



# Oregon

Tina Kotek, Governor

Department of Transportation

Transportation Region 1

123 NW Flanders St.

Portland, OR 97209-4012

(503) 731-8200

Fax: (503) 731-8259

September 7, 2023

ODOT # 11988

## ODOT Updated Response

<b>Project Name:</b> Autumn Sunrise Townhomes	<b>Jurisdiction:</b> City of Tualatin
<b>Applicant:</b> AKS Engineering & Forestry	<b>Jurisdiction Case #:</b> AR23-0009
<b>Site Location:</b> SW Norwood Rd & I-5 (Map 2S135D, Tax Lots 400, 401, 500, 501, 600, 800, and 900; Map 2S135DA, Tax Lots 100, 1700, 1800, and 8900-11000)	<b>State Highway:</b> I-5

The site of this proposed land use action is adjacent to Interstate 5. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

- ODOT has determined there will be no significant impacts to state highway facilities and no additional state review is required.

### COMMENTS/FINDINGS

ODOT has received notice of an Architectural Review application for the attached single-family dwellings/townhomes within the Autumn Sunrise Subdivision (approved under City of Tualatin's local case file SB 21-0001). During review of SB 21-0001, ODOT reviewed the Preliminary Stormwater Report prepared by AKS Engineering & Forestry dated July 2021. ODOT was satisfied with the findings in the report and required permitting for connections to the state drainage facilities for the site's natural drainage that enters ODOT right-of-way.

The current townhome project appears to propose a connection to the Autumn Sunrise Subdivision's stormwater facility permitted under ODOT's file #2BM46551. Therefore, this proposal requires no additional review. If there is a change to the scope of the permit, the applicant should contact District 2B and a new ODOT Utility Permit may be required.

**Please send a copy of the Notice of Decision including conditions of approval to:**

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

[ODOT\\_R1\\_DevRev@odot.oregon.gov](mailto:ODOT_R1_DevRev@odot.oregon.gov)

Development Review Planner: Melissa Gonzalez	<a href="mailto:melissa.gonzalez-gabriel2@odot.oregon.gov">melissa.gonzalez-gabriel2@odot.oregon.gov</a>
District Contact: District 2B	<a href="mailto:d2bup@odot.oregon.gov">d2bup@odot.oregon.gov</a>

**From:** Pauly, Daniel <pauly@ci.wilsonville.or.us>  
**Sent:** Friday, August 18, 2023 2:18 PM  
**To:** Keith Leonard  
**Cc:** Pepper, Amy; Bateschell, Miranda  
**Subject:** AR23-0009 Autumn Sunrise Townhomes Comments

Good Afternoon Keith

On behalf of the City of Wilsonville I submit the following comment on AR23-0009. Thank you for the opportunity to comment.

The stormwater report included with the request is still “preliminary”. During review of the public works permit or other similar construction permits, coordination should be done with the City of Wilsonville regarding downstream impact that flows into Wilsonville’s jurisdiction.

**Dan Pauly, AICP** *(he/him)*  
Planning Manager  
City of Wilsonville

503.570.1536  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)  
[www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us)  
[Facebook.com/CityofWilsonville](https://www.facebook.com/CityofWilsonville)



29799 SW Town Center Loop East, Wilsonville, OR 97070

*Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law*

**From:** G Lucini <grluci@gmail.com>  
**Sent:** Saturday, August 12, 2023 9:14 AM  
**To:** Keith Leonard  
**Cc:** John Lucini  
**Subject:** Lucini-Citizen Comments Architectural Review AR 23-0009 Autumn Sunrise Subdivision

8-12-2023

Keith Leonard, City of Tualatin Planning Division

**RE: Architectural Review AR 23-0009 Autumn Sunrise Townhomes**

For Public Record

We appreciate the opportunity to present a concern regarding the Architectural Review application AR 23-0009 for the Lennar Autumn Sunrise Development. This application includes a significant amount of information pertaining to stormwater management analysis and planning.

The issue we present is within the scope of the City of Tualatin's Architectural Review process as our concerns center upon the planning for and provision of Public Services and Facilities as part of the development of the residential subdivision. The City is required to ensure the timely and effective provision of Stormwater Management Planning as a Public Service.

**We request the City of Tualatin confirm/ enforce the Conditions of Approval as specified within SB 21-0001 for the Lennar Autumn Sunrise Subdivision. This would include compliance with Condition of Approval #36- a requirement which impacts stormwater management**

planning, coordination, and integration to provide timely and effective service when needed not only on-site but also downstream during the construction of the subdivision.

#### CONDITION OF APPROVAL #36 SB21-0001

36) A gated emergency vehicle access from the south end of SW "G" Street to SW Boones Ferry Road must be constructed to TVF&R's requirements that must be constructed prior plat approval for Phase 3. An emergency vehicle gate must be installed at the end of the constructed SW "G" Street and the access intersection with SW Boones Ferry Road which must be removed prior to acceptance of public improvements in Phase 3. Prior to construction of the Autumn Sunrise Phase 2 temporary emergency access onto SW Boones Ferry Road, the applicant must abandon the existing stormwater outfall releasing flows onto Tax Lot 2S135CD00302 and reroute all upstream flows to Autumn Sunrise's existing southwest stormwater discharge point.

It is stated within the Executive Summary of the submitted Application Narrative for AR 23-0009 **"The approved phasing is not changing with this application and all the conditions of approval can still be met after approval of this application."**

However, we could not locate within the AR 23-0009 application –(as posted to the City's website) comment within the Stormwater Documents indicating acknowledgement of Condition of Approval #36, nor any comment within the documents regarding the required abandonment of the stormwater outfall. Yet the required abandonment of the stormwater conduit impacts stormwater flow and management within the NE portion of the Basalt Creek Area- and should be presented as a changing existing element within a proposed effective Stormwater Plan.

The Tax Lot # 2S135CD00302 identified in Condition of Approval #36, is our property and where our home is located. It is downstream from the Autumn Sunrise development. We have been previously flooded from stormwater flowing from the east side of SW Boones Ferry Road via the two stormwater intakes on the Autumn Sunrise ROW and through a stormwater conduit under SW Boones Ferry Road. The abandonment of the outfall was to help address this stormwater management problem.

Condition #36 assisted in resolving the lack of an adopted stormwater management plan for the Basalt Creek Area by the City of Tualatin and the need to help protect downstream citizens, property and Natural Resources from negative stormwater impacts including flooding, erosion and land instability on the Canyon's steep slopes from stormwater flow.

- Condition #36 identified specific construction event timeframes- and requirement that the abandonment of the conduit shall occur **prior to these construction events.**
- However, it appears some of the construction event timestamps identified within Condition #36 have already commenced. As of this date, the outfall has not yet been abandoned.
- We continue to communicate with Lennar Development to identify when to expect the outfall is to be abandoned.

As of August 2, 2023, we were informed by Lennar, **“Work should start around August 16th or 17th – and be done around August 21st or 22nd. (give or take a day or two)”**

It is our hope that Lennar will be able to complete the abandonment of the stormwater outfall onto our property within the dates they provided.

However, since Lennar states the date when the outfall should be completely abandoned occurs **after** the deadline for submissions regarding AR 23-0009 -which is August 19th- it is necessary at this time to inform the City that all aspects of SB21-0001 Condition of Approval #36 have not yet been completed, while construction of Phase 2 appears have already started and several construction vehicles access the western portion of the property by Greenhill Lane or via Horizon Church gravel road off of SW Boones Ferry Road as opposed to the temporary access road off of SW Boones Ferry Road- as stipulated in Condition #36.

Due to the expansive amount of grading being conducted on Autumn Sunrise Phases 2-4 and the virtual absence of any existing stormwater infrastructure - there are concerns as to negative impacts of stormwater flow and downstream erosion prior to the construction of stormwater infrastructure within Phases 2-4 when previously existing stormwater buffers have been removed. (i.e., undulations of land, vegetation etc.)

These concerns are supported by the comments within the GeoPacific "Geotechnical Engineering Report -Autumn Sunrise Subdivision Phase 1 & 2", included within the AR23-0009 application materials.

### **Section 6.5 Erosion Control Considerations**

Erosion and sedimentation of exposed soils can also be minimized by quickly re-vegetating exposed areas of soil, and by staging construction such that large areas of the project site are not denuded and exposed at the same time. Areas of exposed soil requiring immediate and/or temporary protection against exposure should be covered with either mulch or erosion control netting/blankets. Areas of exposed soil requiring permanent stabilization should be seeded with an approved grass seed mixture, or hydroseeded with an approved seed-mulch-fertilizer mixture.

**As our property, and the wetlands below, maybe continue to be downstream from the significant grading already being conducted on Phases 2-4-- we request the City to confirm the stormwater outflow which discharges onto our property from the east side of SW Boones Ferry Road- will be abandoned as required in SB 21-0001 Condition #36- in a timely manner- and completed prior to the next significant rain.**

Our written submission is presented to the City of Tualatin Planning Department within the 14-day Public Comment Period ending at 5pm on August 19, 2023 (as specified within the Notice Mailed to surrounding property owners).

We request a Notice of the Architectural Review decision and a reply from the City as to the concerns presented.

Respectfully submitted,

John and Grace Lucini

23677 SW Boones Ferry Road

Tualatin, OR 97062

**From:** Sherilyn Lombos  
**Sent:** Friday, August 18, 2023 8:13 PM  
**To:** S BELL  
**Cc:** Keith Leonard; Council; Steve Koper  
**Subject:** RE: Case File: AR23-0009 - Autumn Sunrise Subdivision Townhomes - kleonard@tualatin.gov has been tried several times & does not work!

Hello!

Unfortunately the first set of emails you sent used the address [keithleonard@tualatin.gov](mailto:keithleonard@tualatin.gov), which is not a valid email; however, the good news is that the email on the notices were correct, and your email has received the City.

*Sherilyn Lombos*

Tualatin City Manager  
Desk: 503.691.3010 | Mobile: 971.998.4127

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**From:** S BELL <[spoetree7@comcast.net](mailto:spoetree7@comcast.net)>  
**Sent:** Friday, August 18, 2023 7:14 PM  
**To:** Keith Leonard <[kleonard@tualatin.gov](mailto:kleonard@tualatin.gov)>; Council <[council@tualatin.gov](mailto:council@tualatin.gov)>  
**Subject:** Case File: AR23-0009 - Autumn Sunrise Subdivision Townhomes - [kleonard@tualatin.gov](mailto:kleonard@tualatin.gov) has been tried several times & does not work!

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OK, the Blue Notice sent to my home says to send comments to [kleonard@tualatin.gov](mailto:kleonard@tualatin.gov). It is obviously a misprint - I wonder if anyone's comments got through???

I expect another notice will go out with an extension date to allow for residents to log in comments????

Note: I also called an alternative phone # on Keith Leonard's voice mail recording - 503-691-3026 and have received no response.

S Bell

From: S BELL <[spoetree7@comcast.net](mailto:spoetree7@comcast.net)>  
To: "[KeithLeonard@tualatin.gov](mailto:KeithLeonard@tualatin.gov)" <[KeithLeonard@tualatin.gov](mailto:KeithLeonard@tualatin.gov)>  
Date: 08/16/2023 8:00 PM PDT  
Subject: Case File: AR23-0009 - Autumn Sunrise Subdivision Townhomes

OK, so we want to allow buildings for many more people to live near Boones Ferry Road, & Greenwood Lane to Norwood Road. It is putting the cart before the horse and does not indicate good planning on anyone's part.

Surely it makes perfect sense to **put a "hold" on such development until we actually have our traffic issues taken care of. A traffic light will simply let more people onto Boones Ferry to join the long line from the I5 Freeway backed up towards Tualatin High School. More vehicles will just make the traffic situation worse.**

We NEED to construct a way for people to leave their homes to go south on I5, or to other places out of the city before traffic becomes impossible. I wonder what our neighbors (Wilsonville, etc.) feel about the traffic jams and the **air pollution generated** by even more vehicles, idling & waiting long times to move forward.

**It is a disaster waiting to happen and in an Emergency, people (Tualatin residents) will be trapped, unable to get out of the area.** - Think about it ! - Many could die.

In addition, so far there is no evidence that an extra reservoir is being built. That, too, needs immediate attention before this proposed housing is occupied. Interesting that the city deemed it necessary for larger pipes to carry water **away** from the current reservoirs towards downtown. What about needed water for the influx of so many more residents in the newly built houses?

What is planned for additional services, like fire dept., police, garbage trucks, delivery trucks, etc. There will be more vehicles trying to find leeway on Boones Ferry to travel anywhere in the area. **A safety issue!**

How can we in good conscience put up houses for new residents who will have to struggle daily to exist because the city ignored or did not give adequate attention to doing the most important things first, **before they allowed more complications.**  
– Already existing residents will be impacted greatly!

Also, how many times can we dig up Boones Ferry to do something that should have been done in the first place. Handicap access corners were just barely done when the road was torn up again. Some of those corners were not done correctly to allow handicapped use and DO need redone but who supervises this duplicate effort??? How often do the taxpayers need to foot the bill for poor planning? Any suggestion of alterations to the road and surrounding area should be carefully studied

for any future needs. Re-doing is just negligence and a waste of taxpayers money, not to mention the inconvenience of traffic delays, etc.

Please have someone who really knows what they are doing carefully plan a way to prevent this disaster currently under consideration. If need be, hire someone from out of our area that has been successful in this type of planning, if we don't have anyone with the expertise.

Also, there seems to be a general opinion that AKS & Lennar Northwest, Inc are out of town and/or out of state developers. The only seemingly apparent reason that they should be allowed to take more importance over residents, is the \$ they bring to the city. Residents are the lifeblood of our cities -- developers should not be able to make these contracts solely on the fact that they are initially generating revenue

S Bell - Iowa Drive.