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NOTICE OF DECISION

On February 10, 2016 the City of Tualatin approved with conditions AR 15-0024 for Brew Dr. Kombucha located at 12241 SW Myslony St (Tax Lot: 2S122CC100).

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: 2/11/2016

Date a Request for Review must be filed: 2/25/2016

File: AR-15-0024



City of Tualatin

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February 10, 2016

ARCHITECTURAL REVIEW FINDINGS AND DECISION

**** APPROVAL WITH CONDITIONS ****

Case #:	AR-15-0024
Project:	Brew Dr. Kombucha Site Improvements
Location:	12241 SW Myslony St (Tax Lots 2S1 22CC 100)
Applicant:	Matt Thomas, 503-367-8921; Corey Omey, Ernest R. Munch 503-224-1282

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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.

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I. INTRODUCTION

Brew Dr. Kombucha, represented by Ernest R. Munch Architecture proposes a renovation of an existing 50,750 sq ft industrial building (Building B) at 12241 SW Myslony Street, Tualatin, Oregon. The property is owned by Tualatin Sleep LLC and is located in the General Manufacturing (MG) Planning District. The subject site is approximately 138,520 sq ft and shares access with Building A on Tax Lot 2S1 22CC 100.

Proposed site improvements include new screening for garbage/recycling area on east side of the building, new screening for mechanical pad on north side of building (approved through MAR15-0023, new paint on building exterior and doors, new lighting, new outdoor employee area, re-allocation of parking, and addition of roof top mechanical unit and fans.

The neighborhood/developer meeting was May 20, 2015. There were thirteen people in attendance. No comments were recorded.

Staff received no comment from among property owners within 1,000 ft of the subject property, including pursuant to Tualatin Development Code (TDC) 31.064(1) within any residential subdivisions platted through the City.

II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented, AR-15-0024 is approved, subject to the following Architectural Review conditions:

- AR-1 Provide striped 5-foot wide walkways as illustrated on Sheet A0.4 where walkways cross parking areas, drive aisles, and loading areas. TDC 73.160(1)(b)
- AR-2 Revise relevant plan sheets to show curb ramps will be provided wherever a walkway or accessway crosses a curb. TDC 73.160(1)(c)
- AR-3 Install roll up door with windows at loading dock #8 on the east elevation as proposed on Sheet A3.2. TDC 73.160(3)(a)
- AR-4 Revise plans to show building address location on building elevation. TDC 73.160(3)(d)
- AR-5 Revise plans to provide opaque screening matching or exceeding the height of any rooftop mechanical or electrical equipment. TDC 73.160(4)(a)
- AR-6 Revise plans to specify the garbage and recycling area will be constructed of cedar as noted on Sheet A0.4. TDC 73.227(6)(b)(iii)
- AR-7 Include landscaping plan that demonstrates landscaping will be replaced/install to match the landscape plan that was approved through AR98-11. The Planning Department will inspect landscape installation prior to issuance of final Certificate of Occupancy. TDC 73.240
- AR-8 Include plans showing all landscape areas will be irrigated and install an automatic, underground drip irrigation system prior to issuance of final Certificate of Occupancy.
- AR-9 Revise plans to extend the stall striping to the standard depth of 18.5 ft or to easement extents. TDC 73.380(1)
- AR-10 The applicant shall comply with the incorporated Public Facilities Recommendation (PFR) from the Engineering Division.

Notes:

- The applicant must submit sign permit applications separately from this AR for any proposed signage.
- All building exterior improvements approved through the Architectural Review Process must 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's approval. 73.100(2)
- All landscaping approved through architectural review (AR) must be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially

similar to that originally approved by the AR decision, unless subsequently altered with Community Development Director's approval. 73.100(1)

- The site development and uses must comply with the noise limits of 63.051(1).
- The plan size (24 x 36 inches) and ledger (11 x 17 inches) plan sets must be folded, not rolled.
- 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 (CO). 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. FINDINGS

Reviewing this application in terms of the Tualatin Development Code (TDC) and other ordinances, the following findings are relevant. All references are to sections in the TDC unless otherwise noted.

A. Previous Land Use Actions:

- MAR-15-0019 removal of two west entrances with temporary enclosures.
- MAR-15-0023 infill of two existing west entrances and new concrete mechanical pad with screened fence on north side of building
- AR-98-11 construction of two industrial buildings at 12205-12225 SW Myslony Avenue.

B. Other Permit Actions:

Clean Water Services (CWS) Service Provider Letter (SPL) No. 15-003018, September 21, 2015.

C. Planning Districts and Adjacent Land Uses:

The subject property is located within the General Manufacturing (MG) Planning District manufacturing, wholesaling, and warehousing uses and ancillary commercial office, retail, and service uses are permitted pursuant to TDC 61.020. Adjacent planning districts and land uses are:

N: MG Englander Tualatin Sleep Products (Tualatin Sleep LLC)
E: MG Glacier Northwest Inc (SW Industrial Park LLC)
S: MG Albina Pipe Bending Company, Inc. (WHS Realty Holdings LLC and KLS Realty Holdings LLC) and Graphic Expressions (Richards Property LLC)
W: MG Tufcoat/ Pro Powder (Versus Properties LLC)

D. Lot Sizes:

61.050

- (1) The minimum lot area shall be 20,000 square feet.**
- (2) The minimum lot width shall be 100 feet.**
- (3) The minimum average lot width at the building line shall be 100 feet.**
- (4) The minimum lot width at the street shall be 100 feet.**
- (5) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in Section 73.400(9) to (12).**
- (6) The minimum lot width at the street shall be 50 feet on a cul-de-sac street.**

31.060 Definitions

“Lot Line, Rear.” A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular, or other-shaped lot, a line ten feet in length within the lot, parallel to and at a maximum distance from the front lot line. On a corner lot, the shortest lot line abutting adjacent property that is not a street shall be considered a rear lot line.

“Lot Width.” The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line, at the center of the lot, or, in the case of a corner lot, the horizontal distance between the front lot line and a side lot line.

“Lot Width, Average.” The sum of the length of the front lot line and the rear lot line divided by 2.

The total site area is 138,520 sq ft, exceeding the requirement of (1). The lot width, the average lot width at the building line, and the lot width at the street are all approximately 360 ft, meeting the requirements of (2), (3) and (4). The site is not a flag lot, nor is it on a cul-de-sac, and therefore (5) and (6) do not apply.

E. Setback Requirements:

61.060(1) Front yard. The minimum setback is 30 feet. When the front yard is across the street from a residential or Manufacturing Park (MP) District, a front yard setback of 50' is required.

61.060(2) Side yard. The minimum setback is 0 to 50 feet, as determined through the Architectural Review process.

61.060(3) Rear yard. The minimum setback is 0 to 50 feet as determined through the Architectural Review process. When the rear yard is adjacent to a property line or across the street from a residential or Manufacturing Park (MP) district, a rear yard setback of 50 feet is required.

61.060(4) Corner lot yards. The minimum setback is the maximum setback prescribed for each yard for a sufficient distance from the street intersections and driveways to

provide adequate sight distance for vehicular and pedestrian traffic at intersections and driveways, as determined through the Architectural Review process.

The building is an existing structure. Based on the above definitions and as shown on the site plan, the setbacks in feet are:

<i>Yard</i>	<i>Front</i>	<i>Rear</i>	<i>Side 1</i>	<i>Side 2</i>
<i>Direction</i>	South	North	West	East
<i>Minimum Required</i>	30'	0 to 50'	0 to 50'	0 to 50'
<i>Proposed</i>	30' 10"	65'	72' 3"	114'

The proposal exceeds the minimum criteria.

61.060(5) The minimum parking and circulation area setback is 5 feet, except when a yard is adjacent to public streets or Residential or Manufacturing Park District, the minimum setback is 10 feet. No setback is required from lot lines in ingress and egress areas shared by abutting properties in accordance with TDC 73.400(2).

The site plans indicate surface parking set back at least 30 ft from SW Myslony Street and approximately 9.5 ft from east and west property lines. The property shares a reciprocal access easement to an abutting property under the same ownership on the north boundary, meeting the requirement. The lot does not adjoin a residential or MP Planning District.

61.060(8) No fence shall be constructed within 10 feet of a public right-of-way.

The existing parking lot fencing is aligned with the south building wall which is 30 ft from the public right of way, meeting this standard.

F. Sound Barriers

Section 61.075 Sound Barrier Construction.

(1) Sound barrier construction shall be used to intercept all straight-line lateral paths of 450 feet or less between a residential property within a residential planning district and any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway.

No doorways on the proposed building are within 450 ft of a residential property. Therefore, the standard does not apply.

G. Structure Height:

61.080(1) Except as provided in subsection (2), (3) or (4) of this Section, no structure within an MG District shall exceed a height of 60 feet and flagpoles which display the flag of the United States of America either alone or with the State of Oregon flag shall not exceed 100 feet above grade provided that the setbacks are not less than a distance equal to one and one-half times the flagpole height.

The exterior elevations (Sheet A3.1) show the existing building height is 29 ft. The proposal meets the requirement.

H. Site Planning:

31.060 Definitions

Accessway. A non-vehicular, paved pathway designed for pedestrian and bicycle use and providing convenient linkages between a development and adjacent residential and commercial properties and areas intended for public use such as schools, parks, and adjacent collector and arterial streets where transit stops or bike lanes are provided or designated. An accessway is not a sidewalk.

Bikeway. Any street, road, path or way open to bicycle travel regardless of whether such facilities are designated for the preferential use of bicycles or are to be shared with other transportation modes.

Walkway. A pedestrian facility which provides a paved surface for pedestrian circulation within a development. A walkway may be shared with bicycles and may cross vehicle areas.

73.160 The following standards are minimum requirements for commercial, industrial, public and semi-public development and it is expected that development proposals shall meet or exceed these minimum requirements.

(1) Pedestrian and Bicycle Circulation.

(b) For Industrial Uses:

(i) a concrete or asphalt paved pedestrian walkway shall be provided from the main building entrance to sidewalks in the public right-of-way and other on-site buildings and accessways. The walkway shall be a minimum of 5 feet in width.

(ii) walkways through parking areas, drive aisles and loading areas shall have a different appearance than the adjacent paved vehicular areas.

(iii) accessways shall be provided as a connection between the development's walkway and bikeway circulation system and an adjacent bike lane.

(v) Outdoor Recreation Access Routes shall be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.

A bike lane does not exist along the subject site's frontage on SW Myslony, therefore the accessway standard is not applicable.

The site plan (Sheet A0.4) illustrates a 5-foot wide walkway from the public sidewalk on SW Myslony to the building entrance with a connection to Building A to the north. Walkways that cross parking areas, drive aisles, and loading areas on the west and north side of the site are denoted as a 5 ft wide striped paths. This standard is met.

Condition of Approval: Provide striped 5-foot wide walkways as illustrated on Sheet A0.4 where walkways cross parking areas, drive aisles, and loading areas.

(c) Curb ramps shall be provided wherever a walkway or accessway crosses a curb.

Applicant's response: See Enlarged ADA Parking 2/A2.6 for proposed curb ramp at the relocated ADA parking spot. All other existing sidewalks to remain, no changes proposed.

Two ADA parking spots are to be relocated to the SW parking area. Plans denote that curb ramps are proposed for these ADA spots. It is unclear if curb ramps are provided in other instances where a walkway or accessway crosses a curb.

Condition of Approval: Revise relevant plan sheets to show curb ramps will be provided wherever a walkway or accessway crosses a curb.

(d) Accessways shall be a minimum of 8 feet wide and constructed in accordance with the Public Works Construction Code if they are public accessways, and if they are private accessways they shall be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable.

While Myslony is designated a Major Collector Street within the Tualatin Transportation System Plan, there are no designated transit stops or bike lanes. This standard does not apply.

(2) Drive-up Uses

The use proposed does not include a drive-up facility. This section does not apply.

(3) Safety and Security

(a) Locate windows and provide lighting in a manner which enables tenants, employees and police to watch over pedestrian, parking and loading areas.

Applicant's Response: See Existing Site Plan 1/A0.1 for existing light fixtures. There are 5 free standing, down lit light poles along the east side of the property and 6 wall mounted fixtures around the perimeter of the building. The pole lights provide adequate lighting in the east parking and loading area with no change proposed. The existing wall mounted light fixtures will be replaced per bidder designed specification and additional lights will be added. See Proposed Site Plan on 1/A0.4 and Proposed Exterior Elevations on Sheet A3.2. See also, Proposed Photometric Plan provided by Lighting Contractor on sheet L-1. The building is existing and window locations were found to be sufficient with AR 98-11. The applicant was granted approval to remove entrances and windows on the west elevation in three instances through MAR 15-0019. A bank of windows would remain on the west elevation near the north location, and two banks of windows would remain in the central portion, allowing for opportunities to watch over pedestrian and parking areas. The Applicant additionally states that a new roll up door with windows is proposed at loading dock #8 on the east elevation as part of Phase 4 on Sheet A3.2.

Lighting appears to be sufficient, as the existing wall mounted lighting is to be replaced by 16 units, demonstrated on Sheet A0.4 and Sheet L-1. This standard has been met.

Condition of Approval: Install roll up door with windows at loading dock #8 on the east elevation as proposed on Sheet A3.2.

(b) In commercial, public and semi-public development and where possible in industrial development, locate windows and provide lighting in a manner which enables surveillance of interior activity from the public right-of-way.

Applicant's Response: Two existing recessed storefront entrances will be removed and infilled on the west side of the building to fulfill program requirements. See West Elevation 4/A3.2 for proposed modifications. Existing entrances "E" and "F" will be infilled to match the color and texture of the surrounding wall. An insulated framed wall will finish out the interior of this space to increase the thermal performance for the fermentation room. Windows are not appropriate at this location. The wall below the storefront will be infilled to match the color and texture of the surrounding wall.

See staff comments and the condition of approval regarding 73.160(3)(a) above.

(c) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way without shining into public rights-of-way or fish and wildlife habitat areas.

The site is not located near a fish or wildlife habitat area. Lighting appears to be sufficient, without shining on public right of way as shown on Sheet L-1. This standard has been met.

(d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services.

It is not clear that a building address is located on the building that is clearly visible for building users and the adjacent right of way.

Condition of Approval: Revise plans to show building address location on building elevation.

(e) Shrubs in parking areas must not exceed 30 inches in height. Tree canopies must not extend below 8 feet measured from grade.

Landscaping was approved through AR-98-11 and shall be maintained as such. Applicant shall evaluate existing conditions and replant vegetation that has deteriorated or died.

73.160(4)(a) On and above grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners shall be screened with sight obscuring fences, walls or landscaping.

Applicant Response: See Enlarged Garbage and Recycle Plan 2/A2.9, Enlarged Mechanical Pad plan 1/A2.9 and description in above commentary for TDC 73.105(18).

Staff observes that 1/A2.9 and A3.2 demonstrate a 14 ft 6 in chain link fence with vision slats as a sight obscuring measure for the mechanical pad (MAR15-0023) located on the north side of the building. Current site plans and elevation do not show screening of existing or new rooftop electrical or mechanical equipment.

Condition of Approval: Revise plans to provide opaque screening matching or exceeding the height of any rooftop mechanical or electrical equipment.

Note: Vision slats shall be maintained and replaced as necessary on the mechanical sight obscuring fence along the north side of the building.

73.160(4)(b) Outdoor storage, excluding mixed solid waste and source separated recyclables storage areas listed under TDC 73.227, shall be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping.

Applicant's Response: Reference Proposed Site Plan 1/A0.4 and Enlarged Outdoor Storage Plan 5/A2.9; the outdoor storage area for compost is located on the west side of the building, adjacent to the brewing operations. The outdoor storage area will be screened and gated with a cedar fence. See 6,7 & 8/A2.9 for proposed plan and elevations.

This standard has been met.

I. Structure Design:

73.220(1)

(a) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way or other public areas.

(b) Provide an identification system, which clearly identifies and locates buildings and their entries.

(c) Shrubs in parking areas shall not exceed 30 inches in height, and tree canopies must not extend below 8 feet measured from grade, except for parking structures and underground parking where this provision shall not apply.

Staff discussed similar requirements in reviewing compliance with 73.160(3) above.

J. Mixed Solid Waste and Source Separated Recyclables Storage Areas:

73.227(2)(a)(i) The storage area requirement is based on the area encompassed by predominant use(s) of the building (e.g., residential, office, retail, wholesale/warehouse/manufacturing, educational/institutional or other) as well as the area encompassed by other distinct uses. If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building shall be the sum of the area of each use.

The building will have one tenant. The calculation below in section 73.227(2)(a)(v) explains the required solid waste storage area for the building. This standard is met.

**73.227(2)(a)(v) Commercial, industrial, public and semi-public developments shall provide a minimum storage area of 10 square feet plus:
 Office - 4 square feet/1000 square feet gross leasable area (GLA);
 Retail - 10 square feet/1000 square feet GLA;
 Wholesale/Warehouse/Manufacturing - 6 square feet/1000 square feet GLA;
 Educational and institutional - 4 square feet/1000 square feet GLA;
 and other - 4 square feet/1000 square feet GLA.**

Applicant's Response: Total required = 297 sq ft; Total proposed = 625 sq ft

Use	Sq Ft	Applied Rate	Storage Area (Sq Ft)	
			Required	Proposed
Warehouse	26,979	[26,979/ 1,000]*6	162	625
Production	18,716	[18,716/ 1,000]*6	113	
B Business	2,775	[2,775/ 1,000]*6	12	

An enlarged garbage and recycle plan was submitted as Sheet A2.9. Staff notes the proposal meets the requirement.

(5) Franchised Hauler Review Method. The franchised hauler review method provides for a coordinated review of the proposed site plan by the franchised hauler serving the subject property. This method can be used when there are unique conditions associated with the site, use, or waste stream that make compliance with any of the three other methods impracticable....

Applicant's Response: The design, location and size of the garbage and outdoor storage for compost has been approved by the local franchise waste hauler- see AR Packet for approval letter. See 2&5/A2.9 for enlarged plans.

Staff notes that the applicant has already shown that the proposal meets the minimum standards method. Nonetheless, the franchise haulers review is good assurance of a practical design and accessibility by the hauler.

73.227(6)(a) Location Standards

(iv) Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street.

(v) Exterior storage areas shall be located in central and visible locations on the site to enhance security for users.

(vi) Exterior storage areas can be located in a parking area, if the proposed use provides parking spaces required through the Architectural Review process.

(vii) Storage areas shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle traffic movement on site or on public streets adjacent to the site. Storage areas shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle traffic movement on site or on public streets adjacent to the site.

Staff notes that the proposed trash and recycling enclosure is located such that it meets the requirements.

73.227(6)(b) Design Standards

(iii) Exterior storage areas shall be enclosed by a sight obscuring fence or wall at least 6 feet in height. In multi-family, commercial, public and semi-public developments evergreen plants shall be placed around the enclosure walls, excluding the gate or entrance openings. Gate openings for haulers shall be a minimum of 10 feet wide and shall be capable of being secured in a closed and open position. A separate pedestrian access shall also be provided in multi-family, commercial, public and semi-public developments.

The applicant has complied with height and gate opening requirements. However, the applicant has provided conflicting details regarding fencing treatment. Sheets A2.9/A3.2 note chain link fencing with vision slats and Sheet A0.4 notes cedar gate and post. The proposed gates, made of chain link fence with slats, are not sufficiently sight obscuring to meet the intent of the code.

Condition of Approval: Revise plans to specify the garbage and recycling area will be constructed of cedar as noted on Sheet A0.4.

73.227(6)(c) Access Standards

- (i) Access to storage areas can be limited for security reasons. However, the storage areas shall be accessible to users at convenient times of the day, and to hauler personnel on the day and approximate time they are scheduled to provide hauler service.**
- (ii) Storage areas shall be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access. A minimum of 10 feet horizontal clearance and 8 feet vertical clearance is required if the storage area is covered.**
- (iii) Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow vehicles to safely exit the site in a forward motion.**

Because the application materials include a letter to the applicant from the waste hauler, Republic Services, confirming that the proposed trash enclosures are sufficient, and the application materials suggest no covering of the enclosures, the proposal meets the requirements.

K. Landscaping:

73.240(3) The minimum area requirement for landscaping for uses in CO, CR, CC, CG, ML and MG Planning Districts shall be fifteen (15) percent of the total area to be developed, except within the Core Area Parking District, where the minimum area requirement for landscaping shall be 10 percent. When a dedication is granted on the subject property for a greenway or natural area, the minimum area requirement for landscaping may be reduced by 2.5 percent from the minimum area requirement as determined through the AR process.

The site is located in the MG planning district. The applicant has stated that the site currently has 20,875 sq ft of landscaped area and is proposing 21,052 sq ft. Since the site is 138,520 sq ft, this complies with the minimum requirement of 15%.

(9) Yards adjacent to public streets, except as described in 73.240(7), shall be planted to lawn or live groundcover and trees and shrubs and shall be perpetually maintained in a manner providing a park-like character to the property as approved through the Architectural Review process.

Landscaping is existing; however the applicant has not submitted a landscaping plan. Staff conducted a site visit on February 4 which revealed that frontage along SW Myslony is landscaped but not maintained. Staff has conditioned the applicant to include a landscaping plan that demonstrates the applicant will replace/install landscaping to match the landscape plan that was approved through AR98-11. The Planning Department will inspect landscape installation prior to issuance of final Certificate of Occupancy.

Condition of Approval: Include a landscaping plan that demonstrates landscaping will be replaced/install to match the landscape plan that was approved through AR98-11. The Planning Department will inspect landscape installation prior to issuance of final Certificate of Occupancy.

73.240(10) Yards not adjacent to public streets or Low Density Residential (RL) or Manufacturing Park (MP) Planning Districts shall be planted with trees, shrubs, grass or other live groundcover, and maintained consistent with a landscape plan indicating areas of future expansion, as approved through the Architectural Review process.

The subject site is not adjacent to RL or MP. All yards not adjacent to public streets contain existing trees, shrubs and groundcover. The applicant has been conditioned to maintain previously approved landscaping, meeting the requirement.

73.240(11) Any required landscaped area shall be designed, constructed, installed, and maintained so that within three years the ground shall be covered by living grass or other plant materials. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of 10% of the landscaped area may be covered with unvegetated areas of bark chips, rock or stone.

Applicant's Response: Existing landscaping to remain. Areas where vegetation has deteriorated or died will be replanted and maintained by landscaping contractor per general note on A0.4. See 1/A0.3 and Arborist Report included in the AR packet for repair of water stressed area. All new planted areas will be planted to blend-in and match existing vegetation.

Staff has conditioned the applicant to maintain previously approved landscaping, meeting the requirement.

Section 73.250 Tree Preservation.

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

The applicant has provided a Tree Assessment Plan as Sheet A0.3 and an Arborist Report, meeting this requirement.

73.260 Tree and Plant Specifications

(1)(a) Deciduous shade and ornamental trees shall be a minimum one and one-half inch (1½") caliper measured six inches (6") above ground, balled and burlapped. Bare root trees will be accepted to plant during their dormant season. Trees shall be characteristically shaped specimens.

(1)(b) Coniferous trees shall be a minimum five feet (5') in height above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be well branched and characteristically shaped specimens.

(1)(c) Shrubs. Evergreen and deciduous shrubs shall be at least one (1) to five (5) gallon size. Shrubs shall be characteristically branched. Side of shrub with best foliage shall be oriented to public view.

(1)(d) Groundcovers shall be fully rooted and shall be well branched or leafed. English ivy (Hedera helix) is considered a high maintenance material, which is detrimental to other landscape materials and buildings and is therefore prohibited.

Applicant's Response: The (2) new deciduous trees proposed will be selected to meet this requirement.

Staff notes that the applicant has noted two new trees on Sheet A0.3. Tree 30 is noted to be replaced as a Katsura Tree; however the original landscaping plan calls for a Red Maple. All trees located on the west parking area were approved to as Red Maples. Staff has conditioned applicant to replace and maintain previously approved landscaping for consistency.

73.280 Landscaped areas shall be irrigated with an automatic underground or drip irrigation system.

There is no information on the plans that indicates all landscape areas are or will be irrigated. Because there is no notation on the provision of irrigation, the requirement is not met. To meet the requirement of 73.280, the applicant will be conditioned to provide plans showing all landscape areas will be irrigated and install an automatic, underground drip irrigation system.

Condition of Approval: Include plans showing all landscape areas will be irrigated and install an automatic, underground drip irrigation system prior to issuance of final Certificate of Occupancy.

73.290(1) Where natural vegetation has been removed or damaged through grading in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements, such areas shall be replanted.

The existing site is already developed and no grading is proposed as part of this application.

73.310(1) A minimum 5-foot-wide landscaped area must be located along all building perimeters, which are viewable by the general public from parking lots or the public right-of-way, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations. Pedestrian amenities such as landscaped plazas and arcades may be substituted for this requirement. This requirement shall not apply where the distance along a wall between two vehicle or pedestrian access openings (such as entry doors, garage doors, carports and pedestrian corridors) is less than 8 feet.

The site plan illustrates landscaping over 5 ft wide along all sides of the building adjacent to the streets and parking, meeting the requirements.

73.310(2) Areas exclusively for pedestrian use that are developed with pavers, bricks, etc., and contain pedestrian amenities, such as benches, tables with umbrellas, children's play areas, shade trees, canopies, etc., may be included as part of the site landscape area requirement.

The applicant has chosen not to exercise this option.

73.310(3) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.

Applicant's Response: The adjoining sidewalks along the west side of the property located at infilled entrances will be removed and replanted at three locations. Loading ramp 8 on the east side of the building has been previously converted to an employee break room. The applicant proposes to remove the asphalt in this area and extend the adjacent planted area and parking island to increase the amount of landscaping and encompass a new deck. See Enlarged Break Room Deck plan 3/A2.6

This standard is met.

73.340(1) A clear zone shall be provided for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of 8 feet as measured from the ground level, except for parking structures and underground parking, where this provision shall not apply.

The site plan illustrate no vertical improvement or landscaping that encroaches upon the minimum vision clearance areas illustrated in Figure 73-2 “Vision Clearance Area,” meeting the requirement.

73.340(2) Perimeter site landscaping of at least 5 feet in width shall be provided in all off-street parking and vehicular circulation areas (including loading areas).

(a) The landscape area shall contain:

(i) Deciduous trees an average of not more than 30 feet on center. The trees shall meet the requirements of 73.360(7).

(ii) Plantings which reach a mature height of 30 inches in 3 years which provide screening of vehicular headlights year round.

(iii) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years.

Applicant’s Response: See Existing Site Plan 1/A0.4; There is an existing 10 ft +/- planted strip along the east and west side of the property. All existing perimeter landscaping will remain and areas where vegetation has deteriorated or died will be replanted. See Tree Assessment Plan 1/A0.3 for additional information on trees to be removed.

Staff has conditioned the applicant to maintain previously approved landscaping, meeting the requirement.

(b) Where off-street parking areas on separate lots are adjacent to one another and are connected by vehicular access, the landscaped strips required in subsection (2) of this section are not required.

The site to the north shares a driveway. No landscape strip is provided between the properties.

73.360

(1) A minimum of 25 square feet per parking stall shall be improved with landscape island areas which are protected from vehicles by curbs. These landscape areas shall be dispersed throughout the parking area [see 73.380(3)].

The Applicant has provided calculations on A0.0AR. The site proposes 45 parking stalls, therefore 1,125 sq ft of landscape island areas is required. The applicant states that 2,449 sq ft of parking lot landscaping is provided, exceeding the requirement.

Staff notes that the use requires a minimum of 47 stalls but only 45 stalls are proposed. Provided parking lot landscaping exceeds the minimum required for 47 stalls.

L. Tree Preservation:

73.050(4) As part of Architectural Review, the property owner may apply for approval to cut trees in addition to those allowed in TDC 34.200. The granting or denial of a tree-cutting permit shall be based on the criteria in TDC 34.230.

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

The Community Development Director may approve a request to cut a tree when the applicant can 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 aesthetic value of the tree;
- or
- (iii) The continued retention of the tree could result in other trees being infected with a disease that threatens either their structural integrity or aesthetic value.
- (b) The tree represents a hazard, which may include but not be limited to:
 - (i) The tree is in danger of falling;
 - (ii) Substantial portions of the tree are in danger of falling.
- (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.

The applicant is proposing to remove 7 trees (5 per recommendations of included Arborist report and 2 due to site improvements) on Sheet A0.3. The two trees proposed for removal due to site improvements are under 8 dbh and therefore are not defined as trees under the TDC. The applicant has noted that they intend to replace these two trees. The applicant has additionally been conditioned to replace/maintain landscaping as previously approved.

M. Bicycle Parking, Off-Street Parking and Loading:

73.370(1)

- (n) Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks, which accommodate a bicyclist's lock securing the frame and both wheels.
- (o) Each bicycle parking space shall be at least 6 feet long and 2 feet wide, and overhead clearance in covered areas shall be at least 7 feet, unless a lower height is approved through the Architectural Review process.
- (r) Required bicycle parking shall be located in convenient, secure, and well lighted locations approved through the Architectural Review process.
- (s) Bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.
- (u) Bicycle parking areas and facilities shall be identified with appropriate signing as specified in the *Manual on Uniform Traffic Control Devices (MUTCD)* (latest edition). At a minimum, bicycle parking signs shall be located at the main entrance and at the location of the bicycle parking facilities.

Applicant's Response: Eight interior bike parking stalls will be available for long term or short term parking. See 1/A2.1PH3 for bike parking locations and clearances. Existing bike parking sign to remain see Existing Site Plan 1/A0.1.

Staff notes the requirements have been met.

Off-Street Vehicle Parking:

73.370(2)(a): The following are the minimum and maximum requirements for off-street motor vehicle parking in the City...

USE	MINIMUM MOTOR VEHICLE	MAXIMUM MOTOR VEHICLE PARKING	BICYCLE Parking Required	BICYCLE Covered Parking Required
COMMERCIAL				
(vi) General office	2.70 spaces per 1,000 sq. ft. of gross floor area	Zone A: 3.4 spaces per 1,000 sq. ft. gross floor area Zone B: 4.1 spaces	2, or 0.50 spaces per 1,000 gross sq. ft. whichever is greater	First 10 spaces or 40%, whichever is greater
INDUSTRIAL				
(i) Manufacturing	1.60 spaces per 1,000 sq. ft. of gross floor area	None	2, or 0.10 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater
(ii) Warehousing	0.30 spaces per 1,000 sq. ft. of gross floor area	0.4 spaces per 1,000 sq. ft. gross floor area	2, or 0.10 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater
(iii) Wholesale establishment	3.00 spaces per 1,000 sq. ft. of gross floor area	None	2, or 0.50 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater

Applicant's Response: Maintaining the code required number of parking spaces is a challenge for this site, but the number of spaces needed for the program is fewer than required by the zoning code. As the facility expands to capacity, the program needs to provide access for full size, 53' semi trucks into the existing loading docks. Limited access to the loading docks is possible with the removal of select parking spaces along the east side of the property (reference Proposed Site Plan 1/A0.4). There are currently (73) parking spaces and the number will need to be reduced to (45), which are (2) less than the required amount. The tenant plans on a maximum of (26) employees at a peak shift, and estimates up to (10) visitors at any given time. The tenant is implementing a car pooling policy and incentive program for employees, to both supplement for and reduce the need for employee parking. The proposal is to provide designated parking spaces beyond the minimum code requirement for carpool/vanpool parking. See Brew Dr. Kombucha Tualatin Alternative Transportation Policy (ATP) in AR Package for consideration of the reduced parking design through this AR.

Warehousing: 28,671 sq ft @ .3 /1,000 GSF= 9 stalls
 Manufacturing: 18,716 sq ft @ 1.6/1,000 GSF= 30 stalls
 General Office: 2,775 sq ft @ 2.7/1,000= 8 stalls

Staff notes that 47 parking stalls would be required to meet minimum parking standards. The applicant estimates that during peak use, 36 people may be on-site and is proposing 45 stalls. Per TDC 73.370(1)(i) Building B shares ownership with Building A which has excess parking located within 500 ft of Building B's employee entrance; therefore the minimum standard has been met.

73.370(3) The minimum number of off-street Vanpool and Carpool parking for commercial, institutional, and industrial uses is as follows:

<u>Number of Required Parking Spaces</u>	<u>Number of Vanpool or Carpool Spaces</u>
0 to 10	1
10 to 25	2
26 and greater	1 for each 25 spaces

The applicant would be required to provide 2 vanpool or carpool stalls to meet the minimum requirements. Staff notes the applicant is proposing 4 carpool stalls and 2 vanpool stalls in order to support a carpool incentive program for employees in exchange for reduced parking.

73.370(1)(x) Required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.

Plans show the vanpool/carpool spaces will meet the dimensional standards and will be identified by signs.

73.380

(1) Off-street parking lot design shall comply with the dimensional standards set forth in Figure 73-1 of this section.

Applicant's Response: Figure 73-1 requires stall depths at 90 degrees to be 18.5 ft. The existing condition depth along the west and north side of the building is 17 ft +/-, see Existing Site Plan 1/A0.1. Lengthening the stalls is not an option due to the easement constraints.

Staff notes the referenced easements are shown on Sheet A0.1 and are located on the east, north, and west side of the building to provide reciprocal access to Parcel 2. Parking striping can be extended without interfering with the access easements. Staff has conditioned the applicant to revise plans to extend the stall striping to the standard depth of 18.5 ft or to easement extents.

Condition of Approval: Revise plans to extend the stall striping to the standard depth of 18.5 ft or to easement extents.

(2) Parking stalls for sub-compact vehicles shall not exceed 35 percent of the total parking stalls required by Section 73.370(2).

The applicant is proposing 5 compact stalls, which is 14% of the provided 45 stalls. This standard has been met.

(3) Off-street parking stalls shall not exceed eight continuous spaces in a row without a landscape separation.

Applicant's Response: Proposed parking does not exceed 8 continuous stalls without a landscape separation per Proposed Site Plan 1/A0.4.

(4) Areas used for standing or maneuvering of vehicles shall have paved asphalt or concrete surfaces maintained adequately for all-weather use and so drained as to avoid the flow of water across sidewalks.

Applicant's Response: See Existing Site Plan 1/A0.1. Parking lot is all asphalt or concrete (loading dock's).

(8) Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.

The applicant has demonstrated that this requirement has been met on A0.4

(9) Parking bumpers or wheel stops or curbing shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.

Applicant's Response: There are existing 6 in curbs or raised sidewalks around the perimeter of the building and planted areas abutting parking stalls. See 2/A2.6 for new curb ramp at relocated ADA parking.

(10) Disability parking spaces and accessibility shall be provided in accordance with applicable federal and state requirements.

Applicant's Response: See 2/A2.6 for new curb ramp relocated ADA parking stalls. All other existing ADA parking to remain with no changes proposed.

(11) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, shall have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, shall have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic.

As shown on A0.1 a 30 ft private access easement exists on the west side of the building, a 40 ft access easement on the north side, and a 20 ft access easement on the east side. Drive aisles on the east side of the building provide access to loading docks and are 40 ft wide. This standard has been exceeded.

N. Loading Berths:

73.390

(1) The minimum number of off-street loading berths for commercial, industrial, public and semi-public uses is as follows:

<u>Square Feet of Floor Area</u>	<u>Number of Berths</u>
Less than 5,000	0
5,000 - 25,000	1
25,000-60,000	2
60,000 and over	3

Applicant's Response: Ten loading docks and 4 loading ramps to remain in use, no changes proposed to the existing building conditions.

Staff notes that the gross building square footage is 50,750, requiring two loading berths.

(2) Loading berths shall conform to the following minimum size specifications:

(b)Industrial uses - 12' x 60'

(c) Berths shall have an unobstructed height of 14'

(d) Loading berths shall not use the public right-of-way as part of the required off-street loading area.

Applicant's Response: Existing loading dock dimensions, per 1/A0.1 is 13 ft x 45 ft. To gain the required depth of 60 ft, the parking along the east side of the property will need to be removed per Proposed Site Plan 1/A0.4. The removal of parking to allow 60 ft depth loading docks is proposed as future (phase 4) work to be completed in future, after production expansion grows to the point where 53 ft trucks are needed.

Staff notes that the loading dimensions are existing and are proposed to be in compliance at a future date.

(3) Required loading areas shall be screened from public view from public streets and adjacent properties by means of sight-obscuring landscaping, walls or other means, as approved through the Architectural Review process.

Staff notes that the existing loading areas are located on each side of the building, away from Myslony Street and are partially obscured by the building.

O. Access:

73.400 Access

(2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.

Applicant's Response: See Site Survey C0.1 and Easement Recording Documentation included in AR Package for access easements between Parcel 1 and 2. Both building are under same ownership. No changes to these easements proposed.

12) Minimum Access Requirements for Industrial Uses.
Ingress and egress for industrial uses shall not be less than the following:

<i>Required Parking Spaces</i>	<i>Minimum Number Required</i>	<i>Minimum Pavement Width</i>	<i>Minimum Pavement Walkways, Etc.</i>
1-250	1	36 feet for first 50' from ROW, 24' thereafter	No curbs or walkway required
Over 250	As required by City Engineer	As required by City Engineer	As required by City Engineer

Applicant's Response: Parking required for Building A (Manufacturing) per record drawings =59 stalls; parking required for Building B=47 stalls; gross parking required=106 spaces. Reference Existing Site Plan 1/A0.1; there are two access ways. The existing east driveway is 40 ft wide for the first 40 ft, then narrows to the reciprocal access width of 24 ft to provide the loading dock area with enough clearance for a full-size, 53 ft semi trucks. The east access way is for primary vehicular traffic and secondary one-way truck traffic for Building B. The existing west entrance is 35 ft in width and narrows to 30 ft within existing built conditions. The west access way is for Building A primary truck traffic, and secondary for Building B truck traffic, visitors, and office entrance. No change is proposed to these existing conditions.

Staff notes that one accessway meeting the above standards is required. The east accessway complies; therefore the standard is met.

(16) Vision Clearance Area.

(b) Collector Streets - ... Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet.

The site plans illustration no intrusion into the vision clearance areas specified by TDC [Figure 73-2](#), meeting the requirement.

P. Environmental:

63.051(1) Except as otherwise provided in this section, all industrial development shall comply with the Oregon State Department of Environmental Quality standards relating to noise. From 9:00 p.m. to 7:00 a.m., a dBA reading from an industrial development, whether new or existing, shall not exceed an L-max of 60 dBA when measured from a noise sensitive property.

The applicant shall comply with the noise limits of 63.051(1).

Q. Signs:

Except code required signs for street number, disabled parking and car/vanpool, no signs are proposed by this application and none are approved. The applicant shall submit separate [sign permit](#) applications for any future signage.

R. Time Limit on Approval:

73.056 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 **February 25, 2016**, 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., February 25, 2016**. 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
Assistant Planner

Issued by:



Aquilla Hurd-Ravich
Planning Manager

Attachments:

101. Vicinity Map
102. Clean Water Services Memorandum dated September 21, 2015

file: AR-15-0024

The Public Facilities Report (PFR) complement to the AR starts on the next page.

**CITY ENGINEER’S PUBLIC FACILITIES
FINDINGS & RECOMMENDED DECISION**

**** APPROVAL WITH CONDITIONS ****

February 10, 2016

**REVIEW FINDINGS AND
DECISION FOR AR15-0024, BREW DR KOMBUCHA**

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I. RECOMMENDATION

Based on the findings presented, the City Engineer approves the preliminary plans of AR15-0024, Brew Dr Kombucha with the following conditions:

A. PRIOR TO ISSUANCE OF A PUBLIC WORKS PERMIT:

PFR - 1 Submit final sidewalk replacement plans.

B. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

PFR - 2 Obtain a Public Works Permit.

PFR - 3 Complete all the public improvements, shown on submitted plans and corrected by conditions of approval, and have them accepted by the City or provide financial assurance.

C. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

PFR - 4 Construct all public improvements shown on submitted plans and corrected by conditions of approval.

II. APPEAL

Requests for review of this decision must be received by the Engineering Division within the 14-day appeal period ending on February 25, 2016 **at 5 PM**. Issues must have been described with adequate clarity and detail with identification of the associated Tualatin Municipal or Development Code section to afford a decision maker an opportunity to respond to the issue. A request for review must be submitted on the form provided by the City, as detailed in TDC 30.076, and signed by the appellant.

Sincerely,



Tony Doran, EIT
Engineering Associate

III. STANDARDS AND APPLICABLE CRITERIA

Tualatin Development Code (TDC)
Chapter 73: Community Design Standards
Chapter 74: Public Improvement Requirements

IV. CONCLUSIONS

A. TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS

I. TDC SECTION 73.400 ACCESS.

(2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts shall be placed on permanent file with the City Recorder.

(3) Joint and Cross Access.

(b) A system of joint use driveways and cross access easements may be required and may incorporate the following:

(i) a continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

(ii) a design speed of 10 mph and a maximum width of 24 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

(iii) stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;

(iv) a unified access and circulation system plan for coordinated or shared parking areas.

(c) Pursuant to this section, property owners may be required to:

(i) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

(ii) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

(iii) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners;

(5) Lots that front on more than one street may be required to locate motor vehicle accesses on the street with the lower functional classification as determined by the City Engineer.

FINDINGS:

The development property and the property to the north is under one owner. There are two existing shared driveways to SW Myslony Street. The submitted Sheet C0.1, Site Survey, and recorded easement documents show access from the north lot to SW Herman Road. No changes to the easements are proposed. The properties will have access according to the above standards. This criterion is satisfied.

(6) Except as provided in TDC 53.100, all ingress and egress shall connect directly with public streets.

FINDINGS:

The development shown on the submitted plans has vehicular and pedestrian ingress and egress from private property to the public streets. This criterion is met.

(8) To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the City Engineer. Sidewalks approved by the City Engineer may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grades and alignment established by the City Engineer.

FINDINGS:

Sidewalks currently exist on SW Myslony Street; this project will include the removal and replacement of damaged and sidewalk. This criterion is satisfied.

(9) The standards set forth in this Code are minimum standards for access and egress, and may be increased through the Architectural Review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety, and general welfare.

(11) Minimum Access Requirements for Commercial, Public and Semi-Public Uses.

...In all other cases, ingress and egress for commercial uses shall not be less than the following:

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
1-99	1	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only
100-249	2	32 feet for first 50 feet from ROW, 24' thereafter	Curbs required; walkway 1 side only
Over 250	As required by City Engineer	As required by City Engineer	As required by City Engineer

(13) One-way Ingress or Egress.

When approved through the Architectural Review process, one-way ingress or egress may be used to satisfy the requirements of Subsections (7), (8), and (9). However, the hard surfaced pavement of one-way drives shall not be less than 16 feet for multi-family residential, commercial, or industrial uses.

FINDINGS:

Parking required for Building A (manufacturing) per record drawings equals 59 spaces. Parking for Building B equals 47 spaces. The total gross required parking equals 106 spaces. Both Building A and Building B share two existing accesses to SW Myslony Street. The existing east driveway is 40 feet wide for the first 40 feet then narrows to the reciprocal access width of 24 feet wide to provide the loading dock area with enough clearance for full-size 53-foot long semi trucks. The east accessway is for primary vehicular traffic and secondary one-way truck traffic for Building A and primary employee and truck traffic for Building B. The existing west entrance is 35 feet wide and narrows to 30 feet wide within existing build conditions. The west accessway is for Building A primary truck traffic and secondary for building B truck traffic, visitor, and office entrance. No change is proposed to these existing conditions. This criterion is satisfied.

B. TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS

I. TDC SECTION 74.120 PUBLIC IMPROVEMENTS.

(1) Except as specially provided, all public improvements shall be installed at the expense of the applicant. All public improvements installed by the applicant shall be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. No work shall be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and a Public Works Permit issued and the required fees paid.

FINDINGS:

A public sidewalk exists within SW Myslony Street right-of-way. Various portions of the sidewalk are in disrepair and do not meet ADA requirements. A public works permit will be required to repair the public sidewalk. This criterion is satisfied with conditions of approval PFR – 1 through 4

II. TDC SECTION 74.140 CONSTRUCTION TIMING.

(1) All the public improvements required under this chapter shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

(2) All private improvements required under this chapter shall be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

FINDINGS:

This criterion is satisfied with conditions of approval PFR - 4.

III. TDC SECTION 74.420 STREET IMPROVEMENTS..

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City' s Public Works Construction Code, subject to the following provisions:

(1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 shall be improved to standards as set out in the Public Works Construction Code.

(2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.

FINDINGS:

The submitted proposed plan 1/A0.4 shows sidewalk repair locations and specification along the right-of-way of SW Myslony Street. The broken panels at both location will be removed and replace with new ADA compliant concrete slab on grade. At the sidewalk repair adjacent to the existing street tree, Tripstop Articulating Joint System will be used at control joints to manufacturer's specification per City Engineer recommendation. This criteria is met with conditions of approval PFR – 1 through 4.

MEMORANDUM

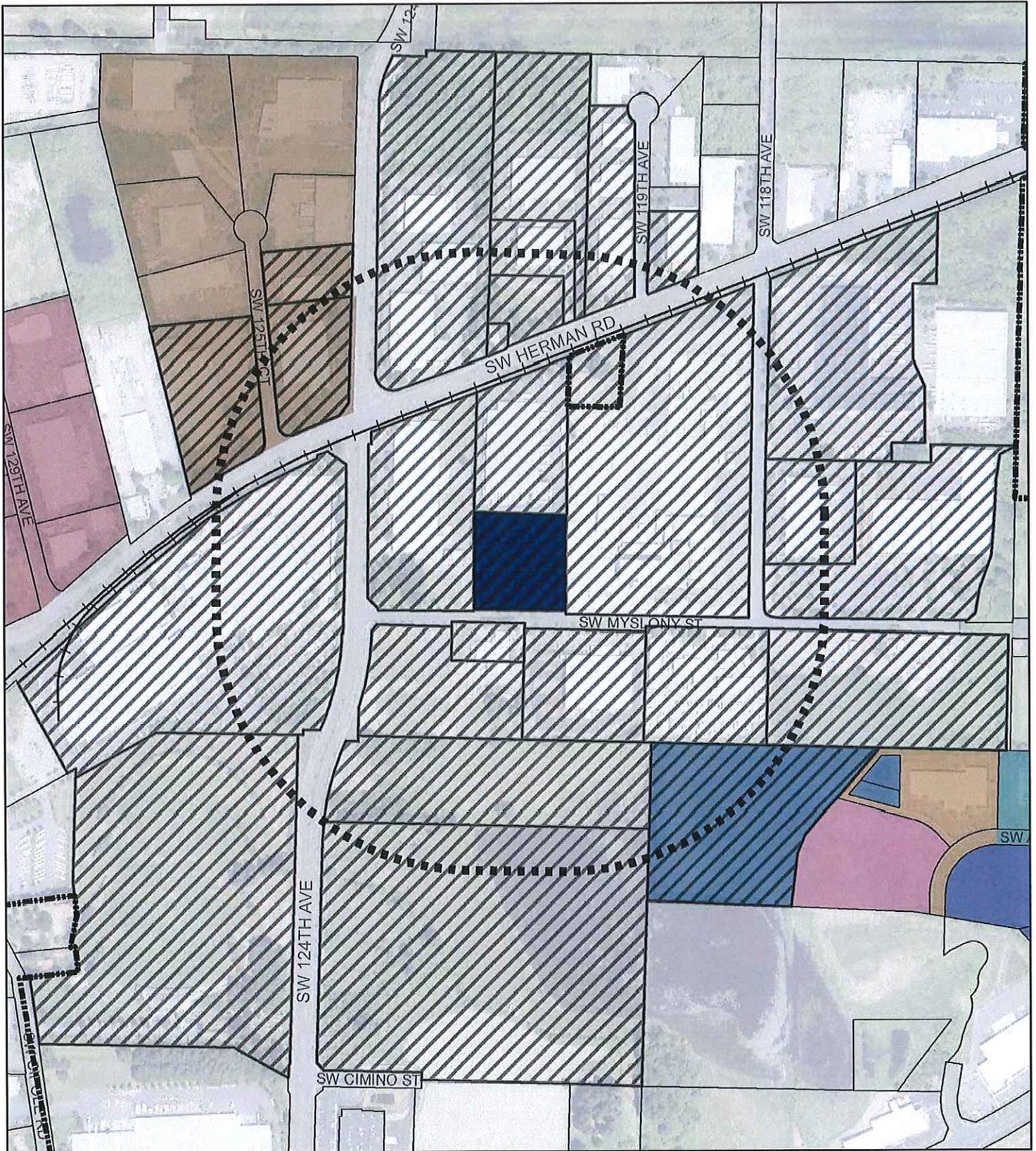
Date: December 18, 2015

To: Clare Fuchs, Senior Planner, City of Tualatin

From: Jackie Sue Humphreys, Clean Water Services (the District)

Subject: Brew Doctor Kombucha, AR-15-24, 2S122CC00100

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.



 1000' Buffer

 Selected Taxlots

