



# City of Tualatin

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December 31, 2018

## ARCHITECTURAL REVIEW AND PUBLIC FACILITIES DECISION

AR-18-0006

**\*\* APPROVAL WITH CONDITIONS \*\***

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Case #:	AR-18-0006
Project:	Sherwin-Williams Retail
Location:	8930 SW Old Tualatin-Sherwood Rd, Tualatin, OR. Taxlot: 2S123DA01300
Applicant/Owner:	CIDA Inc.   Tim and Suzann Kitch
Applicant/Rep.:	Gavin Russell, CIDA Inc.; <a href="mailto:gavinr@cidainc.com">gavinr@cidainc.com</a>

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Arrangements can be made to provide these materials in alternative formats such as large type or audio recording. Please contact the Planning Division at 503.691.3026 and allow as much lead time as possible.

## I. INTRODUCTION

### A. Applicable Criteria

The following Chapters of the Tualatin Development Code (TDC) are applicable to the subject proposal:

- TDC Chapter 34: Special Regulations
- TDC Chapter 60: Light Manufacturing Planning District
- TDC Chapter 73: Community Design Standards
- TDC Chapter 74: Public Improvement Requirements\*

*\*Addressed in Exhibit B (City Engineer's Review, Findings, and Decision)*

### B. Project Description

The applicant, CIDA Inc., requests approval of a new 3,500 square foot, one-story, retail building for Sherwin-Williams, on 0.52-acre site.

The exterior building façades would be comprised of Hardie board in neutral brown color tones, with windows located on the north and east façades, and stone columns accenting the north and east building façades. Weather protection would be provided by canopies located on the north and east sides. The south façade would contain an overhead door and standard door opening to be used for loading and deliveries.

The site would include 19 parking spaces. This site accesses an existing private street, known as SW 89<sup>th</sup> Avenue, which connects to SW Old Tualatin-Sherwood Road. Landscaping would be provided along the entire perimeter of the project site. A one-foot ROW dedication would be required along SW Tualatin-Sherwood Road.

### C. Previous Land Use Actions

ANN75-01      Annexation into the City of Tualatin (Boundary Commission Number 779)

### D. Site Description and Surrounding Uses

The subject site (Figure 1), Washington County Tax Lot 2S123DA01300, is approximately 0.52 -acres and is presently undeveloped. The site has frontage on an access-restricted portion of SW Tualatin-Sherwood Road, and a small portion of SW Old Tualatin-Sherwood Road to the north. As discussed above, the site also has frontage on SW 89<sup>th</sup> Avenue, a private street, to the east. The subject site, is located within Block 29 of the former Central Urban Renewal District (CURD), as shown on Exhibit G.

Surrounding uses indicate a transitional area including commercial services and light industrial uses. Adjacent land uses include:

North:      Central Commercial (CC)

- Bellagio's Pizza
- Columbia Bank

Commercial Office (CO)

- United States Postal Service

South:      Light Manufacturing Planning District (ML)

- Undeveloped fenced lot with vehicle storage

- Willamette Graystone (manufacturer and supplier of stone and building products)
- American Dental Industries (mobile health clinic manufacturer)

West: Light Manufacturing Planning District (ML)

- Crown Memorial Center, Cremation, and Burial
- Dignified Pet Services

East : Light Manufacturing Planning District (ML)

- Willamette Graystone (manufacturer and supplier of stone and building products)
- Various automotive repair and parts services
- Northwest Spray and Compressor (sales and service of compressor equipment)

Figure 1: Aerial view of subject site (highlighted)



## **E. Project Schedule**

A pre-application conference for this project was held on September 24, 2018. A neighborhood/developer meeting—as required by Tualatin Development Code (TDC) 31.063—was held on October 11, 2018. As shown within Exhibit A (page 21), concerns were raised related to stormwater management and traffic, as well as general development impacts.

This application was originally submitted on October 12, 2018, and deemed complete on November 5, 2018. 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 March 5, 2019.

Staff received no letters of comment from property owners within 1,000 feet of the subject property, including pursuant to TDC 31.064(1) within any residential subdivisions platted through the City, during the comment period that ended November 21, 2018. Agency comments were received from Tualatin Valley Fire and Rescue, Clean Water Services, and Washington County.

## **F. Exhibit List**

- A: Application Materials –October 12, 2018, revised October 24, 2018
- B: City Engineer’s Review, Findings, and Decision for AR-18-0006 (Sherwin-Williams) —December 27, 2018
- C: Tualatin Valley Fire & Rescue Memo—November 8, 2018
- D: Washington County Memo—November 21, 2018
- E: Clean Water Services Memo—November 23, 2018
- F: Commonway Agreement—February 2, 1973
- G: Tualatin Development Code Map 9-3 Central Urban Renewal Area

## **II. CONDITIONS OF APPROVAL**

Based on the Findings and Conclusions presented, staff recommends approval of AR-18-0006 subject to the following architectural features conditions (A):

### **GENERAL:**

- A1. This Architectural Review approval shall expire after two years unless 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 an extension is granted under the terms of Section 73.056.

### **PRIOR TO BUILDING OR ENGINEERING PERMIT ISSUANCE:**

- A2. The applicant must comply with the incorporated Public Facilities Recommendation (PFR) from the City of Tualatin Engineering Division.
- A3. Grading plans must reflect tree preservation measures for adjacent trees as shown on Sheet L1.0, Landscape Plan.

### **PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

- A4. The applicant shall install bicycle parking signage and vanpool/carpool parking signage per MUTCD standards, pursuant to TDC 73.370(1) (u) and (x).
- A5. The applicant shall install "No Parking" signs along the site's SW 89<sup>th</sup> Avenue frontage at 25-foot intervals, in order to ensure adequate access for fire apparatus to the south driveway. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet, as described in Exhibit C, comments from Tualatin Valley Fire and Rescue. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background.
- A6. Provide an identification system which clearly locates buildings and their entries for patrons and emergency services.
- A7. The applicant shall construct proposed buildings and all site improvements as illustrated on approved plans and conditions of approval. Subject to compliance with the requirements of TDC 73.095 a temporary certificate of occupancy may be issued by the Building Official.

### **THE FOLLOWING CODE REQUIREMENTS APPLY TO THE SITE IN AN ON-GOING MANNER:**

- A8. The applicant or property owner 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 in accordance with TDC 73.160(4)(a).
- A9. The applicant must submit sign permit applications separately from this Architectural Review (AR) for any proposed signage.
- A10. 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)

- A11. 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)
- A12. All parking spaces shall be continuously maintained in compliance with the dimensional standards specified in TDC 73.370.
- A13. Site landscaping and street trees shall be maintained to meet the vision clearance requirements of TDC 73.400(16).
- A14. The proposed development must comply with the noise standards of TDC 63.051(1).
- A15. The proposed development must comply with all applicable policies and regulations set forth by the TDC.

**PLEASE BE ADVISED:**

- 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. Per TDC 73.095 a temporary certificate of occupancy may be issued by the Building Official prior to the complete installation of all required on-site landscaping, landscaping in the public right-of-way and on-site exterior improvements if security equal to 110 percent of the cost of the landscaping and exterior improvements, as determined by the Community Development Director, is filed with the City, assuring such installation within a time specified by the Community Development Director, but not to exceed 6 months after granting of temporary occupancy.

### III. PLANNING FINDINGS

The Planning Division findings reference the TDC, unless otherwise noted.

#### Chapter 34: Special Regulations

[...]

##### Section 34.210 Application for Architectural Review, Sub-division 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:

[...]

(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.

[...]

#### Finding:

*The applicant has submitted a tree plan and sufficient documentation. The criteria in TDC 34.230 are the basis on approval or denial for tree removal as part of this Architectural Review. These standards are met.*

##### Section 34.230 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.*

#### Finding:

*The applicant has proposed to remove one tree, located near the north center of the property, which is necessary to construct the proposed improvements based on the subject Architectural Review approval. These standards are met.*

#### Chapter 60: Light Manufacturing Planning District (ML)

[...]

##### Section 60.030 Central Urban Renewal Plan - Additional Permitted Uses.

(1) The following uses are permitted in Blocks 28 and 29 of the Central Urban Renewal Plan, as shown on Map 9-3:

(b) Retail Uses:

(vii) Building and home improvement materials and supplies retail sales, including garden tractors not exceeding 25 horsepower.

[...]

**Finding:**

*As shown on Exhibit G. the subject site is zoned ML and is located within Block 29 of the CURD. The applicant proposes retail of building and home improvement materials and supplies, which is listed as an "additional permitted use" in Block 29 of the CURD in the ML District. This standard is met.*

**Section 60.070 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.
- (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.
- (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.
- (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.
- (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).**

[...]

**Finding:**

*The subject site is not adjacent to a residential or Manufacturing Park district. The front yard is considered the north property line abutting SW Tualatin-Sherwood Road and SW Old Tualatin-Sherwood Road.*

<b>Setback Requirements</b>				
<b>Yard</b>	<b>Direction</b>	<b>Required (ft)</b>	<b>Minimum Proposed (ft)</b>	<b>Actual Distance Proposed (ft)</b>
Front	North	30	30	30
Rear	South	0 to 50	5	42
Side 1	East	0 to 50	5	55.5
Side 2	West	0 to 50	5	5



*The applicant has generally proposed setbacks that are in conformance with the requirements of the ML District. The parking, loading and circulation area is set back 5 feet from the private drive, over 18 feet from the south property line, and a minimum of 10 feet from SW Tualatin-Sherwood Road, a public street. These standards are met.*

**Section 61.080 Structure Height**

**(1) Except as provided in TDC 60.090(2), (3) or (4), no structure shall exceed a height of 50 feet and flagpoles which display the flag of the United States of America either alone or with the State of Oregon flag shall not exceed 100 feet above grade provided that the setbacks are not less than a distance equal to one and one-half times the flagpole height.**

[...]

**Finding:**

*As shown on the building elevations on Sheet A2.0, the proposed structure height is less than 50 feet. This standard is met.*

**Chapter 73: Community Design Standards**

[...]

**Section 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.**

**Finding:**

*The proposed site development has been reviewed and deemed to be in conformance with the above standards and compatible with the design of other developments in the general vicinity, subject to the imposition of conditions of approval. This standard is met.*

**(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.**

**Finding:**

*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.*

[...]

- (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.

[...]

**Finding:**

*See finding under TDC 34.020, above. This standard is met.*

**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.
- (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.

**Finding:**

*With the maintenance standards noted on Sheet L.3 and Condition of Approval A-10, these standards are met.*

**Section 73.160 Standards (Community Design)**

- (1) Pedestrian and Bicycle Circulation:

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

- (i) a walkway shall be provided between the main entrance to the building and any abutting public right-of-way of an arterial or collector street where a transit stop is designated or provided. The walkway shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;
- (ii) walkways shall be provided between the main building entrances and other on-site buildings and accessways. The walkways shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;
- (iii) walkways through parking areas, drive aisles, and loading areas shall be visibly raised and of a different appearance than the adjacent paved vehicular areas;
- (iv) accessways shall be provided as a connection from the development's internal bikeways and walkways to all of the following locations that apply: abutting arterial or collector streets upon which transit stops or bike lanes are provided or designated; abutting undeveloped residential or commercial areas; adjacent undeveloped sites where an agreement to provide an accessway connection exists; and to abutting publicly-owned land intended for general public use, including schools;

- (v) fences or gates which prevent pedestrian and bike access shall not be allowed at the entrance to or exit from any accessway.**
  - (vi) bikeways shall be provided which link building entrances and bike facilities on the site with the adjoining public right-of-way and accessways.**
  - (vii) Outdoor Recreation Access Routes shall be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.**
- [...]

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, a six-foot wide walkway has been provided from the entrance of the building to the public right of way on SW Tualatin Sherwood Road. Bike facilities are located at the front entrance. No fences or gates are proposed on site that would inhibit pedestrian circulation. These standards are met.*

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

[...]

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, Curb ramps are provided when crossing curbs. This standard is met.*

**(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.**
- (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.**
- (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.**

**Finding:**

*As shown on Sheets A0.1 and A0.3 of Exhibit A, windows are located on the north and east side of the building, facing the public right-of-way and private drive. The south side does not contain windows due to its interior use of storage, however, security cameras will be set up to monitor the pedestrian and parking areas. Lighting is maintained around the parking and pedestrian areas for greater visibility. These standards are met.*

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

**Finding:**

*The applicant will be required to provide building identification in a manner that complies with the above criterion, subject to approval by TVF&R. With Condition of Approval A6, this standard is met.*

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

[...]

**Finding:**

*Per the planting schedule provided on Sheet L1.0, Landscape Plan, tree canopies will be limbed to 8 feet when mature, and shrubs will be maintained at a height not above 30 inches. This standard is met.*

**(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.**

[...]

**Finding:**

*No mechanical equipment is proposed as part of this application. The applicant indicates an intention to uses parapets or Envisor roof screens where necessary in future permits. With Condition of Approval A-8, this standard is met.*

- (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.**

**Finding:**

*The proposed site plan illustrates ADA compatible parking spaces near the main entrance of the store, and ADA walkways connecting to the main entrance to parking and adjacent sidewalks. ADA standards will be reviewed in additional detail at the time of building permit. This standard is met.*

- (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.**
- (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.**

**Finding:**

*A walkway is proposed from the building to the pedestrian sidewalk on SW Tualatin Sherwood Road, which is served by TriMet bus line 97. There is no transit stop within 20 feet of the site, such that additional pedestrian amenities are not needed. This standard is met.*

### **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.**

**Finding:**

*As shown on Sheet A0.3 of Exhibit A, the proposed lighting is oriented inwards. Cutoffs are provided on fixtures to eliminate shining into the right of way and adjacent properties. There are no adjacent fish and wildlife habitat areas. This standard is met.*

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

**Finding:**

*See finding at Section 73.160(3)d, above. This standard can be met.*

- (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.**

**Finding:**

*Per Sheet L1.0 of Exhibit A, the proposed shrubs in parking area will not exceed 30 inches. This standard is met.*

### **Section 73.227 Standards**

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.**

**(2) Minimum Standards Method.** This method specifies a minimum storage area requirement based on the size and general use category of the new or expanded development. This method is most appropriate when specific use of a new or expanded development is not known. It provides specific dimensional standards for the minimum size of storage areas by general use category.

- (a) The size and location of the storage area(s) shall be indicated on the site plan. Compliance with the requirements set forth below are 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.

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

(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.

(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.

(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.

[...]

**Finding:**

*The mixed solid waste standards apply to this new commercial development. Per the minimum standards method, a solid waste storage area of at least 45 square feet would be necessary. The applicant proposes a 160 square foot area. Dimensions are additionally addressed under franchise hauler review, below. These standards are met.*

**(5) Franchised Hauler Review Method.** The franchised hauler review method provides for a coordinated review of the pro-posed site plan by the franchised hauler serving the subject property. This method can be used when there are unique conditions associated with the site, use, or waste stream that make compliance with any of the three other methods impracticable. The objective of this method is to match a specific hauler program (types of equipment, frequency of collection, etc.) to the unique characteristic(s) of the site or development. The applicant shall coordinate with the franchised hauler to develop a plan for storage and collection of mixed solid waste and source separated recyclables to be generated. A narrative describing how the proposed site meets one or more unique conditions, plus site plan and architectural drawings showing the size and location of storage area(s) required to accommodate anticipated volumes shall be submitted for Architectural Review.

**Additionally, a letter from the franchised hauler shall be submitted with the application that describes the level of service to be provided by the hauler, including any special equipment and collection frequency, which will keep the storage area from exceeding its capacity. For purposes of this subsection the following constitute unique conditions:**

**(a) Use of either of the three other methods of compliance would interfere with the use of the proposed development by reducing the productive space of the proposed development, or make it impossible to comply with the minimum off-street parking requirements of the underlying planning district, or**

**(b) The site is of an irregular shape or possesses steep slopes that do not allow for access by collection vehicles typically used by the franchised hauler to serve uses similar in size and scope to the proposed use, or**

**(c) The proposed use will generate unique wastes that can be stacked, folded, or easily consolidated without the need for specialized equipment, such as a compactor, and can therefore be stored in less space than is required by the Minimum Standards Method.**

**If the application does not demonstrate that the franchised hauler method requires less space, through the Architectural Review process the minimum standards method may be required. The franchised hauler method shall be reviewed and approved as part of the Architectural Review process.**

**Finding:**

*Republic Services, the applicable franchise waste hauler, has indicated the adequacy of the proposed solid waste storage area, as shown as part of Exhibit A, page 28 which also exceeds the minimum standards threshold. This standard is met.*

**(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.**
- (ii) Indoor and outdoor storage areas shall comply with Building and Fire Code requirements.**
- (iii) Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations.**
- (iv) Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street.**
- (v) Exterior storage areas shall be located in central and visible locations on the site to enhance security for users.**
- (vi) Exterior storage areas can be located in a parking area, if the proposed use provides parking spaces required through the Architectural Review process. Storage areas shall be appropriately screened according to TDC 73.227(6)(b)(iii).**
- (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.**

**Finding:**

*A single exterior trash enclosure will house both recycling and garbage. The proposed enclosure is outside of all applicable setbacks, in a reasonably visible area near the south end of the proposed building and the*

southern parking area. The storage area is to be screened with opaque fencing. Republic Services, the applicable franchise waste hauler, has reviewed the location to confirm that it will be accessible for collection vehicles as shown as part of Exhibit A, page 28. The location in the southwest corner is removed from pedestrian circulation areas and vehicle traffic movement areas. These standards are met.

**(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.**
- (ii) Storage containers shall meet Fire Code standards and be made and covered with water proof materials or situated in a covered area.**
- (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.**
- (iv) Exterior storage areas shall have either a concrete or asphalt floor surface.**
- (v) Storage areas and containers shall be clearly labeled to indicate the type of material accepted.**

**Finding:**

*The proposed trash enclosure is 160 square feet and can accommodate current collection containers. An opaque fence at least 6 feet tall, with a gate opening 10 feet wide is proposed to surround the storage area. A pedestrian access gate is provided. These standards are 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.**
- (ii) Storage areas shall be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access. A minimum of 10 feet horizontal clearance and 8 feet vertical clearance is required if the storage area is covered.**
- (iii) Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow vehicles to safely exit the site in a forward motion.**

**Finding:**

*Republic Services, the applicable franchise waste hauler, has confirmed that the proposed storage area will be accessible to their hauler trucks and equipment; adequate clearance is provided and backing on to a public street will not be necessary as shown as part of Exhibit A, page 28. These standards are met.*

**Section 73.240 Landscaping General Provisions**

[...]

- (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.**

[...]

**Finding:**

*The subject site is located within the ML district. As shown on the Landscape Planting Plan, 32 percent of the site area is proposed to be landscaped area, as compared to the minimum 15 percent coverage required. This standard is met.*

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

**Finding:**

*The yards adjacent to SW Tualatin-Sherwood Road and SW Old Tualatin-Sherwood Road, are proposed to be fully landscaped, with trees and live groundcover. All other yards are proposed to have live landscaping. Perpetual maintenance of the site landscaping will be required by condition. With Condition of Approval A-10, these standards are met.*

- (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.**

[...]

**Finding:**

*Sufficiently dense landscaping is proposed to achieve full landscaping coverage within three years. No rock or stone are being proposed as groundcover. This standard is met.*

**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.

**Finding:**

*The Plant Schedule provided on Sheets L1.0, L2.0 and L3.0 of Exhibit A, illustrate that all proposed trees and plants will meet the above listed minimum specifications. These standards are met.*

- (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).**

**Finding:**

*The applicant indicates that all new landscaping will be installed according to American Nurserymen Association Standards. This standard is met.*

- (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.**
- (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.**

**Finding:**

*The applicant indicates that half of the proposed shrubs are selected from native species, and all have been selected as hardy and drought-tolerant species once established. These standards are met.*

**Section 73.280 Irrigation System Required**

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

[...]

**Finding:**

*Sheet L3.0 of Exhibit A indicates that an adjustable automatic irrigation system will be installed. This standard is met.*

**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.

[...]

**Finding:**

*As shown on Sheets A0.1 and L1.0, a minimum five foot wide landscaped area will be provided along all building perimeters, viewable from the above described areas. This standard is met.*

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

**Finding:**

*All areas on the site that are not occupied by buildings, parking spaces, drive aisles, pedestrian area, or undisturbed natural areas are planned to be landscaped with existing or new plantings. This standard is met.*

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

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

**Finding:**

*All new parking lot trees are deciduous varieties that will provide visibility within the desired vertical range. Ongoing maintenance per the above standard is the responsibility of the property owner. This standard is met.*

- (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.

[...]

**Finding:**

*As shown on Sheet L1.0 of Exhibit A, a minimum of five feet of perimeter site landscaping is proposed. The proposed plantings include deciduous trees, and a sufficient density of shrubs and ground cover to provide at least 90% coverage within three years. This standard is met.*

**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.**

**Finding:**

*A minimum 475 square feet of new landscape island area is required in relation to the 19 new parking spaces required on site. As shown on Sheet A0.1 of Exhibit A, this requirement has been exceeded with 695 square feet of new interior parking lot landscaping. This standard is met.*

- (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).**

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, the proposed landscape islands in the north parking lot are at least 8 feet wide, exceeding the 5-foot minimum. This standard is met.*

- (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.**

**Finding:**

*As shown on Sheet L1.1 of Exhibit A, eight (8) deciduous trees are proposed in the new parking lot area, corresponding to 19 new parking spaces. This standard is met.*

- (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.**

**Finding:**

*As shown on Sheets A0.1 and L1.0 of Exhibit A, landscape islands are proposed at aisle ends. This standard is met.*

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

[...]

**Finding:**

*The species and quantity of plantings are sufficient to achieve 90 percent coverage within three years. This standard is met.*

**(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.**

**Finding:**

*The new tree species proposed, *Syringa Pekinensis* (China Snow Tree Lilac), and *Gleditsia triacanthos* (Honey locust) meet the above criteria. This standard is met.*

[...]

**Section 73.250 Tree Preservation**

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

**Finding:**

*No plants are proposed to be retained on site, however, preservation methods are necessary for adjacent trees to the south as well as a street tree to the north. Appropriate protections are shown on Sheet L1.0 of Exhibit A and have also been conditioned. With Condition of Approval A-3, this standard is met.*

**(2) During the construction process:**

- (a) The owner or the owner's agents shall provide above and below ground protection for existing trees and plant materials identified to remain.**
- (b) Trees and plant materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.**
- (c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in TDC 31.060.**
- (d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.**
- (e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.**
- (f) Tree root ends shall not remain exposed.**

- (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.**

**Finding:**

*As shown on Sheet L1.0 of Exhibit A, adjacent trees are proposed to be protected during construction consistent with the above criteria. These standards are met.*

[...]

**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.**

[...]

**Finding:**

*This project includes a new structure and use. Proposed off-street parking and loading will meet the applicable general provisions of this code as discussed in the following sections. This standard is met.*

- (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.**
- (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.**
- (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.**

- (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.
- (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.
- (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.
- (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.

**Finding:**

*As shown on Sheet A.0.1 of Exhibit A, and conditioned, the proposed bike parking area and associated improvements comply with the above criteria. With Condition of Approval A-5, these standards are met.*

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

[...]

*The designated carpool/vanpool space is at 9 feet wide per Figure 73-1. With condition of approval A-4, this standard is met.*

**(2) Off-Street Parking Provisions.**

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

*Table excerpted from TDC 73.370(2)*

Use	Minimum Motor Vehicle Parking Requirements	Maximum Motor Vehicle Parking Requirements	Bicycle Parking Requirements	Percentage of Bicycle Parking to be Covered
[...]				

(i) Retail shops (under 100,000 sq. ft. gross floor area)	4.00 spaces per 1,000 sq. ft. of gross floor area	Zone A: 5.1 spaces per 1,000 sq. ft. gross floor area  Zone B: 6.2 spaces per 1,000 sq. ft. gross floor area	0.50 space per 1,000 sq. ft. of gross floor area	50
[...]				

[...]

**Finding:**

*The proposed building is a retail shop comprising less than 100,000 square feet. A minimum 14 parking stalls and a maximum of 22 stalls, are required; 19 stalls have been proposed. Two bike parking stalls are required, and will be installed under the canopy near front entry as shown on Sheet A0.1 of Exhibit A. These standards are met.*

**(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

**Finding:**

*Two vanpool/carpool spaces are required, and are proposed as seen on Site Plan A0.1. This standard is met.*

**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.**

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, the parking stall dimensions are proposed to meet the standard and compact parking dimensions as shown in Figure 73-1. This standard is met.*

- (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.**

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, three compact parking stalls are proposed, representing less 35 percent of total parking stalls. 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.**

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, landscape islands are proposed such that no more than eight continuous parking spaces are presented without a landscape separation. This standard is met.*

- (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.**

[...]

**Finding:**

*As shown on Sheet C4.0 of Exhibit A, all areas designated for cars and trucks will be constructed of asphalt or concrete pavement. 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.**

**Finding:**

*As shown on the Sheet A0.3 of Exhibit A, on-site lighting allows for surveillance of on-site activities from adjacent rights of way, private drive, and parking areas, without shining light into the adjacent rights of way. There are no adjacent residential areas or natural areas. This standard is met.*

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

**Finding:**

*All parking spaces on site are accessed entirely on private property and do not require backing motions into the right-of-way or into the shared private drive. This standard is met.*

- (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.**

**Finding:**

*The proposed development would be served by a small parking lot with minimal complexity. Two driveways access the parking area from the private drive with parking accessed directly off the main drive aisle. This standard is met.*

- (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.**

**Finding:**

*As shown on Sheets A0.1, C1.0 and C4.0 of Exhibit A, curbs are proposed surrounding all vehicle area. Additional wheel stops are provided on the east side of the building where the front end of parking spaces most closely approaches a pedestrian walkway. This standard is met.*

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

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, one ADA parking stall is provided proximate to the main entrance. ADA accessibility requirements will be reviewed for final compliance prior to building permit approval. This standard is met.*

- (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.**

**Finding:**

*As shown on Sheet A0.1 of Exhibit A, the proposed minimum aisle width is 25.5 feet wide, exceeding the applicable width standards. This standard is met.*

**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:**

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

**[...]**

**Finding:**

*For a 3,500 square feet building, no loading berths are required though one loading area is proposed. This standard is met.*

**Section 73.056 Time Limit on Approvals**

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.

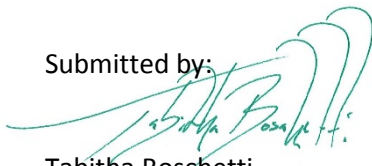
**Finding:**

*The proposed application is approved subject the compliance with the above criteria. With Condition A-1, these standards are met.*

**IV. APPEAL**

The Architectural Review portion of this decision will be final after 14 calendar days on January 14, 2019 unless a written appeal is received by the **Community Development Department – Planning Division at 18880 Martinazzi Avenue, Tualatin, Oregon 97062 before 5:00 p.m., January 14, 2019. The appeal must be submitted on the City appeal form with all the information requested provided thereon and signed by the appellant.** The plans and appeal forms are available at the Community Development Department – Planning Division offices. Appeals of a staff Architectural Features decision are reviewed by the Architectural Review Board (ARB).

Submitted by:



Tabitha Boschetti  
Assistant Planner