



City of Tualatin

www.tualatinoregon.gov

NOTICE OF ADOPTION

BY THE ARCHITECTURAL REVIEW BOARD

On September 25, 2017, the City of Tualatin by the Architectural Review Board approved and adopted with conditions the **Architectural Review Application** (File No. AR17-0006) for the IPT Tualatin located at 12155 SW Tualatin-Sherwood Rd (Tax Map 2S1 27BC 00200). A copy of the decision is attached. Concurrently the Public Facilities Decision was approved by staff.

These decisions 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 Tualatin Development Code (TDC) 31.075, and signed by the appellant. Only those persons who submitted comments during the notice period or testified at the public hearing 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 TDC Sections 31.076 and 31.078.

Date notice mailed: September 26, 2017

Date a Request for Review must be filed: October 10, 2017

File: AR17-0006



September 20, 2017

**STAFF REPORT
RECOMMENDATION TO THE ARCHITECTURAL REVIEW BOARD**

Case #:	AR17-0006
Project:	IPT Tualatin
Location:	12155 SW Tualatin-Sherwood Rd
Tax Map/Lots:	2S1 27BC 00200
Applicant/Owner:	VLMK Engineering + Design / IPT Tualatin DC LLC
Applicant/Rep.:	Jennifer Kimura, VMLK Engineering + Design, Portland, OR jenniferk@vmlk.com

TABLE OF CONTENTS

I. INTRODUCTION 3

 A. Project Description 3

 B. Site Description..... 3

 C. Project Schedule 4

II. RECOMMENDED FINDINGS..... 5

 A. Previous Related Land Use Actions 5

 B. Planning Districts and Adjacent Land Uses..... 5

 C. Planning District Uses 5

 D. Lot Sizes 7

 E. Setback Requirements..... 8

 F. Structure Height 9

 G. Development Review Approval 10

 H. Landscape and Building Maintenance 12

 I. Site Planning 13

 J. Structure Design 18

 K. Environmental Regulations..... 19

 L. Mixed Solid Waste and Source Separated Recyclables Storage Areas..... 19

 M. Landscaping 24

 N. Tree Removal and Preservation 31

 O. Grading 34

 P. Off-Street Parking and Loading 34

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.

Q. Access	44
R. Signs	44
S. Time Limit on Approval.....	44
III. RECOMMENDED CONDITIONS.....	46

I. INTRODUCTION

A. Project Description

Industrial Property Trust (IPT) Tualatin DC LLC, proposes to construct a new one-story approximately 157,230-square-foot industrial building “shell” at 12155 SW Tualatin-Sherwood Road approximately 400 feet east of 124th Avenue. The proposed building, occupying approximately 41 percent of the property, would be centered on the project site, with building entrances and access points at each of the building’s four corners, and surrounded by approximately 165,180 square feet (43 percent of the property) of paved parking and circulation areas. The remainder of the project site would be developed with approximately 63,600 square feet (16.5 percent of the property) of perimeter landscaping.

The proposed development would include 159 parking spaces primarily located in the northern and southern portion of the project site, served by two access driveways along SW Cimino Street. The west driveway would be shared with the existing ITEL Corporate Center at 12310-12370 SW Cimino Street; the east driveway would be located in the northeast corner of the project site and would require the eastward extension of Cimino Street, which currently ends approximately 25 feet east of the project site’s western boundary line. Landscaping would be provided along the entire perimeter of the project site.

The building design is cohesive and consists of 42-foot-tall tilt-up concrete panels anchored with prominent corner elements, with industrial-style canopies and clear aluminum storefront windows. The loading dock areas are recessed into the building’s east and west façades and screened from views along SW Tualatin-Sherwood Road with perimeter landscaping. The building exterior would be comprised of neutral gray colors with deep blue accents, with an overall architectural style similar to the ITEL Corporate Center development to the west.

While tenants are unknown at this time, the proposed building would house up to four (4) tenants and a mix of office, industrial, and warehousing uses.

B. Site Description

This approximately 9-acre parcel, Washington County Tax Lot 2S1 27BC 00200, is relatively flat, with the southeast corner currently occupied by the ITEL family farm that has been used for farming and truck repair for several years (see Figure I-1). Access to the project site is currently provided through an 180-foot-wide driveway along SW Tualatin-Sherwood Road; all existing development on this site, including the farm and the access driveway, will be removed as part of the proposed development.

The subject lot and neighboring properties to the north, east, and west are located in the City of Tualatin’s General Manufacturing (MG) Planning District, which extends northward to Oregon Route 99W (Pacific Highway), eastward to SW 95th Avenue, southward to the Portland & Western Railroad (PNWR) right-of-way, and westward to SW Cipole Road and Tualatin’s western boundary. The properties adjacent and south of the project site—and south of SW Tualatin-Sherwood Road—are not located within Tualatin city limits but are located within its planning area and are mapped with a Manufacturing Business Park (MBP) planning district.

There are no wetlands, greenways, or riverbanks located on-site, nor is the site located within any Natural Resources Protection Overlay District (NRPO) or floodplain. While there is a large wetland area north of the subject site, this wetland is located greater than 200 feet from the site and no vegetated corridor is present on the subject property.

Figure I-1. Aerial Map of Subject Area



C. Project Schedule

A pre-application conference for this project was held on June 26, 2016. A neighborhood/developer meeting—as required by Tualatin Development Code (TDC) 31.063—was held on June 12, 2017, commencing at 6:00 PM in the Conference Room at the Tualatin Public Library, 18878 SW Martinazzi Avenue, Tualatin, OR 97062. Meeting attendees included two members from the IPT Tualatin project team and two representatives from the City of Tualatin. There were no members from the community in attendance.

This application was originally submitted on July 19, 2017, and deemed complete on August 14, 2017. Per the 120-Day Rule—Oregon Revised Statute (ORS) 227.178-227.179—final City of Tualatin action/decision on this application must be completed on or before December 12, 2017.

Staff last visited the site on August 21, 2017.

II. RECOMMENDED FINDINGS

The Planning Division findings in the following section are based on interpretive compliance with the Tualatin Development Code (TDC) and other applicable ordinances. All references are to sections in the TDC unless otherwise noted.

In the following section, planning staff comments, findings, and conditions of approval are in Italic font.

A. Previous Related Land Use Actions

With the exception of the Itel/IDM Partition (PAR-08-03), which was recorded in 2009 as Washington County Document No. 2009059449, there are no previous land use actions related to the project site.

B. Planning Districts and Adjacent Land Uses

The subject property is located in the in the General Manufacturing (MG) planning district where light manufacturing, warehousing/distribution, wholesaling uses, and a wide range of heavier manufacturing and processing activities are permitted pursuant to Tualatin Development Code (TDC) 61.020.

Adjacent planning districts and land uses are:

North: General Manufacturing Planning District (MG)

- Undeveloped property containing wetlands (Wager property)

East: General Manufacturing Planning District (MG)

- Residential property at 12075 SW Tualatin-Sherwood Road containing the Wager House, a Tualatin Historic Landmark

South: Manufacturing Business Park Planning District (MBP)*

- Undeveloped property at southeast corner of SW Tualatin-Sherwood Road and 124th Avenue (Itel property)
- Residential property at 12350 SW Tualatin-Sherwood Road
- Farm at 12150 SW Tualatin-Sherwood Road (Itel property)

West: General Manufacturing Planning District (MG)

- One-Story Itel Corporate Center at 12310-12370 SW Cimino Street currently housing Shields Manufacturing, Rexel, FleetPride Truck & Trailer Parts, and IDM (Investment Development Management, LLC)

**Located in planning area, outside of Tualatin city limits*

C. Planning District Uses

Section 61.020 General Manufacturing (MG) Permitted Uses

No building, structure or land shall be used in this district except for the following uses as restricted in TDC 61.021. *[non-applicable provisions omitted for brevity]*...

(1) All uses permitted by TDC 60.020 and 60.037 in the Light Manufacturing Planning District.

(8) Manufacture of the following types of products: [...]

60.020(18) Offices for executive, administrative, and professional uses related to the sale or service of industrial products.

60.020(34) Warehousing related to the above uses; and warehousing for merchandise or goods normally sold or owned in commercial or residential planning districts, but excluding direct retail sales to customers from such warehouse structure, and excluding the storage of hazardous materials.

Applicant Response: The list of allowed uses is extensive and includes most types of uses that we see in a standard industrial warehouse and/or manufacturing facility. This project is proposed as a “shell” building and the tenant is not known at this time, but it is anticipated to fall within the parameters of those items shown on the approved list.

Although future tenants are not known at this time, staff notes that the applicant has identified a probable mix of 60 percent warehouse, 25 percent manufacturing, and 15 percent office, all of which are permitted outright in the General Manufacturing (MG) planning district; this mix was used to analyze compliance with use-specific code requirements such as parking. This planning district allows a wide range of warehousing, manufacturing, and accessory uses, and any proposed use will comply with permitted use standards prior to issuance of any Certificate of Occupancy by the City of Tualatin Building Division. Staff finds that this standard is met.

Section 61.021 Restrictions on Permitted Uses

Staff finds that the applicant’s narrative does not address TDC 61.021—Restrictions on Permitted Uses.

The following restrictions shall apply to those uses listed as permitted uses in TDC 61.020:

- (1) The use must be conducted wholly within a completely enclosed building, except off-street parking and loading, utility facilities, wireless communication facilities, outdoor storage of materials and products directly related to the permitted use and outdoor play areas of child day care centers as required by state day care certification standards.**

Although tenants are not yet determined, it is not anticipated that any activities will be conducted outside of the building, except for off-street parking and loading. The proposed development is designed in a manner that is not conducive to outdoor use, and the future activities on the project site are expected to be similar to those on the related ITEL Corporate Center at 12310-12370 SW Cimino Street adjacent and west. Staff finds that this standard is met.

- (2) The retail sale of products manufactured, assembled, packaged or wholesaled on the site is allowed provided that the retail sale area, including the showroom area, shall be no greater than 5% of the gross floor area of the building not to exceed 1,500 square feet.**

Although tenants are not yet determined, any proposed use—including the amount of retail space allotted per tenant for products manufactured, assembled, packaged or wholesaled on the site—will comply with permitted use standards prior to issuance of any Certificate of Occupancy by the City of Tualatin Building Division. Staff finds that this standard is met.

- (3) For other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site, the following restrictions shall apply:**
 - (a) Retail uses on land designated Employment Area or Corridor on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.**

As the project site is not located on land designated Employment Area or Corridor, staff finds that this standard does not apply. Staff notes that the subject site is located in a designated Industrial Area as shown on TDC Map 9-4.

- (b) Retail commercial, retail service and professional service uses on land designated Industrial Area on Map 9-4 shall not be greater than 5,000 square feet of sales or service area in a single outlet, or not greater than 20,000 square feet of sales or service area for multiple outlets in a single building or in multiple buildings that are part of the same development project, with the following two exceptions, which shall not be subject to the size limitations stated in this subsection:**

(i) Commercial uses within the Special Setbacks for Commercial Uses Area, shown on Map 9-5, and as specified in TDC 61.035, except 61.035(4)(b).

Staff notes that the Special Setbacks for Commercial Uses Area covers the project site within 250 feet of the southern property line along SW Tualatin-Sherwood Road, which prohibits commercial uses identified in TDC 60.020 and 60.040 from this area. Although tenants are not yet determined, any proposed use—including commercial uses listed in TDC 60.020 and 60.040—will comply with permitted use standards prior to issuance of any Certificate of Occupancy by the City of Tualatin Building Division. Staff finds that this standard is met.

(ii) Development approved through the application of the Industrial Business Park Overlay District to certain properties, as specified in TDC Chapter 69.

As the project site is not located within an Industrial Business Park Overlay District, staff finds that this standard does not apply.

(iii) Development approved through the application of standards for additional small-scale mixed uses in ML as specified in TDC 60.037-60.038.

Although tenants are not yet determined, if proposed, commercial uses identified in TDC 60.037 and 60.038 are governed by the standards outlined in these code sections, including: a limit on office space to a maximum 25 percent of total gross floor area, individual retail and service use no greater than 5,000 square feet per outlet, and total combined retail and service uses no greater than 20,000 square feet for the development site. Any proposed use will comply with permitted use standards prior to issuance of any Certificate of Occupancy by the City of Tualatin Building Division. Staff finds that this standard is met.

D. Lot Sizes

Section 61.050 Lot Size

Except for lots for public utility facilities, natural gas pumping stations and wireless communication facility which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply:

- (1) The minimum lot area shall be 20,000 square feet.**
- (2) The minimum lot width shall be 100 feet.**
- (3) The minimum average lot width at the building line shall be 100 feet.**
- (4) The minimum lot width at the street shall be 100 feet.**
- (5) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(8) to (12).**
- (6) The minimum lot width at the street shall be 50 feet on a cul-de-sac street.**

Applicant Response: The proposed site complies as follows: the lot is over 20,000 SF (actual 386,007 SF), the lot width (and average at the building) is greater than 100 feet (varies with a minimum dimension of 603 feet), the lot width at the street is greater than 100 feet (actual is 603 feet), and the last two items do not apply to this project.

Staff finds that the above-referenced standards TDC 61.050(1) through (4) are met as shown on the submitted A.L.T.A./N.S.P.S. Land Title Survey (dated July 28, 2017). Staff finds that the above-referenced standards TDC 61.050(5) and (6) do not apply.

E. Setback Requirements

Section 61.060 Setback Requirements

- (1) **Front yard.** The minimum setback is 30 feet. When the front yard is across the street from a residential or Manufacturing Park (MP) district, a front yard setback of 50 feet is required. When a fish and wildlife habitat area is placed in a Tract and dedicated to the City at the City’s option, dedicated in a manner approved by the City to a non-profit conservation organization or is retained in private ownership by the developer, the minimum setback is 10 – 30 feet, as determined in the Architectural Review process, with the exception of front yards across the street from a residential or MP District, provided the buildings are located farther away from fish and wildlife habitat areas.

General Manufacturing (MG) District		
Yard (Public ROW)	Minimum Building Setback	Proposed Setback
Front Yard (SW Tualatin-Sherwood Road)	30 feet	Approx. 80 feet (south)
Front Yard (SW Cimino Street)*	30 feet	Approx. 90 feet (north)
Side Yard	0 to 50 feet	95 feet (east and west)
Rear Yard	0 to 50 feet	N/A**
*After dedication.		
**Project site will have no rear yard after Cimino Street dedication.		

Applicant Response: The proposed building is located more than 60 feet from all property lines.

Staff finds that the front yard setback standards are met. The proposed building would be set back approximately 80 feet from SW Tualatin-Sherwood Road, and after the Cimino Street dedication, the proposed building would be set back approximately 90 feet from the extended Cimino Street public right-of-way. However, while these distances were interpreted from the submitted plans, these specific dimensions were not included.

Condition of Approval: The applicant shall revise site plan (Sheet C1.1) to include building setback dimensions from property lines pursuant to TDC 61.060(1).

- (2) **Side yard.** The minimum setback is 0 to 50 feet, as determined through the Architectural Review process. When the side yard is adjacent to a property line or across the street from a residential or Manufacturing Park (MP) District, a side yard setback of 50 feet is required.

Staff finds that the side yard setback standards are met. The proposed building would be set back approximately 95 feet from both the east and west property lines. However, while these distances were interpreted from the submitted plans, these specific dimensions were not indicated on the plans.

Condition of Approval: The applicant shall revise site plan (Sheet C1.1) to include building setback dimensions from property lines pursuant to TDC 61.060(2).

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

After the dedication of a northern portion of the project site for the SW Cimino Street extension, the project site will no longer have a rear yard; thus, staff finds that this standard does not apply.

- (4) **Corner lot yards.** The minimum set-back is the maximum setback prescribed for each yard for a sufficient distance from the street intersections and driveways to provide adequate sight distance for vehicular and pedestrian traffic at intersections and driveways, as determined through the Architectural Review process.

As the project site does not fit the definition of a corner lot, staff finds that this standard does not apply.

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

Applicant Response: The proposed parking is a minimum of 5 feet from all property lines and the site is surrounded by MG or MBP zones. The other items (corner lots, railroad spurs, wireless communication, etc.) in this code section do not apply to this project.

Staff finds that the minimum parking and circulation area setback standards are met. The proposed parking and circulation areas would be set back approximately 25 feet from SW Tualatin-Sherwood Road and approximately 35 feet from the SW Cimino Street extension. However, while these distances were interpreted from the submitted plans, these specific dimensions were not indicated on the plans.

Condition of Approval: *The applicant shall revise site plan (Sheet C1.1) to include parking and circulation area setback dimensions from public streets pursuant to TDC 61.060(5).*

- (6) **No spur rail trackage shall be permitted within 200 feet of an adjacent residential district.**
(7) **No setbacks are required at points where side or rear property lines abut a railroad right-of-way or spur track.**
(8) **No fence shall be constructed within 10 feet of a public right-of-way.**
(9) **Setbacks for a wireless communication facility shall be established through the Architectural Review process, shall consider TDC 73.510, shall be a minimum of 5 feet, and shall be set back from an RL District, or an RML District with an approved small lot subdivision, no less than 175 feet for a monopole that is no more than 35 feet in height and the setback shall increase five feet for each one foot increase in height up to 80 feet in height, and the setback shall increase 10 feet for each one foot increase in height above 80 feet.**

Staff finds that above-referenced standards TDC 61.060(6), (7), (8), and (9) do not apply.

F. Structure Height

Section 61.080 Structure Height

- (1) **Except as provided in TDC 61.080(2) - (4), no structure shall exceed a height of 60 feet and flagpoles which display the flag of the United States of America either alone or with the State of Oregon flag shall not exceed 100 feet above grade provided that the setbacks are not less than a distance equal to the flagpole height.**

Applicant Response: This proposed building is 42 feet high.

Staff finds that this standard is met as shown on Sheet A2.0 Exterior Elevations (dated July 28, 2017).

- (2) The maximum permitted structure height in TDC 61.080(1) may be increased to no more than 100 feet, provided that all yards adjacent to the structure are not less than a distance equal to the height of the structure.**
- (3) Height Adjacent to a Residential District. Where a property line, street or alley separates MG land from land in a residential district, a building, flagpole or wireless communication support structure shall not be greater than 28 feet in height at the required 50-foot setback line. No building or structure, including flagpoles, shall extend above a plane beginning at 28 feet in height at the required 50 foot setback line and extending away from and above the setback line at a slope of 45 degrees, subject always to the maximum height limitation in TDC 61.080(1) and (2).**
- (4) Wireless Communication Support Structure. The maximum structure height for a wireless communication support structure and antennas is 100 feet unless the wireless communication support structure and antennas are located within 300 feet of the centerline of I-5, in which case the maximum structure height is 120 feet.**

Staff finds that above-referenced standards TDC 61.080(2), (3), and (4) do not apply.

G. Development Review Approval

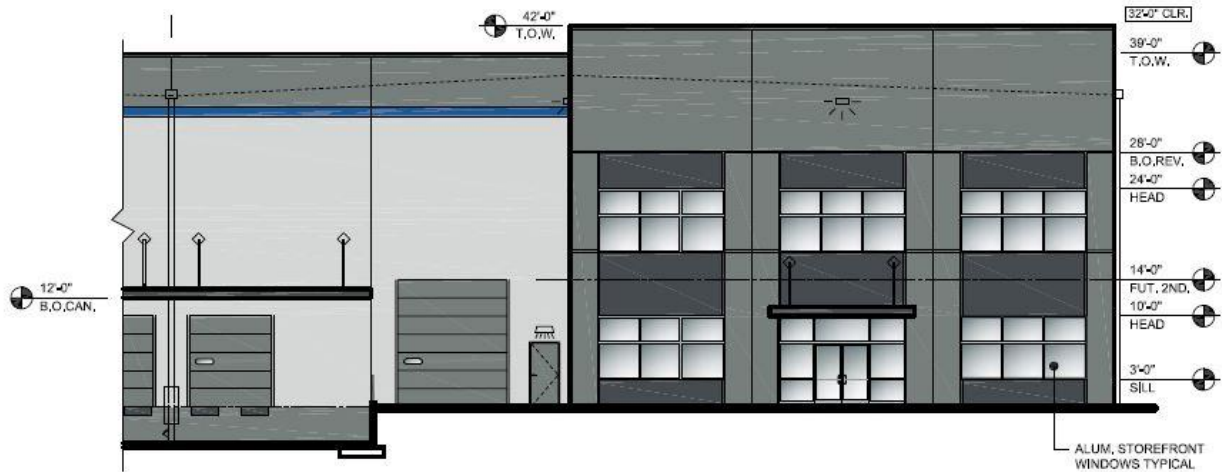
Section 73.050 Criteria and Standards

Staff finds that the applicant's narrative does not address TDC 73.050—Criteria and Standards.

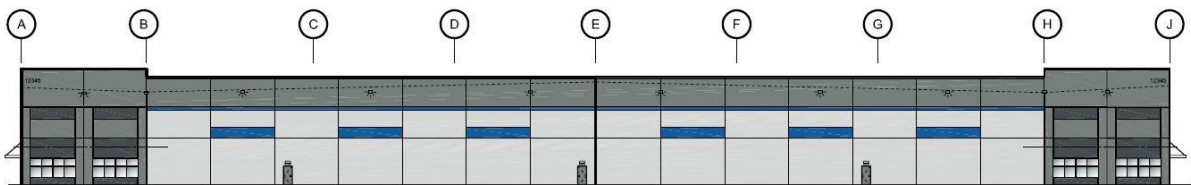
- (1) In exercising or performing his or her powers, duties, or functions, the Planning Director shall determine whether there is compliance with the following:**
 - (a) The proposed site development, including the site plan, architecture, landscaping, parking and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height, and appearance of the proposed development are involved;**
 - (b) The proposed design of the development is compatible with the design of other developments in the general vicinity; and**
 - (c) The location, design, size, color and materials of the exterior of all structures are compatible with the proposed development and appropriate to the design character of other developments in the vicinity.**

Staff finds that the proposed development would be consistent with existing and similarly developed industrial uses in the immediate vicinity, most notably the Intel Corporate Center at 12310-12370 SW Cimino Street immediately adjacent to the west. While the remaining properties in the immediate vicinity include a mix of undeveloped parcels, farmland, and a smattering of single-family homes, the wider area is mapped with General Manufacturing (MG) and Manufacturing Business Park (MBP) planning districts with the expectation that these areas would eventually redevelop into manufacturing uses similar to those proposed on the subject site. These standards are met.

The proposed building is composed of tilt-up concrete panels and anchored with corner elements, industrial-style canopies, and clear aluminum storefront windows. The proposed building shares a number of design elements with the Intel Corporate Center to the west, including: a second set of windows near the building corners—giving the appearance of a second interior floor; loading docks oriented away from public right-of-ways; and the use of color and accents to minimize building massing.



Typical Partial East-/West-Facing Elevation at each of the proposed building's four corners



South Elevation of the proposed building, facing SW Tualatin-Sherwood Road



Staff notes that the proposal is similar to the ITEL Corporate Center to the west, as shown in photos of this development's northwest (left photo) and southwest (right photo) corners.

- (2) In making his or her determination of compliance with the above requirements, the Planning Director shall be guided by the objectives and standards set forth in this chapter. If the architectural review plan includes utility facilities or public utility facilities, then the City Engineer shall determine whether those aspects of the proposed plan comply with applicable standards.

Staff notes that the proposed development would include utility facilities and/or public utility facilities. These facilities are reviewed by the City of Tualatin Engineering Division and the applicant shall comply with the incorporated Public Facilities Recommendation (PFR) from the Engineering Division.

- (3) In determining compliance with the requirements set forth, the Planning Director shall consider the effect of his or her action on the availability and cost of needed housing types. However, consideration of these factors shall not prevent the Community Development Director from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this Code. As part of the Architectural Review process, the Community Development Director has no authority to reduce dwelling unit densities.

The project site is located in the General Manufacturing (MG) Planning District and designed as an Industrial Area (IA) by Metro and therefore unsuitable for housing; this standard does not apply.

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

Staff notes that the proposed development would result in the removal of 27 existing trees on the project site as illustrated on Sheet TP1.0, Tree Protection Plan. Tree preservation and removal standards are discussed in the responses to TDC 34.210 and TDC 73.250 below. Staff notes that a tree inventory was conducted by City Wide Tree Service, Inc. on July 7, 2017, and this inventory was included as part of the submitted application materials. Staff finds that this standard is met.

- (5) **Conflicting Standards.** In addition to the MUCOD requirements, the requirements in TDC Chapter 73 (Community Design Standards) and other applicable Chapters apply. If TDC Chapters 57, 73 and other applicable Chapters, conflict or are different, they shall be resolved in accordance with TDC 57.200(2).

As the subject site is not within the Mixed Use Commercial Overlay District (MUCOD), staff finds that this standard does not apply.

H. Landscape and Building Maintenance

Section 73.100 Landscaping and Building Installation and Maintenance

- (1) All landscaping approved through the Architectural Review Process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered with Community Development Director approval.

A note has also been added to this decision to retain all trees identified on the landscape plan (sheets L1.0, L2.0, and L3.0, dated June 2017) unless approval is obtained through the Community Development Department to remove trees through a modification to the landscape plan.

- (2) All building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially

similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval.

A note has been added to this decision to meet the standard.

I. Site Planning

Section 73.160 Standards (Community Design)

(1) Pedestrian and Bicycle Circulation:

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

The proposal is for an industrial use; therefore, staff finds that this standard does not apply.

(b) For Industrial Uses:

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

Applicant Response: We have included an 8-foot-wide bicycle and pedestrian accessway from the entry to both streets (Cimino Street on the north and Tualatin/Sherwood Road on the south).

Staff notes walkways connecting to sidewalks along SW Tualatin-Sherwood Road and Cimino Street. However, the submitted site plans do not include any information on walkway characteristics, including width, materials, and ADA compliance. Staff recommends a condition of approval to meet this standard.

Condition of Approval: *The applicant shall revise the appropriate sheets to provide information pedestrian and bicycle accessways on the project site, including at minimum accessway width, surface materials, and ADA compliance pursuant to TDC 73.160(1)(b)(i).*

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

Staff notes two marked crosswalks on the project site—one in the northern portion and the other in the southeast corner—and identified as such in Keynote 10 on Sheet C1.1 Site Plan (dated July 28, 2017); therefore, staff finds this standard is met.

- (iii) Accessways shall be provided as a connection between the development's walkway and bikeway circulation system and an adjacent bike lane;**

Staff notes that there is an existing westbound bike lane within SW Tualatin-Sherwood Road adjacent to the project site, and Sheet C1.1, Site Plan (dated July 28, 2017), illustrates a direct connection between this right-of-way and proposed development's walkway and bikeway system. However, as noted in the response to TDC 73.160(1)(b)(i) above, the submitted site plans do not include any information on walkway characteristics, including width, materials, and ADA compliance. Staff recommends a condition of approval to meet this standard.

Staff notes that there are no marked bike lanes along SW Cimino Street.

Condition of Approval: *The applicant shall revise the appropriate sheets to provide information pedestrian and bicycle accessways on the project site, including at minimum accessway width, surface materials, and ADA compliance pursuant to TDC 73.160(1)(b)(iii).*

- (iv) Accessways may be gated for security purposes;**

As no accessway gates are proposed, staff finds that this standard does not apply.

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

As there are no parks, bikeways, or greenways adjacent to the project site, staff finds that this standard does not apply. Staff notes that there is an existing westbound bike lane within SW Tualatin-Sherwood Road adjacent to the project site; connection to this amenity is discussed in TDC 73.160(1)(b)(iii) above.

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

Staff finds that this standard is met as shown in Sheet C1.1 Site Plan and C5.0 Site Details (both dated July 28, 2017).

- (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.**

As established in TDC 73.160(1)(b)(iii), an accessway is required for the subject site. While a public accessway is not required, the private accessway is required to be a minimum of 8 feet wide to meet the criterion. Staff recommends a condition of approval to meet the standard.

Condition of Approval: The applicant shall revise the appropriate sheets to provide information pertaining to pedestrian and bicycle accessways on the project site, including at minimum accessway width, surface materials, and ADA compliance pursuant to TDC 73.160(1)(d).

- (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 review and approval.**

As there are no undeveloped parcels or undeveloped transit facilities on or immediately adjacent to the project site, staff finds that this standard does not apply.

- (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.**

As confirmed by a wetland report submitted with this application, there are no wetlands or greenways on the subject site; and while there is a large wetland area north of the subject site, this wetland is located greater than 200 feet to the north and does not bisect any existing or proposed bike or pedestrian pathways. Thus, staff finds that this standard does not apply.

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

A note has been added to this decision to meet the standard.

(2) Drive-up Uses

- (a) Drive-up uses shall provide a minimum stacking area clear of the public right-of-way and parking lot aisles from the window serving the vehicles as follows:**
 - (i) Banks--each lane shall provide a minimum capacity for five automobiles.**

- (ii) Restaurants--each lane shall provide a minimum capacity for eight automobiles.
 - (iii) Other Drive-Up Uses--each lane shall provide a minimum capacity for two to eight automobiles, as determined through the architectural review process.
 - (iv) For purposes of this Section, an automobile shall be considered no less than twenty feet in length. The width and turning radius of drive-up aisles shall be approved through the architectural review process.
- (b) Parking maneuvers shall not occur in the stacking area. The stacking area shall not interfere with safe and efficient access to other parking areas on the property.
 - (c) Locate drive-up aisles and windows a minimum of 50 feet from residential planning districts to avoid adverse impacts. A wall or other visual or acoustic may be required through the architectural review process.

As no drive-up uses are proposed, staff finds that this standard does not apply.

(3) Safety and Security

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

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan and Sheet A2.0 Exterior Elevations (both dated July 28, 2017). Staff notes that the proposed building design would include windows at each of the building's four corners to allow surveillance of pedestrian, parking, and loading areas on the project site. In addition, the proposed development would include lighting along all building façades and in the parking, loading, and circulation areas.

- (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 standard is met per window and lighting placement as shown on Sheet C1.1 Site Plan and Sheet A2.0 Exterior Elevations (both dated July 28, 2017).

- (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.

Staff finds that this standard is met as shown on Sheet LT1.0 Site Lighting Plan (dated July 28, 2017). However, staff recommends a condition of approval to install the lighting as proposed to ensure that lighting will not affect identified wetland areas north of the subject site.

Condition of Approval: The applicant shall install lighting as shown on the site lighting plan (Sheet LT1.07) to ensure that the proposed development will not result in excess lighting and will continue to meet the lighting standards of TDC 73.160(3)(c).

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

Staff finds that this standard is met as the locations for building addresses are shown on Sheet A2.0 Exterior Elevations (both dated July 28, 2017). Staff notes that the building design clearly accentuates building entrances at each of its four corners.

All signage permits and approvals are handled separately and not as part of this review. Staff also notes that provisions for emergency services are reviewed through the building permit process. Refer to comments from Tualatin Valley Fire & Rescue (TVF&R) in Attachment 102.

- (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 as shown on Sheets L1.0, L2.0, and L3.0 (the landscape plan and landscape details and specifications, all dated July 28, 2017).

- (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.**

As none of the above-mentioned improvements is proposed, staff finds that this standard does not apply.

(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.**

Staff finds that this standard is met. The site plan (Sheet C1.1 Site Plan, dated July 28, 2017) illustrates a transformer pad north of the proposed building, and the landscape plan (Sheet L1.0 Landscape Plan, dated July 28, 2017) shows that this facility would be screened using a combination of medium to large shrubs.

Condition of Approval: *The applicant shall submit scaled elevations that illustrate future above-grade mechanical equipment, including rooftop units, screened by a parapet or other method as proposed by the applicant when submitting for a mechanical permit, pursuant to TDC 73.160(4)(a).*

- (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.**

As none of the above-mentioned elements is proposed, staff finds that this standard does not apply. However, if future tenants desire outdoor storage, such facilities must obtain Planning Division approval for appropriate screening mechanisms.

- (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.**

As none of the above-mentioned elements is proposed, staff finds that this standard does not apply. However, should conditions change in the future and any of the above-referenced elements are necessary, the applicant shall submit revised plans for approval of appropriate screening mechanisms.

- (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.**

Applicant Response: *This project is subject to the 2014 OSSC and the ADA code requirements and has been designed to comply with both.*

Staff notes that the proposed development will include six (6) ADA-compliant parking spaces as shown on Sheet C1.1 Site Plan and C5.0 Site Details (both dated July 28, 2017). However, as discussed in the responses to TDC 73.160(1)(b) and 73.160(1)(d) above, the submitted site plans do not include any information on ADA-compliance of walkways and accessways and staff has recommended this

information be provided as a condition of approval. Staff also notes that ADA and OSSC standards must be met during the building permit process.

- (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.

Applicant Response: SW Tualatin-Sherwood Road has a transit stop approximately ¼-mile east of the site. We have included a sidewalk connection from the building entry to the sidewalk along T/S Road that leads to this transit stop.

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017). Staff notes that SW Tualatin-Sherwood Road is classified as a transit street on Figure 11-5, with the nearest transit stops for the recently-implemented commuter hour bus service (Bus Line 97) along SW Tualatin-Sherwood Road with scheduled bus stops at the SW 124th Avenue intersection (Stop ID 13832 and 13841). The proposed development would include a sidewalk connection from the building's southeast corner to the SW Tualatin-Sherwood Road sidewalk that leads to both aforementioned bus stops, the nearest of which is only 200 feet west of the subject site (Stop ID 13832). While the proposed sidewalk connection meets the standard, staff notes that a sidewalk connection at the building's southwest corner (as opposed to the proposed connection at the building's southeast corner) might be more appropriate as it is closer to the nearest transit stop and SW 124th Avenue.

- (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.

As the project site is not adjacent to a major transit stop, staff finds that these standards do not apply.

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.
- (3) Sound barrier construction shall consist of masonry walls or earth berms located so as to reflect sound away from, rather than toward, noise sensitive properties. This may include masonry "wing walls" attached to a building, detached masonry walls (such as at the perimeter of the site), earth berms, or combinations of the three.
- (4) Wing walls must be at least as tall as the tallest overhead door they are designed to screen at the point where they meet the building. The height of the wall may be reduced along a

maximum incline formed by a horizontal distance twice the vertical change in height, or 26.5 degrees from horizontal.

- (5) "Straight-line lateral path" shall mean a direct line between two points as measured on a site plan. "Wing wall" shall mean a wall that is attached to a building on one side and meets the screening requirements of (1) and (2) of this section. "Building mechanical device" shall include, but is not necessarily limited to, heating, cooling and ventilation equipment, compressors, waste evacuation systems, electrical transformers, and other motorized or powered machinery located on the exterior of a building.
- (6) Where existing structures (on or off site) are located such that they will reflect sound away from residential areas and will function as a sound barrier, on-site sound barrier construction shall not be required, except that at the time such structures are removed, sound barrier construction shall be required.
- (7) New construction, including additions or changes to existing facilities, shall comply with the provisions of this section. When additions or changes to existing facilities are proposed, existing structures on the property may be required to comply with the provisions of this section, as determined through the Architectural Review process. Where buildings or outdoor use areas located on more than one parcel are all part of a single use as determined through the Architectural Review process, all of the parcels may be required to comply with the provisions of this section.

Applicant Response: This project is not located near a residential zone. It is surrounded by MG or MBP Zones.

As there are no residential planning districts within 450 feet of the project site (the nearest residential district [RL] and residential area [Hedges Park] are greater than 3,500 feet to the south and east of the project site), staff finds that these standards do not apply.

Staff notes that the residential property at 12075 SW Tualatin-Sherwood Road containing the Wager House is adjacent to the project site; however, it is located in the General Manufacturing (MG) planning district and therefore TDC 61.075 does not apply.

J. Structure Design

Section 73.220 Standards

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.

Applicant Response: The site plan indicates several site lights (along with building lights) that will provide good lighting of the parking lot and is open to good view from both streets. These lights will be shielded to prevent light from spilling over to the public way or neighbors.

Staff addressed this standard in TDC 73.160(3)(c).

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

Applicant Response: The project will be visible from both streets and will have the address located in several places on the building to provide good clear identification of the building.

Staff addressed this standard in TDC 73.160(3)(d).

- (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.**

Applicant Response: The landscape plan has been designed to meet the intent of this requirement for shrubs and tree canopies, but the owner will hire a landscape maintenance company that will have a responsibility to maintain these clearances.

Staff addressed this standard in TDC 73.160(3)(e).

K. Environmental Regulations

Section 63.051 Noise.

Staff finds that the applicant's narrative does not address TDC 63.051—Noise.

- (1) **Except as otherwise provided in this section, all industrial development shall comply with the Oregon State Department of Environmental Quality standards relating to noise. From 9:00 p.m. to 7:00 a.m., a dBA reading from an industrial development, whether new or existing, shall not exceed an L-max of 60 dBA when measured from a noise sensitive property.**
- (2) **Method of measurement: sound or noise measurements procedures shall conform to the methods described in this section or to procedures approved by the Oregon Department of Environmental Quality.**
 - (a) **Measurements shall be made with a calibrated sound level meter in good operating condition, meeting the requirements of a Type I or Type II meter, as specified in ANSI Standards, Section 1.4 - 1971. For purposes of this section, a sound level meter shall contain at least an "A" weighting network, and both fast and slow response capability.**
 - (b) **Persons conducting sound level measurements shall have received training in the techniques of sound measurement and the operation of sound measuring instruments from the Department of Environmental Quality or other competent body prior to engaging in any enforcement activity.**
 - (c) **When sound measurements are made, they shall be made from a position no more than 25 feet away from the noise sensitive property.**

Staff finds that these regulations are matters of zoning enforcement, and less matters to be reviewed as development standards. As such, as a condition of approval, the proposed development must comply with all applicable noise standards (see "The Following Code Requirements Apply to the Site in an On-Going Manner" section under "Conditions of Approval" below).

L. Mixed Solid Waste and Source Separated Recyclables Storage Areas

Section 73.227 Standards

Staff finds that the applicant's narrative does not address TDC 73.227—Standards (Mixed Solid Waste and Source Separated Recyclables Storage Areas).

The following standards are minimum requirements for mixed solid waste and source separated recyclables storage areas. To provide for flexibility in designing functional storage areas, this section provides four different methods to meet the objectives of providing adequate storage for mixed solid waste and source separated recyclables and improving the efficiency of collection. An applicant shall choose and implement one of the following four methods to demonstrate compliance: 1) minimum

standards; 2) waste assessment; 3) comprehensive recycling plan; or 4) franchised hauler review, as more fully described in subsections (2), (3), (4) and (5) of this section.

- (1) The mixed solid waste and source separated recyclables storage standards shall apply to all new or expanded multi-family residential developments containing five or more units and to new or expanded commercial, industrial, public and semi-public development.**

Staff finds that the proposed project is a new industrial development; as such, these standards apply and are addressed below.

(2) Minimum Standards Method.

Staff has employed the minimum standards method below to determine compliance with code standards related to solid waste and recyclables storage areas as the applicant did not address this entire section.

- (a) The size and location of the storage area(s) shall be indicated on the site plan. Compliance with the requirements set forth below is reviewed through the Architectural Review process.**
- (i) The storage area requirement is based on the area encompassed by predominant use(s) of the building (e.g., residential, office, retail, wholesale/warehouse/manufacturing, educational/institutional or other) as well as the area encompassed by other distinct uses. If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building shall be the sum of the area of each use.**

Staff notes that while no tenants are proposed at this time, the applicant has identified a probable mix of 60 percent warehouse, 25 percent manufacturing, and 15 percent office within the proposed building. The minimum storage area required for the proposed developed is calculated below in Section 73.227(2)(a)(v).

- (ii) Storage areas for multiple uses on a single site may be combined and shared.**

All proposed uses will be located within one building, intended to house up to four (4) tenants. The site plan illustrates four (4) trash/recycling enclosures, one near each corner of the project site. Staff finds that this standard is met.

- (iii) The specific requirements are based on an assumed storage area height of 4 feet for mixed solid waste and source separated recyclables. Vertical storage higher than 4 feet, but no higher than 7 feet may be used to accommodate the same volume of storage in a reduced floor space (potential reduction of 43 percent of specific requirements). Where vertical or stacked storage is proposed, submitted plans shall include drawings to illustrate the layout of the storage area and dimensions for containers.**

No stacked or vertical storage is proposed; therefore, staff finds that this standard does not apply.

- (iv) Multi-family residential developments containing 5-10 units shall provide a minimum storage area of 50 square feet. Multi-family residential developments containing more than 10 units shall provide 50 square feet plus an additional 5 square feet per unit for each unit above 10.**

The proposed project does not include any multi-family residential development; therefore, staff finds that this standard does not apply.

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

Staff has calculated the minimum storage area required based on the probable mix of 60 percent warehouse, 25 percent manufacturing, and 15 percent office within the proposed building, yielding a minimum requirement of 907 square feet of storage area. As illustrated and described on Sheet C1.1 Site Plan and Sheet C5.1 Site Details (both dated July 28, 2017), the proposed development will include four (4) 209-square-foot trash and recycling enclosures—totaling 836 square feet—which is less than the minimum requirement. Staff recommends a condition of approval to meet the minimum storage area standards.

Condition of Approval: The applicant shall revise the appropriate sheets to illustrate a minimum storage area of 907 square feet is provided for mixed solid waste and recyclables and install to revised plans pursuant to TDC 73.227(2)(v).

Table I-1. Trash Enclosure Requirements				
Use (within Building)	Use Percentage	Area (sf)	Applied Rate (sf)	Minimum Required (ft)
Warehouse	60%	94,340	$([94,340 / 1,000] * 6)$	566
Manufacturing	25%	39,310	$([39,310 / 1,000] * 6)$	236
Office	15%	23,580	$([23,580 / 1,000] * 4)$	95
General	N/A	N/A	N/A	10
Total Minimum Requirement				907
Proposed Trash and Recyclables Storage Area				836

(6) Location, Design and Access Standards for Storage Areas.

(a) Location Standards

- (i) **To encourage its use, the storage area for source separated recyclables may be co-located with the storage area for mixed solid waste.**

Staff finds this standard is met as shown Sheet C5.1 Site Details (dated July 28, 2017). Staff notes that the proposed storage areas would include two (2) garbage dumpsters and one (1) recycling container. Staff also notes that the current development proposal does not meet minimum mixed solid waste and recyclables storage area requirements as discussed in TDC 73.227(2)(v) above.

- (ii) **Indoor and outdoor storage areas shall comply with Building and Fire Code requirements.**

Staff notes that Building and Fire Codes are administrated by others.

- (iii) Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations.**

Staff finds that Sheet C1.1 Site Plan (dated July 28, 2017) illustrates four (4) exterior trash/recycling enclosures, one near each corner of the project site; no interior storage areas have been identified in the application materials. Staff finds that this standard is met.

Staff notes that the current development proposal does not meet minimum mixed solid waste and recyclables storage area requirements as discussed in TDC 73.227(2)(v) above.

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

Staff finds that the standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

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

Staff finds that the standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017). Staff notes that while the exterior storage areas are not centrally located, these facilities are located at highly visible locations near each of the proposed building's four corners.

- (vi) Exterior storage areas can be located in a parking area, if the proposed use provides parking spaces required through the Architectural Review process. Storage areas shall be appropriately screened according to TDC 73.227(6)(b)(iii).**

Staff finds that the proposed storage areas are located in the parking area and will be screened by concrete wall panels, metal panel gates, and landscaping elements, as shown on Sheet C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017). This standard is met.

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

Staff finds that the proposed storage area will not obstruct pedestrian or vehicle traffic movement as shown on Sheet C1.1 Site Plan (dated July 28, 2017). In addition, a July 13, 2017 letter from Republic Services, the trash hauler for the proposed development, states that Republic Services would be able to service the storage areas as proposed. However, as discussed and conditioned in TDC 73.227(2)(v) above, the current development proposal does not meet minimum mixed solid waste and recyclables storage area requirements and will therefore need to be modified to satisfy TDC standards. As such, these modifications would need to be reviewed and approved by Republic Services to meet this standard.

Condition of Approval: The applicant shall vet the modified mixed solid waste and recyclables storage areas with Republic Services to ensure these areas are accessible for collection vehicles pursuant to TDC 73.227(6)(a)(vii).

(b) Design Standards

- (i) The dimensions of the storage area shall accommodate containers consistent with current methods of local collection at the time of Architectural Review approval.**

As discussed in TDC 73.227(2)(v) above, the current development proposal does not meet minimum mixed solid waste and recyclables storage area requirements, which may require modifications to meet those standards. Any modifications as a result would need to be reviewed and approved by Republic Services to meet 73.227(6)(b)(i) standards.

Condition of Approval: The applicant shall vet the modified mixed solid waste and recyclables storage areas with Republic Services by providing a new signed letter from Republic Services based on the modified storage areas to ensure these areas can accommodate Republic Services collection containers pursuant to TDC 73.227(6)(b)(i).

- (ii) **Storage containers shall meet Fire Code standards and be made and covered with water proof materials or situated in a covered area.**

Staff notes that Fire Codes are administrated by others.

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

Staff finds that the standard is met as shown on Sheet C5.1 Site Details (dated July 28, 2017).

- (iv) **Exterior storage areas shall have either a concrete or asphalt floor surface.**

Staff finds that the standard is met as shown on Sheet C5.1 Site Details (dated July 28, 2017).

- (v) **Storage areas and containers shall be clearly labeled to indicate the type of material accepted.**

Staff notes that clearly labeled trash and recyclable storage containers will be provided by Republic Services, the trash hauler for the proposed development; therefore, staff finds that this standard is met.

(c) Access Standards

- (i) **Access to storage areas can be limited for security reasons. However, the storage areas shall be accessible to users at convenient times of the day, and to hauler personnel on the day and approximate time they are scheduled to provide hauler service.**

Staff finds that this standard is met pursuant to a July 13, 2017 letter from Republic Services, the trash hauler for the proposed development, which states that Republic Services would be able to service the storage areas as proposed.

- (ii) **Storage areas shall be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access. A minimum of 10 feet horizontal clearance and 8 feet vertical clearance is required if the storage area is covered.**

Staff finds that the accessibility requirements of trash enclosures have been previously addressed, most recently in 73.227(6)(a)(vii) above. As the proposed trash enclosures would not be covered, the minimum horizontal and vertical clearances do not apply.

- (iii) **Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow vehicles to safely exit the site in a forward motion.**

Staff finds that the standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

M. 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.

As the project site is not located in any of the planning districts mentioned above, staff finds that this standard does not apply.

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

Applicant Response: The site is designed with 16% landscaping.

Staff notes that the proposal is located in the MG planning district. Sheet C1.1 (dated July 28, 2017) states that 63,595 square feet or 16.5% of landscaping is proposed, which meets the standard.

- (4) The minimum area requirement for landscaping for uses in IN, CN, CO/MR, MC and MP Planning Districts shall be twenty-five (25) percent of the total land 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 may be reduced by 2.5 percent from the minimum area requirement as determined through the AR process.

As the project site is not located in any of the planning districts mentioned above, staff finds that this standard does not apply.

- (5) The minimum area requirement for landscaping for uses in the Industrial Business Park Overlay Planning District and the Manufacturing Business Park Planning District shall be twenty (20) percent of the total land area to be developed.

As the project site is not located in either of the planning districts mentioned above, staff finds that this standard does not apply.

- (6) The minimum area requirement for landscaping for approved Industrial Master Plans shall be 20% of the total land area to be developed.

As the project site is not located in an approved Industrial Master Plan, staff finds that this standard does not apply.

- (7) For properties within the Hedges Creek Wetland Protection District which have signed the "Wetlands Mitigation Agreement", the improved or unimproved wetland buffer area may reduce the required landscaping to 12.5 percent as long as all other landscape requirements are met.

As the project site is not located within the Hedges Creek Wetland Protection District, staff finds that this standard does not apply.

- (8) Developments not in a Low Density Residential (RL) or Manufacturing Park (MP) Planning District, but which abut an RL or MP Planning District shall provide and perpetually maintain dense, evergreen landscaped buffers between allowed uses in the district and the adjacent Low Density Residential (RL) or Manufacturing Park (MP) Planning District as approved through the Architectural Review process.**

As the project site is not located in either of the planning districts mentioned above, staff finds that this standard does not apply.

- (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.**

Applicant Response: The site landscape plan indicates the areas along both streets are fully landscaped with a variety of lawn, ground cover, shrubs and trees. These areas will be irrigated and maintained.

Staff finds that this standard is met as shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017).

- (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 met as shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017).

- (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.**

Applicant Response: The site landscape plan indicates that all areas on the site that are not covered with asphalt paving are to be landscaped and irrigated. The landscaping will be maintained to provide good standing and maturity of plants at the three-year timeline.

Staff finds that this standard is met as shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017).

- (12) In the MP District, wetland buffer areas up to 50 feet in width may be counted toward the required percentage of site landscaping, subject to the following:**
- (a) The amount of wetland buffer area which may be counted as landscaping is limited to a maximum of two and one-half percent (2.5 percent) of the total land area to be developed.**
 - (b) All portions of the required buffer area to be counted as landscape shall be within the boundaries of the subject property. No credit may be claimed for wetland buffer areas lying outside the lot lines of the subject parcel.**

- (c) Where wetlands mitigation in the buffer has not yet occurred at the time of development, the developer shall perform, or bear the cost of, all necessary mitigation work in the course of site development, in accordance with a Removal/Fill Permit or permits issued by the Oregon Division of State Lands and the US Army Corps of Engineers and the Unified Sewerage Agency.
- (d) Where wetlands mitigation in the buffer has already been performed in accordance with a Removal/Fill Permit or permits issued by the Oregon Division of State Lands and the US Army Corps of Engineers, the developer shall include an enhanced mitigation plan approved by the Oregon Division of State Lands and the Unified Sewerage Agency as part of the Architectural Review submittal. The developer shall complete all work required by the enhanced wetland mitigation plan in conjunction with development of the site.

As the project site is not located in the MP planning district, staff finds that this standard does not apply.

- (13) Landscape plans for required landscaped areas that include fences should carefully integrate any fencing into the plan to guide wild animals toward animal crossings under, over, or around transportation corridors.

There are no fences proposed with this development; therefore, staff finds that this standard does not apply.

73.260 Tree and Plant Specifications

- (1) The following specifications are minimum standards for trees and plants:
 - (a) Deciduous Trees. Deciduous shade and ornamental trees shall be a minimum one and one-half inch (1-1/2") caliper measured six inches (6") above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be characteristically shaped specimens.
 - (b) Coniferous Trees. Coniferous trees shall be a minimum five feet (5') in height above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be well branched and characteristically shaped specimens.
 - (c) Evergreen and Deciduous Shrubs. Evergreen and deciduous shrubs shall be at least one (1) to five (5) gallon size. Shrubs shall be characteristically branched. Side of shrub with best foliage shall be oriented to public view.
 - (d) Groundcovers. Groundcovers shall be fully rooted and shall be well branched or leafed. English ivy (*Hedera helix*) is considered a high maintenance material which is detrimental to other landscape materials and buildings and is therefore prohibited.
 - (e) Lawns. Lawns shall consist of grasses, including sod, or seeds of acceptable mix within the local landscape industry. Lawns shall be 100 percent coverage and weed free.

Applicant Response: The landscape plans have been designed to comply with all of the items (deciduous trees, coniferous trees, evergreen and deciduous shrubs, groundcovers and lawns) in this section.

Staff finds that these standards are met as shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017).

- (2) Landscaping shall be installed in accordance with the provisions of Sunset New Western Garden Book (latest edition), Lane Publishing Company, Menlo Park, California or the American Nurserymen Association Standards (latest edition).

Staff finds that this standard is met per notes included on Sheet L3.0 Landscape Details & Specifications (dated July 28, 2017).

- (3) The following guidelines are suggested to ensure the longevity and continued vigor of plant materials:
- (a) Select and site permanent landscape materials in such a manner as to produce a hardy and drought-resistant landscaped area.
 - (b) Consider soil type and depth, spacing, exposure to sun and wind, slope and contours of the site, building walls and overhangs, and compatibility with existing native vegetation preserved on the site or in the vicinity.

Staff finds that this standard is met per notes included on Sheet L3.0 Landscape Details & Specifications (dated July 28, 2017).

- (4) All trees and plant materials shall be healthy, disease-free, damage-free, well-branched stock, characteristic of the species.
- (5) All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise so that:
 - (a) It will not interfere with designated pedestrian or vehicular access; and
 - (b) It will not constitute a traffic hazard because of reduced visibility.

Staff finds that these regulations are matters of zoning enforcement, and less matters to be reviewed as development standards. Therefore, staff's findings regarding the proposal in review are mute as to compliance with Sections 73.260(4) and 73.260(5). Staff notes that Sheet L3.0 Landscape Details & Specifications (dated July 28, 2017) states that "all plant material shall be guaranteed from final acceptance for one full growing season or one year, whichever is longer."

Section 73.280 Irrigation System Required

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

Applicant Response: It is noted on the landscape plans that all of the landscaping is to be irrigated with an automatic underground irrigation system. This will be provided by Bidder Design.

Staff finds that this standard is met per general note 3 on Sheet L1.0 Landscape Plan (dated July 28, 2017).

Section 73.290 Re-vegetation in Un-landscaped Areas

Staff finds that the applicant's narrative does not address TDC 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.
- (2) Plant materials shall be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons.
- (3) The use of native plant materials is encouraged to reduce irrigation and maintenance demands.
- (4) Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.

As the proposed development would not result in any un-landscaped areas as shown on Sheet C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017), staff finds that this standard does not apply.

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

- (1) A minimum 5'-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: The landscape plans indicate that there is a minimum of 5-feet of landscaping around the entire perimeter of the building with the exceptions of the loading dock areas and the sidewalk and pedestrian access.

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017).

- (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.**

Applicant Response: Due to the industrial nature of the future building uses, these types of amenities are not included with the landscape design of this project.

Staff notes the applicant has chosen not to use this option.

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

Applicant Response: The landscape plans have been designed to cover all areas not occupied by asphalt paving or the building.

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017).

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.

Staff finds that the applicant's narrative does not address TDC 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 clear zones are shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017) for the ends of on-site drive aisles in the parking and circulation areas. However, vision clearance areas

are not illustrated at the access driveways along SW Cimino Street. Staff recommends a condition of approval to meet the standard.

Condition of Approval: The applicant shall revise Sheet L1.0 Landscape Plan to illustrate vision clearance areas at the SW Cimino Street access driveways and revise the landscape plan as necessary to create clear zones pursuant to TDC 73.340(1).

- (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 multifamily 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).**
- (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 met as shown on Sheet C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017). Staff notes that regulations regarding vegetative longevity are matters of zoning enforcement, and less matters to be reviewed as development standards.

- (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 standard is met as shown on Sheets C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017). Staff notes that the subject site would share an access driveway with the ITEL Corporate Center development adjacent to the west and the 5-foot-wide landscaped strip is not required at this shared access point; the remainder of the subject site would include 5 feet of perimeter landscaping as required pursuant to TDC 73.340(2).

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.**

Applicant Response: The site plan indicates a landscape island at the ends of all parking areas and at approximately every eight (8) parking stalls. Using the 25 sf per stall, we are required to have 3,975 sf of landscape islands (159 stalls x 25). We currently have 5,346 sf of landscape islands to comply with this requirement.

Staff finds that these standards are met as shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017). However, staff finds that regulations regarding vegetative longevity are matters of zoning enforcement, and less matters to be reviewed as development standards.

- (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).**

Applicant Response: The site plan indicates that the majority of the landscape islands are 9-feet wide and the smallest ones are 5-feet wide minimum.

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (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.**

Applicant Response: The landscape plan includes deciduous trees in several locations to comply with this requirement.

Staff finds that these standards are met as shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017). Staff notes that 40 parking lot shade trees are required for the proposed 159 on-site parking spaces, and 44 parking lot shade trees are proposed and identified on the 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.**

Applicant Response: The site plan indicates a landscape island at the ends of all parking areas to comply with this section.

Staff finds that this standard is shown on Sheets L1.0 and L2.0 Landscape Plan (both dated July 28, 2017).

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

Staff finds that these regulations are matters of zoning enforcement, and less matters to be reviewed as development standards. Therefore, staff's findings regarding the proposal in review are mute as to compliance with Section 73.360(5).

- (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 the 30-foot-deep landscaping along access driveways from SW Cimino Street are met; the 5-foot-wide landscaping on each side of the site accessway driveways are approximately 32 feet deep. However, while these distances were interpreted from the submitted plans, these specific dimensions were not included.

Condition of Approval: The applicant shall revise site plan (Sheet C1.1) to include landscape depth dimensions along both access driveways to/from SW Cimino Street pursuant to TDC 73.360(6)(a).

- (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.

As the project site is not within the Central Design District, staff finds that this standard does not apply.

- (7) Deciduous shade trees shall meet the following criteria:
 - (a) Reach a mature height of 30 feet or more;
 - (b) Cast moderate to dense shade in summer;
 - (c) Long lived, i.e., over 60 years;
 - (d) Do well in an urban environment:
 - (i) Pollution tolerant.
 - (ii) Tolerant of direct and reflected heat.
 - (e) Require little maintenance:
 - (i) Mechanically strong.
 - (ii) Insect- and disease-resistant.
 - (iii) Require little pruning.
 - (f) Be resistant to drought conditions;
 - (g) Be barren of fruit production.

The plant legend on Sheet L1.0 Landscape Plan (dated July 28, 2017) suggests the following deciduous tree species to be planted as part of the proposed development: Crimson Sentry Maple and Golden Desert Ash (street trees); Marshall Seedless Ash, Yellowwood, and Akebono Flowering Cherry (interior parking lot trees); and European Hornbeam and Pacific Sunset Maple (perimeter parking lot trees). All of these tree species, with the exception of the Marshall Seedless Ash and the Akebono Flowering Cherry, are included in TDC 74.765 Schedule A: Street Tree Species and are therefore suitable for planting at this location. While not included on this schedule, both the Marshall Seedless Ash and the Akebono Flowering Cherry are common parking lot and landscaping trees in the Pacific Northwest. Staff finds this standard is met.

Section 73.410 Street Tree Plan

Staff finds that the applicant's narrative does not address TDC 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 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. Staff confirms that Golden Desert Ash and Crimson Sentry Maple trees are included on TDC 74.765 Schedule A: Street Tree Species.

N. Tree Removal and Preservation

Section 34.210 Application for Architectural Review, Subdivision or Partition Review, or Tree Removal Permit.

- (1) Architectural Review, Subdivision, or Partition. When a property owner wishes to remove trees, other than the exemptions permitted under TDC 34.200(3), to develop property, and the

development is subject to Architectural Review, Subdivision Review, or Partition Review approval, the property owner shall apply for approval to remove trees as part of the Architectural Review, Subdivision Review, or Partition Review application process.

- (a) The application for tree removal shall include:
- (i) A Tree Preservation Site Plan, drawn to a legible scale, showing the following information: a north arrow; existing and proposed property lines; existing and proposed topographical contour lines; existing and proposed structures, impervious surfaces, wells, septic systems, and stormwater retention/detention facilities; existing and proposed utility and access locations/easements; illustration of vision clearance areas; and illustration of all trees on-site that are eight inches or more in diameter (including size, species, and tag i.d. number). All trees proposed for removal and all trees proposed for preservation shall be indicated on the site plan as such by identifying symbols, except as follows:
 - (A) Where Clean Water Services (CWS) has issued a Service Provider Letter that addresses the proposed development currently under consideration, and
 - (B) Where CWS has approved delineation of a “sensitive area” or “vegetated corridor” on the subject property, and
 - (C) Where CWS has required dedication of an easement that prohibits encroachment into the delineated area, then
 - (D) All trees located within the CWS-required easement need not be individually identified on the Tree Preservation Site Plan if the CWS-required easement boundary is clearly illustrated and identified on the Tree Preservation Site Plan.
 - (ii) A tree assessment prepared by a qualified arborist, including the following information: an analysis as to whether trees proposed for preservation can in fact be preserved in light of the development proposed, are healthy specimens, and do not pose an imminent hazard to persons or property if preserved; an analysis as to whether any trees proposed for removal could be reasonably preserved in light of the development proposed and health of the tree; a statement addressing the approval criteria set forth in TDC 34.230; and arborist’s signature and contact information. The tree assessment report shall have been prepared and dated no more than one calendar year proceeding the date the development application is deemed complete by the City. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located within the CWS-required easement need not be included in the tree assessment report.
 - (iii) All trees on-site shall be physically identified and numbered in the field with an arborist-approved tagging system. The tag i.d. numbers shall correspond with the tag i.d. numbers illustrated on the site plan. Where TDC 34.210(1)(a)(i)(A) through (D) are applicable, trees located in the CWS-required easement need not be tagged.
- (b) The application for tree removal shall be approved or denied based on the criteria in TDC 34.230.
- (c) The approval or denial of an application to remove trees shall be a part of the Architectural Review, Subdivision Review, or Partition Review decision.

Applicant Response: The proposed development includes removal of approximately (27) existing trees that are located adjacent to the existing farm structures. The trees (and structures) will be removed for the development of the new building and parking lot.

Staff finds that these standards are met as shown on Sheet TP1.0 Tree Preservation Plan (dated July 28, 2017) and the tree inventory conducted by City Wide Tree Service, Inc. on July 7, 2017.

Section 34.230 Tree Removal Criteria

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

- (1) An applicant must satisfactorily demonstrate that any of the following criteria are met:**
 - (a) The tree is diseased, and**
 - (i) The disease threatens the structural integrity of the tree; or**
 - (ii) The disease permanently and severely diminishes the esthetic value of the tree; or**
 - (iii) The continued retention of the tree could result in other trees being infected with a disease that threatens either their structural integrity or esthetic value.**
 - (b) The tree represents a hazard which may include but not be limited to:**
 - (i) The tree is in danger of falling;**
 - (ii) Substantial portions of the tree are in danger of falling.**
 - (c) It is necessary to remove the tree to construct proposed improvements based on Architectural Review approval, building permit, or approval of a Subdivision or Partition Review.**

Staff finds that this standard is met pursuant to TDC 34.230(1)(c) as the removal of trees on the subject site are necessary to construct the proposed development.

Section 73.250 Tree Preservation

- (1) Trees and other plant materials to be retained shall be identified on the landscape plan and grading plan.**
- (2) During the construction process:**
 - (a) The owner or the owner's agents shall provide above and below ground protection for existing trees and plant materials identified to remain.**
 - (b) Trees and plant materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.**
 - (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.**
- (3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.**
- (4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, nearby landscape materials. Native trees are encouraged**
- (5) Pruning for retained deciduous shade trees shall be in accordance with National Arborist Association "Pruning Standards For Shade Trees," revised 1979.**
- (6) Except for impervious surface areas, one hundred percent (100%) of the area preserved under any tree or group of trees retained in the landscape plan (as approved through the Architectural**

Review process) shall apply directly to the percentage of landscaping required for a development.

Applicant Response: All of the existing trees on the site will be removed to allow construction of the building and parking lot. New trees will be planted in the landscaped areas as shown on the landscape plans. A Tree Preservation Plan and an Arborist Report have been included with the AR submittal package.

Staff finds that these standards are met as shown on Sheet TP1.0 Tree Preservation Plan (dated July 28, 2017). Staff notes that the proposed development would result in the removal of all 27 existing trees on the project site.

O. Grading

Section 73.270 Grading

- (1) After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.**
- (2) All planting areas shall be graded to provide positive drainage.**
- (3) Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.**
- (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.**

With regard to standards of 73.270(1) through 73.270(4), including grading and surface drainage, staff defers to the analysis of the City Engineer.

P. 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.**

Applicant Response: The site plan has been designed to comply with the minimum parking standards for size, layout and required amount. We currently exceed the minimum amount of parking spaces required by a few spaces. The site plan also indicates bike parking and van/carpool parking to meet the minimum standards.

- (b) At the time of enlargement of an existing multi-family residential, commercial, institutional or industrial structure or use, TDC 73.370 shall apply to the existing and enlarged structure or use.**

- (c) Except where otherwise specified, the floor area measured shall be the gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading.
- (d) Where employees are specified, the term shall apply to all persons, including proprietors, working on the premises during the peak shift.
- (e) Calculations to determine the number of required parking spaces and loading berths shall be rounded to the nearest whole number.
- (f) If the use of a property changes, thereby increasing off-street parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.
- (g) Parking and loading requirements for structures not specifically listed herein shall be determined by the Community Development Director, based upon requirements of comparable uses listed.
- (h) When several uses occupy a single structure, the total requirements for off-street parking may be the sum of the requirements of the several uses computed separately or be computed in accordance with TDC 73.370(1)(m), Joint Use Parking.
- (i) Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site. The parcel upon which parking facilities are located shall be in the same ownership as the structure.
- (j) Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business.

Staff finds the standards of 73.370(1)(a) through 73.370(1)(j) are met as shown on Sheet C1.1 Site Plan (dated July 28, 2017). Parking findings are based off a mixed-use proposal of 60 percent warehouse, 25 percent manufacturing, and 15 percent office uses, and provisions of 73.370(1)(f) may change as tenants are speculative at this time. Staff notes that if the mix of uses change to include those with greater off-street parking standards, parking requirements will be reevaluated at that time and prior to issuance of any Certificates of Occupancy or future changes in use that require more parking.

- (k) Institution of on-street parking, where none is previously provided, shall not be done solely for the purpose of relieving crowded parking lots in commercial or industrial planning districts.

Staff finds that regulation of Section 73.370(k) is a matter of zoning enforcement and less a matter to be reviewed as development standards. Staff notes that no parking is allowed on SW Tualatin-Sherwood Road. Staff also notes that the SW Cimino Street extension will be constructed to the 60-foot-wide Commercial/Industrial standards pursuant to TDC Chapter 74: Public Improvement Requirements, which allows for an 8-foot-wide parking strip in both directions along this street.

- (l) Parking facilities may be shared by users on adjacent parcels if the following standards are met:
 - (i) One of the parcels has excess parking spaces, considering the present use of the property; the other parcel lacks sufficient area for required parking spaces.

- (ii) The total number of parking spaces meets the standards for the sum of the number of spaces which would be separately required for each use.
- (iii) Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying permanent use of the excess parking area on one lot by patrons of the uses deficient in required parking area.
- (iv) Physical access between adjoining lots shall be such that functional and reasonable access is actually provided to uses on the parcel deficient in parking spaces.
- (v) Adequate directional signs shall be installed specifying the joint parking arrangement.
- (vi) Areas in the 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 would be better protected.

As the proposal does not include shared parking with adjacent parcels, staff finds that this standard does not apply.

- (m) **Joint Use Parking.** Joint use of parking spaces may occur where two or more separate developments or multiple uses in a development are able to jointly use some or all of the same required parking spaces because their parking demands occur at different times. Joint use of parking spaces may be allowed if the following standards are met:
 - (i) There shall be no substantial conflict in the principal operating hours of the buildings or uses for which the joint use parking is proposed. Future change of use, such as expansion of a building or establishment of hours of operation which conflict with or affect a joint use parking agreement are prohibited, unless approval is obtained through the Architectural Review process;
 - (ii) The joint use parking spaces shall be located no more than 500 feet from a building or use to be served by the joint use parking;
 - (iii) The number and location of parking spaces, hours of use and changes in operating hours of uses subject to joint use shall be approved through the Architectural Review process;
 - (iv) Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying the joint use parking between the separate developments. Joint use parking agreements may include provisions covering maintenance, liability, hours of use and cross easements; and
 - (v) The City Attorney approved legal documentation shall be recorded by the applicant at the Washington or Clackamas County Recorder's Office and a copy of the recorded document submitted to the Planning Department prior to issuance of a building permit.
 - (vi) Areas in the 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 would be better protected.

As the proposal does not include joint parking with adjacent development, staff finds that this standard does not apply. Staff notes that the subject site and the Itel Corporate Center property to the west share an access driveway along SW Cimino Street.

- (n) **Bicycle parking facilities** shall include long-term parking that consists of covered, secure stationary racks, lockable enclosures, or rooms (indoor or outdoor) in which the bicycle is stored and short-term parking provided by secure stationary racks (covered or not covered), which accommodate a bicyclist's lock securing the frame and both wheels. The

Community Development Director, their designee, or the Architectural Review Board may approve a form of bicycle parking not specified in these provisions but that meets the needs of long-term and/or short-term parking pursuant to Section 73.370.

Applicant Response: The site plan indicates the required bicycle parking for both short-term and long-term parking. The long-term parking is located inside the building. The size of each bike parking space is designed to meet the minimum requirements listed in this code section.

Staff notes that the applicant has proposed 12 exterior short-term bike parking spaces and 11 interior long-term bike parking spaces as shown on Sheet C1.1 Site Plan (dated July 28, 2017). While the site plan keynotes state that the details for bicycle parking are included in the site details (Sheets C5.0 and C5.1, both dated July 28, 2017), no details on the exterior parking facilities is provided (details for interior bicycle parking is included on Sheet C5.0) Staff recommends a condition of approval to meet the standard.

Condition of Approval: The applicant shall revise site details (Sheet C5.0) to include details on the exterior bicycle parking facilities pursuant to TDC 73.370(1)(n).

- (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.**

As noted in the response to 73.370(1)(n) above, details on the exterior parking facilities were not included in this application. Staff notes that details on the interior bicycle parking facilities is included on Sheet C5.0 Site Details (dated July 28, 2017). Staff recommends a condition of approval to meet the standard.

Condition of Approval: The applicant shall revise site details (Sheet C5.0) to include details on the exterior bicycle parking facilities pursuant to TDC 73.370(1)(o).

- (p) A 5-foot-wide bicycle maneuvering area shall be provided beside or between each row of bicycle parking. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.**

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017). Staff notes that approximately 6 feet of concrete maneuvering area is provided.

- (q) Access to bicycle parking shall be provided by an area at least 3 feet in width. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.**

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017). Staff notes that approximately 6 feet of concrete access area is provided.

- (r) Required bicycle parking shall be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, shall be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas.**

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan and Sheet LT1.0 Site Lighting Plan (both dated July 28, 2017). Staff notes that short-term bike parking would be located near the building entrances at all four corners of the proposed building.

- (s) Long-term bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.**

Staff finds that the standard is met as shown on Sheet C1.1 Site Plan and Sheet C5.0 Site Details (both dated July 28, 2017). Staff notes that 11 interior parking spaces would be located near the northeast, northwest, and southwest corners of the proposed building.

- (t) Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking.**

As the subject site is not located in the Core Area Parking District, staff finds that this standard does not apply.

- (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.**

Staff finds that while Sheet C5.0 Site Details (dated July 28, 2017) includes detail on a bicycle parking sign for interior bicycle parking facilities, Sheet C1.0 Site Plan (dated July 28, 2017) does not include bicycle parking sign locations for either interior or exterior parking. Staff recommends a condition of approval to meet the standard.

Condition of Approval: The applicant shall revise Sheets C1.1 Site Plan and C5.0 Site Details to include bicycle parking signage per MUTCD standards and install to revised plans pursuant to TDC 73.370(1)(u).

- (v) Required bicycle parking spaces shall be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This shall not preclude the operation of private for-profit bicycle parking businesses.**

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (w) Parking on existing residential, commercial and industrial development may be redeveloped as a transit facility as a way to encourage the development of transit supportive facilities such as bus stops and pullouts, bus shelters and park and ride stations. Parking spaces converted to such uses in conjunction with the transit agency and approved through the Architectural Review process will not be required to be replaced.**

Staff finds that this standard does not apply.

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

Staff finds that this standard is met as shown on Site C1.1 Site Plan (dated July 28, 2017).

(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) 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.**

Use	Minimum Motor Vehicle Parking Requirements	Maximum Motor Vehicle Parking Requirements	Bicycle Parking Requirements	Percentage of Bicycle Parking to be Covered
<u>Commercial</u>				
(vi) General office	2.7 spaces per 1,000 SF gross floor area (GFA)	2.7 spaces per 1,000 SF gross floor area (GFA) [Zone B]	2, or 0.5 spaces per 1,000 gross square feet (GSF), whichever is greater	First 10 spaces or 40 percent, whichever is greater
	(2.70 * 23.58) <u>64</u>	(4.1 * 23.58) <u>97</u>	(0.5 * 23.58) <u>12</u>	<u>10</u>
<u>Industrial</u>				
(i) Manufacturing	1.6 spaces per 1,000 SF gross floor area (GFA)	None	2, or 0.1 spaces per 1,000 gross square feet (GSF), whichever is greater	First 5 spaces or 30 percent, whichever is greater
	(1.6 * 39.31) <u>63</u>	N/A	(0.1 * 39.31) <u>4</u>	<u>4</u>
(ii) Warehousing	0.3 spaces per 1,000 SF gross floor area (GFA)	0.5 spaces per 1,000 SF gross floor area (GFA) [Zone B]	2, or 0.1 spaces per 1,000 gross square feet (GSF), whichever is greater	First 5 spaces or 30 percent, whichever is greater
	(0.3 * 94.34) <u>28</u>	(0.5 * 94.34) <u>47</u>	(0.1 * 94.34) <u>9</u>	<u>5</u>
TOTALS	155	N/A	25	10*
* Based on General Office standards (most conservative) applied to total bicycle parking required.				

Staff finds that this standard is not met. While the total number of proposed vehicle parking spaces (159) meets the minimum code requirement for vehicle parking spaces (155), the proposed development would only provide 23 on-site bicycle parking spaces, which is less than the 25-space minimum requirement. Staff notes that the proposed number of covered parking spaces (11) meets the covered parking standard (10) for this development. Staff recommends a condition of approval to meet the standard. Staff also recommends revisiting proposed uses and minimum parking standards once tenants have been identified.

Condition of Approval: Revise the site plan (Sheet C1.1) and the overall development plan to include the minimum amount of required bicycle parking pursuant to TDC 73.370(2)(a).

- (b) The following are the minimum requirements for off-street motor vehicle parking in the Core Area Parking District (CAPD) 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).

As the subject site is not located in the Core Area Parking District, staff finds that this standard does not apply.

(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:

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

Staff finds that this standard is not met. Per the table above, the proposed 155 parking spaces would require seven (7) vanpool/carpool spaces; Sheet C1.1 Site Plan (dated July 28, 2017) only illustrates six (6) vanpool/carpool spaces.

Condition of Approval: The applicant shall revise the site plan (Sheet C1.1) to include the minimum number of required vanpool/carpool parking spaces pursuant to TDC 73.370(3).

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.**

Applicant Response: The parking lot has been designed to comply with the minimum size of a standard parking stall.

Staff finds that this standard is not met. As shown in TDC Figure 73-1, parking stalls at a 90-degree angle are required to be 9 feet wide by 18.5 feet deep. Staff notes that TDC standard 73.380(1) allows 2.5 feet of overhang—thereby allowing 16-foot-deep parking spaces—in cases where the overhang does not affect the effective widths of required landscaping or pedestrian amenities. As illustrated and noted on Sheet C1.1 Site Plan (dated July 28, 2017), all on-site parking stalls would be 9’x18’, which do not meet the 9’x18.5’ minimum standard. Staff recommends a condition of approval to meet the standard.

Condition of Approval: The applicant shall revise the appropriate sheets to include parking spaces that conform to TDC Figure 73-1 standards, most notably 9 feet wide by 18.5 feet deep for parking spaces at a 90-degree angle and install to revised plans pursuant to TDC 73.380(1). The applicant may utilize the bumper overhang provision if seven-and-a-half (7.5) feet of perimeter landscaping is provided at these locations or if the overhang does not reduce effective sidewalk widths below ADA standards.

- (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.**

Applicant Response: This project does not include compact parking stalls.

As there are no sub-compact parking stalls included in this proposal, staff finds that this standard is met.

- (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.**

Applicant Response: The site plan has been designed to provide a landscape island at no more than every (8) parking stalls.

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (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.**

Applicant Response: The site plan indicates the dimensions of the drive aisles and notes that all are constructed of asphalt paving. Parking lot landscaping is provided as noted in items above.

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (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.**

While the project site is immediately adjacent to the residential property at 12075 SW Tualatin-Sherwood Road to the east, only 17 of the proposed 159 parking spaces face eastward along their shared property, and an even fewer number of these spaces face existing structures on the residential site (see Sheet C1.1 Site Plan, dated July 28, 2017). Thus, staff finds that this standard is met.

- (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.**

While the proposed lighting would not result in impacts to natural resources/areas and would not impact adjacent right-of-ways (SW Tualatin-Sherwood Road and the Cimino Street extension), Sheet LT1.0 Site Lighting Plan (dated July 28, 2017) shows lighting extending as far as 70 feet into the neighboring residential property at 12075 SW Tualatin-Sherwood Road to the east. As existing structures on this adjacent residential property are located as close as 90 feet from the property, the proposed lighting plan has the potential to impact this property. Staff recommends a condition of approval to meet the standard.

Condition of Approval: *The applicant shall modify the proposed lighting plan to include lighting on the eastern portion of the project site that does not shine onto the adjacent residential property at 12075 SW Tualatin-Sherwood Road and illustrate the results of these modifications on Sheet LT1.0 Site Lighting Plan pursuant to TDC 73.380(6).*

- (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 met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (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 met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (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 shown in Sheet C1.1 Site Plan and Sheet C5.0 Site Details (see detail 4, "Section at Curb," both sheets dated July 28, 2017). Staff notes that wheel stops are proposed for the ADA-compliant spaces and the minimum 6-inch-tall concrete curbs are intended to prevent cars from encroaching into landscaping and pedestrian pathways.

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

ADA accessibility requirements are typically reviewed during the building permit stage. Staff notes that the six (6) proposed ADA parking spaces are located near the building entrances at the northeast, northwest, and southwest corners of the proposed building.

- (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 the on-site drive aisle standards are met as shown in Sheet C1.1 Site Plan (dated July 28, 2017). Staff notes that access and other features of the public right-of-way are reviewed by City of Tualatin Engineering and Operations/Parks Maintenance Divisions. Staff also notes that the current proposal does not meet standard parking stall requirements pursuant to 73.380(1) and that the applicant should make sure their modifications to meet those requirements do not result in non-compliance of on-site drive aisle width standards.

Section 73.390 Off-Street Loading Facilities

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

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

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (2) **Loading berths shall conform to the following minimum size specifications.**
 - (a) **Commercial, public and semi-public uses of 5,000 to 25,000 square feet shall be 12' x 25' and uses greater than 25,000 shall be 12' x 35'**
 - (b) **Industrial uses - 12' x 60'**
 - (c) **Berths shall have an unobstructed height of 14'**
 - (d) **Loading berths shall not use the public right-of-way as part of the required off-street loading area.**

Applicant Response: This project is providing more than the required number of loading berths. It has (36) total loading docks. The size of each space (12' x 60') meets the minimum requirements.

While staff can confirm the applicant account regarding the number of total loading docks (36), the submitted site plans do not include any information on loading berth widths and depths. Staff recommends a condition of approval to meet this standard.

Condition of Approval: The applicant shall revise site plan (Sheet C1.1) to include loading dock/berth dimensions pursuant to TDC 73.390(2).

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

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan and Sheets L1.0 and L2.0 Landscape Plan (all dated July 28, 2017). Staff notes that the loading dock areas are recessed into the building's east and west façades and screened from views along SW Tualatin-Sherwood Road with perimeter landscaping.

- (4) **Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.**

Staff finds that these regulations are matters of zoning enforcement, and less matters to be reviewed as development standards. Therefore, staff's findings regarding the proposal in review are mute as to compliance with Section 73.390(4).

- (5) **A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school or child day care center having a capacity greater than 25 students.**

As the proposed development would not include a school or child day care center, staff finds that this standard does not apply.

- (6) **The off-street loading facilities shall in all cases be on the same lot or parcel as the structure they are intended to serve. In no case shall the required off-street loading spaces be part of the area used to satisfy the off-street parking requirements.**

Staff finds that this standard is met as shown on Sheet C1.1 Site Plan (dated July 28, 2017).

- (7) **Subject to Architectural Review approval, the Community Development Director may allow the standards in this Section to be relaxed within the Central Design District, where a dense mix of uses is desirable in close proximity, pedestrian circulation is strongly emphasized, and the orientation of structures around a central water feature virtually eliminates the possibility of reserving any side of a building solely for truck access. Adjustments may include, but are not limited to, reduction in the number of loading berths required, adjustment of loading berth size specifications and right-of-way restrictions, shared loading berths and maneuvering areas for use by more than one building, alteration or elimination of screening requirements, and**

requirements for maintenance of berths in a clean and visually appealing condition. The Community Development Director, their designee, or the Architectural Review Board may allow a loading area adjacent to or within a street right-of-way in the Central Design District where the loading and unloading operations meet all of the following criteria:

- (a) short in duration (i.e., less than one hour);
- (b) infrequent (fewer than three operations daily);
- (c) does not obstruct traffic during peak traffic hours;
- (d) does not interfere with emergency response services;
- (e) is acceptable to the applicable roadway authority; and
- (f) the design standards for the abutting road allow on-street parking.

As the project site is not located in the Central Design District, staff finds that this standard does not apply.

Q. Access

Section 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 defers to the analysis of the City Engineer (see City Engineer findings).

R. Signs

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

S. 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.**

III. RECOMMENDED CONDITIONS

Based on the Findings and Conclusions presented, staff recommends approval of AR-17-0002 subject to the following Architectural Features (AF) conditions of approval:

CONDITIONS OF APPROVAL DOCUMENTATION:

AF-1 Prior to applying for building permits on the subject site, the applicant shall submit one revised paper plan set—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 (2) weeks.

PRIOR TO APPLICATION FOR A BUILDING PERMIT:

- AF-2 The applicant shall revise site plan (Sheet C1.1) to include building setback dimensions from property lines pursuant to TDC 61.060(1) and (2).
- AF-3 The applicant shall revise site plan (Sheet C1.1) to include parking and circulation area setback dimensions from public streets pursuant to TDC 61.060(5).
- AF-4 The applicant shall revise the appropriate sheets to provide information pertaining to pedestrian and bicycle accessways on the project site, including at minimum accessway width, surface materials, and ADA compliance pursuant to TDC 73.160(1)(b)(i), TDC 73.160(1)(b)(iii), and TDC 73.160(1)(d).
- AF-5 The applicant shall install lighting as shown on the site lighting plan (Sheet LT1.0) to ensure that the proposed development will not result in excess lighting and will continue to meet the lighting standards of TDC 73.160(3)(c).
- AF-6 The applicant shall revise the appropriate sheets to illustrate a minimum storage area of 907 square feet is provided for mixed solid waste and recyclables and install to revised plans pursuant to TDC 73.227(2)(v).
- AF-7 The applicant shall vet the modified mixed solid waste and recyclables storage areas with Republic Services by providing a new signed letter from Republic Services based on the modified storage areas to ensure these areas are accessible for collection vehicles pursuant to TDC 73.227(6)(a)(vii) and TDC 73.227(6)(b)(i).
- AF-8 The applicant shall revise Sheet L1.0 Landscape Plan to illustrate vision clearance areas at the SW Cimino Street access driveways and revise the landscape plan as necessary to create clear zones pursuant to TDC 73.340(1).
- AF-9 The applicant shall revise site plan (Sheet C1.1) to include landscape depth dimensions along both access driveways to/from SW Cimino Street pursuant to TDC 73.360(6)(a).
- AF-10 The applicant shall revise site details (Sheet C5.0) to include details on the exterior bicycle parking facilities pursuant to TDC 73.370(1)(n) and TDC 73.370(1)(o).
- AF-11 The applicant shall revise Sheets C1.1 Site Plan and C5.0 Site Details to include bicycle parking signage per MUTCD standards and install to revised plans pursuant to TDC 73.370(1)(u).
- AF-12 Revise the site plan (Sheet C1.1) and the overall development plan to include the minimum amount of required bicycle parking pursuant to TDC 73.370(2)(a).

- AF-13 The applicant shall revise the site plan (Sheet C1.1) to include the minimum number of required vanpool/carpool parking spaces pursuant to TDC 73.370(3).
- AF-14 The applicant shall revise the appropriate sheets to include parking spaces that conform to TDC Figure 73-1 standards, most notably 9 feet wide by 18.5 feet deep for parking spaces at a 90-degree angle and install to revised plans pursuant to TDC 73.380(1). The applicant may utilize the bumper overhang provision if seven-and-a-half (7.5) feet of perimeter landscaping is provided at these locations or if the overhang does not reduce effective sidewalk widths below ADA standards.
- AF-15 The applicant shall modify the proposed lighting plan to include lighting on the eastern portion of the project site that does not shine onto the adjacent residential property at 12075 SW Tualatin-Sherwood Road and illustrate the results of these modifications on Sheet LT1.0 Site Lighting Plan pursuant to TDC 73.380(6).
- AF-16 The applicant shall revise site plan (Sheet C1.1) to include loading dock/berth dimensions pursuant to TDC 73.390(2).
- AF-17 The applicant shall comply with the incorporated Public Facilities Recommendation (PFR) from the City of Tualatin Engineering Division.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- AF-18 The applicant shall submit scaled elevations that illustrate future above-grade mechanical equipment, including rooftop units, screened by a parapet or other method as proposed by the applicant when submitting for a mechanical permit, pursuant to TDC 73.160(4)(a).
- AF-19 The applicant shall construct proposed buildings and all site improvements as illustrated on approved plans and conditions of approval.

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)
- All building exterior improvements approved through the AR process must be continually maintained, including necessary painting and repair, so as to remain substantially similar to original approval through the AR process, unless subsequently altered with Community Development Director's approval. TDC 73.100(2)
- Site landscaping and street trees shall be maintained to meet the vision clearance requirements of TDC 73.400(16).
- The proposed development must comply with the noise standards of TDC 63.051(1).
- The proposed development must comply with all applicable policies and regulations set forth by the TDC.

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 obtain a certificate of occupancy. 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.

Attachments:

101: Application Materials – Revised August 9, 2017

102: Tualatin Valley Fire & Rescue Conditions of Approval – August 25, 2017