



Land Use Application

Project Information

Project Title: Commons on the Tualatin Maintenance Storage Shed--Building G
Brief Description: Siting of a 1,849-sq.ft. maintenance storage shed as an accessory to multi-family housing development.

Property Information

Address: 6645 SW Nyberg Lane, Tualatin, OR 97062
Assessor's Map Number and Tax Lot(s): Map: 2S124AO Lot: 2600, 2601

Applicant/Primary Contact

Name: Ken Sandblast	Company Name: Westlake Consultants, Inc.
Address: 15115 SW Sequoia Parkway, Suite 150	
City: Tigard	State: OR ZIP: 97224
Phone: 503-684-0652	Email: ksandblast@westlakeconsultants.com

Property Owner

Name: Nyberg Road Property, LLC	
Address: 1200 SW 66th Ave., Suite 300	
City: Portland	State: OR ZIP: 97225
Phone:	Email:

Property Owner's Signature: <i>(Note: Letter of authorization is required if not signed by owner)</i>	Date: 12-12-2022
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AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION IN AND INCLUDED WITH THIS APPLICATION IN ITS ENTIRETY 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: <i>(Signature)</i>	Date: 12/12/22
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Land Use Application Type:

- | | | |
|---|---|---|
| <input type="checkbox"/> Annexation (ANN)
<input checked="" type="checkbox"/> Architectural Review (AR)
<input type="checkbox"/> Architectural Review—Single Family (ARSF)
<input type="checkbox"/> Architectural Review—ADU (ARADU)
<input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Historic Landmark (HIST)
<input type="checkbox"/> Industrial Master Plan (IMP)
<input type="checkbox"/> Plan Map Amendment (PMA)
<input type="checkbox"/> Plan Text Amendment (PTA)
<input type="checkbox"/> Tree Removal/Review (TCP) | <input type="checkbox"/> Minor Architectural Review (MAR)
<input type="checkbox"/> Minor Variance (MVAR)
<input type="checkbox"/> Sign Variance (SVAR)
<input type="checkbox"/> Variance (VAR)
<input type="checkbox"/> Other _____ |
|---|---|---|

Office Use

Case No:	Date Received:	Received by:
Fee:	Receipt No:	

Architectural Review Application

Maintenance Storage Shed: Building G

Prepared For:

Nyberg Road Property, LLC
1200 SW 66th Avenue
Portland, OR 97225

Prepared By:

Westlake Consultants, Inc.
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224

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APPLICANT AND PROJECT SUMMARY

Applicant's Representative: Ken Sandblast, AICP
Westlake Consultants, Inc.
15115 SW Sequoia Pkwy., Ste. 150
Tigard, OR 97224
Phone: 503-684-0652

Applicant: Nyberg Road Property, LLC
1200 SW 66th Avenue, Suite 300
Portland, OR 97225

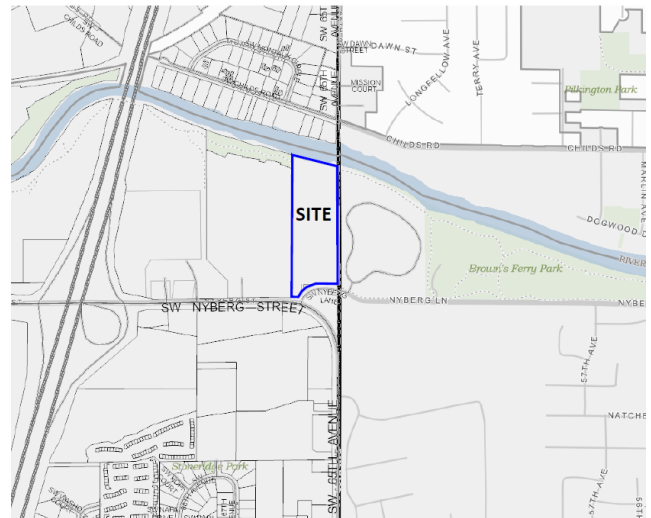
Proposal: Maintenance Storage Shed

Property Location: 6645 SW Nyberg Lane, Tualatin, OR 97062

Tax Map/Lot: 2S124A/2601 and 2600

Zoning Designation: RH (High Density Residential)

Building Size: 1,849 sq.ft.



PROJECT OVERVIEW

Project Description

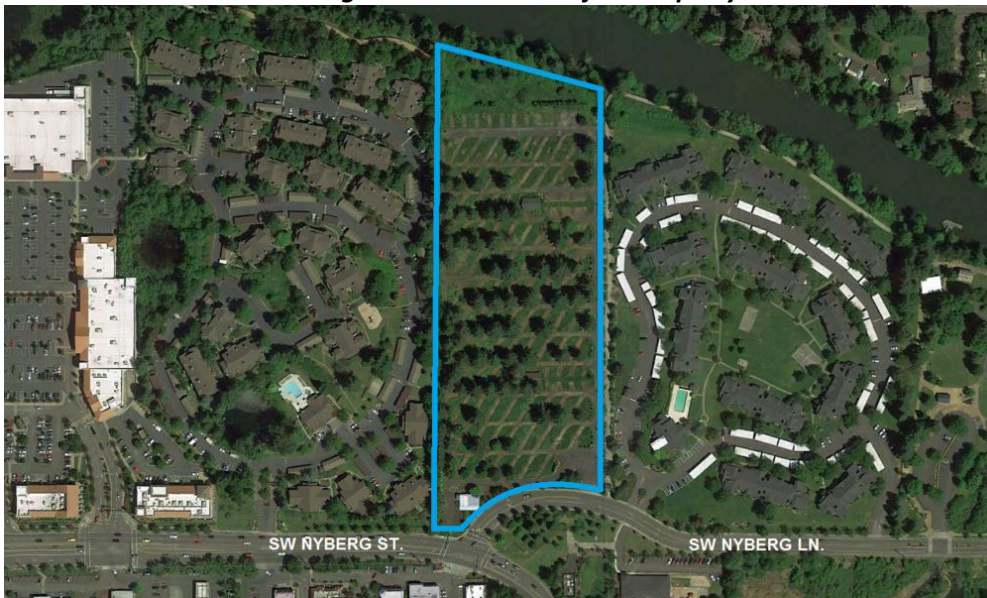
The Applicant requests Architectural Review of a 1,849-sq.ft. maintenance storage shed proposed to be located on the subject property, Commons on the Tualatin River, at 6645 SW Nyberg Lane, Tualatin, OR. The proposed maintenance storage shed, Building G, will accommodate the storage of equipment and supplies required for the maintenance of the Commons on the Tualatin River multi-family project.

Existing Conditions

The 10.99-acre site is zoned RH (High Density Residential) and has frontage on SW Nyberg Lane and SW Nyberg Street. The proposed maintenance storage shed, Building G, will be located at the north end of the site and will serve the property maintenance needs of the Commons on the Tualatin River apartment complex, which was approved through AR 18-0007 and is currently under construction.

As previously approved, Commons on the Tualatin River will include five residential buildings containing a total of 264 apartment units and a recreation center building and pool, in addition to onsite parking, leasing office, open space and play areas, and a new public trail connecting the two existing segments of the Tualatin River Greenway.

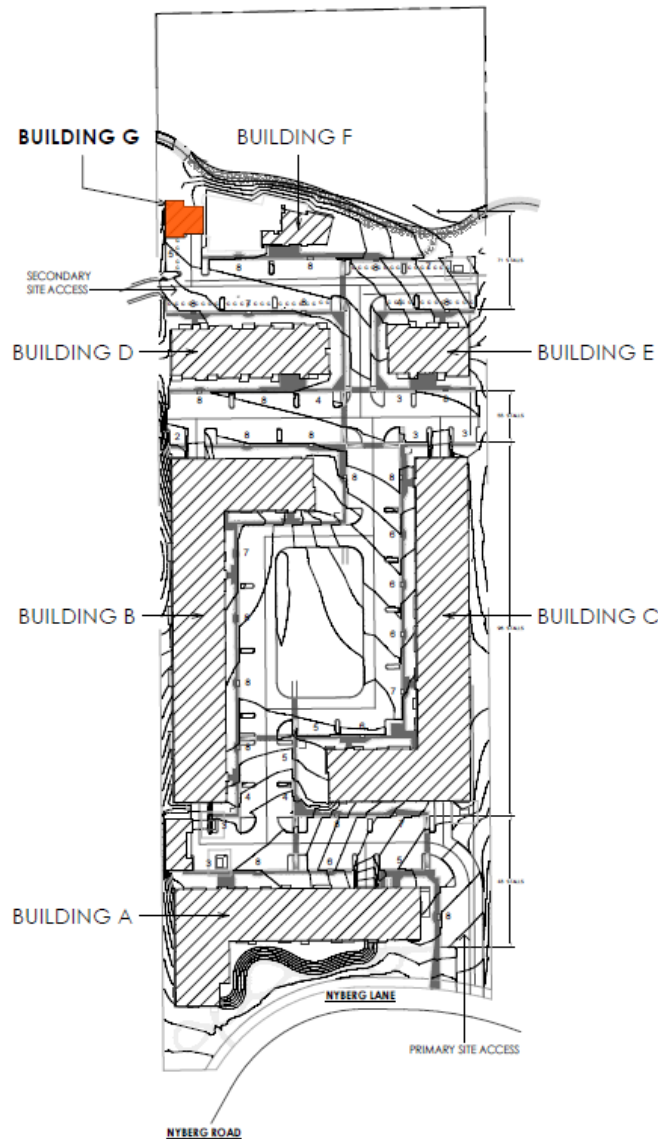
Figure 1. Aerial – Subject Property



The proposed 1,849-sq.ft. maintenance storage shed, Building G, is planned to be constructed in a location that was previously designated for parking and adjacent landscaping. The structure will be used for the storage of the maintenance equipment, supplies, and vehicle. The location of the proposed shed is illustrated on Figure 2, Building G Location, below.

Building G will be accessed by the already approved on-site circulation system of drive aisles. The placement of the storage shed will reduce total approved on-site parking of 491 spaces by three spaces. The resulting parking remains well in excess of the required 375 spaces.

Figure 2. Building G Location



Adjacent Uses

To the north of the subject property is the Tualatin River. To the south of the subject property are the SW Nyberg Ln. and SW Nyberg St. public rights-of-way. To the west of the subject property is the Forest Rim Apartment Complex in the RMH zoning designation. To the east of the subject property is the Stonestrow Apartment Complex in the RMH zoning designation.

Access

The subject property has frontage on the existing public rights-of-way, SW Nyberg Lane and SW Nyberg Street. Primary access to the site is provided by a 32-ft wide paved entry access drive at the southeast corner of the subject property. The approved on-site circulation system will provide access to the proposed Building G—no access alterations are needed. No additional traffic to the site will be generated by Building G, as it will be utilized by on-site property maintenance staff.

Public Facilities and Services

The site will be adequately served by existing public sanitary sewer, water and stormwater lines, as approved through AR 18-0007. As a storage structure, Building G will not place significant demand upon the site utilities previously approved. Utility connections from the new structure to the onsite utilities systems will be reviewed through the building permit process. A stormwater memo, attached as Exhibit C, summarizes the impact of the additional building area and concludes that the existing stormwater system design has adequate capacity to accommodate the new building on site.

LAND USE APPLICATION REQUEST: ARCHITECTURAL REVIEW

This application requests Architectural Review of a proposed 1,849-sq.ft. maintenance storage shed to be located on the site of Commons on the Tualatin River. The Applicant has reviewed the *Tualatin Development Code* and found the following provisions to be applicable to this application. Following each section, the Applicant's response presents evidence and findings for approval of the Architectural Review application.

TUALATIN DEVELOPMENT CODE—APPLICABLE PROVISIONS

Chapter 32 -- Procedures

32.010 Application Types and Review Procedures

RESPONSE: In satisfaction of *Sections 32.010 and 33.020*, Architectural Review shall be conducted as a Type II limited land use decision. Decisions shall be made in accordance with *Section 32.220*.

In compliance with the provisions of *TDC 32.110*, the Applicant attended a Pre-Application Conference with the City of Tualatin on September 21, 2022. Documentation of the Pre-Application Conference is provided as Exhibit E, attached.

The Applicant hosted a Neighborhood/Developer Meeting in compliance with the provisions of *TDC 32.120* on October 24, 2022. Notice of the meeting was provided using a mailing list provided by the Tualatin Planning Department. Neighborhood/Developer meeting signs were posted in compliance with *TDC 32.150*. Documentation of the Neighborhood Meeting is provided as Exhibit F, attached.

In coordination with the submittal of this application to the City, and in accordance with *TDC 32.150*, the Applicant has posted notice of the proposed application for Architectural Review on the frontages of the subject property. An Affidavit of Posting is provided as Exhibit G. These provisions are satisfied.

Chapter 33 - Applications and Approval Criteria

33.020 Architectural Review

RESPONSE: Per *Section 33.020(2)(b)(i)*, the proposed maintenance storage shed is subject to Architectural Review and will be reviewed under the Type II Procedure, per *Section 33.220(3)(f)*. This application includes all requirements for submittal of a Type II Architectural Review application, including application, fee, narrative responses to applicable review criteria, site plan, and all supporting documentation. Per *Section 33.020(5)(c)*, the proposed maintenance shed development must comply with applicable standards of *TDC Chapters 73A* through *73G*; the applicable standards have been addressed in those sections of this narrative. This provision is satisfied.

33.110 Tree Removal Permit/Review

RESPONSE: The removal of two trees is proposed to accommodate the siting of the proposed maintenance storage shed. This application includes a report prepared by a certified arborist that includes a tree inventory and assessment, and tree protection recommendations. The Arborist Report is attached as Exhibit B.

Per the Pre-Application Conference summary, the proposed tree removal will be processed in conjunction with the Architectural Review application, which is subject to a Type II review process. Per the submittal requirements of *TDC 33.110(4)*, the attached Arborist Report and this application provide the submittal information required for review. In satisfaction of *TDC 33.110(5)(iii)*, the conclusions of the attached Arborist Report support the removal of two trees to accommodate the construction of Building G, as proposed. This provision is satisfied.

Chapter 43 High Density Residential Planning District (RH)

43.200 Use Categories

RESPONSE: The proposed Building G will accommodate a maintenance storage use which is accessory to the on-site multi-family residential development, a permitted use in the RH zoning district. The Commons on the Tualatin River multi-family development project was reviewed and approved through AR 18-0007. This provision is satisfied.

43.300 Development Standards

RESPONSE: As an accessory use to the multi-family project that was approved for the subject site through AR 18-0007, the proposed maintenance storage shed is subject to the development standards of the RH zone, as listed in *Table 43-3* of the *Tualatin Development Code*. As shown in the attached Building Permit Plan Set, Sheets A0.01 and A0.02 (attached as Exhibit I), Building G is proposed to be 1,849 sq.ft. in size.

The overall Commons on the Tualatin River project site is currently under construction with the 264-unit multi-family development approved through AR 18-0007. Future construction of the proposed maintenance storage shed is planned for an area that was approved as parking in the 2018 approval.

Development standards that are applicable to the current application for Building G are addressed below:

Maximum Density—No new housing is proposed through this application. The proposed maintenance storage shed will not alter the approved density of the approved project (AR 18-0007).

Minimum Setbacks—The proposed storage shed will be one story in height and is not a living space; as such, the structure will be required to meet a side setback of 5 feet along the west property line. As shown on the attached Site Plan, Exhibit A, the proposed shed will also meet the front (20'), rear (5'), and east side (5') setbacks.

Minimum Distance Between Buildings within one development—The proposed storage shed is proposed to be located adjacent to the pool deck at the north end of the site and is not within the minimum 10-foot distance from either Building F to the east or Building D to the south.

Parking and Vehicle Circulation Areas—The vehicle circulation areas are not proposed to be changed from the site layout that was approved through AR 18-0007. Parking on site is proposed to be reduced by three spaces to accommodate the construction of the storage shed. As the original application proposed parking in excess of the requirement (491 proposed, 375 required), the proposed reduction of three spaces will not alter the compliance of the approved development with code standards.

Maximum Structure Height: As shown in the attached Sheet A3.00g of the Building Plan Set (Exhibit I), Building G is proposed to be a one-story structure with a height of 16' 4", which is below the 35-foot maximum height limit.

Maximum Lot Coverage: At the time of approval of the Commons project through AR 18-0007, lot coverage was calculated for the overall site at 23 percent of the net site area of 10.98 acres, well below the maximum allowed of 45 percent. The addition of Building G, at 1,849 sq.ft., will not significantly alter the calculated lot coverage on the site and the overall Commons project remains below the maximum lot coverage allowed. These provisions are satisfied.

43.301 – Projections into Required Yards

RESPONSE: Per *TDC 43.301*, a projection of up to 2 feet into the required side yard is allowed for eaves, gutters and other similar architectural features. As shown in the attached Sheet A2.01g of the Building Plans (Exhibit I), the proposed building's eaves measure 2 feet and comply with the limits of *TDC 43.301* along the west side setback. This provision is satisfied.

Chapter 70: Flood Plain District (FP)

RESPONSE:

The proposed storage shed, Building G, is not located within a flood hazard area. No alterations to flood plain, drainage or watercourses are proposed through the current application. The proposed storage structure, Building G, is proposed for a location originally planned and approved through AR 18-0007 as parking and adjacent landscaping. Please refer to the Site Plan, attached Exhibit A. This provision is satisfied.

Chapter 72: Natural Resource Protection Overlay District (NRPO)

RESPONSE: Provisions of *Chapter 72* were addressed through AR 18-0007. Per *TDC 72.020*, the overall site was identified as having a designated Greenway location and, accordingly, the project includes construction of a segment of the Greenway pathway on the north end of the site as part of the development proposal approved through AR 18-0007. In addition, a CWS vegetated corridor is located on the subject site, associated with the Tualatin River. Previous project approval (AR 18-0007) and *Map 72-1: NRPO and Greenway Locations* established that the overall subject site is not identified as being located in a wetlands area or Natural Resources Protection Overlay.

As shown on the Site Plan, attached Exhibit A, the proposed Building G is located outside of the CWS vegetated corridor. The proposed storage building will be located on a portion of the site already approved for parking and adjacent landscaping through AR 18-0007. A service provider letter of consistency from CWS is attached as Exhibit D. These provisions are satisfied.

Chapter 73A: Site Design

RESPONSE: As the proposed structure is located on an RH-zoned site and is an accessory use to the multi-family use, *TDC 73A.200 Multi Family Design Standards* are applicable to this application.

The proposed 1,849-sq.ft. maintenance storage shed, Building G, will be located on a portion of the site that was previously planned and approved for parking and adjacent landscaping on the site. The siting of Building G as proposed results in a reduction in the parking of three spaces, however, the addition of the proposed structure to the site will not alter previous approval of on-site uses, walkways or accessways. Required accessways are provided onsite through approved site development permits.

An on-grade entrance to Building G is planned to allow the maintenance vehicle and equipment to enter/exit the building. Access to the parking area adjacent to Building G will remain as planned and approved.

Outdoor lighting will be provided in accordance with the requirements of the code and will not produce direct glare or shine into residential units, public rights-of-way, or fish and wildlife habitat areas, per the provisions *TDC 73A.200(10)(b)*. The building will have identification consistent with the Oregon Fire Code, as required by *TDC 73A.200(10)(c)*.

Per *TDC 73A.200(11)*, pedestrian access will continue to be provided to that location on the site. Any on-grade electrical and mechanical equipment will be screened with landscaping. Compliance with this provision will be further verified during the building permit process. These provisions are satisfied.

Chapter 73B: Landscaping Standards

73B.020. - Landscape Area Standards Minimum Areas by Use and Zone.

RESPONSE: As an accessory to a multifamily residential use in the RH zone, the proposed Building G project has no minimum landscape area requirement per *TDC 73B.020*. However, in accordance with other provisions of the *Tualatin Development Code*, including *TDC 73B.030* below, the overall site plan for the Commons on the Tualatin River provides extensive landscaping.

Through AR 18-0007, the overall project was required to provide a minimum of 25 percent of landscaped net site area. The approved plan provided a total of 46.1 percent, or 218,600 square feet of landscaping. In meeting the requirement of 25 percent of developed landscape area, the approved site plan provided 33.6 percent, or 126,100 square feet. As illustrated in the attached Site Plan, Exhibit A, the siting of Building G as proposed will reduce the previously planned landscaped area by 850 sq.ft. The proposed reduction will not alter compliance with previous requirements and approvals. This provision is satisfied.

73B.030. - Additional Minimum Landscaping Requirements for Multi-Family Residential Uses.

RESPONSE: Per *TDC 73B.030*, for multi-family residential uses, all areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas must be landscaped. A landscaping plan for the Commons on the Tualatin River site was reviewed and approved through AR 18-0007. As approved, landscaping on the site exceeds the 25 percent requirement of both the overall site (46.1 percent) and the developed area (33.6 percent).

Building G is proposed to be constructed on a portion of the site that was originally approved as parking and adjacent landscaping. The new building will have a side setback of 5 feet along the west property line. In addition, a portion of the building will also extend north of the previously planned parking lot. Accordingly, 850 square feet of landscaped area along the proposed building's west and north sides is proposed to be removed to accommodate the new structure. The remaining portions of the area adjacent to the proposed storage building will be landscaped as planned and approved through AR 18-0007, and in accordance with code requirements. This provision is satisfied.

73B.080 – Minimum Landscaping Standards for All Zones.

RESPONSE: A landscaping plan for the Commons on the Tualatin River site was reviewed and approved through AR 18-0007. The proposed Building G storage shed will be constructed on an area of the site that was originally proposed as parking and adjacent landscaping. The siting of the building as proposed will require the removal of 850 square feet of landscaping, as illustrated on the Site Plan, attached as Exhibit A. The remaining areas adjacent to the proposed structure that were approved for landscaping, including the required 5-foot setback and the area between the building and the vegetated corridor, will be landscaped and maintained to meet the requirements of *TDC 73B.080*. This provision is satisfied.

73B.090 – Minimum Standards Trees and Plants

RESPONSE: As noted above, a landscaping plan for the Commons on the Tualatin River site was reviewed and approved through AR 18-0007. The siting of proposed Building G storage shed will require the removal of a portion of previously planned landscaped area. The remaining adjacent designated landscape areas, including the required 5-foot setback and the area between the building and the vegetated corridor, will be landscaped and maintained to meet the requirements of *TDC 73B.090*. This provision is satisfied.

Chapter 73C – Parking Standards

RESPONSE: As noted above, the overall Commons on the Tualatin River project was approved through AR 18-0007 and includes a total of 491 parking spaces on site, exceeding the minimum parking requirement of 375 spaces. The proposed storage shed will remove three parking spaces from the total, resulting in minimal impact to the parking total. The overall project will remain in compliance with its original approval, with no need to provide additional parking spaces due to the proposed storage shed construction.

The proposed storage shed will not generate additional parking demand on the site; the building will be utilized by property maintenance staff for storage of supplies and equipment. No bicycle parking is proposed to be removed as a result of the proposed shed building construction. No additional bicycle parking demand will be generated by the development of the shed building. The applicable provisions of *TDC 73C* are satisfied.

73C.130 Parking Lot Driveway and Walkway Minimum Requirements

RESPONSE: As discussed above, walkways will be provided in accordance with Commons on the Tualatin River project plans approved through AR 18-0007. As shown on the attached Site Plan, attached Exhibit A, an on-grade entrance to the proposed Building G is planned to accommodate the maintenance vehicle. The existing parking lot driveway will continue to serve the remaining parking adjacent to proposed Building G. The applicable provisions are satisfied.

Chapter 73D – Waste and Recyclables Management Standards

RESPONSE: A waste and recyclables storage facility located on the site between Buildings A and B, was reviewed and approved by the waste and recycling service provider, Republic Services, and approved through AR 18-0007. For this application, Republic Services, has reviewed the site plan for the proposed storage shed and has confirmed that adequate service remains available to the site. A service provider letter from Republic Services is attached as Exhibit D. The applicable provisions are satisfied.

Chapter 74 – Public Improvements Requirements

RESPONSE: The overall subject site of Commons on the Tualatin River has frontage on both Nyberg Lane, which is classified as a Minor Collector, and Nyberg Road, which is classified as an Arterial. Access to the site, as approved through AR 18-0007, will be provided by a primary driveway entrance on Nyberg Lane. Public improvements were identified through the earlier application and review process, and approved as provided in AR 18-0007. No alterations to the previously required and approved public improvements are needed or proposed to accommodate Building G. The applicable provisions are satisfied.

Chapter 75 – Access Management

RESPONSE: While the overall subject property, Commons on the Tualatin River, has frontage on the existing SW Nyberg St. and SW Nyberg Ln. public rights-of-way, the proposed Building G does not abut a public right-of-way. The proposed storage building is planned for a location at the north end of the site and will be accessed via on-site drive aisles approved through AR 18-0007.

As part of the 2018 approval, the overall site has a private driveway entrance and a system of drive aisles to provide safe and efficient access to all buildings on the subject property, and will accommodate the proposed Building G. No changes to site access are proposed through this Architectural Review application. A Tualatin Valley Fire & Rescue service provider letter confirming adequate access is provided as Exhibit D. The applicable provisions are satisfied.

CONCLUSION

As proposed, this Architectural Review application for Building G, a maintenance storage building, demonstrates through a combination of the findings in this narrative and supporting substantial evidence that applicable standards and criteria of the *Tualatin Development Code* are satisfied. The Applicant thereby respectfully requests approval of this land use application.