

Comments on AR-16-0008 – Stafford Hills Club Westside Parking Expansion

David J. Pierce
5700 Childs Rd.
Lake Oswego, OR 97035

I would not support any expansion of Stafford Hills Club (SHC's) facilities until they correct issues associated with lighting pollution, and they comply, and continue to comply, with their original development permit from the City of Tualatin,

The citizens, Mayor, City Manager, and City planning consultant for the City of Rivergrove have all met with SHC staff in an effort to curtail, correct, and find a permanent solution to the issue of bright high-power lights from SHC's tennis courts. These lights shine into Browns' Ferry Park and across the river, adversely affecting neighbors and wildlife. We have received numerous promises that SHC staff will “look into it.” To date nothing substantial has been done to correct this matter. Essentially, our comments and pleas have been ignored. Any attempt for voluntary compliance has failed.

We were pleased to learn at a recent public meeting regarding the parking lot expansion, that SHC staff stated they would be doing a trial north window shading project, at the request of their club's tennis players. It was hoped that this shading would also benefit the neighbors and wildlife as well. That was encouraging, as the City of Rivergrove and it's citizens have been waiting for three years for SHC to take any visible actions to mitigate the lighting problems.

The shading experiment concluded last week, and it was removed. There was an improvement in the glare from the intense lighting. However, the City of Rivergrove has received no response from SHC to their communications regarding

comments and questions about the trial shading, or what future actions might be taken to truly and permanently correct the problem.

I realize that SHC wants to be a good neighbor, and wants to be environmentally friendly. They proudly tout themselves as such to City Councils, in publications, and on their website. But, the reality is they have not truly been so. The daily and continued extreme bright lighting from their tennis courts is neither neighborly nor environmentally friendly.

Brown's Ferry Park contains natural areas for numerous types of wildlife. The City of Tualatin has designated it as such. The pond across from SHC is blasted by light every night, negatively impacting many species of plants and wildlife. I won't cite scientific evidence, but there are plenty studies supporting this fact. Because the light is so bright, one can walk the trails in the park without a flashlight. The court lights are so bright that on the opposite (NORTH) side of the Tualatin River, over 800 feet away from the courts, one can see faint shadows from tree trunks. Having to gaze into lighting as bright as any highly lit service station is oppressive and offensive.

The correction for this problem is not complex. SHC needs to install shades (ideally automated) on the north facing windows of their tennis courts to keep the extreme bright light from polluting the environment each evening. The shades would also assist in retaining heat or cooling for the courts, thus lowering their energy bills. Currently, SHC has some type of curtains they use on the west side garage door openings of the courts. A similar arrangement could be used for the north facing windows. But, they **MUST** be used every evening from dusk until dawn.

I honestly do wish SHC success in their business venture with their facility. They are providing a valuable benefit to people's health. Obviously, from their request to expand their facilities, they are doing well. Every business owner has a right to make their business succeed. However, doing so at the expense of the community and the environment is immoral, inappropriate, and an affront and insult to us and nature. The citizens of Rivergrove and Mother Nature, who can't speak for herself, are not asking for anything exorbitant here. SHC has already installed window shading on one set of windows. The same can be done on their north facing windows. We are simply asking for common courtesy and compliance.

Regarding the specifics of the parking lot expansion, I would note that any lighting of the lot have extremely sharp cutoffs so that the it does not project back into the adjacent wetlands. The current parking lot lighting does project into the wetlands all night long. See attached photo.



Planning Division

Attn. Charles H. Benson III

Associate Planner / City of Tualatin

AR-16-0008

CITY OF TUALATIN
RECEIVED

JUL 28 2016

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Dear Charles:

You and I have had some communications about the parking lot expansion at Stafford hills Tennis club. The Stafford hills Tennis club was given a Conditional use permit in 2009 after a large fight from the neighbors to the east property line on Mobile Pl. In the discussions was parking. The City Council had ask the Zupancic group to reduce their planned parking on site to 122. That was changed to 138 and at the architectural review Zupancic was asked if that was enough parking and there reply was yes. He then gave details on how they would manage it. I'm going to send a long with this letter copies of the ARB findings. If Zupancic would have submitted a design with 193 parking spaces they would not have been given the permit. This is a back door approach to expand his business. The harm to me is that my back yard backs to Nyberg Lane and 55 addition parking would add 40% more club traffic or 500 more cars a day. This application needs to go to the City Council for review because this is part of conditional use permit. I have evidence that they have not complied with their conditions and we the public should have a chance to voice our concerns in front of the City Council. I'm enclosing a Request for Review form. Please take the time to review the original documents from 2009 AR-09-08 Stafford Hills Racquet fitness Club. I'm not sure but I think you can not add to a conditional use permit without going through City Council. That said this is a new construction in a R-1 zoning and parking lots are not part of single family home and would require City council approval. Also Environmental, Clear water, BLM, and Oregon land use because of the wet lands encroachment.

Just because they could not manage their parking (Condition #5) doesn't mean they can just add on parking spaces.

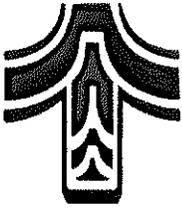
Thanks for your consideration.

Doug Rasmussen

19025 SW Mobile Pl.

Tualatin, Or. 97062

971-227-4099



City of Tualatin

www.tualatinoregon.gov

CITY OF TUALATIN
RECEIVED

JUL 28 2016

COMMUNITY DEVELOPMENT
PLANNING DIVISION

REQUEST FOR REVIEW

A Request for Review must be received by the Community Development Department - Planning Division or Engineering Department by 5:00 p.m. of the 14th calendar day after the Notice of the Decision. Only those persons who submitted comments during the notice period may submit a request for review. You must provide all of the information requested on this form, as required by TDC 31.075. This form must be signed and submitted in writing. You will be notified of the hearing date.

Name of Party requesting review Douglas Rasmussen

Address 19025 S.W. Mobile Pl.

Date 7-27-2016 Telephone 971-227-4099

Did you submit comments on the proposal during the notification period? yes

You represent or you are:

- The applicant
- City Councilor
- Government agency
- City-recognized neighborhood association
- Architectural Review Board (ARB) member
- City Manager
- Other Home Owner

I request a review of Case No AR-16-0008

This form is used in part to determine the appropriate hearing body for review. Check which portion of the decision for which you are requesting review:

<input type="checkbox"/> AR/Arch. Features	<input checked="" type="checkbox"/> Interpretations	<input type="checkbox"/> Subdivisions	<u>Weather They are able to Add on to a CUP with out City Council</u>
<input type="checkbox"/> AR/Public Facilities	<input type="checkbox"/> Partitions	<input type="checkbox"/> Transitional Use Permit	
<input type="checkbox"/> Historic Landmark	<input type="checkbox"/> Reinstatement of Use	<input type="checkbox"/> Variances	
<input type="checkbox"/> Industrial Master Plan	<input type="checkbox"/> Sign Variance		

Project: Stafford Hills Club westside Parky Expansion
(Give description of subject property or proposed name of project)

Explain clearly which portions of the decision you are asking to be reviewed (attach separate sheet if needed). This should specify how you are adversely affected by the decision and how the decision is allegedly not in conformance with applicable TDC requirements: Extra Parking will add more traffic as my property Back up to Myberg Lane. also They have Failed to be in compliance of Condition #5 of there Conditional use Permit

Appeal of Staff Architectural Review decision to ARB: \$0. Appeal of Decision to Council: Please see current fee schedule.

D. Rasmussen
Your signature

FOR OFFICE USE ONLY:

Received by Planning _____ Received by Engineering _____ Date received: _____
 Fee received _____ Receipt No. _____ Check # _____
 The review will be heard by the _____ ARB _____ City Council Date of hearing: _____

including the Trailblazer Practice Facility on SW Childs Road, the Alexan on SW Lower Boones Ferry Road and the Novellus Systems facility on SW Leveton Drive. When an area with a grasscrete surface is primarily a landscape or pedestrian feature and vehicle use is rare or infrequent, Staff recommends that it be considered eligible to count as required landscaping.

Mr. Rasmussen states "Aesthetics of neighborhood are compromised because of excess pavement and impervious surface." It is correct the amount of "impervious surface" on the SHR&F Club development site is approximately 78% of the development area (based on the Water Quality Volume Calculation-Public & Private Facilities Plan C4, Attachment E) when the hardscaped plaza and pedestrian areas are included. The amount and percentage of paved and hardscaped areas on the developed portion of the SHR&F Club site is greater than the percentage found in residential development or in the neighboring residential areas. Staff notes three considerations:

- As proposed and in accordance with CUP-09-01 and the landscape standards of the TDC, the site perimeter, site front yard facing SW Nyberg Lane, and the east, north and west perimeters of the buildings include wide and densely planted, topsoil base landscape planter areas with trees and shrubs. The paved or hard-surfaced activity areas are located behind buildings or away from neighboring residential properties. The perimeter and front yard landscaping is what the neighbors and public see when driving and walking by or from their homes. The amount of "hardscape" and paved areas on a development of this size is only perceived from an aerial perspective.
- The overall SHR&F Club property is over 15 acres in size and the approximately 7 acres on the west are protected creek, wetland and open space that will be preserved as natural area. Comparing the amount of impervious surface to the property's 15 acres reduces the percentage to approximately 25% which is comparable to nearby residential development.
- TDC 73.050(1)(b) is a standard requiring that the design of the development is compatible with the design of other developments in the same general vicinity. The ARB Staff Report and ARB Decision found that the design of the development including the outdoor tennis courts, the hard surfaced outdoor pool plaza and use of pedestrian areas met the compatibility standard.

The ARB Decision for AR-09-08 accepted the proposed landscape areas including the hard-surfaced Pool/Terrace Plaza, pedestrian walkways and the grasscrete areas that were primarily for pedestrian or landscape use. The ARB did not require additional landscaping or a reduction in impervious surface.

Reason #2 CONCLUSION

In the analysis of Mr. Rasmussen's statements, staff provides information developed in the ARB hearings that establishes the SHR&F Club landscaping and use of hard surfaced landscape areas are in compliance with TDC 73.240(2) and 73.050(1)(b).

Staff recommends the City Council agree with the ARB's Decision and deny the Request for Review landscaping issue by finding that amount of required landscaping is provided and considering the amount of paved and hard surfaced area, the development design is compatible with other development in the vicinity.

Reason #3 APPELLANT'S COMMENTS

Appellant Douglas Rasmussen states, "Request review of decision to allow current parking management plan to stand unsubstantiated. Parking requirements are calculated on insufficient data concerning use of facility. Applicant's statements indicate times of extreme attendance that require on-street/offsite parking. Applicant has only provided statements on proposed action for overflow parking with no data to support compliance. This poses a public safety issue that is not resolved concerning overflow parking in Fox Hill neighborhood." (Attachment A, Douglas Rasmussen Request for Review November 20, 2009 pg. 1)

Reason #3 STAFF RESPONSE

The ARB decision for AR-08-06 established that the proposed 138 spaces are required on-site parking for the SHR&F Club facility based on the parking standards of TDC 73.370(1, 2) (Attachment F-Staff Report to ARB, pp.24-25). CUP-09-01 Condition #5 (Attachment G; CUP-09-01 Conditions of Approval) requires a Parking Management Plan to ensure adequate on-site parking and to plan for parking for tournament and events at the SHR&F Club. AR-09-08 Condition AR-7 required:

"...the Parking Management Plan shall be revised to establish the parking and activity management requirements of Conditions #3 & #4 and to meet Condition #5, show that scheduled events on the SHR&F Club site with more than 40 attendees can be accommodated with available on-site and off-site parking locations and managed to minimize SHR&F Club parking on public streets."

The ARB reviewed the Parking Management Plan submitted by the applicant (Attachment B & G- November 3, 2009 Parking Management Plan) and considered information from staff, the applicant and neighbors in evaluating the parking needs for SHR&F Club "everyday" activities at the facility and for special events when more participants and visitors would be expected. There was testimony questioning the feasibility of obtaining off-site parking from nearby developments and questioning the developer's ability to keep visitors from parking on residential streets. The developer repeated his confidence in the Parking Management Plan and in being able to provide adequate parking on and off-site for the events that will be held at the SHR&F Club. This would be accomplished by obtaining parking agreements, providing parking shuttles, member & visitor parking information and using parking monitors when needed. The ARB discussed the parking plan and decided that if there are problems with parking associated with the SHR&F Club, it is an issue of compliance with the conditional use permit and could be returned for the City Council to consider. The ARB found that the SHR&F Club Parking Management Plan was adequate and would meet AR-09-08 Condition AR-7 and CUP-09-01 Condition #5.

In the appeal statements, Mr. Rasmussen believes that required parking for the SHR&F Club was evaluated with insufficient information on the use of the facility because the Parking Management Plan is "unsubstantiated" and lacking the data necessary to evaluate it. He again raises concerns about overflow parking from activities at the SHR&F Club occurring neighboring residential streets.

The ARB Decision for AR-09-08 accepted the November 3, 2009 (version) Parking Management Plan as in compliance with the TDC and CUP-09-01 Condition #5 and would meet ARB Condition AR-7. The ARB discussed the issues and concerns about adequate parking, event parking and parking management that were raised by Mr. Rasmussen and others in comments and testimony during the public hearing. In consideration of that information, the ARB found parking and parking management planning to be adequate and did not require modification or additional information in the SHR&F Club Parking Management Plan.

The Zupancic Responses to the Appeal Issues letter (Attachment B, pp 3-9) addresses Reason #3 regarding Parking Requirements and the Parking Management plan with information supporting the ARB's approval of the November 3, 2009 plan submitted by the Applicant. Mr. Zupancic goes on to discuss CUP-09-01 Condition #5 as being too restrictive for the SHR&F Club operation when considering the amount of on-site parking provided and required and conflicting with an interest in reducing potential for street parking. A change to a condition of approval established in the conditional use process would require a reconsideration of CUP-09-01 by the Council (in a conditional use permit public hearing). Applying Condition #5 and determining compliance with the Condition can be performed by the Council in the public hearing for AR-09-08. While the ARB approved a parking management plan that was proposed by the applicant to comply with TDC standards and CUP-09-01 conditions, there may be other ways for the applicant to design a parking area and a parking management plan. The Council can review and consider alternate designs in compliance with the TDC and Condition #5 with a result that can accommodate the interests of the neighbor and the developer.

Reason #3 CONCLUSION

In the analysis of Mr. Rasmussen's statements, staff reviews the ARB's consideration of SHR&F Club parking in terms of the TDC and CUP-09-01 and in respect to testimony and comments from neighbors at the public hearing. The basic questions and issues on parking management that are raised in the Rasmussen appeal were considered by the ARB in its decision.

Staff acknowledges that the applicant may suggest other parking area and parking management plan designs that can meet the standards of the TDC and CUP-09-01.

Staff recommends the City Council agree with the ARB's Decision and deny the Request for Review of the parking issue by finding that amount of parking for the SHR&F Club facility and addressed in the Parking Management Plan are adequate as per the AR-09-08 ARB Decision and CUP-09-01.

STAFF CONCLUSION

Based on the findings of this report and on the supporting materials and information cited in the findings, Staff concludes the Douglas L. Rasmussen Request for Review of the ARB Decision on the Stafford Hills Racquet & Fitness Club project, AR-09-08, regarding landscaping, Activity Building windows, and the Parking Management Plan should be denied.

This criterion has been met and the Findings and Decision of the ARB relating to this issue should be affirmed.

Issue No. 3: Parking requirements and proposed Parking Management Plan. Appellant raises issues concerning the adequacy of off-street parking and the efficacy of the CUP-required Parking Management Plan.

A. Parking Management Plan

Condition No. 5 of CUP 09-01 required that the Stafford Hills Racquet and Fitness Club ("SHR&F Club") submit to the ARB a Parking Management Plan "to ensure that there is adequate on-site parking and to avoid spill-over parking onto neighboring residential streets."

As City Councilors will recall, at the CUP hearing, the Applicant presented an extensive traffic-impact study that included a comprehensive trip generation count performed by Kittleson Associates. That analysis included a physical trip count at the West Hills Racquet and Fitness Club (Portland) and the Mountain Park Racquet Club (Lake Oswego).

The physical trip count was taken on clear weather days in the month of January, "a traditionally high season for health and sports related activities for people after the holidays." (Traffic Analysis Report at Page 27). Roads were clear and navigable. This peak-season assumption is validated by the International Health, Racquet and Sports Club Association that concludes new membership activity in the month of January is nearly double the average between April and December.¹ Therefore, Kittleson's numbers were conservative, using comparative trip count numbers at peak season, on a clear day with navigable roads.

Kittleson engineers observed not only traffic flows, but also examined parking conditions at the West Hills and Mountain Park sites. The most comparable of the two clubs, West Hills, offers 104 on-site parking spaces. Even at this peak time, West Hills did not experience overflow parking conditions. On the contrary, the 104 on-site parking stalls at West Hills proved adequate and reasonable.

However, in an abundance of caution and in an effort to mitigate against the risk of spill-over parking, Stafford Hills presented to the ARB a plan that included 138 parking stalls, even though only 88 parking stalls are "required" under the TDC standards. On reflection, the ARB saw the wisdom of providing 138 on-site parking stalls, and incorporated that conclusion in their findings.

Appellant correctly refers to TDC 73.370 as provisions requiring adequate off-street parking. However, TDC 73.370 requires only 88 parking spaces for this facility. The planned parking exceeds the required minimum by 58%.²

¹ IHRSA's Guide to the Health Club Industry, Second Edition (2004), p. 85

² TDC 73.370 includes no parking requirements for outdoor recreational features such as the pool. Applicant believes patronage of such features justifies the need for additional spaces.

Appellant's claim that the Parking Management Plan is "unsubstantiated" and that parking requirements are based on "insufficient data" does not square with the evidence in the record. Significant effort and expense have been incurred to evaluate parking requirements and develop data. That data clearly supports the reasonableness of the Parking Management Plan and affirmation of the ARB Findings and Decision.

The terms and conditions of the Parking Management Plan are reasonable and properly address Condition No. 5 of CUP 09-01. The Findings and Decision of the ARB relating to the Parking Management Plan should be affirmed.

B. Adequacy of On-Site Parking vs. Restrictive Parking Zone

The Appellant's assertion presents an interesting dichotomy. On one hand, the Appellant has argued that buffers be expanded, landscaping increased, and on-site parking be restricted before 8 a.m., all of which reduces available on-site parking. On the other hand, Appellant is concerned about "spill-over" parking onto neighboring public streets. Clearly, Appellant's position on reducing available on-site parking area increases the risk of spill-over parking. The two positions are at odds.

A historical review of the parking issue is informative. In the CUP Application materials, Applicant presented a parking plan including 126 parking stalls. As a result of increasing the buffer on the east property line to 20 feet, 17 parking stalls were removed from the east parking lot, the parking was reoriented, the building size was reduced, and 29 parking stalls were added to the west parking annex.

When the Applicant recommended the mitigations of (1) a concrete fence along the east boundary and (2) enhanced and enlarged buffer, it was in lieu of the proposed prohibition of before-8 a.m. parking of vehicles within 100 feet of the eastern boundary, aka the "Restrictive Parking Zone." Instead of adopting the mitigation in lieu of the 100 foot Restrictive Parking Zone ("RPZ"), the Council adopted the mitigation in addition to the RPZ in the final CUP 09-01.

Condition No. 3 of Resolution 4890-09 provides:

"The SHR&F Club shall establish a parking management program that will restrict on-site parking before 8:00 a.m. from parking stalls within 100 ft. of the SHR&F Club east property line."

The RPZ results in 56 parking spaces becoming unusable before 8:00 a.m. In this regard, the Applicant agrees with the Appellant that the on-site parking should be maximized and the RPZ eliminated. The unintended consequence of the RPZ is to potentially shift early-morning parking onto neighboring public streets. Neither the City, the Applicant nor the Appellant desire this result.

**Parking and Transportation Demand Management Plan
Stafford Hills Racquet & Fitness Club
(Amended October 30, 2009)**

1) **CUP Condition #5:** *To ensure there is adequate on-site parking and to avoid spill-over parking onto neighboring residential streets, a Parking Management Plan for the Stafford Hills Racquet & Fitness Club ("SHR&F") use shall be submitted with an Architectural Review application. The Parking Management Plan shall contain provisions for tournament and event parking that may include limits on attendance, mechanisms for restricting SHR & F Club visitor parking on public streets, and providing off-site parking in approved parking areas.*

A. Typical Weekday/Weekend Activities

Parking Spaces shall be designated for typical weekday and weekend use in the following proportions:

Staff spaces ¹ (westside):	29
Member spaces (eastside):	97
Carpool spaces ¹ :	6
Handicapped spaces:	5
Electric Vehicle spaces ¹ :	1
TOTAL SPACES ONSITE:	138

o **Scheduling**

Weekday and weekend activities will be scheduled in a manner to accommodate typical usage patterns. For example, classes will be scheduled around peak usage times so as to avoid exacerbating parking demand during typical times of high demand.

o **Management**

Management will be tasked with monitoring parking usage and assuring that member and staff parking does not impact public streets.

o **Carpooling**

Management will establish a carpool program in which staff shall be encouraged to carpool. An appropriate incentive shall be identified to help encourage carpooling. (As an example, Nike in Beaverton encourages

¹While specially designated, these spaces are also available as needed for on-site overflow member parking.



employees to carpool by providing priority spaces and giving “Nike Bucks” that can be redeemed at the Nike discount store to those who choose to carpool.) Parking spaces closest to the west entrance of the Tennis Building shall be designated for carpool use only.

o Transit Info Center

Management will provide an information center for staff and members to assist in providing the latest transit information and transit routes. Management will also coordinate with TriMet to determine if adjustments to current bus routes serving SW 65th Ave. could be made to include direct service along Nyberg Lane. If not, consideration will be given to provide a shuttle for employees using the SW 65th Ave. TriMet route to promote use of mass transit.

o Electric Vehicle Club Car

An innovative all-electric club car will be used by employees for day-to-day business errands to eliminate the necessity of having employees drive to work and use their cars for business errands.

o Bicycles and Bike Racks

A sufficient number of bike racks will be available for staff and member use. Existing bike lanes on both sides of Nyberg Lane will promote bicycle access and usage.

o Connectivity with Fox Hills and Legacy Meridian Park Hospital

An advantage to being located near a residential development is that members living nearby in Fox Hills will be motivated to walk or bike to the Club instead of using a car. Likewise, members who work at Legacy Meridian Park Hospital (“MPH”) will be encouraged to leave their vehicles in the Legacy MPH parking lot and walk to the Club via a connecting pathway. This pedestrian pathway is currently being discussed between the Club and Legacy MPH.

o Flex Space on West Side

Should it be needed during overflow circumstances, additional parking for up to 15 vehicles is available on the grasscrete area west of the Tennis Building.

- o Drop-Off Island

Signage will be used to direct vehicles into a counter-clockwise pattern around the east parking lot, and when appropriate, to drop off members at the drop-off island located near the Club entrance. Drop-off and Pick-up location will promote parents and guardians to transport children while not requiring on-site parking during their wait.

- o Zip Car

Discussions are underway with Zip Car to establish a Zip Car access location at Legacy MPH, thereby allowing users to utilize Zip Car, park at Legacy MPH, and access the Club via the pedestrian pathway. Management from Legacy MPH has expressed interest in this concept.

B. Special Event and Tournament Parking

- o Scheduling

Special events and tournaments will be scheduled in a manner to complement and not compete with typical peak parking demand usage.

- o Restricting Parking on Public Streets

Management will make clear that members, guests and staff should avoid parking on public streets, and will direct that they instead use recommended off-site parking in approved areas.

- o Approval of Offsite Parking

The Club is or will be in discussions with management of Legacy MPH, Nyberg Woods Shopping Center and churches on Borland Road to arrange for complementary parking for Club visitors during special events and tournaments. The Club is confident that this can be arranged.

- o Planning

Management will consider as part of any tournament or special event how the parking will be managed, the number of expected vehicles, how to utilize approved offsite parking and how to restrict spillover parking onto public streets. Events will not be planned where approved off-site parking cannot be accommodated.

o Shuttle Service

When necessary, the Club will provide a shuttle service between the approved offsite parking areas and the Club as a convenience to guests and visitors.

CUP Condition #5 is met.

- 2) CUP Condition #9: *The SHR&F Club shall: eliminate parking located east of the Activity Center; reduce the number of total parking stalls to 122 stalls; and relocate designated staff parking to the west of the outdoor courts. The center core parking will be re-oriented to run north-south, which reduces impacts on ("our") neighbors to the east.*

o Parking Redesigned

Parking has been redesigned to eliminate all parking east of the Activity Center. Staff parking has been relocated west of the outdoor courts and the Tennis Building. The east parking lot has been re-oriented to run north-south and the number of spaces in the east lot has been reduced to 109 stalls, to comply with the intent of CUP Condition #9.

CUP Condition #9 is met.

- 3) CUP Condition #3: *The SHR & F Club shall establish a parking management program that will restrict on-site parking before 8 a.m. from parking stalls within 100 ft. of the SHR&F Club east property line.*

o Restrictive Parking

Management will be tasked with implementing a program to restrict on-site parking before 8:00 a.m. in parking stalls within 100 feet of the east boundary line. Members will be informed of this restriction (as part of membership information materials) and management will monitor compliance on a regular basis.

CUP Condition #3 is met.

This has not been met since it opened

RESOLUTION NO. 4890-09

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR THE STAFFORD HILLS RACQUET & FITNESS CLUB AS A PRIVATE CLUB USE AND FOR ADDITIONAL BUILDING HEIGHT IN THE LOW-DENSITY RESIDENTIAL (RL) PLANNING DISTRICT AT 5916 SW NYBERG LANE (TAX MAP 21E19C, TAX LOT 900) (CUP 09-01).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on April 27, 2009, and continued on May 26, 2009, upon the application of Zupancic Group, requesting a Conditional Use Permit to allow 1. The Stafford Hills Racquet & Fitness Club (SHR&F Club) as a private club use in the Low Density Residential (RL) Planning District at 5916 SW Nyberg Lane; 2. Increased building height from the maximum 35 ft. in a RL Planning District to a height of up to 40 ft.; and

WHEREAS notice of public hearing was given as required by the Tualatin Development Code by mailing a copy of the notice to affected property owners located within 300 feet of the property, which is evidenced by the Affidavit of Mailing marked "Exhibit A," attached and incorporated by this reference, and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B," attached and incorporated by this reference; and

WHEREAS the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 5-1]; with Mayor Ogden, Councilor Beikman, Councilor Barhyte, Councilor Davis voting for approval; Councilor Truax opposed; Councilor Harris recused; and Councilor Maddux absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff reports, dated April 27, 2009 and May 26, 2009, marked "Exhibit C," which is attached and incorporated by reference. In addition to the findings in the April 27 and May 26, 2009 Staff Reports for CUP-09-09, the City Council also finds that: with the conditions of approval #1-#6 listed in the Staff Recommendation and with the responses 1-7 in the May 4, 2009 Zupancic Group letter incorporated as Conditions #7-#13, the Council finds the Criteria of TDC 32.030 (1-5) for approval of conditional uses are met and there are no grounds to deny CUP-09-01; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

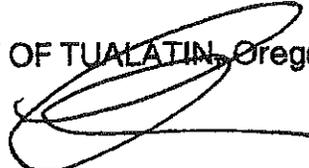
Section 1. The City Council agrees with the staff report CUP-09-01 to allow a private club use and increase building height up to 40 ft. with the following conditions:

1. To ensure an adequate visual buffer between the Legacy Health Systems property to the proposed SHR&F Club outdoor/covered courts and indoor tennis building, the proposed club facility shall submit an Architectural Review plan that shows a buffer of evergreen and deciduous plantings on the south perimeter of the development area that extend from planter grade to 10 ft. in height to provide screening of the outdoor courts and include trees that will reach a minimum mature height of 30 ft. or more to provide a buffer to the indoor tennis building rooftop.
2. To ensure that the SHR&F Club buildings with the proposed increased building height is adequately buffered to the residences east of the site, the proposed athletic club facility shall submit an Architectural Review plan that shows a buffer of evergreen and deciduous plantings on the east perimeter of the development area that that extend from planter grade to a minimum height of 12 ft. and include trees that have a minimum planted size of 12 ft. or 3" caliper and will reach a minimum mature height of 30 ft. or more.
3. The SHR&F Club shall establish a parking management program that will restrict on-site parking before 8 am from parking stalls within 100 ft. of the SHR&F Club east property line.
4. Activities in the SHR&F Club buildings and on-site shall end by 10:00 p.m. and that the buildings and parking areas be closed by 10:30 p.m.
5. To ensure there is adequate on-site parking and to avoid spill-over parking onto neighboring residential streets, a Parking Management Plan for the SHR&F Club use shall be submitted with an Architectural Review application. The Parking Management Plan shall contain provisions for tournament and event parking that may include limits on attendance, mechanisms for restricting SHR&F Club visitor parking on public streets, and providing off-site parking in approved parking areas.
6. To ensure that outdoor lighting does not create glare to the adjoining public street, to the natural wetland to the west of the development area and onto adjacent properties, the proposed private club facility shall submit an Architectural Review plan that shows exterior building and site lighting will not shine or create glare in a manner that impairs the use of a property by residents or wildlife.

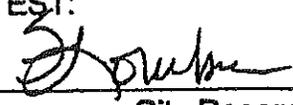
7. The Zupancic Group/SHR&F Club shall increase the buffer along the east boundary, to 20 feet at the parking lot and 25 feet at the Activity Building as shown on the site plan (Site Plan A1.10 submitted with the May 4, 2009 Zupancic Group Letter).
8. The SHR&F Club will install at "our (Zupancic Group) expense", a concrete panel fence or equal along the eastern boundary of the site extending north of the Activity Center. The Zupancic Group agrees to meet the fence approval criteria of TDC 73.050 and the objectives and standards set forth in TDC 73.210 and 73.220.
9. The SHR&F Club shall: eliminate parking located east of the Activity Center; reduce the number of total parking stalls to 122 stalls; and relocate designated staff parking to the west of the outdoor courts. The center core parking will be re-oriented to run north – south, which reduces light impacts on ("our") neighbors to the east.
10. The SHR&F Club parking lot lighting will be mounted as low as possible, include backing that prevents light "spillage" onto adjoining properties and turns off to the extent not needed for reasonable protection of health and safety. Include lighting that will not endanger wildlife or emit direct observable light in quantities substantially greater than that typically found within the vicinity.
11. The SHR&F Club Tennis Building roll up doors on the east side of the Tennis Building will remain closed before 8:00 am and after 8:00 pm to the extent necessary to confine light and noise within the building, as may be reasonably requested by an adjoining impacted property owner residing on Mobile Place.
12. To accommodate increased buffer along the eastern boundary, the size of the Tennis Building shall be reduced a total of approximately 4,100 sq. ft.
13. The Zupancic Group/SHR&F Club will work with the Wetlands Conservancy and the Audubon Society of Portland to assist in the preservation of natural resources including waterfowl and other natural habitat. Members of the SHR&F Club will be offered educational information concerning the wetlands and promote respect for, and enjoyment of, the surrounding beauty of this site. The Zupancic Group/SHR&F Club shall comply with the requirements of the Service Provider Letter from Clean Water Services, which outlines the restoration requirements associated with the area to the west development. The Zupancic Group and SHR&F Club will work with the City Operations and Parks Departments to add pavement markings at the "Duck Crossing" signs on Nyberg Lane, if deemed necessary by the City, to help protect ducks from vehicular traffic.

INTRODUCED AND ADOPTED this 8th day of June, 2009.

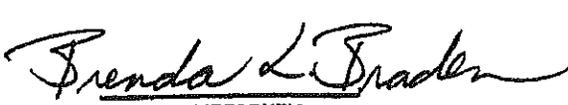
CITY OF TUALATIN, Oregon

By  _____
Mayor

ATTEST:

By  _____
City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

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

73.370(1)(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.

Conditions #3, #4, #5 & #9 of CUP-09-01 for the SHR&F Club required:

3. The SHR&F Club shall establish a parking management program that will restrict on-site parking before 8 am from parking stalls within 100 ft. of the SHR&F Club east property line.
4. Activities in the SHR&F Club buildings and on-site shall end by 10:00 p.m. and that the buildings and parking areas be closed by 10:30 p.m.
5. To ensure there is adequate on-site parking and to avoid spill-over parking onto neighboring residential streets, a Parking Management Plan for the SHR&F Club use shall be submitted with an Architectural Review application. The Parking Management Plan shall contain provisions for tournament and event parking that may include limits on attendance, mechanisms for restricting SHR&F Club visitor parking on public streets, and providing off-site parking in approved parking areas.
9. The SHR&F Club shall: eliminate parking located east of the Activity Center; reduce the number of total parking stalls to 122 stalls; and relocate designated staff parking to the west of the outdoor courts. The center core parking will be re-oriented to run north - south, which reduces light impacts on ("our") neighbors to the east.

73.370(2)(a) Commercial Amusements (iv) Racquet Courts, Health Clubs requires 1.0 parking spaces per 1000 square feet of GFA with a maximum of 1.5 spaces per 1000 square feet of fitness area (Zone B).

The SHR&F Club is considered a private club with racquet courts, a fitness area and facilities for club members. The "Parking Management Plan" proposes 138 on-site parking stalls to serve everyday parking demand with additional spaces above the minimum parking standards in TDC 73.370(2) to absorb ordinary peak demand and discourage conflicts with nearby on-street parking.

Building	Floor Area	Minimum Parking/1000	Required Parking
Tennis/Clubhouse	69,526 SF	1.0 spaces	70 spaces
Activity:	18,342 SF	1.0 spaces	18 spaces
Total	87,868 SF		88 spaces

The applicant proposes 138 parking spaces for the SHR&FClub facility, which exceeds the minimum requirement for a racquet and health club facility. The Parking Management Plan anticipates the parking needs at "peak use times", "special events" and tournaments with an additional 40 on-site spaces and proposes utilizing the "grasscrete area to the west of the site", Browns Ferry Park and Meridian Park Hospital as overflow parking locations.

Condition #9 of CUP-09-01 states: "The SHR&F Club shall: eliminate parking located east of the Activity Center; reduce the number of total parking stalls to 122 stalls; and relocate designated staff parking to the west of the outdoor courts. The center core parking will be re-oriented to run north - south, which reduces light impacts on ("our") neighbors to the east." The plans show no parking to the East of the Activity Center, meeting the requirement. The number of parking stalls in the East parking Area is 109 stalls, and staff interprets this amount of parking on the east side of the buildings to meet the "reduce to" "122 stalls" requirement. The primary drive aisles in the East Parking area are oriented north-south and the proposed parking area lighting is directed away from the residential properties, satisfying the Condition.

The SW Nyberg Lane frontage of the SHR&FClub does not have on-street parking. Condition #5 of CUP-09-01 required a Parking Management Plan to ensure there is adequate on-site parking and avoids "spill-over parking on neighboring residential streets." The Parking Management Plan (PMPlan) proposes "...vehicle operators be directed to park in the adjoining neighborhood." CUP-09-01 discourages the SHR&FClub use of on-street parking in residential areas and the proposal to use it does not comply with the condition.

The PMPlan does not provide information about parking restrictions before 8 a.m. in the East Parking area as required by CUP-09-01 Condition #3 and does not address the parking and facility closure times required in Condition #4.

The PMPlan does not provide information about the expected attendance, timing and the parking demand of the special events and tournament events mentioned in the application or the effect of an overlap of event attendance with everyday SHR&FClub use. It cannot be determined from the PMP how much overall parking would be needed for the events anticipated by the SHR&FClub and how that amount can be provided with on-site and off-site parking facilities. This does not comply with the CUP-09-01 condition of approval #5.

The proposal to utilize available parking on other nearby developments such as Brown's Ferry Park and Meridian Park Medical Center is consistent with CUP-09-01 condition #5, but is subject to obtaining an agreement with the property owner. It cannot be determined from the PMPlan under what circumstances the off-site parking will be needed, how much would be needed, what the logistics of controlling parking locations are, how attendees will access SHR&FClub from an off-site location and whether an agreement to use the off-site parking is available. The proposed PMPlan does not meet Condition #5.

Based on the information developed in the parking plan that raises the prospect of "peak" parking demand and smaller events that will increase parking demand for the SHR&FClub, the proposed 138 on-site parking spaces will meet the parking requirements of 370(1)(a). To meet the CUP-09-01 conditions of approval and prior to issuance of a Building Permit, the Parking Management Plan shall be revised to establish the parking and activity management requirements of Conditions #3 & #4 and to meet Condition #5, show that scheduled events on the SHR&FClub site with more than 40 attendees can be accommodated with available on-site and off-site parking locations and managed to minimize SHR&FClub parking on public streets.

73.370(2)(a) Commercial Amusements (iv) Racquet Courts, Health Clubs requires 2 bicycle parking spaces per 1,000 s.f. of exercise area and 50% must be covered bicycle parking spaces. The SHR&FClub buildings have approximately 9,500 s.f. of exercise area and 19 bicycle spaces are required (10 covered). The plans show 22 spaces (12 covered) that meets the requirement.

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. The plans indicate 22 exterior bicycle parking spaces with 6 racks on the north side of the Activity Building and 6 covered racks next to three canopy columns on the walkway between the Clubhouse entrance and Activity Building entrance. No information on the design of the bike racks is provided and it cannot be determined if the requirement is met. To meet the requirement of 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.

73.370(1)(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. The plans indicate the bicycle parking locations, but do not indicate each bicycle parking space to be at least 6 feet long and 2 feet wide with overhead clearance in covered areas of at least 7 feet. To meet the requirement of 73.370(1)(o), revised plans shall be submitted that show the bicycle parking meets the 6-foot long 2-foot wide size requirement.

73.370(1)(r) Required bicycle parking shall be located in convenient, secure, and well lighted locations approved through the Architectural Review process. The proposed bicycle parking locations are near the main entrances to both buildings, which is a convenient, secure and well-lighted location and meets this requirement.

73.370(1)(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. No bicycle parking signage has been identified on the plans. Because no signage

has been identified, the requirement has not been met. To meet the requirement of 73.370(1)(u), revised plans shall be submitted that show bicycle parking areas and facilities to be identified with appropriate signage as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs shall be located at the location of the bicycle parking facilities.

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 SHR&FClub development requires 138 parking spaces, which requires 6 car/vanpool spaces. 4 car/vanpool spaces are proposed in the East parking area and the requirement for six spaces is not met. To meet the requirement of 73.370(3), the plans shall be revised to show a minimum of six (6) vanpool and carpool parking stalls that meet the standards of 73.370(1)(x).

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. The carpool/vanpool spaces shown do not meet the 9 ft. parking stall standards and signage requirement. To meet the requirement of 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.

73.380(1) Off-street parking lot design shall comply with the dimensional standards set forth in Figure 73-1 of this section. There 138 parking spaces with both standard and subcompact dimensions proposed. Parking stall width and depth requirements are met for the proposed standard and subcompact size, 90° angle parking. The aisle requirement of 24 ft. for two-way circulation with standard size stalls is met in the proposed East Parking area. The proposed 20 ft. wide West Parking area/service drive aisle serves all compact parking and meets the standard of Figure 73-1.

73.380(2) Parking stalls for sub-compact vehicles shall not exceed 35 percent of the total parking stalls required by Section 73.370(2). A total of 138 on-site parking stalls are required and 31 subcompact stalls are proposed (22% of required). The standard is met.

73.380(3) Off-street parking stalls shall not exceed eight continuous spaces in a row without a landscape separation. Review of the revised Site Plan indicates the parking area landscape islands proposed in the development area meet the requirement.

73.380(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. The drive aisles and parking areas are asphalt, which meets the requirement.

73.380(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. The SHR&FClub site is in the RL Planning District and adjoins existing residential properties on the east. CUP-09-01 Conditions #1, #2, #3, #4 #7, #8, #9 require the SHR&FClub development to minimize disturbances associated with the East Parking by requiring additional buffering between parking and the residential area, restricting parking near residential properties in the early morning hours, limiting the parking area and facility hours of use, requiring a concrete panel fence between the residential properties and parking, and limiting the number of parking stalls in the East Parking Area. The proposed East Parking area is separated from nearest the residential uses by a 25 ft. setback with a 6 ft. high masonry fence and landscaping. With the parking restrictions in the conditions of approval in CUP-09-01, the proposed East Parking area of the SHR&FClub development is designed to minimize disturbance or residents and meets the requirement.

Conditions #6 & #10 of CUP-09-01 for the SHR&FClub required:

#6. To ensure that outdoor lighting does not create glare to the adjoining public street, to the natural wetland to the west of the development area and onto adjacent properties, the proposed private club facility shall submit an Architectural Review plan that shows exterior building and site lighting will not shine or create glare in a manner that impairs the use of a property by residents or wildlife.

#10. The SHR&F Club parking lot lighting will be mounted as low as possible, include backing that prevents light "spillage" onto adjoining properties and turns off to the extent not needed for reasonable protection of health and safety. Include lighting that will not endanger wildlife or emit direct observable light in quantities substantially greater than that typically found within the vicinity.

73.380(6) Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way. The site plans and Lighting Plans show freestanding pole lighting fixtures in the East and West Parking areas. The plans show the illumination characteristics of the freestanding fixtures and their location and shows the lighting is adjustable and in locations that will not shine or create glare on residential properties nor impair the use of the ROW.

CUP-09-01 Conditions #6 and #10 require restrict lighting glare onto neighboring properties, ROW and natural areas. The Lighting Plan shows freestanding pole lighting in the East Parking area have 22 ft. mounting height and are directed away from neighboring properties and the ROW and the pole lighting in the West Parking Service Drive have a 16ft. mounting height and directed away from the adjoining

natural area, meeting the requirements of 73.380(6) and CUP-09-01 Conditions #6 and #10.

The proposed outdoor tennis court lighting is shown as 26 ft. high pole lighting with deflected light fixtures that confine the illumination to the court areas. This meets the requirements of CUP-09-01 Conditions #6 and #10.

73.380(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. The proposed parking meets the requirement.

73.380(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. There will be curbing in the parking areas, which meets the requirement.

73.380(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. The proposed drive aisle and circulation system meets the requirement.

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

The total gross floor area of the two buildings is 78,868 s.f. Three (3) loading berths are required. The proposed Tennis/Clubhouse Building facility has 3 loading berths on the west elevation, which meets the requirement.

73.390(2) Loading berths shall conform to the following minimum size specifications:

- (a) Commercial, Public and Semi-Public uses > 25,000 GSF 12' x 35'
- (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.

The proposed loading areas meet the requirement.

14. Access:

73.400(11) Public Semi-Public and Commercial Uses with 100-240 Required Parking Spaces, Minimum 2 access driveways required. Ingress and egress for commercial uses shall not be less than 32 feet for First 50' from ROW, and 24' thereafter. One (1) walkway is required with each required access. There are 138 parking spaces required for the SHR&FClub development. The development proposes two accesses with walkways via an East Driveway and West parking/service driveway from SW Nyberg Lane which are adequate to serve the development.

The proposed East entry driveway from SW Nyberg Lane is designed as a formal, entrance driveway to the building entrances and East Parking area. The west access driveway is primarily for employee, service and loading use. The plans show the primary East driveway is 32 ft. for the first 50 ft. from the ROW, meeting the requirement. The 24 ft. width of the West parking/service access driveway does not meet the 32 ft. standard. To meet the requirement of 73.400(11) the width of the West ingress and egress access shall not be less than 32 feet for First 50' from ROW.

73.400(11) Maximum Driveway Widths and Other Requirements. (a) Unless otherwise provided in this chapter, maximum driveway widths shall not exceed 40 feet. The maximum driveway width standard of 73.400(11) is met.

Vision clearance requirements at the driveways and street intersection shall comply with the requirements of 73.400(13). The locations of proposed landscaping and street trees meet vision clearance requirements of 73.400(16).

15. Signs:

No new signage is proposed for this development. Any new signage proposed for the site shall be submitted separately for sign permits.

16. Public Comments Received:

Four letters of neighboring property owner comment were received by the 5 p.m. October 9, 2009 deadline (Attachment 7) as per the Oregon Limited Land Use process for Land Division and Architectural Review/Public Facilities Staff Decisions. The comment letters were from Ms Julie Sepp (1 letter to City Engineer/ 1 letter to Community Development), Bob & Janice Dove, and Mr. Douglas Rasmussen.

A letter from Cheri Emahiser was received on October 26, 2009 that will be included as Attachment 8 with the ARB staff report for ARB consideration in the Public Hearing, but is not eligible as a comment for the Public Facilities Decision as per the Oregon Limited Land Use process.

Comments in the Julie Sepp letters and other comments relating to Public Facilities are considered in the Public Facilities Decision, included as a Draft Public Facilities Decision for the ARB's information. The comments in the Sepp, Dove and

General

Extensive effort has been made to create a parking layout that is synergistic with the neighborhood and functional for the club.

The number of parking spaces needs to be reasonably adequate to handle normal operating peak loads so as to not burden adjoining streets with parked vehicles. For this purpose, we have decided to provide a total of 138 total parking stalls which exceeds the "required" number of stalls by 50. We believe this buffer of additional stalls will be very helpful to eliminate overflow parking onto nearby streets during peak loads.

In addition, staff parking has been provided west of the Tennis Building to allow early morning/late night ingress and egress for staff in an area other than the main parking area. We believe this design feature will minimize early and late parking noise and light for nearby residents.

Special Events/Tournament Parking

Special events and tournaments may be infrequently scheduled, and may create a temporary aberration in parking requirements. If and when provided parking stalls proved insufficient to meet special demand, vehicles would be directed to park in the following areas:

1. Grasscrete area to the west of the developed site.
2. Brown's Ferry Park parking lot.
3. Legacy Meridian Park Hospital (with permission).

Only if the above were not available or insufficient would vehicle operators be directed to park in the adjoining neighborhood. We expect this circumstance to occur very rarely, if ever.

If an extraordinary "super" event were ever planned that would likely require substantial offsite parking, we would apply to the City for a permit to allow temporary parking on one side of Nyberg Lane.

Restrictive Parking Policy

The club will adopt a policy directing members to avoid parking in stalls within 100 feet of the east boundary line of the property before 8:00 a.m.

Containment Within Allotted On-Site Parking

Club management will do all things reasonably necessary to schedule events, classes and other activities in a manner that does not typically overload available onsite parking and create an overflow onto adjoining streets or properties. In the unusual circumstance that overflow parking may be needed, management will communicate with appropriate parties and neighbors to lessen impacts.

Specifications

Type, Color, Texture

Refer to elevations for location of:

1. Wood
2. Glass
3. Masonry
4. Textured panels
5. Concrete
6. Steel

Masonry El Dorado Architectural Stone
K-West or Willamette Brokentop

Base Color (Benjamin Moore) Devonshire Green

Trim Color (Benjamin Moore) Salem Gray

Steel Butter or equal textured panels and vertical reverse rib

Wood Stain Sikkens

Color boards and PowerPoint slides will be prepared for City Staff and presentation to the ARTS.

All selections will be earth-tone colors and textures to complement naturally occurring colors, tones and textures found in Brown's Ferry Park and surrounds.



**Zupancic
Group**
Real Estate Counsel and Developers

CITY OF TUALATIN
RECEIVED

NOV 03 2009

COMMUNITY DEVELOPMENT
PLANNING DIVISION

November 3, 2009

Will Harper, Planner
City of Tualatin
Planning Division
18875 SW Martinazzi Ave.
Tualatin, OR 97062

VIA E-MAIL

RE: Stafford Hills Racquet & Fitness Club
Architectural Review Board Meeting

Dear Will:

As a follow-up to our meeting last week, and in response to your issued Staff Recommendations in connection with the above-referenced application, we present you with the following information that will be offered at tomorrow night's ARB meeting. These are provided as a courtesy to you to assist in your preparation for your Staff Report presentation at the meeting.

1. Parking Management Plan: This plan (attached) has been substantially revised with the assistance of Kittleson & Associates, Inc. All of the applicable CUP Conditions 3, 4, 5, and 9 are appropriately addressed and met.
2. Building Height: While we are still confused about how the Tennis Building height calculates at 42 feet, we have modified the design to lower the building height to 39 feet at the north elevation – measured from grade 6" below finish floor. This has been accomplished by removing the parapet on the Tennis Building (the parapet remains on the Clubhouse and Activity Center) and reducing the height of the north-facing wall. This reduces the visual impact onto Nyberg Lane and the overall scale of the Tennis Building.
3. Architectural Detail: Ray Yancey, architect, will present material selections and color boards that show extensive use of stone, wood, simulated board and batten siding, simulated stucco siding, glazing, landscaping trellis and accent colors that enhance the appeal and attractiveness of this facility. We will arrive early tomorrow night to show you these selections.
4. East Boundary Fencing: The concrete fencing along the eastern boundary will be constructed with a concrete board and batten simulated material that provides the benefits of concrete, attractiveness of a wood-simulation and also reduces root damage to nearby vegetation because posts are installed similar to traditional cedar fencing. See the photos attached. Another benefit is that traverse of the sewer

NOV 03 2009

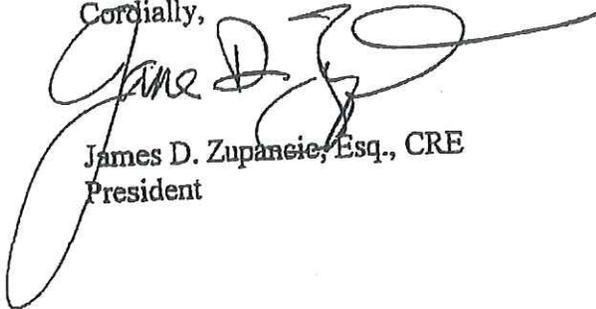
COMMUNITY DEVELOPMENT
PLANNING DIVISION

Will Harper
RE: Stafford Hills Racquet and Fitness Club
November 3, 2009
Page 2

easement is manageable since this concrete fencing can be easily dismantled in the event that easement access is required. Of course, the "good neighbor" aspects of the fencing are evident because each side reflects the wood-simulation, and the fence line layout can be modified to avoid large trees as needed.

We look forward to tomorrow night's ARB meeting and hope this advance information is helpful to you.

Cordially,



James D. Zupancic, Esq., CRE
President

NOV 04 2009

**Parking and Transportation Demand Management Plan
Stafford Hills Racquet & Fitness Club
(Amended October 30, 2009)**

COMMUNITY DEVELOPMENT
PLANNING DIVISION

- 1) **CUP Condition #5:** *To ensure there is adequate on-site parking and to avoid spill-over parking onto neighboring residential streets, a Parking Management Plan for the Stafford Hills Racquet & Fitness Club ("SHR&F") use shall be submitted with an Architectural Review application. The Parking Management Plan shall contain provisions for tournament and event parking that may include limits on attendance, mechanisms for restricting SHR & F Club visitor parking on public streets, and providing off-site parking in approved parking areas.*

A. Typical Weekday/Weekend Activities

Parking Spaces shall be designated for typical weekday and weekend use in the following proportions:

Staff spaces ¹ (westside):	29
Member spaces (eastside):	97
Carpool spaces ¹ :	6
Handicapped spaces:	5
Electric Vehicle spaces ¹ :	1
TOTAL SPACES ONSITE:	138

o **Scheduling**

Weekday and weekend activities will be scheduled in a manner to accommodate typical usage patterns. For example, classes will be scheduled around peak usage times so as to avoid exacerbating parking demand during typical times of high demand.

o **Management**

Management will be tasked with monitoring parking usage and assuring that member and staff parking does not impact public streets.

o **Carpooling**

Management will establish a carpool program in which staff shall be encouraged to carpool. An appropriate incentive shall be identified to help encourage carpooling. (As an example, Nike in Beaverton encourages

¹While specially designated, these spaces are also available as needed for on-site overflow member parking.

employees to carpool by providing priority spaces and giving "Nike Bucks" that can be redeemed at the Nike discount store to those who choose to carpool.) Parking spaces closest to the west entrance of the Tennis Building shall be designated for carpool use only.

o Transit Info Center

Management will provide an information center for staff and members to assist in providing the latest transit information and transit routes. Management will also coordinate with TriMet to determine if adjustments to current bus routes serving SW 65th Ave. could be made to include direct service along Nyberg Lane. If not, consideration will be given to provide a shuttle for employees using the SW 65th Ave. TriMet route to promote use of mass transit.

o Electric Vehicle Club Car

An innovative all-electric club car will be used by employees for day-to-day business errands to eliminate the necessity of having employees drive to work and use their cars for business errands.

o Bicycles and Bike Racks

A sufficient number of bike racks will be available for staff and member use. Existing bike lanes on both sides of Nyberg Lane will promote bicycle access and usage.

o Connectivity with Fox Hills and Legacy Meridian Park Hospital

An advantage to being located near a residential development is that members living nearby in Fox Hills will be motivated to walk or bike to the Club instead of using a car. Likewise, members who work at Legacy Meridian Park Hospital ("MPH") will be encouraged to leave their vehicles in the Legacy MPH parking lot and walk to the Club via a connecting pathway. This pedestrian pathway is currently being discussed between the Club and Legacy MPH.

o Flex Space on West Side

Should it be needed during overflow circumstances, additional parking for up to 15 vehicles is available on the grasscrete area west of the Tennis Building.

o Drop-Off Island

Signage will be used to direct vehicles into a counter-clockwise pattern around the east parking lot, and when appropriate, to drop off members at the drop-off island located near the Club entrance. Drop-off and Pick-up location will promote parents and guardians to transport children while not requiring on-site parking during their wait.

o Zip Car

Discussions are underway with Zip Car to establish a Zip Car access location at Legacy MPH, thereby allowing users to utilize Zip Car, park at Legacy MPH, and access the Club via the pedestrian pathway. Management from Legacy MPH has expressed interest in this concept.

B. Special Event and Tournament Parking

o Scheduling

Special events and tournaments will be scheduled in a manner to complement and not compete with typical peak parking demand usage.

o Restricting Parking on Public Streets

Management will make clear that members, guests and staff should avoid parking on public streets, and will direct that they instead use recommended off-site parking in approved areas.

o Approval of Offsite Parking

The Club is or will be in discussions with management of Legacy MPH, Nyberg Woods Shopping Center and churches on Borland Road to arrange for complementary parking for Club visitors during special events and tournaments. The Club is confident that this can be arranged.

o Planning

Management will consider as part of any tournament or special event how the parking will be managed, the number of expected vehicles, how to utilize approved offsite parking and how to restrict spillover parking onto public streets. Events will not be planned where approved off-site parking cannot be accommodated.

NOV 04 2009

COMMUNITY DEVELOPMENT
PLANNING DIVISION

o Shuttle Service

When necessary, the Club will provide a shuttle service between the approved offsite parking areas and the Club as a convenience to guests and visitors.

CUP Condition #5 is met.

- 2) ***CUP Condition #9:** The SHR&F Club shall: eliminate parking located east of the Activity Center; reduce the number of total parking stalls to 122 stalls; and relocate designated staff parking to the west of the outdoor courts. The center core parking will be re-oriented to run north-south, which reduces impacts on ("our") neighbors to the east.*

o Parking Redesigned

Parking has been redesigned to eliminate all parking east of the Activity Center. Staff parking has been relocated west of the outdoor courts and the Tennis Building. The east parking lot has been re-oriented to run north-south and the number of spaces in the east lot has been reduced to 109 stalls, to comply with the intent of CUP Condition #9.

CUP Condition #9 is met.

- 3) ***CUP Condition #3:** The SHR & F Club shall establish a parking management program that will restrict on-site parking before 8 a.m. from parking stalls within 100 ft. of the SHR&F Club east property line.*

o Restrictive Parking

Management will be tasked with implementing a program to restrict on-site parking before 8:00 a.m. in parking stalls within 100 feet of the east boundary line. Members will be informed of this restriction (as part of membership information materials) and management will monitor compliance on a regular basis.

CUP Condition #3 is met.

- 4) CUP Condition #4: Activities in the SHR&F Club buildings and on-site shall end by 10:00 p.m. and the buildings and parking areas will be closed by 10:30 p.m.

o Closing

Scheduling will be arranged so that on-site activities will end by 10:00 p.m. and buildings will be closed by 10:30 p.m. This information will be provided to members as part of membership information materials and management will monitor compliance on a regular basis.

CUP Condition #4 is met.