



City of Tualatin

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NOTICE OF DECISION

On September 15, 2016 the City of Tualatin approved with conditions AR16-0008 for Stafford Hills Club Westside Parking Expansion at 5916 SW Nyberg Lane (Tax Lots: 21E19C0900).

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: 9/15/2016

Date a Request for Review must be filed: 9/29/16

File: AR16-0008



September 15, 2016

**ARCHITECTURAL REVIEW FINDINGS AND
DECISION**

**** APPROVAL WITH CONDITIONS ****

Case #:	AR-16-0008
Project:	Stafford Hills Club Westside Parking Expansion
Location:	5916 SW Nyberg Lane
Tax Map/Lots:	21E19C 900
Applicant/Owner:	Stafford Hills Properties, LLC
Applicant/Rep.:	James D. Zupancic, Stafford Hills Club, 503.941.9623

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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

A. Project Description

The applicant and developer, Stafford Hills Properties, LLC, represented by James D. Zupancic, proposes a 55-space expansion (appropriately 1.5-acre project area) to the surface parking lot located immediately west of the existing Stafford Hills Club, a private health club facility, increasing the on-site off-street parking inventory from 138 to 193 spaces. The proposed parking expansion would serve the existing membership at the Stafford Hills Club, with the intent of raising the membership-to-parking ratio closer to industry (International Health, Racquet & Sportsclub Association [IHRSA]) standards pertaining to suburban multi-purpose (health) clubs. The proposed project would not result in any other changes to the built structures that comprise the Stafford Hills Club, and the proposed parking serves as an expansion of accessory uses that are allowed per conditional use permit (CUP-09-01) in the Low Density Residential (RL) planning district.

Table 1. Site Data			
<i>Attribute</i>	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
<i>Total Building Area (acres)*</i>	1.65	1.65	0
<i>Eastside Parking Spaces Total:</i>	107	107	0
<i>Standard</i>	74	74	0
<i>Compact</i>	21	21	0
<i>Vanpool/Carpool/EV</i>	7	7	0
<i>ADA-Compliant</i>	5	5	0
<i>Westside Parking Spaces Total:</i>	31	86	55
<i>Standard</i>	6	41	32
<i>Compact</i>	25	45	23
<i>Vanpool/Carpool/EV</i>	0	0	0
<i>ADA-Compliant</i>	0	0	0
<i>Parking Spaces Total (Entire Site):</i>	138	193	55
*Total Building Area includes main building, clubhouse, activity center, pool, and pump house.			

The proposed project will also include a minimum of 1.06 acres of wetland enhancement in the existing undeveloped western portion of the project site to mitigate the vegetative corridor impact as a result of the proposed parking expansion.

B. Site Description

The relatively flat approximately 15.5-acre project site is located along the south side of SW Nyberg Lane east of SW 65th Avenue. The entire site fronts approximately 1,365 feet along SW Nyberg Lane and approximately 285 feet along SW 65th Avenue. The eastern portion of the project site (approximately 5 acres) houses the existing Stafford Hills Club, comprised of two main tennis buildings, a clubhouse, three tennis courts, a pool area, an activity center, a larger parking lot east of the main tennis buildings, and a smaller parking lot west of the main tennis buildings; the western portion of the site (approximately 10.5 acres) is comprised of wetlands and sensitive areas surrounding Nyberg Creek.

The project site is located within a larger Low Density Residential (RL) planning district that covers most of eastern Tualatin east of SW 65th Avenue (and within Clackamas County). Medium-density residential uses border the site to the north, low density residential uses are found to the east, medical center uses to the south, and a pre-school learning center to the west.

C. Project Schedule

The Neighborhood/Developer meeting required by Tualatin Development Code (TDC) 31.063 was held on June 17, 2016 commencing at 7:30 PM at Stafford Hills Club, Cascade Meeting Room, 2nd Floor of the Wellness Center, located at 5916 Nyberg Lane, Tualatin, OR 97062. Six members from the community attended the meeting, along with a representative from the City of Tualatin. Following a discussion concerning the proposed application, which included comments regarding lighting emanating from inside the club and this impact on the residents of Rivergrove to the north—and not within the scope of this application, the meeting was adjourned at approximately 8:05 PM.

Notice was mailed to owners of property within 1,000 feet of the subject site, and to owners of property in any residential subdivision within 1,000 feet of the subject site on July 14, 2016, pursuant to TDC 31.064(1). Staff did receive two (2) sets of written comments during the comment period that ended July 28, 2016: one from an adjacent Fox Hills neighbor regarding a potential increase in traffic and another from a Lake Oswego resident north of the Tualatin River with lighting concerns. These comments are attached and summarized in “Public Comment” below (see Attachment 102 for complete public comments).

D. Public Comment

Staff received two (2) sets of written comments: one from Doug Rasmussen, 19025 SW Mobile Place, Tualatin, OR 97062; the other from David J. Pierce, 5700 Childs Road, Lake Oswego, OR 97035. A summary of these comments, including the TDC code sections that they apply to, is as follows:

A. Doug Rasmussen comments:

1. The proposed project amounts to new construction in an R-1 zoning district and parking lots are not part of a single-family home, and therefore City Council approval is required. TDC 40.030(4)(h)(j)
2. The applicant has failed to comply with Condition No. 5 of CUP-09-01. TDC 73.370(1)(a)
3. The 55 additional parking spaces would add 40 percent more club traffic or 500 more cars a day to SW Nyberg Lane east of the Stafford Hills Club. TDC 73.370(2)(a)

B. David J. Pierce comments:

1. The City of Rivergrove and its citizens have been waiting for three years for the Stafford Hills Club to take any visible actions to mitigate the lighting problems. TDC 73.160(3)(c)
2. The lights from the club’s tennis courts shine northward into Browns Ferry Park and across the Tualatin River, adversely affecting neighbors and wildlife. TDC 73.160(3)(c)
3. Current Westside parking lot lighting projects into the adjacent wetlands, and any lighting for the parking lot expansion should be designed to not project into these areas. TDC 73.160(3)(c)

II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented, AR-16-0008 is approved, subject to the following Architectural Review (AR) conditions of approval:

PRIOR TO ISSUANCE OF BUILDING PERMITS:

- AR-1 Prior to obtaining building permits on the subject site, the Applicant shall submit three (3) revised paper plan sets—24 x 36, a paper narrative, and electronically in Adobe PDF file format—for review and approval to the Planning Division that meet the conditions of approval below. The narrative shall explain how and on what page each condition of approval has been met. The submittal shall contain page numbers and a table of contents. No piecemeal submittals will be accepted. Each submittal will be reviewed in two weeks.
- AR-2 The Applicant shall revise the appropriate documents to ensure that the parking inventory as depicted in Table 1 of this report is consistently referenced throughout all application materials.
- AR-3 The Applicant shall comply with the incorporated Public Facilities Recommendation (PFR) from the Engineering Division.
- AR-4 The Applicant shall construct all site improvements as illustrated on approved plans and conditions of approval and complete a Planning inspection.

Please note the following code requirements apply to the site in an on-going manner:

- The Applicant must submit sign permit applications separately from this Architectural Review (AR) for any proposed signage.
- Accessways shall be constructed, owned and maintained by the property owner. TDC 73.160(1)(g)
- All landscaping approved through the AR process 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. TDC 73.100(1)
- Site landscaping and street trees shall be maintained to meet the vision clearance requirements. TDC 73.400(16)

Please be advised (as applicable):

- 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 finalize the project. 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

A. Previous Land Use Actions

- CUP-09-01 granted a conditional use permit (CUP) to allow a private club use and an increase in building height up to 40 feet in a RL planning district; the CUP included 13 conditions of approval.
- AR-09-08 (Stafford Hills Racquet & Fitness Club) approved the construction and operation of the existing Stafford Hills Club.

B. Planning Districts and Adjacent Land Uses

The subject property is located in the Low Density Residential (RL) planning district where residential uses, day care and residential facilities, public parks and recreational facilities, certain infrastructure and transportation improvements, and agricultural uses are permitted pursuant to TDC 40.020. The existing private club use is allowed per Resolution 4890-09 (CUP-09-01).

Adjacent planning districts and land uses are:

- North: Medium Low Density Residential (RMH)
- three-story Stonestrow Apartments at 6455 SW Nyberg Lane (across Nyberg Lane) Browns Ferry Park/Willowbrook Arts Camp (across Nyberg Lane)
- East: Low Density Residential (RL)
- two-story homes along SW Mobile Place and part of the Fox Hills neighborhood
- South: Medical Center (MC)
- two-story Legacy Meridian Park Hospital at 19250, 19260, and 19300 SW 65th Avenue
- West: Office Commercial (CO)
- one-story Creative Minds Learning Center (pre-school) at 6480 SW Nyberg Lane
 - two-story Whitney (office) Building at 19255 SW 65th Avenue (across SW 65th Avenue)
- Medium Low Density Residential (RMH)
- undeveloped lot containing wetlands (Tax Lot 2S1 24DA 00900) owned by the Wetlands Conservancy (across SW 65th Avenue)

C. Uses

Section 40.030 Low Density Residential Planning District (RL) Conditional Uses Permitted

The following uses and their accessory uses are permitted as conditional uses when authorized in accordance with TDC Chapter 32:

(4) Other uses as specified below:

(h) Golf course, country club with golf course.

(j) Increased building height to a maximum of 50 feet, if all yards adjoining said building are not less than a distance equal to 1 1/2 times the height of the building.

Public Comment: The proposed project amounts to new construction in an R-1 zoning district and parking lots are not part of a single-family home, and therefore City Council approval is required.

Applicant Response: Stafford Hills Club was developed under a Conditional Use Permit granted under TDC 40.030. This parking expansion is consistent with that conditional use and therefore meets the criterion under this section.

Staff notes that CUP-09-01 was granted at a time when private clubs were conditionally allowed. The development code has since changed and this use is no longer conditionally permitted. Although Stafford Hills Club is a non-conforming use, TDC 35.030(2)(b)—Alteration or Enlargement Prohibited—allows alterations to this specific site.

Staff also notes that the approved CUP (CUP 09-01) permitted an increase in maximum building height up to 40 feet (the maximum structure heights in RL planning districts is otherwise 35 feet) and included 13 conditions of approval in order to address potential on- and off-site impacts.

D. Setback Requirements

Section 40.080 Setback Requirements for Conditional Uses

(1) Except as otherwise provided, the setbacks for conditional uses shall be as determined and approved through the Architectural Review process. However, no setback greater than 50 feet may be required. Off-street parking and vehicular circulation areas shall be set back a minimum of ten feet from any public right-of-way or property line.

Staff notes that the plans currently show a 5-foot setback from the southern property line to the paved portion of the expanded off-street parking area. The applicant will comply with this setback requirement by converting the 5 spaces along the southern edge of the parking lot expansion to compact spaces, thereby reducing stall depth from 16.5 feet to 15 feet (1.5 foot savings) and reducing aisle width from 24 feet to 20 feet (4 feet savings) per the parking space design standards found in Section 73.900 Figure 73-1 of the development code.

Condition of Approval: *The applicant shall revise the proposed parking expansion area to increase the setback along the southern property line to conform to the 10-foot standard per this code requirement.*

E. Natural Resource Protection Overlay District (NRPO)

Section 72.060 Development Restrictions in Greenways and Natural Areas

(1) Except as provided in Subsection (2), no building, structure, grading, excavation, placement of fill, vegetation removal, impervious surface, use, activity or other development shall occur within Riverbank, Creek and Other Greenways, and Wetland and Open Space Natural Areas.

Applicant Response: This criterion restricts certain development activity in natural areas. The impacted area for this parking expansion touches a natural area. However, the result of this project will improve the degraded nature of the natural area by improvement to wetlands and vegetated corridors. Following completion of the project the natural areas will be enhanced as compared to existing conditions. Therefore, this criterion is met.

Staff notes that the proposed parking expansion area is located adjacent to, but not within, mapped wetlands and the Natural Resource Protection Overlay District (NRPO) which covers most of the western and undeveloped portion of the property. However, the proposed

project will result in a total of 0.61 acres of permanent vegetative corridor impact to be mitigated by a minimum of 1.06 acres of wetlands enhancement (see Stafford Hills Club Wetland Mitigation Plan in Attachment 101).

F. Site Planning

Section 73.160 Standards (Site Planning—Commercial, Industrial, Public and Semi-Public Uses)

(1) Pedestrian and Bicycle Circulation:

(a) For commercial, public and semi-public uses:

(i) a walkway shall be provided between the main entrance to the building and any abutting public right-of-way of an arterial or collector street where a transit stop is designated or provided. The walkway shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;

(ii) walkways shall be provided between the main building entrances and other on-site buildings and accessways. The walkways shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;

(iii) walkways through parking areas, drive aisles, and loading areas shall be visibly raised and of a different appearance than the adjacent paved vehicular areas;

(iv) accessways shall be provided as a connection from the development's internal bikeways and walkways to all of the following locations that apply: abutting arterial or collector streets upon which transit stops or bike lanes are provided or designated; abutting undeveloped residential or commercial areas; adjacent undeveloped sites where an agreement to provide an accessway connection exists; and to abutting publicly-owned land intended for general public use, including schools;

(v) fences or gates which prevent pedestrian and bike access shall not be allowed at the entrance to or exit from any accessway.

(vi) bikeways shall be provided which link building entrances and bike facilities on the site with the adjoining public right-of-way and accessways.

(vii) 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.

Staff finds that this is not applicable; the proposed parking expansion would not result in any changes to access and circulation standards.

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

Staff finds that this is not applicable; the proposed parking expansion would not result in the construction of any new walkways or accessways.

(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.

Staff finds that this is not applicable; the proposed parking expansion would not result in the construction of any new accessways.

(e) Accessways to undeveloped parcels or undeveloped transit facilities need not be constructed at the time the subject property is developed. In such cases the applicant for development of a parcel adjacent to an undeveloped parcel shall enter into a written agreement with the City guaranteeing future performance by the applicant and any successors in interest of the property being developed to construct an accessway when the adjacent undeveloped parcel is developed. The agreement shall be subject to the City's re-view and approval.

Staff finds that this is not applicable.

(f) Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection to a bike or pedestrian path, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland.

Staff finds that this is not applicable.

(g) Accessways shall be constructed, owned and maintained by the property owner.

Staff finds that this is not applicable; the proposed parking expansion would not result in the construction of any new accessways.

(2) Drive-up Uses

Staff finds that this is not applicable.

(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.

Staff finds that this standard is met. The proposed expanded parking area will be visible from inside the club via windows on the west elevation of the tennis/clubhouse building and additional pole-mounted lighting will enable patrons, employees, and police to watch over the proposed improvements.

(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.

Staff finds that this is not applicable; the proposed project will not include any changes to the public right-of-way (ROW) or any changes in the interactions between existing buildings and the public ROW.

(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.

Public Comment: The City of Rivergrove and its citizens have been waiting for three years for the Stafford Hills Club to take any visible actions to mitigate the lighting problems. The

lights from the club's tennis courts shine northward into Browns Ferry Park and across the Tualatin River, adversely affecting neighbors and wildlife. Current Westside parking lot lighting projects into the adjacent wetlands, and any lighting for the parking lot expansion should be designed to not project into these areas.

Applicant Response: Stafford Hills Club has met with and listened to the feedback of the representatives from Rivergrove and we have completed our testing for several options of window coverings. We have collected the feedback from the Rivergrove neighbors and we are actively working on a permanent solution that will reduce the light emitted from the north-facing windows. A permanent solution is planned to be in place by the end of 2016.

Staff review of the submitted lighting plan (Sheet E01) illustrates that the proposed parking lot lighting will not result in an unacceptable level of light spilling onto the adjacent NRPO or public ROW; therefore, staff finds that this standard is met. Staff also finds that the comments regarding concerns from existing lighting from the tennis courts and from lighting emanating from within the main building are not applicable to the proposed project.

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

The proposed project would result in the expansion of an existing parking area and would not result in the construction of any other built structures; as such, staff finds that this is not applicable.

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

Staff finds that this standard is met (see General Landscaping Note #2 on Sheet L100, Preliminary Landscape Plan).

(f) Above ground sewer or water pumping stations, pressure reading stations, water reservoirs, electrical substations, and above ground natural gas pumping stations shall provide a minimum 6' tall security fence or wall.

Staff finds that this is not applicable.

(4) Service, Delivery and Screening

(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.

(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.

(c) Above ground pumping stations, pressure reading stations, water reservoirs; electrical substations, and above ground natural gas pumping stations shall be screened with sight-obscuring fences or walls and landscaping.

The proposed project would result in the expansion of an existing parking area and would not result in the construction of any other built structures, including additional electronic/mechanical equipment and/or additional storage areas; as such, staff finds that this is not applicable.

(5) The Federal Americans with Disabilities Act (ADA) applies to development in the City of Tualatin. Although TDC, Chapter 73 does not include the Oregon Structural Specialty Code's (OSSC) accessibility standards as requirements to be reviewed during the Architectural Review process, compliance with the OSSC is a requirement at the Building Permit step. It is strongly recommended all materials submitted for Architectural Review show compliance with the OSSC.

Staff finds that this standard is not applicable; the proposed project will not result in the construction of or the need for any new ADA-compliant parking spaces or accessways.

(6) (a) All industrial, institutional, retail and office development on a transit street designated in TDC Chapter 11 (Figure 11-5) shall provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street.

Staff finds that this is not applicable; SW Nyberg Lane is a minor collector and not a transit street (see TDC Figure 11-5).

(b) In addition to (a) above, new retail, office and institutional uses abutting major transit stops as designated in TDC Chapter 11 (Figure 11-5) shall:

- (i) locate any portion of a building within 20 feet of the major transit stop or provide a pedestrian plaza at the transit stop;**
- (ii) provide a reasonably direct pedestrian connection between the major transit stop and a building entrance on the site;**
- (iii) provide a transit passenger landing pad accessible to disabled persons;**
- (iv) provide an easement or dedication for a passenger shelter as determined by the City; and**
- (v) provide lighting at the major transit stop.**

Staff finds that this is not applicable; the project site is not adjacent or near a transit stop.

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.

(2) 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 building mechanical device at a minimum height equal to the height of the mechanical object to be screened.

The proposed project would result in the expansion of an existing parking area and would not result in the construction of any other built structures; as such, staff finds that this is not applicable.

G. Structure Design

Section 73.220 Standards (Structure Design—Commercial, Industrial, Public and Semi-Public Uses)

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) Safety and Security.

(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 without shining into public rights-of-way or fish and wildlife habitat areas.

Staff review of the submitted lighting plan (Sheet E01) finds that the proposed parking lot lighting will not result in an unacceptable level of light spilling onto the adjacent NRPO or public right-of-way; therefore, staff finds that this standard is met.

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

The proposed project would result in the expansion of an existing parking area and would not result in the construction of any other built structures; as such, staff finds that this is not applicable.

(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 finds that this standard is met (see General Landscaping Note #2 on Sheet L100, Preliminary Landscape Plan).

H. Landscaping

Section 73.240 Landscaping General Provisions

(1) The following standards are minimum requirements.

(2) The minimum area requirement for landscaping for conditional uses for RL, RML, RMH, RH and RH/HR Planning Districts, listed in TDC 40.030, 41.030, 42.030, 43.030 and 44.030, excluding 40.030(3), 40.030 (4)(j), 40.030 (4)(m), 40.030 (4)(n) and 41.030(2) shall be twenty-five (25) percent of the total area to be developed. When a dedication is granted in accordance with the planning district provisions on the subject property for a fish and wildlife habitat area, the minimum area requirement for landscaping shall be twenty (20) percent of the total area to be developed as determined through the AR process.

Staff notes that AR-09-08 calculated the landscaped area in the eastern (developed) portion of the project site as 27 percent (the natural/undeveloped portion of the project site are not included in this analysis). The proposed parking area expansion will result in an increase of approximately 0.30 acres (13,000 square feet) of parking area and 0.06 acres (2,600 square feet) of landscaped area to the developed portion of the project site. When combined, the total landscaped area in the eastern portion of the project site will be 26 percent; therefore, staff finds that this standard is met.

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

Staff finds that this standard is not applicable; the project area does not include yards adjacent to public streets.

(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.

Staff finds that this standard is not applicable; the project area does not include yards in the above-mentioned areas.

(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 un-vegetated areas of bark chips, rock or stone. Disturbed soils are encouraged to be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.

Staff finds that this standard is met (see General Landscaping Notes #8, #9 and #10 on Sheet L100, Preliminary Landscape Plan).

73.280 Irrigation System Required

Except for townhouse lots, landscaped areas shall be irrigated with an automatic underground or drip irrigation system.

Applicant Response: The Landscape Plan indicates that landscape areas will be irrigated with an automatic underground or drip irrigation system, meeting the requirement.

Staff finds that this standard is met (see General Landscaping Note #11 on Sheet L100, Preliminary Landscape Plan).

Section 73.290 Re-vegetation in Un-landscaped Areas

The purpose of this section is to ensure erosion protection, and in appropriate areas to encourage soil amendment, for those areas not included within the landscape percentage requirements so native plants will be established, and trees will not be lost.

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

Staff finds that this standard is met. The proposed parking lot expansion will result in 0.61 acres of permanent vegetative corridor impact, including areas immediately adjacent to and west of the proposed retaining wall that defines the western boundary of the expanded parking area. As such, a wetland mitigation program consisting of non-native and invasive vegetation removal and replanting with native woody vegetation is proposed for a minimum of 1.06 acres of wetland enhancement in the existing undeveloped western ~~half~~ portion of the site.

(2) Plant materials shall be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons.

Staff finds that this standard is met (see General Landscaping Notes #10 and #11 on Sheet L100, Preliminary Landscape Plan).

(3) The use of native plant materials is encouraged to reduce irrigation and maintenance demands.

Staff finds that this standard is met (see General Landscaping Note #2 on Sheet L100, Preliminary Landscape Plan).

(4) Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.

Staff finds that this standard is met (see General Landscaping Note #8 on Sheet L100, Preliminary Landscape Plan).

Section 73.310 Landscape Standards – Commercial, Industrial, Public and Semi-Public Uses

(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.

Applicant Response: A key design element of this plan is to limit encroachment into sensitive areas to the extent possible. The approximate 10.5-acre area to the west of the improved portion of the design is owned and maintained by applicant as open space natural area, all naturally landscaped and enhanced wetlands in accordance with requirements. Applicant incorporates this 10.5-acre naturally landscaped and enhanced wetland area to the west into the site design to vastly exceed the 5-foot landscaping requirement on the west boundary of the proposed parking expansion. The site design as submitted meets this criterion.

(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.

Staff finds that this standard is not applicable; the project area does not include areas exclusively for pedestrian use.

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

Staff finds that this standard is met (see Sheet C005, Preliminary Enlarged Site Plan, and Sheet L100, Preliminary Landscape Plan).

Section 73.320 Off-Street Parking Lot Landscaping Standards

(1) General Provisions. In addition to the goals stated in TDC 73.110 and 73.140, the goals of the off-street parking lot standards are to create shaded areas in parking lots, to reduce glare and heat buildup, provide visual relief within paved parking areas, emphasize circulation patterns, reduce the total number of spaces, reduce the impervious surface area and stormwater runoff and enhance the visual environment. The design of the off-street parking area shall be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics. Trees shall not be cited as a reason for applying for or granting a variance on placement of signs.

Applicant Response: Shaded areas are required in parking lots, providing visual relief, emphasizing circulation patterns and reducing impervious area. This site design complies with this criterion by introducing additional trees, shrubs and groundcover and creating additional parking in an area that will largely invisible to the general public. This criterion is met.

Staff finds that this standard is met (see Sheet L100, Preliminary Landscape Plan).

(2) Application. Off-street parking lot landscaping standards shall apply to any surface vehicle parking or circulation area.

Staff finds that this standard is met (see Sheet L100, Preliminary Landscape Plan).

Section 73.340 Off-Street Parking Lot and Loading Area Landscaping - Commercial, Industrial, Public and Semi-Public Uses, and Residential and Mixed Use Residential Uses within the Central Design District

(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.

Staff finds that this standard is met (see Sheet L100, Preliminary Landscape Plan).

(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). For conditional uses in multi-family residential planning districts the landscape width shall be at least 10 feet except for uses allowed by TDC 40.030(3), 40.030(5)(j), 40.030(5)(m), 40.030(5)(n) and 41.030(2).

Applicant Response: A key design element of this plan is to limit encroachment into sensitive areas to the extent possible. The approximate 10.5-acre area to the west of the proposed parking expansion is owned and maintained by applicant as open space natural area, all naturally landscaped and enhanced wetlands in accordance with requirements. Applicant incorporates this 10.5-acre naturally landscaped and enhanced wetland area to the west into the site design to vastly exceed the 5-foot landscaping requirement on the west boundary of the proposed parking expansion. The site design as submitted meets this criterion.

(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 TDC 73.360(7).

(ii) Plantings which reach a mature height of 30 inches in three 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.

(iv) Native trees and shrubs are encouraged.

Staff finds that these standards are met (see Sheet L100, Preliminary Landscape Plan).

(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.

Staff finds that this is not applicable.

Section 73.360 Off-Street Parking Lot Landscape Islands - Commercial, Industrial, Public, and Semi-Public Uses

(1) A minimum of 25 square feet per parking stall be improved with landscape island areas. They may be lower than the surrounding parking surface to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping. They shall be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands. They shall be dispersed throughout the parking area [see TDC 73.380(3)]. They shall be planted with groundcover or shrubs that will completely cover the island area within 3 years. They shall be planted with deciduous shade trees when needed to meet the parking lot shade tree requirements. Native plant materials are encouraged. Landscape square footage requirements shall not apply to parking structures and underground parking.

Staff finds that this standard is met (see Sheet L100, Preliminary Landscape Plan).

(2) Landscaped island areas with deciduous parking lot shade trees shall be a minimum of 5 feet in width (from inside of curb to curb).

Staff finds that this standard is met (as illustrated on Sheet L100, Preliminary Landscape Plan).

(3) A minimum of one deciduous shade tree shall be provided for every four (4) parking spaces to lessen the adverse impacts of glare, reduce heat from paved surfaces, and to emphasize circulation patterns. Required shade trees shall be uniformly distributed throughout the parking lot (see TDC 73.380(3)), except that within the Central Design District landscape islands and shade trees may be placed to frame views of the Tualatin Commons water feature or identified architectural focal elements. The trees shall meet the requirements of TDC 73.360(7). Parking lot shade tree requirements shall not apply to parking structures and underground parking.

Staff finds that this standard is met (as illustrated on Sheet L100, Preliminary Landscape Plan).

(4) Landscape islands shall be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns. Landscape island location requirements shall not apply to parking structures and underground parking.

Staff finds that this standard is met (as illustrated on Sheet L100, Preliminary Landscape Plan).

(5) Required plant material in landscape islands shall achieve 90 percent coverage within three years. Native shrubs and trees are encouraged.

Staff finds that this standard is met (see General Landscaping Note #2 on Sheet L100, Preliminary Landscape Plan).

(6) (a) Except as in (b) below, site access from the public street shall be defined with a landscape area not less than 5 feet in width on each side and extend 25 feet back from the property line for commercial, public, and semi-public development with 12 or more parking spaces and extend 30 feet back from the property line for industrial development, except for parking structures and underground parking which shall be determined through the Architectural Review process.

Staff finds that this standard is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(b) In the Central Design District where driveway access is on local streets, not collectors or arterials, and the building(s) on the property is(are) less than 5,000 square feet in gross floor area, or parking is the only use on the property, site access from the public street shall be defined with a landscape area not less than 5 feet in width on each side and extend 5 feet back from the property line, except for parking structures and underground parking which shall be determined through the Architectural Review process.

Staff finds that this standard does not apply.

Section 73.410 Street Tree Plan

A person who desires to plant a street tree shall comply with TDC 74.765, which comprises the street tree plan.

Staff finds that this standard is not applicable; the project area does not include areas adjacent to public streets. In addition, staff notes that street trees and other features of the public right-of-way are reviewed by City of Tualatin Engineering and Operations/Parks Maintenance Divisions.

I. Tree Preservation

Section 34.230 Tree Removal Criteria

Staff finds that the application materials submitted do not indicate any trees would be removed.

Section 73.250 Tree Preservation

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

Applicant Response: All trees are being preserved by this project therefore this criterion is met.

(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.

(c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in TDC 31.060.

(d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.

(e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree’s drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.

(f) Tree root ends shall not remain exposed.

Staff finds that these standards are met (as illustrated on Sheet C002, Tree Protection, Erosion And Sediment Control Plan).

J. Grading

Section 73.270 Grading

(1) After completion of site grading, top-soil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.

Staff finds that this standard is met (see cut/fill volume summaries on Sheet C003, Preliminary Grading Plan).

(2) All planting areas shall be graded to provide positive drainage.

Staff finds that this standard is met (see Sheet C003, Preliminary Grading Plan).

(3) Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.

Staff finds that this standard is met (see Sheet C003, Preliminary Grading Plan).

(4) Impervious surface drainage shall be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.

Staff finds that this standard is met (see Sheet C003, Preliminary Grading Plan).

K. Off-Street Parking and Loading

Section 73.370 Off-Street Parking and Loading

(1) General Provisions.

(a) At the time of establishment of a new structure or use, or change in use, or change in use of an existing structure, within any planning district of the City, off-street parking spaces, off-street vanpool and carpool parking spaces for commercial, institutional and industrial uses, off-street bicycle parking, and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process, based upon clear findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare or that a lesser number of vehicle parking spaces will be sufficient to carry

out the objectives of this section. In the Central Design District, the Design Guidelines of TDC 73.610 shall be considered. In case of conflicts between guidelines or objectives in TDC Chapter 73, the proposal shall provide a balance.

Public Comment: The applicant has failed to comply with Condition No. 5 of CUP-09-01.

Applicant Response: Condition No. 5 of CUP-09-01 deals with the requirement to submit a Parking Management Plan to the Architectural Review Board (ARB). That plan was submitted and approved, and the Stafford Hills Club complies with that Parking Management Plan, which set the number of on-site spaces at 138. The proposed Westside parking expansion is consistent with the spirit and intent of that plan, which is to reduce spillover on-street parking. The proposed project is expected to result in an improvement in on-site parking at Stafford Hills Club and will result in less traffic and parking impact on the adjoining neighborhood.

Staff finds that the existing parking inventory of 138 spaces meet the requirements of CUP-09-01, and that the proposed parking expansion of 55 spaces—based on site observations and industry standards—is intended to alleviate over-capacity conditions during club peak periods.

(2) Off-Street Parking Provisions.

(a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City, except for minimum parking requirements for the uses in TDC 73.370(2)(a) (Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: i, ii, iv; Commercial Amusements: i, ii; and Commercial: i, ii, xi, xii, xiv) within the Core Area Parking District (CAPD). Minimum standards for off-street motor vehicle parking for the uses in 73.370(2) (a) Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: i, ii, iv; Commercial Amusements: i, ii; and Commercial: i, ii, xi, xii, xiv in the CAPD are in TDC 73.370(2)(b). The maximum requirements are divided into Zone A and Zone B, as shown on the Tualatin Parking Zone Map, Figure 73-3. The following are exempt from calculation of maximum parking requirements: parking structures; fleet parking; parking for vehicles for sale, lease or rent; car/vanpool parking; dedicated valet parking; and user-paid parking.

Public Comment: The 55 additional parking spaces would add 40 percent more club traffic or 500 more cars a day to SW Nyberg Lane east of the Stafford Hills Club.

Applicant Response: The proposed parking expansion will actually reduce the traffic impact into the Fox Hills neighborhood. The overwhelming majority of Stafford Hills Club members access the club from SW 65th Avenue and from points west. Additional parking on the westside will mean that more cars use the expanded westside parking and, therefore, do not need to go further east along SW Nyberg Lane. This will actually improve traffic conditions along SW Nyberg Lane east of the Stafford Hills Club.

Staff finds that this standard is met. The minimum required off-street parking requirement for proposed uses on the site, as calculated in AR-09-08, is 88 spaces, which was increased per the Parking Management Plan and CUP-09-01 to the existing 138 spaces. The proposed project would not result in any additional amenities at the Stafford Hills Club and the proposed additional parking is intended to serve existing uses on the site and alleviate over-capacity conditions during club peak periods.

In response to the public comment above regarding additional traffic, the number of trips generated as a result of a proposed project is typically based on additional building square footage or if a parking lot reconfiguration might significantly change distribution of traffic

flows through a developed area. As the proposed project would not result in any additional amenities at the Stafford Hills Club and the parking access remains unchanged as well, the proposed project is not anticipated to result in an increase in traffic or a significant redistribution of existing traffic.

(3) Off-Street Vanpool and Carpool Parking Provisions.

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

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

Staff finds that this standard is met. The minimum required off-street parking requirement for proposed uses on the site, as calculated in AR-09-08, is 88 spaces; since the proposed project would not result in an increase in club amenities (and thus an increase in required parking), the existing 7 vanpool/carpool/electric vehicle spaces in the east side parking lot meet this requirement.

Section 73.380 Off-Street Parking Lots

A parking lot, whether an accessory or principal use, intended for the parking of automobiles or trucks, shall comply with the following:

(1) Off-street parking lot design shall comply with the dimensional standards set forth in Figure 73-1 of this section, except for parking structures and underground parking where stall length and width requirements for a standard size stall shall be reduced by .5 feet and vehicular access at the entrance if gated shall be a minimum of 18 feet in width.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

(2) Parking stalls for sub-compact vehicles shall not exceed 35 percent of the total parking stalls required by TDC 73.370(2). Stalls in excess of the number required by TDC 73.370(2) can be sub-compact stalls.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

(3) Off-street parking stalls shall not exceed eight continuous spaces in a row without a landscape separation, except for parking structures and underground parking. For parking lots within the Central Design District that are designed to frame views of the central water feature or identified architectural focal elements as provided in TDC 73.350(3), this requirement shall not apply and the location of parking lot landscape islands shall be determined through the Architectural Review process.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

(4) Parking stalls shall be constructed of asphalt or concrete, or a pervious surface such as pavers or grasscrete, but not gravel or woody material. Drive aisles and parking stalls shall be maintained adequately for all-weather use and drained to avoid water flow across sidewalks. Pervious surfaces such as pervious concrete, pavers and grasscrete, but not gravel or woody material, are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or in a Clean Water Services Vegetated Corridor. Parking lot landscaping shall be provided pursuant to the requirements of TDC 73.350 and TDC 73.360. Walkways in parking lots shall be provided pursuant to TDC 73.160.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

(5) Except for parking to serve residential uses, parking areas adjacent to or within residential planning districts or adjacent to residential uses shall be designed to minimize disturbance of residents.

Staff finds that this standard is not applicable; the project area is not directly adjacent to any residential uses.

(6) Artificial lighting, which may be provided, shall be deflected to not shine or create glare in a residential planning district, an adjacent dwelling, street right-of-way in such a manner as to impair the use of such way or a Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or a Clean Water Services Vegetated Corridor.

As discussed in the response to TDC 73.220(1)(a), staff review of the submitted lighting plan (Sheet E01) finds that the proposed parking lot lighting will not result in an unacceptable level of light spilling onto the adjacent NRPO or public right-of-way; therefore, staff finds that this standard is met.

(7) Groups of more than 4 parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.

Staff finds that this standard is not applicable; the project area does not include areas adjacent to public streets.

(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 for pedestrians and vehicular traffic on the site.

Staff finds that this standard is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(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.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

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

Staff finds that this standard is not applicable; the proposed project will not result in the construction of or the need for any new ADA-compliant parking spaces or accessways.

(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.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

L. Access

73.400 Access

(1) The provision and maintenance of vehicular and pedestrian ingress and egress from private property to the public streets as stipulated in this Code are continuing requirements for the use of any structure or parcel of real property in the City of Tualatin. Access management and spacing standards are provided in this section of the TDC and TDC Chapter 75. No building or other permit shall be issued until scale plans are presented that show how the ingress and egress requirement is to be fulfilled. If the owner or occupant of a lot or building changes the use to which the lot or building is put, thereby increasing ingress and egress requirements, it shall be unlawful and a violation of this code to begin or maintain such altered use until the required increase in ingress and egress is provided.

Staff finds that this standard is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(4) Requirements for Development on Less than the Entire Site.

(a) To promote unified access and circulation systems, lots and parcels under the same ownership or consolidated for the purposes of development and [comprising] more than one building site shall be reviewed as one unit in relation to the access standards. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area shall comply with the access requirements.

Staff finds that this standard is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(b) All access must be internalized using the shared circulation system of the principal commercial development or retail center. Driveways should be designed to avoid queuing across surrounding parking and driving aisles.

Staff finds that this standard is met (as illustrated on Sheet C005, Preliminary Enlarged Site Plan).

(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.

Staff finds that this is not applicable; the project area does not include areas adjacent to public streets.

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

Staff finds that this standard is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(7) Vehicular access for residential uses shall be brought to within 50 feet of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units.

Staff finds that this is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(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.

Staff finds that this is not applicable; the project area does not include areas adjacent to public streets.

(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.

(10) Minimum access requirements for residential uses:

Staff finds that this is not applicable.

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

Table 3. Minimum Access Requirements for Commercial, Public and Semi-Public Uses			
<i>Required Parking Spaces</i>	<i>Minimum Number Required</i>	<i>Minimum Pavement Width</i>	<i>Minimum Pavement Walkways, Etc.</i>
1-99	1	32 feet for first 50 feet from ROW, 24 feet thereafter	Curbs required; walkway 1 side only
100-249	2	32 feet for first 50 feet from ROW, 24 feet thereafter	Curbs required; walkway 1 side only
Over 250	As required by City Engineer	As required by City Engineer	As required by City Engineer

Staff finds that this is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(12) Minimum Access Requirements for Industrial Uses.

Staff finds that this is not applicable.

(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.

Staff finds that this is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(14) Maximum Driveway Widths and Other Requirements.

(a) Unless otherwise provided in this chapter, maximum driveway widths shall not exceed 40 feet.

(b) Except for townhouse lots, no driveways shall be constructed within 5 feet of an adjacent property line, except when two adjacent property owners elect to provide joint access to their respective properties, as provided by Subsection (2).

(c) There shall be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Engineer.

Staff finds that this is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(16) Vision Clearance Area

(a) **Local Streets** - A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 10 feet from the intersection point of the right-of-way lines, as measured along such lines (see Figure 73-2 for illustration).

(b) **Collector Streets** - A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way

lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet (see Figure 73-2 for illustration).

(c) Vertical Height Restriction - Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction shall be permitted between 30 inches and 8 feet above the established height of the curb in the clear vision area (see Figure 73-2 for illustration).

Staff finds that this is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

(17) Major driveways, as defined in 31.060, in new residential and mixed-use areas are required to connect with existing or planned streets except where prevented by topography, rail lines, freeways, pre-existing development or leases, easements or covenants, or other barriers.

Staff finds that this is not applicable; the project area does not include the site access point from the public street (SW Nyberg Lane).

Section 75.120 Existing Streets (Access Management)

The following list describes in detail the freeways and arterials as defined in TDC 75.030 with respect to access. Recommendations are made for future changes in accesses and location of future accesses. These recommendations are examples of possible solutions and shall not be construed as limiting the City's authority to change or impose different conditions if additional studies result in different recommendations from those listed below.

(9) 65TH AVENUE

(a) Nyberg to Borland:

There will be no new additional driveways.

Staff finds that this standard is met; there are no driveways with access to the project site along SW 65th Avenue.

M. Signs

The Applicant shall, separately from this AR, submit sign permit applications for any changed or new signage.

N. Time Limit on Approval

Section 73.056 Time Limit on Approval

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 **September 29, 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., September 29, 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:

A handwritten signature in blue ink, appearing to read 'CHB III', with a horizontal line extending to the right.

Charles H. Benson, III
Associate Planner

Issued by:

A handwritten signature in blue ink, appearing to read 'Aquilla Hurd-Ravich', written in a cursive style.

Aquilla Hurd-Ravich
Planning Manager

V. ATTACHMENTS

The record includes all submitted materials that may be requested for viewing at the City of Tualatin Planning Counter. The following can be downloaded from the City of Tualatin webpage:

- 101: Application Materials, deemed complete July 13, 2016
- 102: Public Comments