



City of Tualatin

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OFFICIAL

TUALATIN PLANNING COMMISSION

MINUTES OF April 19, 2018

TPC MEMBERS PRESENT:

Bill Beers
Kenneth Ball
Alan Aplin
Mona St. Clair
Angela DeMeo
Travis Stout (arrived after item 2)

STAFF PRESENT

Aquilla Hurd-Ravich
Erin Engman
Lynette Sanford

TPC MEMBER ABSENT: Janelle Thompson

GUESTS: Dorothy Cofield, Chris Clemow, Matt Johnson, Jim Walker, John DiPaola, Cindy Walker, and Dean Delavan.

1. CALL TO ORDER AND ROLL CALL:

Bill Beers, Chair, called the meeting to order at 6:33 pm and reviewed the agenda. Roll call was taken.

2. APPROVAL OF MINUTES:

Mr. Beers asked for approval of the February 15, 2018 TPC Minutes. MOTION by Aplin, SECONDED by Beers to approve the minutes as written. MOTION PASSED 5-0.

3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):

None

4. ACTION ITEMS:

A. Consideration of a Variance request for two standards in the Tualatin Development Code for the Tualatin Professional Center in the Office Commercial (CO) Planning District at 6464 SW Borland Road (Tax Map/Lot): 2S1E 30B 90000) (VAR-18-0001)

Mr. Beers, Chair, read the script for quasi-judicial hearings. Mr. Beers asked the Commission members if they had a conflict of interest, bias, or ex parte contact with the applicant. Mr. Beers acknowledged that he is familiar with the site.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

Erin Engman, Associate Planner, entered the staff report and attachments into the record. Ms. Engman stated that the issue before the Planning Commission is consideration of a Variance (VAR) request to the standards imposed under TDC 73.360(6)(a) (Off-Street Parking Landscape Islands) and TDC 73.400(11) (Access) as they apply to Tualatin Professional Center's two existing southern access driveways onto SW Sagert Street. Development in the vicinity required full width improvements and extension of Sagert Street, which are currently underway. Tualatin Professional Center may either conform to development standards or seek relief through the variance process to restore their southern access.

Ms. Engman stated that the applicant is asking to provide a landscape area at a width greater than 5 feet for a depth of 25 feet from back of sidewalk, rather than the property line. The applicant is also proposing a 32-foot-wide access drives for a depth of 25 feet from the back of sidewalk, rather than 50-feet from right-of-way.

Ms. Engman noted that in order to grant the requested variance, the Planning Commission must find the applicant has demonstrated compliance with the criteria specified in TDC 33.020.

The applicant's site specific hardships include:

- Retrofitting an existing development to meet current development standards. The site was developed prior to current code standards adopted by Plan Text Amendment 91-06 and Ordinance 862-92 in 1992.
- Topography. The site was developed with respect to the naturally sloped environment. The west and eastern areas of the site are separated by a retaining wall, preventing internal circulation.
- Grade change to improved roadway. The site is located approximately 3-4 feet higher than the Sagert Street extension.
- Modified Sagert Street cross section. Sagert Street is modified with a curb-tight sidewalk in the vicinity to match existing development, rather than a curb-tight landscape strip then sidewalk.

Ms. Engman stated that staff finds that VAR 18-0001 meets the criteria of TDC 33.020.

Ms. Engman noted that a recommendation to approve VAR18-0001 would result in the following:

- Allows the applicant to vary standards imposed under TDC 73.360(6) and 73.400(11)
- Allows the City Council to consider new evidence of Planning Commission's Variance decision at future Request for Review hearing.

A recommendation to deny VAR-18-0001 would result in the applicant conforming to development standards as discussed.

Ms. Engman stated that the Planning Commission has three options:

1. Approve VAR18-0001 to vary two development standards;
2. Deny one or both of the proposed variances with findings that state which criteria in TDC 33.020 the applicant fails to meet;
3. Continue discussion to a later date.

Mr. Aplin asked if the neighboring subdivision accommodated the entrances. Ms. Engman replied that they provided the throat cuts. Mr. Aplin asked if there was a financial exchange or purchase of easements. Ms. Engman responded that the right-of-way was existing from the previous development.

Mr. Ball asked if TVF & R have been involved. Ms. Hurd-Ravich responded that they have reviewed the Minor Architectural Review plans and they've had an opportunity to comment.

Ms. DeMeo asked about the final design of the site and wanted clarification of the correct attachment. Ms. DeMeo inquired about how many parking stalls will be lost. Ms. Engman replied that 14 parking stalls are being removed.

Dorothy Cofield, 1001 SW 5th Ave, Suite 1100, Portland, OR 97214

Ms. Cofield, Attorney for the applicant, stated that back in 1983 and 1984 the Tualatin Professional Center developed this property. Ms. Cofield noted that the property did not have access to Sagert, and the owners dedicated the right of way in 1983. Ms. Cofield confirmed that if the variance isn't granted, Tualatin Professional Center will lose one parking space in its western parking lot and four parking spaces from the eastern parking lot and it will be required to reconfigure its parking lot to reduce the size of the remaining parking spaces.

Ms. Cofield added that the property slopes from the east to the west and without the southern and northern accesses, you could not access all four condominium buildings. Ms. Cofield added that many of the patients are anesthetized and need convenient parking after their treatment. If the variance isn't granted, parking will be severely reduced around building D.

Ms. Cofield stated that the second variance is proposing a landscape depth of 28.55 to 35.13 feet from the back of the sidewalk and 25 feet is adequate for this use.

Dr. Jim Walker, Tualatin Professional Center

Dr. Walker clarified that the parking spots were on their property and access to the seven parking spots was removed with the development of Sagert.

Chris Clemow, Clemow and Associates, 1582 Fethers Loop, Eugene, OR 97402

Mr. Clemow, Traffic Engineer, stated that this variance request is a practical solution for a problem created by the proposed Sagert development. Mr. Clemow stated that based on the National Cooperative Highway Research Program (NCHRP) Guide, a total necessary driveway throat length of 23-24 feet is recommended for the subject site to avoid potential vehicle stacking or pedestrian conflicts. The applicant is proposing a driveway length of 25 feet from back of sidewalk. The current code requires 50 feet.

Mr. Aplin asked if the entrance closest to the intersection impacts the performance at the intersection. Mr. Clemow replied that it will not impact the intersection; a left turn into the parking lot is prohibited off of Sagert St. so traffic will not back up.

Ms. Cofield stated that there is an 8-10 foot grade difference on Borland Rd. so you cannot transition on the property through the site, which is why access needs to be restored.

Matt Johnson, KPFF Engineers, 111 SW 5th Ave, Portland, OR 97204

Matt Johnson, Engineer, asked the Commission members if they had questions. Mr. Ball asked about fire access for TVF & R and if it meets the requirements of IFC. Mr. Johnson replied that the Fire Marshall has reviewed and accepted it as reasonable access.

Ms. Cofield mentioned that Tualatin Professional Center applied for a Minor Architectural Review last August. The City Council was sympathetic, but required a variance. If the Planning Commission approves the variance, it will go back to City Council to grant the appeal and change the conditions to restore two accesses.

Mr. Johnson added that he has worked with City staff to create the modification. A Neighborhood Developer meeting was held and notices were sent to agencies and surrounding property owners. In all, there was one comment in support of the variance and none in opposition.

Ms. DeMeo asked when the Tualatin Professional Center lost access to Sagert. Ms. Cofield replied that the change was made to the western access with construction of the Sagert Farm subdivision around June 2017. Dr. Walker added the seven parking spaces were lost at that time.

Dr. John DiPaola, Owner and Physician at the Tualatin Professional Center

Dr. DiPaola stated that there are current two accesses on Borland Rd for the entire center. Since the driveways have been closed, patients have been entering on the Borland Rd side. Dr. DiPaola noted that if you have a west side office, a patient has to go into the east side driveway with no way to get to the entrance to the office. Since many of the patients are elderly or ill, it is a catastrophe for them.

Dr. Walker stated that on the west side, the 3-foot drop off was in front of another physicians practice and all of his access was eliminated. This drastically reduced his practice and as a result he suffered a career ending stroke.

Ms. DeMeo asked about the increase in traffic on Sagert Street once the development is completed. Mr. Clemow stated that the scope of their work was that the driveway throat lengths worked. The traffic studies indicated Sagert is a collector street and show that increased traffic is not anticipated.

Mr. Johnson added that the easternmost connection is the Sequoia Ridge subdivision.

Ms. Cofield added that if this is approved and goes back to City Council, construction can begin as early as June.

Ms. DeMeo asked if the current library parking lot, which was constructed in 2014 or 2015, complies with the current TDC code including the 50-foot depth requirement. Ms. Hurd-Ravich responded that she hasn't personally measured it, but it has been through the architectural review process with the extension of Seneca St. Mr. Johnson added that there is a central core within the City of Tualatin where the 50-foot clearance is exempt.

Mr. Alpin said he concurs with staff for approval of the variance. Ms. DeMeo expressed concern regarding the exceptional conditions of the hardship. Mr. Ball expressed concern about emergency access. Mr. Beers wanted clarification of the current zone and allowed uses. Ms. St. Clair stated that she believes the change has created a hardship with the Tualatin Professional Center.

MOTION by Aplin SECONDED by Beers to approve the variance as written.
MOTION PASSED 6-0.

B. A Resolution for the Variance Request for Tualatin Professional Center (VAR-18-01)

MOTION by Aplin SECONDED by St. Clair to adopt the resolution as written.
MOTION PASSED 6-0.

5. COMMUNICATION FROM CITY STAFF:

Ms. Hurd-Ravich stated the cell tower variance was appealed to the City Council on April 9th. The appellant asked for the record to remain open and it will return to Council on May 14th.

6. FUTURE ACTION ITEMS

Ms. Hurd-Ravich noted that next month, our new Assistant Planner Tabitha Boschetti will be introduced. Erin Engman has been promoted to Associate Planner. There will also be an update on Accessory Dwelling Units (ADU's). A house bill was passed to require cities of a certain size to allow ADU's; detached, interior or attached. Our current code does not allow the detached portion, so the code will need to be updated. An update on the development code will also be presented.

Ms. Hurd-Ravich mentioned that on September 6, there will be a workshop to discuss the code updates with a few different groups in attendance. Ms. Hurd-Ravich added that there may be a Basalt Creek update in July.

7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION

Mr. Beers mentioned that he would be unable to attend the TPC meeting in July.

8. ADJOURNMENT

MOTION by Aplin to adjourn the meeting at 7:48 pm.

_____ Lynette Sanford, Office Coordinator