEPTABLE AS ALTERNATE
E-15	DECORATIVE WOOD POST, KNEE BRACE, BEAM - ARCHITECTURAL GRADE CEDAR
E-16	30 YEAR ARCHITECTURAL COMPOSITION SHINGLE ROOFING
E-25	1X8 BELLY BAND (CUT ENDS PRIMED)



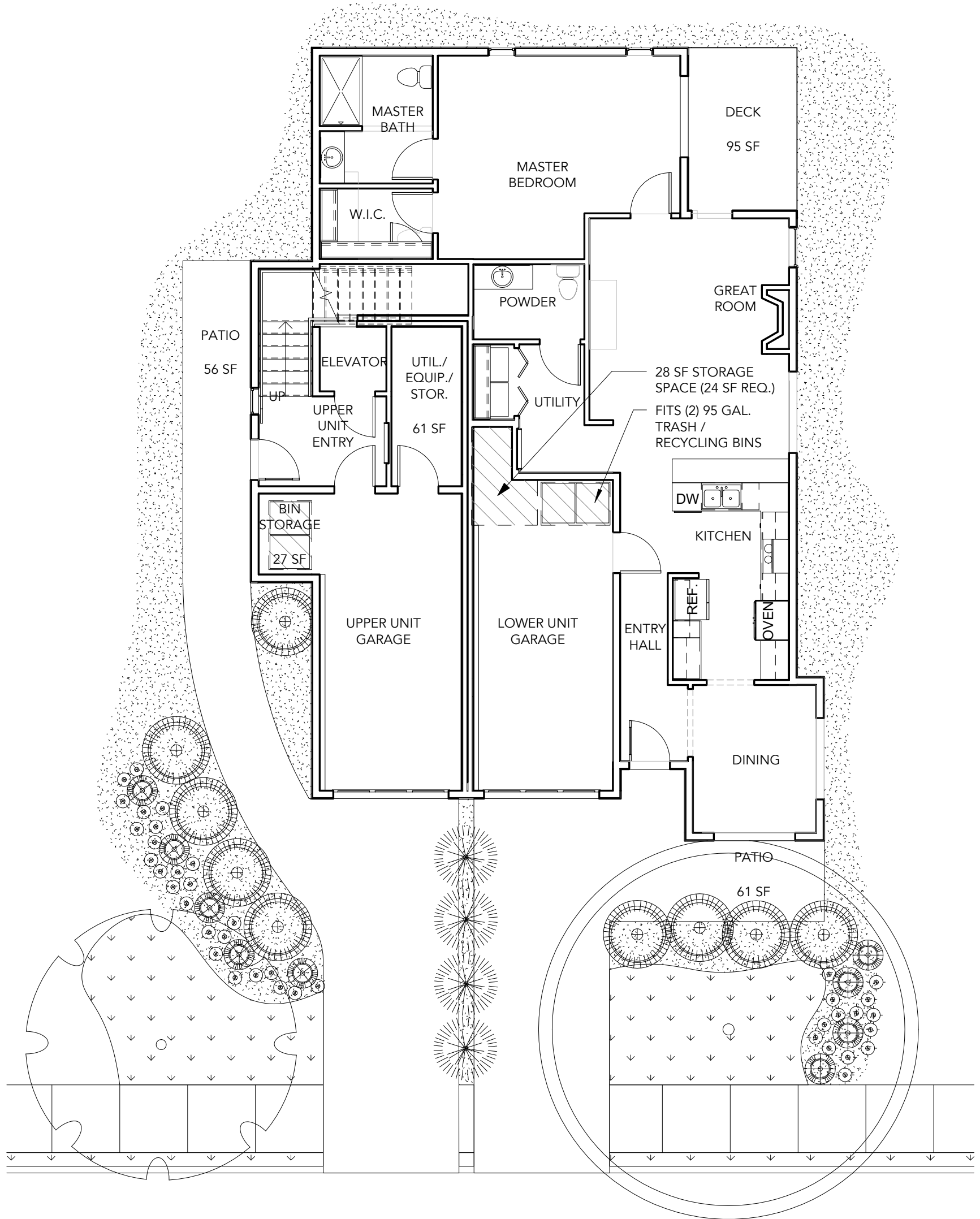
D/E - FRONT

1/8" = 1'-0"



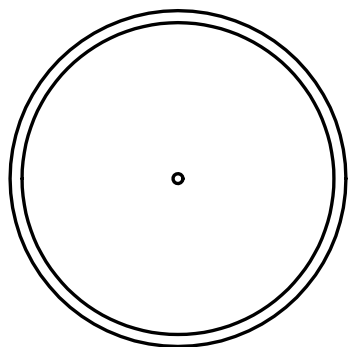
D/E - LEFT

1/8" = 1'-0"

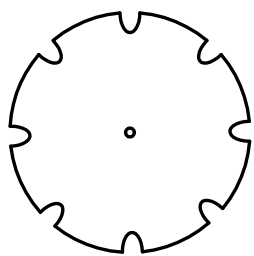


UNIT D/E TYPICAL LANDSCAPE PLAN

1/8" = 1'-0"



KATSURA TREE



CAPITAL FLOWERING PEAR OR WHITE CREPE MYRTLE



RHODODENDRON, HYDRANGEA, & LAVENDER SHRUB VARIETIES



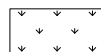
BOXWOOD SHRUB VARIETIES



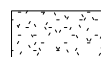
TALL GRASSES: ICE DANCER SEDGE & BLUE OAT GRASS



PERENNIAL GROUND COVER VARIETIES: BERGENIA & LENTEN ROSE



GRASS



BARK MULCH

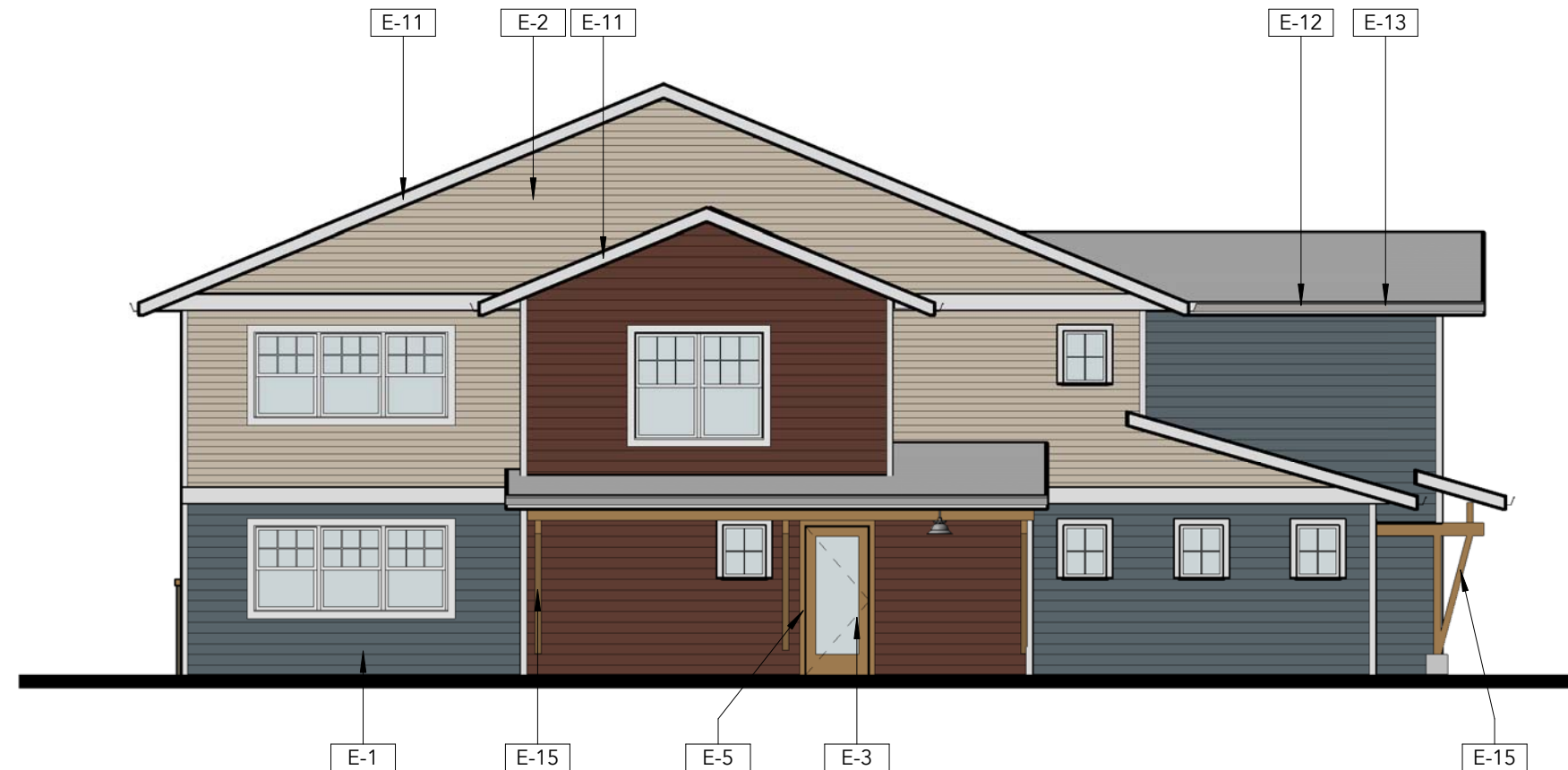
PLANT MATERIALS LEGEND

KEY NOTE LEGEND	
KEY NOTE #	DESCRIPTION
E-1	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 7" EXPOSURE WIDTH, RUSTIC CEDAR FINISH
E-2	EXTERIOR FIBER CEMENT SIDING - HORIZONTAL LAP WITH 4" EXPOSURE WIDTH, SMOOTH FINISH
E-3	DOOR PER SCHEDULE
E-4	GARAGE DOOR PER SCHEDULE
E-5	1x4 FIBER CEMENT DOOR TRIM
E-6	WINDOW PER SCHEDULE
E-7	1x4 FIBER CEMENT WINDOW TRIM
E-8	1x4 EXTERIOR CORNER BUILDING TRIM
E-11	2x8 BARGE BOARD WITH DECORATIVE TRIM (CUT ENDS PRIMED)
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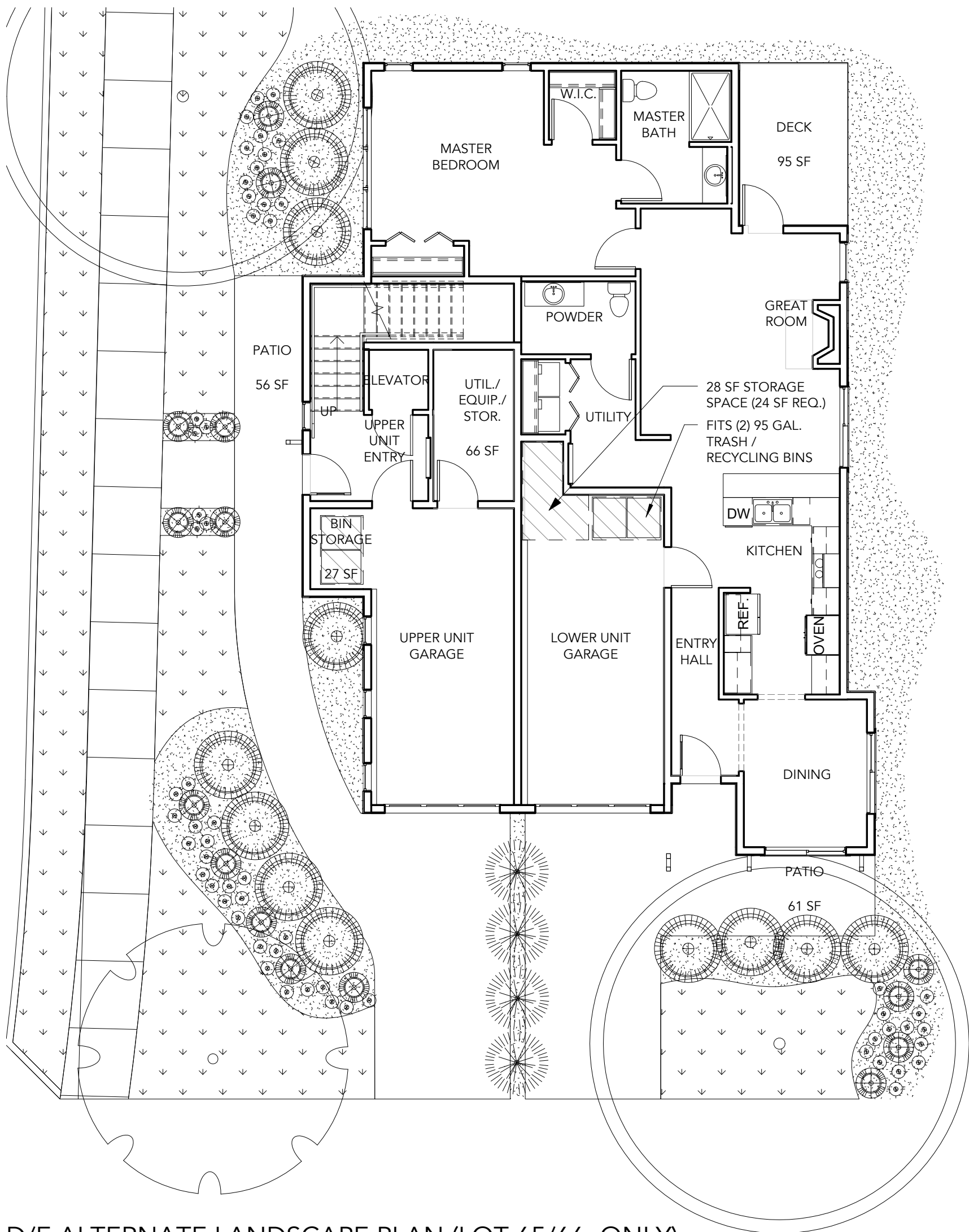
D/E ALTERNATE - FRONT (LOT 65/66, ONLY)

1/8" = 1'-0"



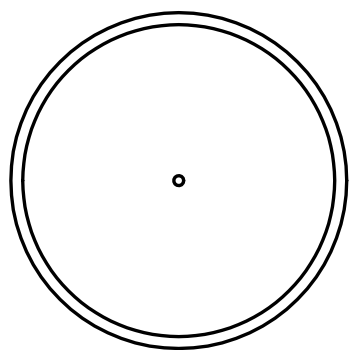
D/E ALTERNATE - LEFT (LOT 65/66, ONLY)

1/8" = 1'-0"

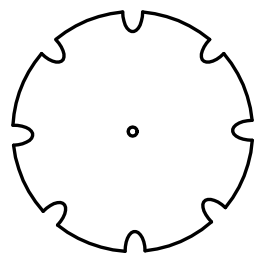


D/E ALTERNATE LANDSCAPE PLAN (LOT 65/66, ONLY)

1/8" = 1'-0"



KATSURA TREE



CAPITAL FLOWERING PEAR
OR WHITE CREPE MYRTLE



RHODODENDRON, HYDRANGEA, &
LAVENDER SHRUB VARIETIES



BOXWOOD SHRUB VARIETIES



TALL GRASSES: ICE DANCER
SEDGE & BLUE OAT GRASS



PERENNIAL GROUND COVER
VARIETIES: BERGENIA & LENTEN ROSE



GRASS



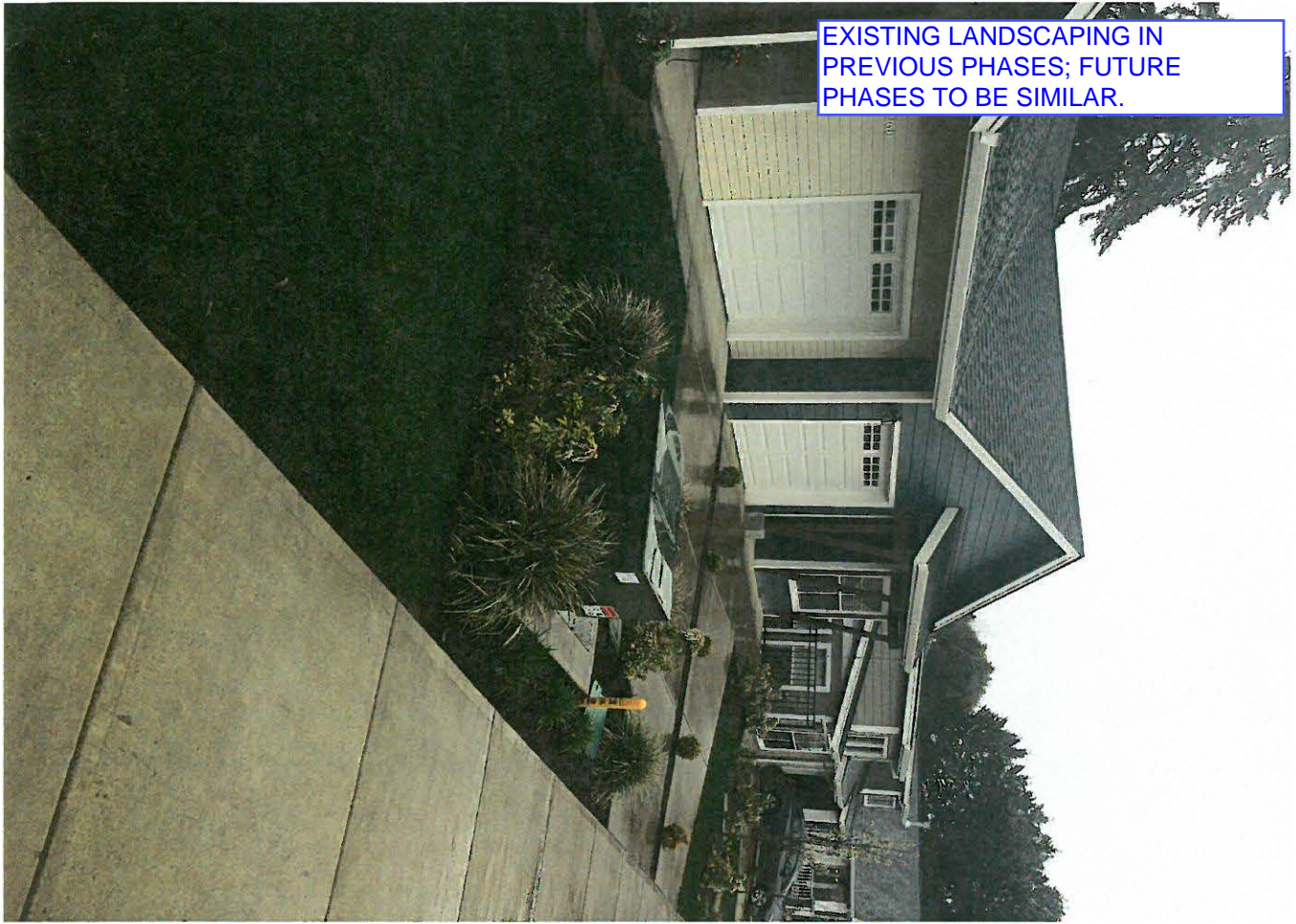
BARK MULCH

PLANT MATERIALS LEGEND

EXISTING LANDSCAPING IN
PREVIOUS PHASES; FUTURE
PHASES TO BE SIMILAR.



EXISTING LANDSCAPING IN PREVIOUS PHASES; FUTURE PHASES TO BE SIMILAR.



AR17-0004

To lessen the bulk of the notice of application and to address privacy concerns, this sheet substitutes for the photocopy of the mailing labels. A copy is available upon request.

City of Tualatin
Planning Division
Attn: Erin Engman
18880 Martinazzi Ave
Tualatin OR 97062-7092

Wednesday-January-24-2017

RE: rethink removal of grand fir tree on Sagert St near Boones Ferry RD

Sorry about the late letter. I just got back into town and spent time trying to locate the grand fir scheduled for removal and spent time speaking with the retirement residents.

The heritage douglas fir is no doubt dangerous in a wind storm and needs to come down for safety.

- 1) Grand firs have significantly deeper roots which the residents were unaware of.
- 2) The particular grand fir slated for removal may be an **important medicinal tree**.
I have looked for that specific variety of grand fir. Hard to find.
It grows significantly shorter -maybe 60 feet - than the tall grand fir (150 feet to 250 feet)
It has a huge trunk in comparison to the tall grand fir
But most important is the medicinal qualities of the shorter, larger trunk grand fir

I spoke with Arborist Tom Steiger today.

Could you put a hold on removing the grand fir until we can evaluate if this is the more rare variety of grand fir?

At the very least it would be wise to get cuttings for both me and for the City

It would be a shame to remove such a medically valuable tree that seems to be becoming rare.

The grand fir tree is near Sagert Street so may not be a problem for construction

Residents could easily be educated about the safety of grand firs vs. douglas fir- particularly the shorter variety of grand fir.

Many residents survived the Columbus Day Storm so are legitimately in fear of trees.

Sincerely Yours

Clo Eve Allen

Clo Eve Allen
20270 SW 86th Ave
Tualatin OR 97062-9105

CITY OF TUALATIN
RECEIVED

JAN 24 2018

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Erin Engman

From: Scott Miller <smiller@marquiscompanies.com>
Sent: Tuesday, January 23, 2018 9:49 PM
To: Matthew Cunnington; Gretchen Stone; Erin Engman
Cc: Kathleen Crismor
Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Mr. Cunnington,

I am reluctantly disposed to respond to your response to Mrs. Stone. Historically, and with great integrity, the developer had every intention to retain this particular heritage tree throughout the development and construction of the fully phased project. When the property was planned, and as approved by the city, the original arborist determined the setback on this tree to be ~25-28' in diameter. The developer maintained this approximate setback throughout construction of all earlier phases and provided all required fencing accordingly. However, during the infrastructure/road construction of the current phase, the developer, BY HIS OWN RESOLVE AND OF HIS OWN ACCORD, was concerned that this setback was in effect, not sufficient for the tree's root system and halted construction until further studies could be obtained. Two additional arborist studies, at the developers expense and at the loss of almost 9 months of construction time, were performed and a larger setback was in fact determined to be necessary for the future survival of the tree.

Sadly, the earlier approved phases of site construction, along with the approved road construction for the existing and future phases, have jeopardized the tree's root structure and the arborists are not able to give any assurances to the developer, or to the city, that in the event of the tree's failure, loss of life or severe injury can be avoided. As I am sure you would agree, the potential future risk of injury or death to our residents and the associated liability is completely unacceptable.

It should also be noted that this particular heritage tree has two tops starting about ½ the length of its trunk– at some point in its past, it had been severely topped or damaged. The junction of these two tops is an inherently weak and disease prone area and according to the arborists WILL FAIL at some point in the future, causing great risk to human life. This is a second issue with the tree that is causing the need for its removal. I can't stress enough that no risk of failure is acceptable to us or our residents.

I trust this puts the decision to remove the tree in a more acceptable and unfortunately, necessary, light. I should also note that the overall project, once complete, will have exponentially more trees than the previous site held, including a community garden, providing far more natural habitat and aesthetics for all of Tualatin's critters and residents to enjoy.

Respectfully,



Scott Miller
Director of Development & Construction

Marquis Companies
P 971-206-2330
c 503-819-3610
www.marquiscompanies.com

From: Matthew Cunnington [mailto:matthew.cunnington@yahoo.com]
Sent: Tuesday, January 23, 2018 8:01 PM
To: Gretchen Stone; Erin Engman

Cc: Kathleen Crismor; Scott Miller

Subject: Re: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Gretchen,

I didn't know Erin would forward my email, but it's great she did. It's interesting to think back to the original plan for the property and remember that a big part of the approval was the inclusion of the heritage tree in the site plan. I too am concerned for the people that may be in the path of the tree. Has it recently changed it's path? I know it can be really difficult to figure out where a tree is headed and where it might move next. Have the residents noticed the tree has changed it's path recently? What potential paths did the arborist consider during their mitigation planning? Perhaps obedience training for the tree could convince it to follow a less dangerous path? If you've got a moving tree, maybe you should consider charging admission to watch.

All sarcasm aside, the current and future residents are exposed to greater risk by sidewalks and stairs than by the healthy trees currently on the old Tualatin Elementary property. You've known about the trees since the very beginning of the project and any changes to the health of the trees were likely caused by the development. In the future, just have the integrity to tell the neighbors you plan to remove the trees in the initial project plan.

Regards,
-Matthew Cunnington

From: Gretchen Stone <Gretchen@CBTwoarchitects.com>
To: Erin Engman <eengman@tualatin.gov>; Matthew Cunnington <matthew.cunnington@yahoo.com>
Cc: Kathleen Crismor <kcrismor@yahoo.com>; "Scott Miller (smiller@marquiscompanies.com)"
<smiller@marquiscompanies.com>
Sent: Monday, January 22, 2018 4:54 PM
Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Mr. Cunnington,

As you know, Erin Engman our case planner with the City of Tualatin, forwarded your email regarding our Architectural Review application and your opinion regarding the request to remove two trees from the campus to allow for the completion of construction. While we, the property owner and development team, appreciate your position, leaving the trees simply doesn't provide the developer the ability to safely and successfully complete the development with the density required in previous land use approvals.

Additionally, the Douglas fir that is more than 400 feet into the property away from either Sagert or SW Boones Ferry is of great concern to existing residents and the property owner. The arborists that were hired as consultants were unable to provide mitigation measures that would provide guarantees that there would be no risk to the physical wellbeing of the current or future residents. Therefore the tree is a safety risk to the people living near and in the path of the tree. The design team has made shifts to the site plan to provide increased useable outdoor space to provide greater benefit to the development. The project when complete will be landscaped and more trees, including street trees, will be planted providing more shade and habitat for the wildlife in the area. Other mature trees along the development's Sagert Street frontage will remain and continue to provide shade and habitat. Mature trees in other areas of the Marquis campus have already been retained where possible.

Respectfully,

Gretchen Stone

500 Liberty Street SE, Suite 100
Salem, OR 97301
(503) 480-8700 p
(503) 510-5510 c

From: Erin Engman [<mailto:eengman@tualatin.gov>]
Sent: Monday, January 22, 2018 9:28 AM
To: Matthew Cunnington; Kathleen Crismor
Cc: Gretchen Stone
Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Hi Matthew-
Thank you for providing your comment on AR17-0004 for the Marquis tree removal application. I will add your comment to the application record and am sharing with the applicant.

Gretchen- Please review and copy me on any response.

Erin Engman
503.691.3024

From: Matthew Cunnington [<mailto:matthew.cunnington@yahoo.com>]
Sent: Friday, January 19, 2018 7:52 PM
To: Kathleen Crismor <kcrismor@yahoo.com>; Erin Engman <eengman@tualatin.gov>
Subject: Re: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

I am writing to ask that you reconsider the removal of the two trees (Douglas fir and Grand fir) at the Marquis development on the corner of Sagert and Boones Ferry road.

These HEALTHY trees are home to many birds and other creatures. My family and I often see hawks and eagles resting in them. They provide shade and help to keep our neighborhood green all year round and provide great landmarks for the community.

There really is no reason to remove them and I urge you to deny the permit to remove these trees.

Matthew Cunnington
9285 SW Apache Drive
Tualatin, OR 97062

Erin Engman

From: Kathleen Crismor <kcrismor@yahoo.com>
Sent: Friday, January 19, 2018 7:11 PM
To: Erin Engman
Subject: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

We are writing to ask that you reconsider the removal of the two trees (Douglas fir and Grand fir) at the Marquis development off of Sagert.

These HEALTHY trees are home to many birds and other creatures. We often see hawks and eagles resting in them. They provide great shade and help to keep our neighborhood green all year round and provide a certain amount of privacy.

There really is no reason to remove them.

Kathleen Cunnington
9285 SW Apache Drive
Tualatin, OR 97062

Erin Engman

From: Gretchen Stone <Gretchen@CBTwoarchitects.com>
Sent: Friday, January 19, 2018 2:54 PM
To: Dannielle Yates; Erin Engman
Cc: 'Scott Miller (smiller@marquiscompanies.com)'; robgporter@hotmail.com; Matthew Stoffregen
Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Follow Up Flag: Follow up
Flag Status: Completed

Dannielle,

The developer has engaged three arborists. The first said the tree was a hazard, in danger of falling, and should be removed. The second two provided reports with more detail and mitigation measures that would reduce the risk but provided no guarantees that those measures, if implemented, would in fact keep the tree from failing. While the risk is reduced the consequences are significant regardless. This is the critical factor when people's (your neighbors and fellow citizens) physical wellbeing are at risk. People residing near the tree and potentially in its path are very afraid and feel vulnerable, and they do not share your same opinion. I am sure you can understand why the owner feels no amount of risk is acceptable if the potential for injury or loss of life is the consequence.

The property owner and developer have made every effort to find a solution that would not require removal; however with "residual risk" still remaining after proposed mitigation the only plan that provides a guarantee is removal. Therefore the property owner has determined that the only course of action is removal to provide the safest solution. As noted in the request and in our response, the site layout was modified to provide a larger community garden that will provide more useable open space which is a greater benefit to the development. Additionally, the Douglas fir and the grand fir are within the building area of two cottage units, in order for the development to be completed at the approved density the trees will need to be removed.

According to the arborist report the tree is approximately 100 years old.

Regards,

Gretchen

Gretchen Stone

CB|Two ARCHITECTS
A LIMITED LIABILITY COMPANY

500 Liberty Street SE, Suite 100
Salem, OR 97301
(503) 480-8700 p
(503) 510-5510 c

From: Dannielle Yates [mailto:danniyates@hotmail.com]
Sent: Thursday, January 18, 2018 6:32 PM
To: Gretchen Stone; Erin Engman
Cc: 'Scott Miller (smiller@marquiscompanies.com)'; robgporter@hotmail.com
Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

I understand apprehension and potential risk but must exercise my right as a citizen and homeowner to protest removal of such a beautiful ancient tree deeply rooted in our community. When the property was purchased for development and the homes were built near the Douglas fir, the owner had full knowledge of the city's code to protect and preserve heritage trees. Thank you for the care that has been taken with other heritage trees on the property.

Has a licensed arborist certified the Douglas fir as dangerous? By it's size and breadth it must be well over 150 years old and has weathered many storms and natural disasters. The tree appears to be healthy and thriving where planted.

The thought of your cutting down this majestic tree is heart breaking. Landscaping and planting new trees doesn't compensate for the loss for generations to come.

Dannielle Yates

From: Gretchen Stone [<mailto:Gretchen@CBTwoarchitects.com>]

Sent: Wednesday, January 17, 2018 11:34 AM

To: Erin Engman <eengman@tualatin.gov>; Dannielle Yates <danniyates@hotmail.com>

Cc: 'Scott Miller (smiller@marquiscompanies.com)' <smiller@marquiscompanies.com>

Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Dear Ms. Yates and Mr. Porter,

For clarification, only one of the trees is a Heritage Tree, that is the Douglas fir. While I appreciate you sharing your thoughts, I believe you have not taken into consideration the nature of the situation or the reason for the requested removal. The development team has pursued the removal of this specific tree due to the catastrophic risk it poses to the current and future residents and the successful completion of the development. The current residents do not like the tree and look upon it as a hazard that they are fearful of. Should failure, either complete or partial, occur the consequences may be devastating resulting in grave physical harm and extensive property damage. The owner and operator are not comfortable with any level of risk that might impact their residents therefore they have made efforts to provide more useable outdoor space by shifting a proposed cottage and expanding the community garden which will have greater benefit.

As for the grand fir, it is sited in the middle of a cottage "lot" and needs to be removed to allow for completion of the approved development. The grand fir was always intended for removal but was not included in the original AR 14-07 in error, therefore has been included in the requested modification of AR 14-07.

What's more, this development has maintained several mature trees including other heritage trees which are now being maintained to promote their health and longevity. The entire campus will be extensively landscaped with street trees that will provide more shade and habitat for wildlife than the trees proposed for removal. The Douglas fir is more than 350 feet from the Marquis property line on Sagart, once developed any view you or others would have of the Douglas fir (if it did not require removal) would be drastically altered, if not eliminated altogether due to the proposed cottages and street trees. The developer has made prudent design choices to allow for completion of the approved cottages that have greater benefit by reducing hazards and providing more useable outdoor space and increased shade and habitat for wildlife through the installation of trees throughout the campus.

Respectfully,

Gretchen Stone

Gretchen Stone
CB|Two ARCHITECTS
A LIMITED LIABILITY COMPANY

500 Liberty Street SE, Suite 100
Salem, OR 97301
(503) 480-8700 p
(503) 510-5510 c

From: Erin Engman [<mailto:eengman@tualatin.gov>]
Sent: Tuesday, January 16, 2018 12:24 PM
To: Dannielle Yates; Gretchen Stone
Subject: RE: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

Hi Dannielle-

Thank you for providing your comment on AR17-0004 for the Marquis tree removal application. I will add your comment to the application record and am sharing with the applicant.

Gretchen- Please review and copy me on any response.

Erin Engman

503.691.3024

From: Dannielle Yates [<mailto:danniyates@hotmail.com>]
Sent: Sunday, January 14, 2018 5:09 PM
To: Erin Engman <eengman@tualatin.gov>
Subject: Comments to AR17-0004: Marquis Tualatin Cottages & Community Center

We received notice of application to remove two heritage trees (Douglas fir and Grand fir) and ask that the city continue to protect and preserve the scenic beauty and natural environment of the city of Tualatin by not allowing these trees to be removed. The mature, native trees are a part of the city's heritage and add to the quality of life valued by our residents.

Living across from the Marquis development, our home is historic as was the school that resided on that property. We look upon these majestic, heritage trees every day and appreciate their presence. The mature firs provide shade and wildlife habitat, create an eye-soothing canopy of green and studies have shown that patients with views of trees out their windows heal faster and with fewer complications.

Please preserve these two heritage trees for this and future generations. A beautiful big tree takes 4 - 5 decades or more to grow.

Dannielle Yates
Rob Porter
9030 SW Sagert Street
Tualatin, OR 97062



MEMORANDUM

CITY OF TUALATIN

DATE: January 12, 2018

TO: Erin Engman
Associate Planner

FROM: Tony Doran, EIT
Engineering Associate

SUBJECT: AR17-0004 MARQUIS TREE REMOVAL

No PFR is needed based on the following:

- The proposed development is not adding/modifying impervious area that would require additional water quality treatment for this site.
- There are no proposed connections to public sanitary sewer, stormwater lines, or water.
- This development does not affect the 100-year floodplain.

If you have any questions, please contact me at ext 3035.

MEMORANDUM

Date: January 30, 2018

To: Erin Engman, Associate Planner, City of Tualatin

From: Jackie Sue Humphreys, Clean Water Services (CWS)

Subject: Marquis Tualatin Cottages Tree Removal, AR17-0004, 2S123DD00501, 00502

Clean Water Services has no concerns or objections to this application request. As submitted, this application request will not require further review or the issuance of a Storm Water Connection Permit Authorization.

A RESOLUTION DESIGNATING HERITAGE TREES AND AUTHORIZING AND DIRECTING THE COMPLETION OF CERTAIN ADMINISTRATIVE ACTS CONSISTENT WITH THAT DESIGNATION

WHEREAS, the City Council adopted an Ordinance (No. 723-87) establishing a program to recognize and protect Heritage Trees, and

WHEREAS, nominations have been solicited, received and reviewed by the Tualatin Park Advisory Committee (T-PARK), and

WHEREAS, the Council agreed to allow nomination of stands of trees on both the S.W. 65th Street and S.W. Sagert Street Park Site and the Saarinen Wayside Park Site, and

WHEREAS, the Tualatin Development Commission agreed to allow the nomination of a stand of trees commonly referred to as "The Hervin Grove", and

WHEREAS, during the first year Ordinance 723-87 is in effect a maximum of ten (10) trees may receive designation as Heritage Trees and each subsequent year after the first year the ordinance is in effect, a maximum of five (5) trees may be designated as Heritage Trees, and

WHEREAS, the T-PARK, at its regular meeting on February 16, 1988 recommended to Council that the ten (10) trees or stands of trees they identified in Attachment "A" receive Heritage Tree designation at this time, and

WHEREAS, Ordinance No. 723-87 stipulates that the property owner agree to forfeit for the Heritage Tree any exemption which might otherwise have been granted under Section 4(1), (2) or (3) of the Tree Protection Ordinance, and further agree to record the Tree's designation as a Heritage Tree, its site and its description on the County records, and

WHEREAS, certain administrative acts are required to implement all the provisions of the ordinance establishing the Heritage Tree Program,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, that:

Section 1. The trees identified in Attachment "A" are hereby designated as Heritage Trees of the City of Tualatin, subject to the approval of the Tualatin Development Commission in the case of "The Hervin Grove".

Section 2. The Mayor and the City Recorder are authorized and directed to sign the **Heritage Tree Designation and Preservation Agreements** for the ten trees identified in Attachment "A", including signing as owner for the trees located on property owned by the City at the S.W. 65th Street and S.W. Sager Street Park Site and the Saarinen Wayside Park, provided that in the case of "The Herwin Grove" the Tualatin Development Commission has authorized by agreement the designation of "The Herwin Grove" as Heritage Trees.

Section 3. Upon receipt of agreements referred to in Section 1, the City Recorder shall cause to be recorded each tree's designation as a Heritage Tree, its site and its description on the County records.

Section 4. The Parks & Recreation Director is directed to place and maintain a "City of Tualatin Heritage Tree" plaque in a visible location near each designated Heritage Tree.

Section 5. The Parks & Recreation Director is directed to place these ten (10) trees on the official listing and map of Heritage Trees and to maintain said listing and map in accordance with the provisions of Ordinance No. 723-87.

INTRODUCED AND ADOPTED this 14th day of March, 1988.

CITY OF TUALATIN, OREGON

BY Luanne D. Thielke
Mayor

ATTEST:

BY Stephen A. Rhodes
City Recorder

ATTACHMENT "A"

1. **Tree:** Apple (Fall Pippin)
Location: 18815 S.W. Boones Ferry Road
Property Owner: Althea Pratt-Broome
2. **Tree:** Douglas Fir
Location: Tualatin Elementary School
Property Owner: Tigard School District
3. **Tree:** English Chestnut
Location: Tualatin Elementary School
Property Owner: Tigard School District
4. **Tree:** Stand of Douglas Fir, Sequoia and Grand Fir
Location: 9160 S.W. Avery Street
Property Owner: Herb Lafky
5. **Tree:** Spanish Fir (2)
Location: 9359 S.W. Nez Perce Court
Property Owner: Edward E. and Leota J. Fritz
6. **Tree:** Black Walnut
Location: 8430 S.W. Sagert Street
Property Owner: Judith W. and Wayne Halvorson
7. **Tree:** Big Leaf Maple
Location: 8430 S.W. Sagert Street
Property Owner: Judith W. and Wayne Halvorson
8. **Tree:** Stand of Douglas Fir
Location: S.W. 65th Avenue and Sagert Street Park Site
Property Owner: City of Tualatin
9. **Tree:** Douglas Fir
Location: Saarinen Wayside Park
Property Owner: City of Tualatin
10. **Tree:** "Herwin Grove" (Douglas Fir, Oak, Cherry & Hawthorne)
Location: Site immediately west of S.W. Martinazzi Avenue
between Nyberg Street and the Tualatin-Sherwood Road
Property Owner: Tualatin Development Commission

Upon acceptance of the Tualatin City Council, Tigard School District, 23J, owner of the following described property agrees that a certain tree or trees thereon and more fully described herein shall be placed on the City of Tualatin's list of Heritage Trees and thereafter preserved and protected. We recognize and agree that placement on this list is due to the age, size, species, quality, historic association, and/or landmark importance of such tree or trees and its retention will not interfere with the use of the property upon which it is located.

The property on which the trees are located is described on the records of the Washington County Department of Assessment and Taxation as: Map 2S-1-23DD, Tax Lot 500.

The species of the trees to be preserved are Douglas Fir and English Chestnut. The trees are more particularly located at the Tualatin Elementary School, 19945 S.W. Boones Ferry Road, with the Douglas Fir tree located approximately 368 feet north of S.W. Sagert and 223 feet east of the west property line, and the English Chestnut tree located approximately 133 feet west of S.W. Boones Ferry Road and 23 feet south of the north property line.

As the owner of the property and the trees, we recognize and agree that this Heritage Tree Designation does not affect our title and, therefore, we will indemnify and hold the City harmless from any claim which challenges this designation. We also understand and agree that tree maintenance, care and/or pruning continues to be our responsibility as the property owners and not the City's and that we will, to the best of our ability, preserve the trees from disease and death.

Finally, we agree to forfeit any exemption we may have from the provisions of the City of Tualatin Tree Protection Ordinance, Ordinance No. 724-87, Sections 4(1), (2), and (3), which might otherwise permit us to cut down these trees.

The covenants and conditions in this agreement shall bind ourselves as well as our heirs, successors and assigns and this document may be filed in the County Recorder's Office.

TIGARD SCHOOL DISTRICT, 23J

March 3, 1988
Date

BY: Russell H.

Approved and accepted by the Tualatin City Council this 14th day of March, 1988.

CITY OF TUALATIN, Oregon

The undersigned City Manager of the City of Tualatin, being duly authorized and directed by the Council of the City of Tualatin, pursuant to Resolution No. 2123-88, does hereby approve and accept the foregoing Heritage Tree Designation & Preservation Agreement

BY Luanne D. Thielke
Mayor

ATTEST:

on behalf of the City of Tualatin.
Dated this 14 day of March, 1988.

BY Stephen A. Rhodes
City Recorder

Stephen A. Rhodes
City Manager

After recording, return to:
City of Tualatin
P. O. Box 369
Tualatin, OR 97062

STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Officio County Clerk

