



Tualatin Valley Water District Garden Home Reservoir Land Use Decision Appeal

July 14, 2011



- **Service area:**

- Public agency with publicly-elected Board of Commissioners
- Water service to 200,000 people
- Unincorporated areas of Washington County and portions of Cities of Beaverton, Hillsboro and Tigard

- **Water system**

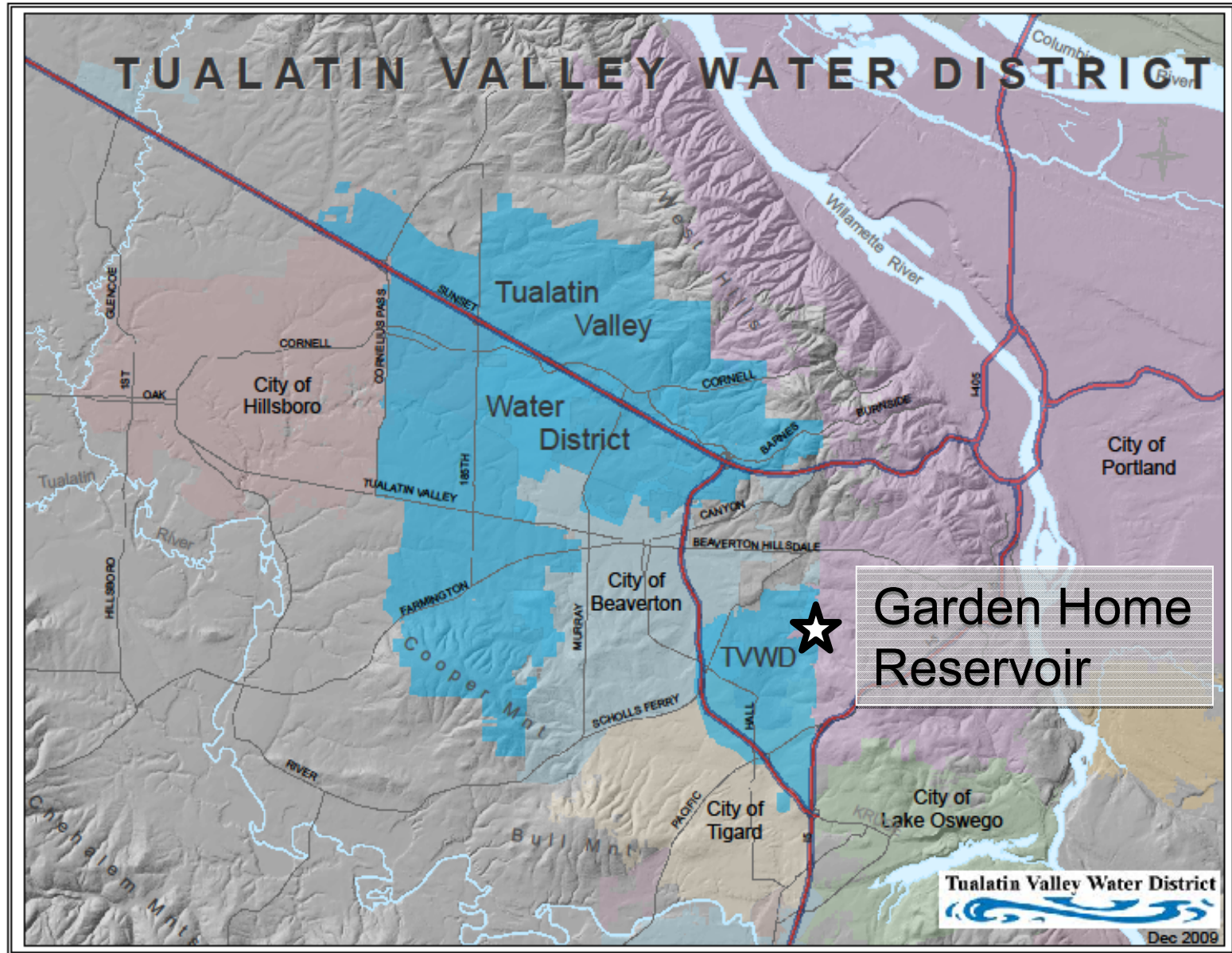
- Second largest water provider in Oregon
- 760 miles of pipelines, 12 pump stations, 24 reservoirs

- **Sources include Portland, JWC & ASR**

- Portland's largest wholesale customer
- TVWD's Portland "water bill" ~ \$6,000,000 per year



TVWD Service Area





Existing Reservoirs



- **Existing Reservoirs**

- Constructed in 1952 and 1962
- Each tank ~ 0.5 million gallons
- Steel tanks



- **Limitations**

- Near end of economic life
- Do not meet seismic requirements
- Upgrade cost similar to replacement
- Do not provide needed capacity





Garden Home Reservoir



Proposal

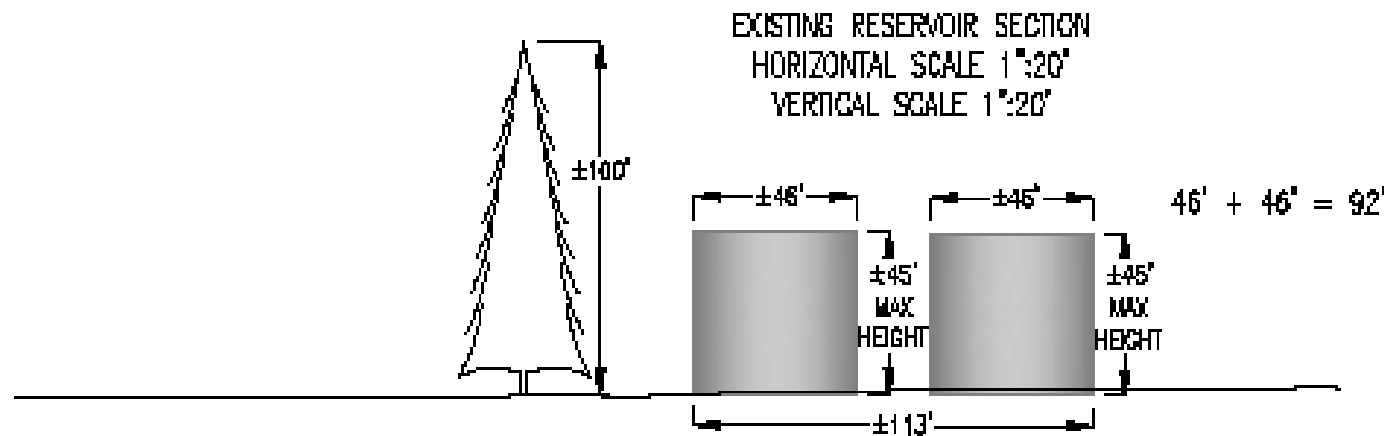
- Demolish existing tanks
- Construct new single 2 MG concrete tank
 - Similar height
 - Similar width
- Increase landscaping
- Keep park-like amenities

Benefits of Existing Site

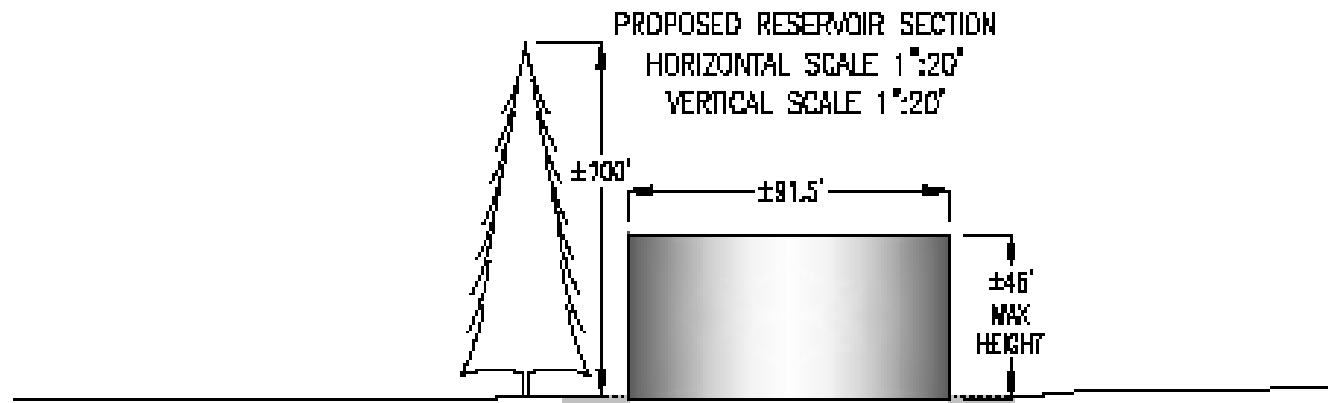
- No need to change existing use on site
- Improved structural reliability of tank
- Connecting piping already in place & adequately sized
- Provides gravity supply to most of Metzger service area



Similar Height and Total Width



EXISTING RESERVOIRS SECTION



PROPOSED RESERVOIR SECTION





Existing Reservoirs



TVWD Garden Home Reservoir Site
view from SW 62nd Place - looking East
Existing Conditions



Proposed Reservoir



At Planting

TVWD Garden Home Reservoir Site
view from SW 62nd Place - looking East
At Planting



Proposed Reservoir



At Maturity

TVWD Garden Home Reservoir Site
view from SW 62nd Place - looking East
At Maturity



Neighborhood Outreach Resulted in Revised Proposal

- **First Neighborhood Meeting** - June 30, 2010
 - Attended by ~ 12 neighbors; limited feedback by neighbors
- **Conditional Use Application** – January 25, 2011
 - Staff report mailed; neighbors comment to City staff
- **Second Neighborhood Meeting** – February 10, 2011
 - Attended by ~ 25 neighbors; identified additional concerns
- **Public Hearing** – February 16, 2011
 - TVWD requested record be held open for 60 days
- **Additional Neighborhood Outreach** – February & March 2011
 - Site plan and landscaping plan modified to reflect concerns
 - Increased landscaping, screening, neighborhood amenities
 - Eliminated need for requested variance to landscape buffer
- **Third Neighborhood Meeting, Open House** – March 30, 2011
 - Open house, meet with designers, markup plans



First Issue on Appeal – Compatibility (33.815.105.B)

Hearings Officer did not err by finding the proposal to be compatible with residential neighborhood

1. Institutional Development Standards define compatibility
 - Purpose Statement expressly addresses compatibility in R-zone
 - Standards address conditional use compatibility characteristics
2. Compatibility Characteristics Viewed “On Balance”
 - HO correct that project is compatible overall
 - HO not correct that project is not compatible for “style”
3. Mitigation Is an Option
 - HO’s mitigation finding has not been challenged
 - Significant landscaping mitigates potential impacts



33.815.105 Institutional and Other Uses in R Zones

These approval criteria apply to all conditional uses in R zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in a residential zone that maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:

* * *

B. Physical compatibility.

1. The proposal will preserve any City-designated scenic resources; and
2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, and landscaping; or
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.



33.110.245 Institutional Development Standards

A. Purpose. The general base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in single-dwelling zones. **The intent is to maintain compatibility with** and limit the negative impacts on **surrounding residential areas.**

B. Use categories to which these standards apply. The standards of this section apply to uses in the institutional group of use categories, whether allowed by right, allowed with limitations, or subject to a conditional use review. The standards apply to new development, exterior alterations, and conversions to institutional uses. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.

C. The standards.

1. The development standards are stated in Table 110-5. If not addressed in this section, the regular base zone development standards apply.



33.815.105 Institutional and Other Uses in R Zones

These approval criteria apply to all conditional uses in R zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in a residential zone that maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:

* * *

B. Physical compatibility.

1. The proposal will preserve any City-designated scenic resources; and
2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, and landscaping; **or**
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.



Second Issue on Appeal – Floor Area Ratio (33.110.245.C)

Hearings Officer did not err by finding the proposal to have an FAR of 0.27

1. Replacement Tank Has Only One floor
 - Code does not define “floor”
 - “Floor” is “base level of a room” or “lower inside surface of a hollow structure”
2. FAR Regulates Intensity of Use and Works *With* Height
 - Replacement tank is a very passive use
 - Intensity does not change based on height or number of “floors”
3. Other Interpretations Would Set Bad Precedent





Additional Storage Needs

Metzger 426 Storage Requirement, MG

