



City of Tualatin

www.tualatinoregon.gov

January 2, 2019

ARCHITECTURAL REVIEW DECISION

AR-18-0005

**** APPROVAL WITH CONDITIONS ****

Case #:	AR-18-0005
Project:	Columbia Roofing Building Addition
Location:	18525 SW 126 th Place, Tualatin; Tax Lot 2S1 21A 04200
Applicant/Owner:	Chesshir Architecture, PC/Gray Alfa, LLC
Applicant/Rep.:	Stan Chesshir, Chesshir Architecture, PC, stan@chesshirarchitecture.com

TABLE OF CONTENTS

I.	INTRODUCTION	2
A.	Applicable Criteria	2
B.	Project Description	2
C.	Previous Related Land Use Actions.....	2
D.	Site Description	2
E.	Project Schedule	3
F.	Exhibit List	4
II.	CONDITIONS OF APPROVAL.....	5
III.	PLANNING FINDINGS	8
	TDC Chapter 34: Special Regulations.....	8
	TDC Chapter 60: Light Manufacturing Planning District (ML)	8
	TDC Chapter 73: Community Design Standards	10
IV.	APPEAL	27

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, Chesshir Architecture, PC, proposes a 20,852 square feet addition to an existing 14,197 square foot Columbia Roofing industrial building. This building was reviewed and approved through AR-07-06. A Conditional Use Permit (CUP-06-02) was granted to allow wholesale sales and warehousing of building materials, a contractors shop and equipment storage and light metal fabrication on the property. The addition will resemble the existing construction with concrete tilt-up walls and aluminum windows. This space will expand the existing sheet metal shop and office area, as well as provide leasable tenant space.

The site currently has two access drives on the east side of the site, off of SW 126th Place. A new drive is proposed near the southwest corner of the site on Leveton Drive. The proposal also includes parking around the perimeter of the expansion, creating 54 additional parking spaces, for a total of 71 spaces.

C. Previous Related Land Use Actions

The Columbia Roofing site has been subject to the previous land use actions:

CUP-06-02 Allowance of wholesale sales and warehousing of building materials, a contractor's shop with equipment storage, and light metal fabrication in the Light Manufacturing (ML) Planning District.

AR-07-06 Existing Columbia Roofing building

D. Site Description

The subject site is located on Lot #10 of the Leveton Commons Subdivision Phase II plat (Tax Lot 2S1 21A 04200). The property is approximately 1.96-acres and is developed with one industrial building (see Figure 1, below).

The site is generally flat with a minor slope to the south. The industrial site is located north of Leveton Drive (Industrial Connector - Tualatin). SW 126th Place (Industrial Connector - Tualatin) is located east of the site. Access to the site is provided by both streets. Trimet Line 93 service is available 0.33 miles away, near SW Pacific Highway and SW 126th Place.

The subject site is located in the City of Tualatin’s Light Manufacturing (ML) Planning District. Adjacent land uses are:

- North: Light Manufacturing (ML)
- Single-story self-storage buildings at 18270 SW Pacific Highway
 - Single-story industrial building and landscape center at 18230 SW Pacific Highway
- East: Light Manufacturing (ML)
- Two-story industrial building at 12555 SW Leveton Drive
- South: Light Manufacturing (ML)
- Two-story industrial building at 12670 SW Leveton Drive
- West: General Manufacturing (MG)
- Vacant land at 12935 SW Leveton Drive
 - Single-story industrial building and bus yard at 18520 SW 130th Avenue

Figure 1. Aerial view of subject site



E. Project Schedule

A pre-application conference for this project was held on February 7, 2018. A neighborhood/developer meeting, as required by Tualatin Development Code (TDC) 31.071, was held on April 18, 2018, at 5:00 PM at the project site, 18252 SW 126th Place, Tualatin, OR 97062. Meeting attendees included two representatives from the City of Tualatin. There were no members from the community in attendance.

This application was originally submitted on October 9, 2018, and, after application revisions to achieve completeness, deemed complete on November 7, 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 7, 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 26, 2018.

F. Exhibit List

A: Application Materials – October 9, 2018

B: City Engineer’s Review, Findings, and Decision for AR-18-0005 – January 2, 2019

C: Tualatin Valley Fire & Rescue Memorandum – November 9, 2018

D: ODOT Memorandum – November 19, 2018

E: Clean Water Services Memorandum – November 23, 2018

F: Republic Services Trash Enclosure Gate Specifications

G: Figure 73-1 Parking Lot Design Standards

H: CUP-06-02 Decision

II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented, staff recommends approval of AR-18-0005 subject to the following architectural features conditions (A):

CONDITIONS OF APPROVAL DOCUMENTATION:

Prior to obtaining building permits on the subject site, the applicant shall submit one revised paper plan sets—24 x 36, a paper narrative, and electronically in Adobe PDF file format—for review and approval to the Planning Division that meet the conditions of approval below. The narrative shall explain how and on what page each condition of approval has been met. The submittal shall contain page numbers and a table of contents. No piecemeal submittals will be accepted. Each submittal will be reviewed in two (2) weeks.

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 ISSUANCE OF BUILDING OR ENGINEERING PERMIT:

A2 The applicant must revise the Grading Plan, Sheet C3 to illustrate tree protection fencing as shown in Exhibit A – Tree Assessment and Preservation Plan by Teragan & Associates, Inc. on November 6, 2018, Attachment 1 and described in Attachment 3. The project arborist must approve of temporary storage and temporary stockpile areas located near trees proposed for retention, pursuant to TDC 73.250.

A3 The applicant must revise the Plan Set to include a five-foot-wide landscaped area along the eastern and southern building perimeters of the expansion, excluding bicycle parking areas, tenant entryways, and loading doors, pursuant to TDC 73.310(1). Areas exclusively for pedestrian use that contain pedestrian amenities may be included as part of the site landscape area requirement, pursuant to TDC 73.310(2).

A4 The applicant must revise the Plan Set to include a five-foot-wide (from inside of curb to curb) landscape island north of parking space #54 (as indicated on Sheet A1) to protect parked vehicles from moving vehicles, pursuant to TDC 73.360(4). This landscape island must include one deciduous shade tree that meets the requirements of TDC 73.360(7) and must be planted with groundcover or shrubs, pursuant to TDC 73.360(1).

A5 The applicant must revise the Plan Set to include deciduous shade trees that are barren of fruit production in the parking lot landscape areas, pursuant to TDC 73.360(7)(g).

A6 The applicant must revise the Plan Set to illustrate the location of two, covered bicycling parking spaces in the form of stationary racks, lockable enclosures, or in the building, pursuant to TDC 73.370(1)(n) and 73.370(2). Each bicycle space must be six feet long by two feet wide, with an overhead clearance of at least seven feet, pursuant to TDC 73.370(1)(o). A five-foot wide bicycle maneuvering area must be provided beside or between each row of bicycle parking with at least a three-foot wide access area, pursuant to TDC 73.370(1)(p) and (q). Maneuvering and access areas must be constructed of concrete, asphalt, or a suitable pervious surface. Bicycle parking areas must be identified with signage as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition), and must be located at the main building entrance and at the location of the bicycle parking facilities, pursuant to TDC 73.370(1)(u).

- A7 The applicant must revise the Plan Set to illustrate that the expanded parking lot will provide a minimum of 58 parking stalls for the site which comply with the dimensional standards set forth in Figure 73-1, pursuant to TDC 73.380(1).
- A8 The applicant must revise the Plan Set to illustrate that the western truck berth be screened from SW Leveton Drive by sight obscuring landscaping, walls, or other means as approved by the City Manager or designee, pursuant to TDC 73.390(3). The western truck berth must also meet the requirements of Figure 73-1 and provide 12 feet of clearance for a one-way drive aisle or 22 feet of clearance for a two-way drive aisle, pursuant to TDC 73.390(6). If these standards are not met, the western truck berth must be removed from the proposal.
- A9 The applicant must comply with the Public Facilities Decision, included as Exhibit B.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- A10 The applicant must install the trash enclosure gate to open to at least 120 degrees, pursuant to TDC 73.227(6)(b) and as illustrated in Exhibit F.
- A11 All required landscaping must be installed in accordance with the provisions of Sunset New Western Garden Book (latest edition) or the American Nurserymen Association Standards (latest edition), pursuant to TDC 73.260(3). All trees and plant materials shall be healthy, disease-free, damage-free, well-branched stock, characteristic of the species, pursuant to TDC 73.260(4).
- A12 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 ON-GOING MANNER:

- A13 Future tenant uses must comply with the permitted Light Manufacturing uses listed under TDC 60.020, and must meet the restrictions listed in TDC 60.021. Additional uses listed in TDC 60.037 are permitted; provided the site is substantially used for industrial purposes and the non-industrial use complies the mixed use percentage restrictions in TDC 60.038. Conditional uses listed TDC 60.040 require prior approval of a Conditional Use Permit per TDC 32.030.
- A14 The applicant must maintain compliance with conditions of approval of CU-06-02 (Exhibit H).
- A15 No fence is to be constructed within 10 feet of SW Leveton Drive or SW 126th Place, pursuant to TDC 60.070(8).
- A16 The applicant must continually maintain, including necessary watering, weeding, pruning, and replacement, all landscaping improvements approved through the Architectural Review Process shall be so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with approval by the City Manager or designee, pursuant to TDC 73.100(1). All plant growth in landscaped areas must be pruned, trimmed or otherwise so that plant growth does not interfere with designated pedestrian or vehicular access and will not constitute a traffic hazard because of reduced visibility, pursuant to TDC 73.160(3)(e), 73.260(5), and 73.340(1).
- A17 The applicant must continually maintain, including necessary painting and repair, all exterior improvements approved through the Architectural Review Process shall be so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with approval by the City Manager or designee, pursuant to TDC 73.100(2).

- A18 The applicant must submit scaled elevations that illustrate future rooftop units are screened by a parapet or other method with approval by the City Manager or designee, when submitting for a mechanical permit, pursuant to TDC 73.160(4)(a).
- A19 If future tenants desire outdoor storage, such facilities must be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping, pursuant to TDC 73.160(4)(b). Planning Division approval for screening facilities must be approved through a Minor Architecture Review application.

PLEASE BE ADVISED:

- The applicant must submit sign permit applications separately from this Architectural Review (AR) for any proposed signage.
- When the constructed site is ready, the applicant must contact the Planning Division for a site inspection. This inspection is separate from inspection(s) done by the Building Division. Staff recommends scheduling a Planning inspection at least three business days in advance of the desired inspection date.

III. PLANNING FINDINGS

The Planning Division findings reference sections in the TDC unless otherwise noted.

TDC Chapter 34: Special Regulations

[...]

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.

Finding:

This application proposes to remove 20 trees as stated in the Tree Assessment and Preservation Plan by Teragan & Associates, Inc. contained in Exhibit A. Six of these trees are over 8" dbh. By submittal of the subject Architectural Review application, this standard is met.

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:**
[...]
(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 proposed tree removal is necessary to construct improvements illustrated on Sheet A1 of Exhibit A. This standard is met.

TDC Chapter 60: Light Manufacturing Planning District (ML)

Section 60.020 Light Manufacturing (ML) Planning District Permitted Uses

No building, structure or land shall be used in this district, except for the following uses as restricted in TDC 60.021:

[...]

- (3) **Contractor's office.**

Section 60.037 Additional Permitted Uses in ML.

[...]

Finding:

The applicant has proposed a contractor's office, which is listed as a permitted use in the ML District. Leasable tenant space has also been identified. Tenant uses are unknown at this time, and will be conditioned to be a permitted use in the ML District. With Condition of Approval A13, these standards are met.

Section 60.040 Light Manufacturing (ML) Planning District Conditional Uses

- (1) **The following uses are permitted in accordance with TDC Chapter 32, as restricted in TDC 60.041:**
[...]
(b) **Building materials and supplies, wholesale sales, and warehousing.**
(d) **Contractor's shops and equipment storage.**

(j) Light metal fabrication (of semi-finished or finished metals).

Finding:

The proposed uses, a sheet metal shop and office were approved as conditional uses by CU-06-02 (Exhibit H). With continued compliance with the conditions of approval of CU-06-02, these standards are met.

Section 60.021 Restrictions on Permitted Uses in ML.

The following restrictions shall apply to those uses listed as permitted uses in TDC 60.020:

[...]

Finding:

No outdoor storage has been identified with the proposed expansion. No retail sales have been identified with the proposed expansion. No marijuana facilities have been identified with the proposed expansion. Within Condition of Approval A13, 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 in 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 in 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 setback 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 in 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 in ingress and egress areas shared by abutting properties in accordance with TDC 73.400(2).**
[...]
- (8) No fence shall be constructed within 10 feet of a public right-of-way.**

Finding:

Table 1 - Setback Requirements				
<i>Attribute</i>	<i>Yard</i>	<i>Direction</i>	<i>Required</i>	<i>Proposed</i>
	Front	East	30	56.83
	Corner	South	As per AR	30
	Side	North	0 to 50	35
	Rear	West	0 to 50	44.65

The front yard is not across from a residential or MP district. No habitat tracts are proposed. The side or rear yard is not across from a residential or MP district. Vision clearance setbacks are met for the corner Lot. Parking area is setback five feet from the rear yard and 8 feet from the front and corner yards. These yards are not located across from a residential or MP district.

Existing fencing is located along the rear yard and an existing retaining wall is located along the side yard. It's not clear if a fence is proposed south of the expansion. With Condition of Approval A15, these standards are met.

Section 60.090 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:

Sheet A3 of Exhibit A indicates that the maximum building height proposed is approximately 30 feet; meeting the standard.

TDC 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:

Offsets and windows are placed throughout to break up the mass of the industrial building. Canopies are proposed at the building entrances. The new addition and the existing building will be painted in a two-tone color scheme, as indicated on Sheet A3 in Exhibit A. City staff has reviewed the proposed site development, including the site plan, architecture, landscaping, parking and graphic design, and has determined it to be in conformance with the standards of this and other applicable City ordinances insofar as the location, height, and appearance of the proposed development. The proposed development would be consistent with existing and similarly developed industrial uses in the immediate vicinity, including the light manufacturing uses to the east. These standards are 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 have been reviewed by the City of Tualatin Engineering Division, and the Public Facilities Recommendation (PFR) has been included in this decision as Exhibit B.

[...]

- (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:

Six trees are proposed for removal, as stated in the Tree Assessment included in Exhibit A. Findings are provided to the standards of TDC 34.230.

[...]

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.**

Finding:

The proposed application is approved subject the compliance with the above criteria. With Condition A1, these standards are 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.**

Finding:

With Condition of Approval A16, this standard is met.

- (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 Condition of Approval A17, this standard is met.

Section 73.160 Standards (Community Design)

(1) Pedestrian and Bicycle Circulation:

[...]

(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.**
- (ii) Walkways through parking areas, drive aisles and loading areas shall have a different appearance than the adjacent paved vehicular areas.**
- (iii) Accessways shall be provided as a connection between the development's walkway and bikeway circulation system and an adjacent bike lane;**
- (iv) Accessways may be gated for security purposes;**
- (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.**

[...]

Finding:

An existing concrete walkway is provided between the northeastern building entrance and the public sidewalk along 126th Place. A 5-foot wide concrete walkway is proposed to link the southern entrances to the public sidewalk along 126th Place, as illustrated on Sheet A1 in Exhibit A. The concrete walkway will have a different appearance than the asphalt drive aisles. The site is not located adjacent to public bike lanes; an accessway connection is not required. There are no planned greenways, bike paths, or pedestrian paths identified near the site; an outdoor recreation access route is not required. These standards are 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:

Window banks are proposed on the southern and eastern elevations, which are viewable from the parking areas and public rights-of-way as shown on Sheet A3 in Exhibit A. Additionally a window is provided on the northern elevation, near the loading area. Light fixtures are proposed on all elevations as shown on Sheet A3. There is no fish or wildlife habitat identified on-site. A photometric plan was submitted in Exhibit A that illustrates that proposed lighting will not shine into SW Leveton or 126th Place right-of-way. These standards are met.

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

Finding:

Individual tenant spaces will be provided with an identification system. Standards for emergency services are met through the building permit process.

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

[...]

Finding:

A landscaping plan was submitted as part of this application as shown on Sheet L1 in Exhibit A. With Condition of Approval A16, 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:

An existing equipment pad was reviewed through AR-07-06 and is located along the northern elevation. No new mechanical equipment pads are proposed. Future roof top units will be reviewed to this standard. With Condition of Approval A18, this standard is met.

- (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.**

[...]

Finding:

The proposed development does not include any of these elements at this time. If future tenants desire outdoor storage, such facilities must obtain Planning Division approval for appropriate screening mechanisms. With Condition of Approval A19, 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:

ADA and OSSC standards must be met during the building permit process.

[...]

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

- (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:

Findings have been addressed in TDC 73.160, above.

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.
 - (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:

Table 2 - Trash Enclosure Requirements				
Use	Percentage	Area (sf)	Applied Rate (sf)	Required (sf)
Office	7%	1,708	(1.708*4)	6.8

Table 2 - Trash Enclosure Requirements				
Use	Percentage	Area (sf)	Applied Rate (sf)	Required (sf)
Manufacturing	93%	19,144	(19.144*6)	114.9
General	N/A	N/A	N/A	10
Total Minimum Requirement				132
Proposed Trash and Recyclables Storage Area				240

An expansion to an industrial building is proposed; therefore this section applies. The applicant has chosen to comply with the minimum standards. The storage area requirement has been determined based off the sum of the expansion’s proposed office and manufacturing uses. The proposed enclosure area is 12 feet wide by 20 feet long by six feet high. This standard has been exceeded, as evidenced in the table above. AR-07-06 approved 120 square feet for the existing building, which is located in the western loading dock.

(6) Location, Design and Access Standards for Storage Areas. The following location, design and access standards are applicable 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 slocations, 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:

The proposal includes a collocated trash and recycling area in the southwest corner of the parking lot, outside of all applicable setbacks. Landscaping will ensure the enclosure is screened from yards adjacent SW Leveton Drive. The storage area will be visible from the parking area, pedestrian area, and the rear building. Republic Services has reviewed and approved of collection vehicle accessibility in a letter dated July 31, 2018, included in Exhibit A. The proposed location will not obstruct pedestrian accessibility or vehicular movements as illustrated on Sheet A1. These standards have been 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:

Republic Services has reviewed and approved of the storage area size in a letter dated July 31, 2018, included in Exhibit A. The storage area will be enclosed by a 6-foot high CMU wall, as noted on Sheet A1; however details have not been provided for the storage area gate. A concrete pad is proposed for the floor surface. Condition of Approval A10 will ensure 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.
- (iv) 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 has reviewed and approved of collection vehicle accessibility in a letter dated July 31, 2018, included in Exhibit A. The proposed location will not obstruct vehicular movements as illustrated on Sheet A1 of Exhibit A. These standards have been met.

Section 73.240 Landscaping General Provisions

(1) The following standards are minimum requirements.

[...]

(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 site is located in the ML Planning District. The total site area is 84,070 square feet. The proposed and existing landscape area covers 14,048 square feet; equal to 17% percent of the site. 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 126th Place and Leveton Drive will be planted with lawn and shrubbery as shown on Sheet L1 of Exhibit A. With Conditions of Approval A11 and A16, 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:

All planting areas with have ground cover vegetation, no bark chips or rock cover is proposed. Plant materials will be maintained and cared for, to achieve a fully maturity, per Note (4) on Sheet L1. 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 Landscape Legend contained on Sheet L1 of Exhibit A meets these requirements. All trees proposed are 2 inch caliper deciduous trees. All shrubs proposed are over 1 gallon in size. 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:

With Condition of Approval A11, 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:

All proposed plant materials shown on Sheet L1 of Exhibit A are in conformance with the above criteria or have been conditioned. With Conditions of Approval A11 and A16, 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:

An irrigation system has been installed around the existing development through AR07-06. The system will be expanded to proposed landscaped areas, as indicated on Sheet L1, Note (2). This standard is met.

Section 73.290 Re-vegetation in Un-landscaped Areas

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

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

Finding:

The proposed expansion would not result in any un-landscaped areas as shown on Sheet L.1 of Exhibit A. Plant material selection, retention, and irrigation have been previously addressed. The applicant will be required to apply for an Erosion Control permit, as conditioned by the Public Facilities Report - Exhibit B. These standards are 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:

The east and south elevations of the proposed expansion will be viewable from the public rights-of-way and parking area; however the applicant has not indicated compliance with this standard on Sheet L1 of Exhibit A. A covered outdoor seating area and two feet of building perimeter landscaping are proposed along the eastern elevation. Tenant entrances and loading doors are proposed along the southern elevation at approximately 27 feet apart as illustrated on Sheet A3. This southern elevation includes a pedestrian walkway but no perimeter landscaping. With Condition of Approval A3, this standard is met.

- (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.**

Finding:

The applicant may use this provision to meet the building perimeter landscaping requirement above. This provision applies to the covered outdoor seating area along the eastern elevation. 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:

The proposed façade improvement would not result in any unlandscaped areas as shown on Sheet L1 of Exhibit A. 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:

A landscaping plan was submitted as part of this application as shown on Sheet L1. With Condition of Approval A16, 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).**
- (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:

Perimeter landscape areas for the southern portion of the site that are located adjacent to property lines are approximately 5-8 feet as illustrated on Sheet L1 of Exhibit A. Black Gum and Frontier Elm trees are proposed 30 feet on center. Dense Yew will screen headlights year-round. These standards are 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 1,350 square feet of new landscape island area is required in relation to the 54 new parking spaces required on site. As shown on Sheet A0.1 of Exhibit A, this requirement has been exceeded with 1,800+ 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:

Landscape island areas are 5 feet in width and protected with curbing, as illustrated on Sheet L1. 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.

Finding:

There are 54 parking spaces proposed for the expanded parking area, requiring 14 deciduous trees. Sheet L1 indicates 14 deciduous trees are proposed around the expanded parking area to the south. 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.

Finding:

The proposed parking complies with this requirement as shown on Sheet A1. 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:

Sheet L1 indicates that Kinnikinnick, in addition to shrubs and shade trees are proposed in the landscape islands. This standard is met.

- (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 30 feet back from the property line for industrial development.

Finding:

The proposed landscape area adjacent to the entry drive off of SW Leveton Drive extends 30 feet from the property line for a width of 5 feet. 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 deciduous trees proposed on Sheet L1 in Exhibit A meet criteria (a)-(f). Two of the trees proposed- Black Gum and Magnifica Huckleberry may produce fruit. With Condition of Approval A5, 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:

Tree protection is not adequately addressed on Sheet C3 of Exhibit A. Temporary storage and stockpile areas are proposed near trees along the western property line and may impact critical root zone of existing trees. With Condition of Approval A2, 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:

With Condition of Approval A2, these standards are met.

Section 73.270 Grading

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

Finding:

Sheet L1 of Exhibit A indicates that topsoil will be provided in landscaped areas. The applicant will be required to apply for an erosion control permit and comply with best practices. Sheet C3 indicates that storm drainage will be directed away from buildings and walkways. These standards are met.

Section 73.370 Off-Street Parking and Loading

- (1) General Provisions.

[...]

- (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.

Finding:

The proposed industrial expansion will require additional parking; refer to findings of relevant code sections below.

- (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.

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

Finding:

The applicant states in their narrative provided in Exhibit A, “The existing building provides three secure bicycle parking spaces. Two additional outdoor bike parking spaces will be provided under cover and each tenant space will provide secured spaces, which will exceed the number required.”

Industrial uses require 0.10 bike spaces per 1,000 GFA. The expansion is 20,852 square feet and requires two new covered bike parking.

Sheet A1 of Exhibit A notes a covered bike parking area is located east of the expansion; however no details are provided. Two exterior wall-mounted lights are proposed on the eastern elevation, near the covered bike parking area. With Condition of Approval A6, these standards are met.

(2) Off-Street Parking Provisions.

- (a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City. 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.

Finding:

Table 3 – Parking Requirements				
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	2.70 spaces per 1,000 sq. ft. of gross floor area	4.1 spaces per 1,000 sq. ft. gross floor area	2, or 0.50 spaces per 1,000 gross sq. ft. whichever is greater	First 10 spaces or 40%, whichever is greater
	2.70 * 1.708 = 5	4.1 * 1.708 = 7	2	2
<u>Industrial</u>				
(i) Manufacturing	1.60 spaces per 1,000 sq. ft. of gross floor area	None	2, or 0.10 spaces per 1,000 gross sq. ft., whichever is greater	First 5 spaces or 30%, whichever is greater
	1.60 * 19.144 = 31	N/A	2	2
Required	36		2	2

The proposed expansion will house a variety of uses, including: support office area, sheet metal shop, and between 2-4 future tenant spaces. The area dedicated to future uses/tenants has been evaluated as manufacturing uses to provide greater flexibility with minimum parking requirements. Warehousing has lesser parking requirements (0.3 spaces per 1,000 GFA); therefore the future space would be able to accommodate both warehousing and manufacturing uses. The existing building was required to provide 22 parking spaces per AR-07-06. The proposal must include a minimum of 36 additional parking spaces, for a total of 58. This standard is 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 three are proposed as seen on Sheet A1. 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 [...]**

Finding:

Not all parking features are not dimensioned on Sheet A1 of Exhibit A to determine if proposed parking complies with Figure 73-1 (Exhibit G) requirements. With Condition of Approval A7, 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:

Sheet A1 of Exhibit A labels stalls 42-48 as compact for the expanded parking area. These stalls are illustrated at width of 8 feet and a depth of 15 feet; totaling 11% of proposed parking. 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 A1 of Exhibit A, this standard is met.

- (4) Parking lot drive aisles shall be constructed of asphalt or concrete, including pervious concrete. 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.**

Finding:

All existing and proposed parking aisles and stalls are asphalt. 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:

The photometric plan included in Exhibit A notes that site lighting will not shine into the adjacent Leveton Drive and 126th Place rights-of-way. The site is not located near residential or protected 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 are located to be served by driveways as indicated on Sheet A1. 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 of pedestrians and vehicular traffic on the site.**

Finding:

The northern access drive off of SW 126th is existing and provides one-way access to the western parking areas. The southern access drive off of SW 126th is existing and provides access to the northern parking areas. The proposed access drive off of SW Leveton will provide two-way access to parking areas. 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:

Curbing is provided where parking is located adjacent to landscaped areas or walkways as indicated on Sheet A1. This standard is met.

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

Finding:

Stall 42 is labeled ADA on Sheet A1; however it does not provide a striped access aisle that leads to an accessible walkway. The applicant will be required to provide one adequate ADA parking stall as part of the building permit review. 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:

The two-way aisle located near the southern-most eastern access drive is proposed at 20 feet and provides access to subcompact parking stalls. 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:**

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

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

(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.

Finding:

The 20,852 square foot expansion requires one loading berth. The expansion includes six roll-up loading doors. These doors are 24 feet by 24 feet. The site plan indicates two truck berths among the circulation areas. This standard is met.

(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.

Finding:

The northern truck berth indicated on the site plans is screened to the northern property by a retaining wall and to SW 126th by landscaping. The western truck berth will be visible from SW Leveton Drive. With Condition of Approval A8, this standard is met.

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

Finding:

With Condition of Approval A12, this standard is met.

(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.

Finding:

The northern truck berth indicated on the site plans is located in the drive aisle area that serves parking on the western side of the site, and will provide 15 feet of clearance. The applicant has indicated on plans, that this aisle is one-way, therefore parking standards for Figure 73-1 are met. The western truck berth is located in the drive aisle area that serves parking on the western side of the site, and will provide 10 feet of clearance. The western berth has been conditioned to meet the parking standards for Figure 73-1, With Condition of Approval A8, this standard is met.

IV. APPEAL

The Architectural Review portion of this decision will be final after 14 calendar days on January 17, 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 16, 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:



Erin Engman
Associate Planner

cc: Steve Koper, Planning Manager
Chris Ragland, Building Official
Tony Doran, Engineering Associate
Jackie Humphreys, Clean Water Services
Thomas Mooney, TVF & R

Exhibit A

AR-18-0005 – Columbia Roofing Building Addition
Application Materials – October 9, 2018

[https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/project/36655/ar-18-0005-application for the web.pdf](https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/project/36655/ar-18-0005-application%20for%20the%20web.pdf)



City of Tualatin

www.tualatinoregon.gov

January 2, 2019

CITY ENGINEER'S REVIEW, FINDINGS, AND DECISION FOR AR18-0005 (COLUMBIA ROOFING ADDITION)

CONTENTS

I.	RECOMMENDATION	3
A.	PRIOR TO ISSUANCE OF EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMITS:	3
B.	PRIOR TO ISSUANCE OF A BUILDING PERMIT:	3
C.	PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:	3
II.	APPEAL	4
III.	STANDARDS AND APPLICABLE CRITERIA.....	5
IV.	CONCLUSIONS.....	5
A.	TMC TITLE 03: UTILITIES AND WATER QUALITY.....	5
I.	TMC CHAPTER 03-02: SEWER REGULATIONS; RATES	5
1.	TMC 3-2-020 APPLICATION, PERMIT AND INSPECTION PROCEDURE.....	5
2.	TMC 3-2-030 MATERIALS AND MANNER OF CONSTRUCTION.....	5
3.	TMC 3-2-060 USE OF PUBLIC SEWERS REQUIRED.	6
II.	TMC CHAPTER 03-03: WATER SERVICE.....	6
1.	3-3-030 APPLICATION FOR SERVICE.....	6
2.	TMC 3-3-040 SEPARATE SERVICES REQUIRED.	6
3.	TMC 3-3-50 REGULAR SERVICE.	7
4.	TMC 3-3-080 FIRE PROTECTION SERVICE.....	8
5.	TMC 3-3-100 METERS.	8
6.	TMC 3-3-110 CONSTRUCTION STANDARDS.....	9
7.	TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.	9
8.	TMC 3-3-130 CONTROL VALVES.....	10
III.	TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS.....	11
1.	TMC 3-5-010 POLICY.	11
2.	TMC 3-5-050 EROSION CONTROL PERMITS.	11
3.	TMC 3-5-060 PERMIT PROCESS.....	12
4.	TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.....	13
5.	TMC 3-5-210 REVIEW OF DOWNSTREAM SYSTEM.	13
6.	TMC 3-5-220 CRITERIA FOR REQUIRING ON-SITE DETENTION TO BE CONSTRUCTED.	14
7.	3-5-230 ON-SITE DETENTION DESIGN CRITERIA.	15
8.	3-5-240 ON-SITE DETENTION DESIGN METHOD.....	15
IV.	TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES.....	16

1.	TMC 3-5-280 PLACEMENT OF WATER QUALITY FACILITIES.....	16
2.	TMC 3-5-290 PURPOSE OF TITLE.....	16
3.	TMC 3-5-300 APPLICATION OF TITLE.....	16
4.	TMC 3-5-310 EXCEPTIONS.....	16
5.	TMC 3-5-320 DEFINITIONS.....	17
6.	TMC 3-5-330 PERMIT REQUIRED.....	18
7.	TMC 3-5-340 FACILITIES REQUIRED.....	18
8.	TMC 3-5-345 INSPECTION REPORTS.....	18
9.	TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.....	18
10.	TMC 3-5-360 DESIGN STORM.....	18
11.	TMC 3-5-370 DESIGN REQUIREMENTS.....	18
12.	TMC 3-5-330 PERMIT REQUIRED.....	18
13.	TMC 3-5-340 FACILITIES REQUIRED.....	19
14.	TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.....	19
15.	TMC 3-5-360 DESIGN STORM.....	19
16.	TMC 3-5-390 FACILITY PERMIT APPROVAL.....	20
B.	TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS.....	20
I.	TDC SECTION 73.270 GRADING.....	20
II.	TDC SECTION 73.400 ACCESS.....	21
C.	TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS.....	24
I.	TDC SECTION 74.120 PUBLIC IMPROVEMENTS.....	24
II.	TDC SECTION 74.130 PRIVATE IMPROVEMENTS.....	25
III.	TDC SECTION 74.140 CONSTRUCTION TIMING.....	25
IV.	TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.....	25
V.	TDC SECTION 74.330 UTILITY EASEMENTS.....	27
VI.	TDC SECTION 74.420 STREET IMPROVEMENTS.....	27
VII.	TDC SECTION 74.425 STREET DESIGN STANDARDS.....	30
VIII.	TDC 74.440 STREETS, TRAFFIC STUDY REQUIRED.....	31
IX.	TDC SECTION 74.470 STREET LIGHTS.....	33
X.	TDC SECTION 74.485 STREET TREES.....	33
XI.	TDC SECTION 74.610 WATER SERVICE.....	33
XII.	TDC SECTION 74.620 SANITARY SEWER SERVICE.....	35
XIII.	TDC SECTION 74.630 STORM DRAINAGE SYSTEM.....	35
XIV.	TDC SECTION 74.640 GRADING.....	36
XV.	TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL... ..	37
XVI.	TDC 74.660 UNDERGROUND.....	38
XVII.	TDC SECTION 74.670 EXISTING STRUCTURES.....	38
XVIII.	TDC SECTION 74.720 PROTECTION OF TREE DURING CONSTRUCTION.....	39
XIX.	TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.....	39

I. RECOMMENDATION

Based on the findings made herein, the City Engineer approves AR18-0005 (Columbia Roofing Addition), subject to the below conditions. Unless otherwise noted, requirements indicated below for plans, documents, and permits will be submitted to the Engineering Division:

A. PRIOR TO ISSUANCE OF EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMITS:

- PFR-1 Submit final sanitary sewer plans that show location of the lines, grade, materials, and other details including a clean out at the right-of-way.
- PFR-2 Submit final water system plans that show location of the water lines, grade, materials, and other details which will include separate laterals with valves at the public main for the domestic and fire water services.
- PFR-3 Obtain a City of Tualatin erosion control permit in accordance with code section TMC 3-5-060.
- PFR-4 Submit final stormwater calculations and plans.
- PFR-5 Prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.
- PFR-6 Submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions.
- PFR-7 Submit plans that minimize the impact of stormwater from the development to adjacent properties.
- PFR-8 Submit a plan sheet that includes all City Engineer and Planning Division conditions of approval. Include Clean Water Services' Service Provider Letter.
- PFR-9 Submit PDFs of final Engineering permit plans.

B. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- PFR-10 Obtain an Erosion Control, Public Works, and Water Quality Permit from the City of Tualatin.
- PFR-11 Complete all the public improvements, shown on submitted plans and corrected by conditions of approval, and have them accepted by the City or provide financial assurance.

C. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

- PFR-12 Construct all private and public improvements, shown on final approved plans and submit as-built mylars of the public improvement and PDFs of both all Engineering permits.

II. APPEAL

Requests for review of this decision must be received by the Engineering Division within the 14-day appeal period ending on **January 16, 2019 at 5 PM**. Issues must have been described with adequate clarity and detail with identification of the associated Tualatin Municipal or Development Code section to afford a decision maker an opportunity to respond to the issue. A request for review must be submitted on the form provided by the City, as detailed in TDC 36.161, and signed by the appellant.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tony Doran", written in a cursive style.

Tony Doran, EIT
Engineering Associate

III. STANDARDS AND APPLICABLE CRITERIA

Tualatin Municipal Code (TMC)

Title 03: Utilities and Water Quality

Title 04: Building

Tualatin Development Code (TDC)

Chapter 73: Community Design Standards

Chapter 74: Public Improvement Requirements

IV. CONCLUSIONS

A. TMC TITLE 03: UTILITIES AND WATER QUALITY

I. TMC CHAPTER 03-02: SEWER REGULATIONS; RATES

1. TMC 3-2-020 APPLICATION, PERMIT AND INSPECTION PROCEDURE.

(1) No person shall connect to any part of the sanitary sewer system without first making an application and securing a permit from the City for such connection, nor may any person substantially increase the flow, or alter the character of sewage, without first obtaining an additional permit and paying such charges therefore as may be fixed by the City, including such charges as inspection charges, connection charges and monthly service charges.

FINDINGS:

The plans show a proposed 6-inch connection from the new building to the existing private sanitary sewer line onsite. A plumbing permit will be made to allow connection to the City's sanitary sewer system.

This criterion is satisfied with conditions of approval PFR-1, PFR-10, and PFR-12.

2. TMC 3-2-030 MATERIALS AND MANNER OF CONSTRUCTION.

(1) All building sewers, side sewers and connections to the main sewer shall be so constructed as to conform to the requirements of the Oregon State Plumbing Laws and rules and regulations and specifications for sewerage construction of the City.

FINDINGS:

A sanitary sewer service lateral was installed to the site as a part of the Leveton Common No. 2 subdivision. Extension or modification of that sewer lateral to the City will be done performed under Oregon State Plumbing Laws.

This criterion is satisfied with conditions of approval PFR-1, PFR-10, and PFR-12.

(2) Old building sewer may be used in connection with new buildings only when they are found, upon examination and test by the City inspector, to meet all requirements of the city.

FINDINGS:

A sanitary sewer service lateral was extended to existing building 2008 under previous development. The lateral to be modified under Oregon State Plumbing Law will serve the new building addition. Testing will meet city requirements.

This criterion is satisfied with conditions of approval PFR-1, PFR-10, and PFR-12.

3. TMC 3-2-060 USE OF PUBLIC SEWERS REQUIRED.

(1) No person shall discharge to a natural outlet within the City of Tualatin, or in an area under the jurisdiction of the City, any sewage or polluted waters, except where suitable treatment has been provided in accordance with this ordinance.

FINDINGS:

A sewer connection will be made to the sanitary sewer.

This criterion is satisfied with conditions of approval PFR-1, PFR-10, and PFR-12.

II. TMC CHAPTER 03-03: WATER SERVICE

1. 3-3-030 APPLICATION FOR SERVICE.

(1) No water service will be provided without a signed application containing the following information...

FINDING:

An application to modify existing water service will be made.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

2. TMC 3-3-040 SEPARATE SERVICES REQUIRED.

(1) Except as authorized by the City Engineer, a separate service and meter to supply regular water service or fire protection service shall be required for each building, residential unit or structure served. For the purposes of this section, trailer parks and multi-family residences of more than four dwelling units shall constitute a single unit unless the City Engineer determines that separate services are required.

(2) For nonresidential uses, separate meters shall be provided for each structure. Separate meters shall also be provided to each buildable lot or parcel on which water service is or will be provided.

FINDING:

The proposed industrial site development will be a single building at this time a single City meter is proposed, with the possibility that private sub-metering will be done at the building.

The existing development utilizes a single lateral from the public main to serve both domestic and fire service. Separate laterals with valves at the main line will be constructed to separate the domestic from fire services.

Vaults for the fire service and meter for domestic with backflow prevention are required to be located adjacent to right-of-way. The plans show the meter in the correct location, but do not identify the fire vault. The applicant will submit plans that show the fire vault adjacent to right-of-way.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

3. TMC 3-3-50 REGULAR SERVICE.

(1) Upon the application for water service, and payment of all charges, the City will install a service connection and meter of such size and location as approved by the City Engineer. Service connection and meters larger than two inches may be installed by the property owner after approval from the City Engineer.

FINDING:

An application to modify existing water service will be made. If connection larger than two inches is need, the correct diameter of service will be shown on the final public works permit plans.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these

improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

4. TMC 3-3-080 FIRE PROTECTION SERVICE.

Fire protection facilities will be allowed under the following conditions:

(2) When a building has a fire protection service which is separate from the regular water service to the building, an appropriate backflow device, but not less than a double check detector check, approved by the Operations Director, shall be used in place of a service meter. Water supplied through this service shall not be used for any purpose except for suppressing a fire or testing of the fire protection system. If registration of regular water usage is recorded on the detector check meter, the City may require installation of a service meter or removal of the fire protection service.

FINDING:

A separate fire line will be installed to meet Fire Code requirements along with the installation of an acceptable backflow device per State and City requirements.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

5. TMC 3-3-100 METERS.

(1) Meters up to and including two inches will be furnished by the City. Meters larger than two inches may be furnished by the customer upon approval of the Operations Director.

FINDING:

At this time it is not anticipated that a meter larger than 2 inch will be needed.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

6. TMC 3-3-110 CONSTRUCTION STANDARDS.

All water line construction and installation of services and equipment shall be in conformance with the City of Tualatin Public Works Construction Code. In addition, whenever a property owner extends a water line, which upon completion, is intended to be dedicated to the City as part of the public water system, said extension shall be carried to the opposite property line or to such other point as determined by the City Engineer. Water line size shall be determined by the City Engineer in accordance with the City's Development Code or implementing ordinances and the Public Works Construction Code.

FINDING:

An existing 8-inch water lateral was installed by the developer of the Leveton Commons No. 2 subdivision which connects to the public water line extending to adjacent lots. No further extension of the public water line is needed.

The existing development utilizes a single lateral from the public main to serve both domestic and fire service. Separate laterals with valves at the main line will be constructed to separate the domestic from fire services.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

7. TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.

- (1) Except where this ordinance provides more stringent requirements, the definitions, standards, requirements and regulations set forth in the Oregon Administrative Rules pertaining to public water supply systems and specifically OAR 333 Division 61 in effect on the date this ordinance becomes effective are hereby adopted and incorporated by reference.**
- (2) The owner of property to which City water is furnished for human consumption shall install in accordance with City standards an appropriate backflow prevention device on the premises where any of the following circumstances exist:**
 - (a) Those circumstances identified in regulations adopted under subsection (1) of this section;**
 - (b) Where there is a fire protection service, an irrigation service or a nonresidential service connection which is two inches (2") or larger in size;**
 - (c) Where the potable water supply provided inside a structure is 32 feet or more, higher than the elevation of the water main at the point of service connection;**

FINDING:

Vaults for the fire service and meter for domestic with backflow prevention are required to be located adjacent to right-of-way. The plans indicate the backflow for the domestic meter will be updated as needed, but there is no clarification concerning the fire vault adjacent to right-of-way. The applicant will submit plans that show the domestic and fire vault adjacent to right-of-way with backflow prevention.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

(4) Except as otherwise provided in this subsection, all irrigation systems shall be installed with a double check valve assembly. Irrigation system backflow prevention device assemblies installed before the effective date of this ordinance, which were approved at the time they were installed but are not on the current list of approved device assemblies maintained by the Oregon State Health Division, shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform satisfactorily. When devices of this type are moved, or require more than minimum maintenance, they shall be replaced by device assemblies which are on the Health Division list of approved device assemblies.

FINDING:

The plans do not identify that the existing and future irrigation system includes a double check valve assembly. The applicant will submit plans that show double check valve assembly for the irrigation system.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

8. TMC 3-3-130 CONTROL VALVES.

The customer shall install a suitable valve, as close to the meter location as practical, the operation of which will control the entire water supply from the service. The operation by the customer of the curb stop in the meter box is prohibited.

FINDING:

A control valve will be installed on the building side of the domestic water meter.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

III. TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS

1. TMC 3-5-010 POLICY.

It is the policy of the City to require temporary and permanent measures for all construction projects to lessen the adverse effects of construction on the environment. The contractor shall properly install, operate and maintain both temporary and permanent works as provided in this chapter or in an approved plan, to protect the environment during the term of the project. In addition, these erosion control rules apply to all properties within the City, regardless of whether that property is involved in a construction or development activity. Nothing in this chapter shall relieve any person from the obligation to comply with the regulations or permits of any federal, state, or local authority...

3-5-040 Erosion Prohibited.

Visible or measurable erosion which enters, or is likely to enter, the public storm and surface water system or leaves the property on which it originates, is prohibited, and is a violation of this ordinance. The owner of the property from which erosion originates and any person whose activity on the property causes such erosion, shall be deemed responsible for causing such erosion and shall be responsible to stop erosion, cleanup past erosion, and prevent erosion from occurring in the future.

FINDING:

Erosion and Sediment Control measures will be a part of the construction documents and construction management of the site. The disturbed area is less than an acre. The applicant will obtain an erosion control permit.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

2. TMC 3-5-050 EROSION CONTROL PERMITS.

(1) Except as noted in subsection (3) of this section, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause a temporary or permanent increase in the rate of soil erosion from the site without first

obtaining a permit from the City and paying prescribed fees. Such changes to land shall include, but are not limited to, grading, excavating, filling, working of land, or stripping of soil or vegetation from land.

FINDING:

Proper permitting as required will be obtained prior to site work beginning on the site. The disturbed area is less than an acre. The applicant will obtain an erosion control permit.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

(2) No construction, land development, grading, excavation, fill, or the clearing of land is allowed until the City has issued an Erosion Control Permit covering such work, or the City has determined that no such permit is required. No public agency or body shall undertake any public works project without first obtaining from the City an Erosion Control Permit covering such work, or receiving a determination from the City that none is required.

FINDING:

The disturbed area is less than an acre. The applicant will obtain an erosion control permit.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

3. TMC 3-5-060 PERMIT PROCESS.

(1) Applications for an Erosion Control Permit. Application for an Erosion Control Permit shall include an Erosion Control Plan which contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion.

The plan shall include either:

(a) A site specific plan outlining the protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year as calculated using the Soil Conservation Service Universal Soil Loss Equation or other equivalent method approved by the City Engineer, or

(b) Techniques and methods contained and prescribed in the Soil Erosion Control Matrix and Methods, outlined in TMC 3-5.190 or the Erosion Control Plans - Technical Guidance Handbook, City of Portland and Unified Sewerage Agency, January, 1991.

(2) Site Plan. A site specific plan, pre-pared by an Oregon registered profession-al engineer, shall be required when the site meets any of the following criteria:

(a) greater than five acres;

(b) greater than one acre and has slopes greater than 20 percent;

(c) contains or is within 100 feet of a City-identified wetland or a waterway identified on FEMA floodplain maps; or

(d) greater than one acre and contains highly erodible soils.

FINDING:

The required EC permit, will be applied for meeting the specific requirements for submitting such. The disturbed area is less than an acre. The applicant will obtain an erosion control permit.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

4. TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.

Each new development is responsible for mitigating the impacts of that development upon the public storm water quantity system. The development may satisfy this requirement through the use of any of the following techniques, subject to the limitations and requirements in TMC 3-5-210:

(1) Construction of permanent on-site stormwater quantity detention facilities designed in accordance with this title;

FINDING:

On-site stormwater quantity detention facilities will be a part of the design of the improvements. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12.

5. TMC 3-5-210 REVIEW OF DOWNSTREAM SYSTEM.

For new development other than the construction of a single family house or duplex, plans shall document review by the design engineer of the downstream capacity of any existing storm drainage facilities impacted by the proposed development. That review shall extend downstream to a point where the impacts to the water surface elevation from the development will be insignificant, or to a point where the conveyance system has adequate capacity, as determined by the City Engineer. To determine the point at which the downstream impacts are insignificant or the drainage system has adequate capacity, the design engineer shall submit an analysis using the following guidelines:

- (1) evaluate the downstream drainage system for at least ¼ mile;**
- (2) evaluate the downstream drainage system to a point at which the runoff from the development in a build out condition is less than 10 percent of the total runoff of the basin in its current development status. Developments in the basin that have been approved may be considered in place and their conditions of approval to exist if the work has started on those projects;**
- (3) evaluate the downstream drainage system throughout the following range of storms: 2, 5, 10, 25 year;**
- (4) The City Engineer may modify items 1, 2, 3 to require additional information to determine the impacts of the development or to delete the provision of unnecessary information.**

If the increase in surface waters leaving a development will cause or contribute to damage from flooding, then the identified capacity deficiency shall be corrected prior to development or the development must construct onsite detention. To determine if the runoff from the development will cause or contribute to damage from flooding the City Engineer will consider the following factors:

- (1) The potential for or extent of flooding or other adverse impacts from the run-off of the development on downstream properties;**
- (2) The potential for or extent of possibility of inverse condemnation claims;**
- (3) Incremental impacts of runoff from the subject and other developments in the basin; and**
- (4) Other factors that may be relevant to the particular situation.**

The purpose of the City Engineer's review is to protect the City and its inhabitants from the impacts or damage caused by runoff from development while recognizing all appropriate limitations on exactions from the development

FINDING:

The subdivision for which this parcel is a part of provided drainage calculations for downstream impacts with the provision of 25-year detention. This site will have storm drain facilities, detaining runoff through the 25 year event. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

6. TMC 3-5-220 CRITERIA FOR REQUIRING ON-SITE DETENTION TO BE CONSTRUCTED.

The City shall determine whether the onsite facility shall be constructed. If the onsite facility is constructed, the development shall be eligible for a credit against Storm and Surface Water System Development Charges, as provided in City ordinance. On-site facilities shall be constructed when any of the following conditions exist:

- (1) There is an identified downstream deficiency, as defined in TMC 3-5-210, and detention rather than conveyance system enlargement is determined to be the more effective solution...**
- (2) There is an identified regional detention site within the boundary of the development.**
- (3) There is a site within the boundary of the development which would qualify as a regional detention site under criteria or capital plan adopted by the Unified Sewerage Agency.**
- (4) The site is located in the Hedges Creek Subbasin as identified in the Tualatin Drainage Plan and surface water runoff from the site flows directly or indirectly into the Wetland Protected Area (WPA) as defined in TDC 71.020. Properties located within the Wetland Protection District as described in TDC 71.010, or within the portion of the subbasin east of SW Tualatin Road are excepted from the on-site detention facility requirement.**

FINDING:

An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

7. 3-5-230 ON-SITE DETENTION DESIGN CRITERIA.

- (1) Unless designed to meet the requirements of an identified downstream deficiency as defined in TMC 3-5.210, stormwater quantity onsite detention facilities shall be designed to capture run-off so the run-off rates from the site after development do not exceed predevelopment conditions, based upon a 25-year, 24-hour return storm.**
- (2) When designed to meet the requirements of an identified downstream deficiency as defined in TMC 3-5.210, stormwater quantity on-site detention facilities shall be designed such that the peak runoff rates will not exceed predevelopment rates for the 2 through 100 year storms, as required by the determined downstream deficiency.**
- (3) Construction of on-site detention shall not be allowed as an option if such a detention facility would have an adverse effect upon receiving waters in the basin or subbasin in the event of flooding, or would increase the likelihood or severity of flooding problems downstream of the site.**

FINDING:

As there are no known downstream deficiencies run-off rates through the 25 year event will be matched via on-site detention facilities. An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

8. 3-5-240 ON-SITE DETENTION DESIGN METHOD.

- (1) The procedure for determining the detention quantities is set forth in Section 4.4 Retention/Retention Facility Analysis and Design, King County, Washington, Surface Water Design Manual, January 1990, except subchapters 4.4.5 Tanks, 4.4.6 Vaults and Figure 4.4.4G Permanent Surface Water Control Pond Sign. This reference shall be used for procedure only. The design criteria shall be as noted herein. Engineers desiring to utilize a procedure other than that set forth herein shall obtain City approval prior to submitting calculations utilizing the proposed procedure.**
- (2) For single family and duplex residential subdivisions, stormwater quantity detention facilities shall be sized for the impervious areas to be created by the subdivision, including all residences on individual lots at a rate of 2640 square feet of impervious surface area per dwelling unit, plus all roads which are assessed a surface water management monthly fee under Unified Sewerage Agency rules. Such facilities shall be constructed as a part of the subdivision public improvements. Construction of a single family or duplex residence on an existing lot of record is not required to construct stormwater quantity detention facilities.**
- (3) All developments other than single family and duplex, whether residential, multi-family, commercial, industrial, or other uses, the sizing of stormwater quantity detention facilities**

shall be based on the impervious area to be created by the development, including structures and all roads and impervious areas which are assessed a surface water management monthly fee under Unified Sewerage Agency rules. Impervious surfaces shall be determined based upon building permits, construction plans, site visits or other appropriate methods deemed reliable by City.

FINDING:

Acceptable methodology for design will be followed. An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

IV. TMC 3-5 PERMANENT ON-SITE WATER QUALITY FACILITIES

1. TMC 3-5-280 PLACEMENT OF WATER QUALITY FACILITIES.

Title III specifies that certain properties shall install water quality facilities for the purpose of removing phosphorous. No such water quality facilities shall be constructed within the defined area of existing or created wetlands unless a mitigation action, approved by the City, is constructed to replace the area used for the water quality facility.

FINDING:

The site's proposed water quality facility is not located in wetlands or associated buffers.

This criterion is met.

2. TMC 3-5-290 PURPOSE OF TITLE.

The purpose of this title is to require new development and other activities which create impervious surfaces to construct or fund on-site or off-site permanent water quality facilities to reduce the amount of phosphorous entering the storm and surface water system.

3. TMC 3-5-300 APPLICATION OF TITLE.

Title III of this Chapter shall apply to all activities which create new or additional impervious surfaces, except as provided in TMC 3-5.310.

4. TMC 3-5-310 EXCEPTIONS.

(1) Those developments with application dates prior to July 1, 1990, are exempt from the requirements of Title III.

The application date shall be defined as the date on which a complete application for development approval is accepted by the City in accordance with City regulations.

(2) Construction of one and two family (duplex) dwellings are exempt from the requirements of Title III.

(3) Sewer lines, water lines, utilities or other land development that will not directly increase the amount of storm water run-off or pollution leaving the site once construction has been completed and the site is either restored to or not altered from its approximate original condition are exempt from the requirements of Title III.

5. TMC 3-5-320 DEFINITIONS.

(1) "Stormwater Quality Control Facility" refers to any structure or drainage way that is designed, constructed and maintained to collect and filter, retain, or detain surface water run-off during and after a storm event for the purpose of water quality improvement. It may also include, but is not limited to, existing features such as constructed wetlands, water quality swales, low impact development approaches ("LIDA"), and ponds which are maintained as stormwater quality control facilities.

(2) "Low impact development approaches" or "LIDA: means stormwater facilities constructed utilizing low impact development approaches used to temporarily store, route or filter run-off for the purpose of improving water quality. Examples include; but are not limited to, Porous Pavement, Green Roofs, Infiltration Planters/Rain Gardens, Flow-Through Planters, LIDA Swales, Vegetated Filter Strips, Vegetated Swales, Extended Dry Basins, Constructed Water Quality Wetland, Conveyance and Stormwater Art, and Planting Design and Habitats.

(3) "Water Quality Swale" means a vegetated natural depression, wide shallow ditch, or constructed facility used to temporarily store, route or filter run-off for the purpose of improving water quality.

(4) "Existing Wetlands" means those areas identified and delineated as set forth in the Federal Manual for Identifying the Delineating Jurisdictional Wetlands, January, 1989, or as amended, by a qualified wetlands specialist.

(5) "Created Wetlands" means those wetlands developed in an area previously identified as a non-wetland to replace, or mitigate wetland destruction or displacement.

(6) "Constructed Wetlands" means those wetlands developed as a water quality or quantity facility, subject to change and maintenance as such. These areas must be clearly defined and/or separated from existing or created wetlands. This separation shall preclude a free and open connection to such other wetlands.

6. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

7. TMC 3-5-340 FACILITIES REQUIRED.

For new development, subject to the exemptions of TMC 3-5-310, no permit for construction, or land development, or plat or site plan shall be approved unless the conditions of the plat, plan or permit approval require permanent stormwater quality control facilities in accordance with this Title III.

8. TMC 3-5-345 INSPECTION REPORTS.

The property owner or person in control of the property shall submit inspection reports annually to the City for the purpose of ensuring maintenance activities occur according to the operation and maintenance plan submitted for an approved permit or architectural review.

9. TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.

The stormwater quality control facilities shall be designed to remove 65 percent of the phosphorous from the runoff from 100 percent of the newly constructed impervious surfaces. Impervious surfaces shall include pavement, buildings, public and private roadways, and all other surfaces with similar runoff characteristics.

10. TMC 3-5-360 DESIGN STORM.

The stormwater quality control facilities shall be designed to meet the removal efficiency of TMC 3-5-350 for a mean summertime storm event totaling 0.36 inches of precipitation falling in four hours with an average return period of 96 hours.

11. TMC 3-5-370 DESIGN REQUIREMENTS.

The removal efficiency in TDC Chapter 35 specifies only the design requirements and are not intended as a basis for performance evaluation or compliance determination of the stormwater quality control facility installed or constructed pursuant to this Title III.

12. TMC 3-5-330 PERMIT REQUIRED.

Except as provided in TMC 3-5-310, no person shall cause any change to improved or unimproved real property that will, or is likely to, increase the rate or quantity of run-off or pollution from the site without first obtaining a permit from the City and following the conditions of the permit.

13. TMC 3-5-340 FACILITIES REQUIRED.

For new development, subject to the exemptions of TMC 3-5-310, no permit for construction, or land development, or plat or site plan shall be approved unless the conditions of the plat, plan or permit approval require permanent stormwater quality control facilities in accordance with this Title III.

FINDING:

Stormwater quality control facilities will be a part of the site improvements. An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

14. TMC 3-5-350 PHOSPHOROUS REMOVAL STANDARD.

The stormwater quality control facilities shall be designed to remove 65 percent of the phosphorous from the runoff from 100 percent of the newly constructed impervious surfaces. Impervious surfaces shall include pavement, buildings, public and private roadways, and all other surfaces with similar runoff characteristics.

FINDING:

The phosphorus removal standard will be met. An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

15. TMC 3-5-360 DESIGN STORM.

The stormwater quality control facilities shall be designed to meet the removal efficiency of [TMC 3-5-350](#) for a mean summertime storm event totaling 0.36 inches of precipitation falling in four hours with an average return period of 96 hours.

FINDING:

The design storm event will be used for the water quality design. An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

16. TMC 3-5-390 FACILITY PERMIT APPROVAL.

A stormwater quality control facility permit shall be approved only if the following are met:

- (1) The plat, site plan, or permit application includes plans and a certification prepared by an Oregon registered, professional engineer that the proposed stormwater quality control facilities have been designed in accordance with criteria expected to achieve removal efficiencies for total phosphorous required by this Title III. Clean Water Services Design and Construction Standards shall be used in preparing the plan for the water quality facility; and**
- (2) The plat, site plan, or permit application shall be consistent with the areas used to determine the removal required in TMC 3-5-350; and**
- (3) A financial assurance, or equivalent security acceptable to the City, is provided by the applicant which assures that the stormwater quality control facilities are constructed according to the plans established in the plat, site plan, or permit approval. The financial assurance may be combined with our financial assurance requirements imposed by the City; and**
- (4) A stormwater facility agreement identifies who will be responsible for assuring the long term compliance with the operation and maintenance plan.**

FINDING:

An on-site storm drain treatment and detention facility will be constructed. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12

B. TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS

I. TDC SECTION 73.270 GRADING.

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

FINDING:

The proposed site grading is generally minimal. The site is relatively flat and will only require minor grading to accommodate the proposed expansion.

This criterion is satisfied with conditions of approval PFR-3.

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

FINDING:

Proposed grading will not substantially change the general slope of the site. All planting areas have been designed to integrate the natural slope of the site and direct excess water away from the building and into the proposed stormwater network.

This criterion is satisfied with conditions of approval PFR-3.

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

FINDING:

Proposed landscaping will be bounded by curbs or the paved on-site pedestrian network so as to ensure that landscape materials will not wash across roadways or walkways.

This criterion is satisfied with conditions of approval PFR-3.

(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.

FINDING:

Storm sewer catch basins are proposed at strategic locations to capture and redirect surface drainage from parking areas.

This criterion is satisfied with conditions of approval PFR-3.

II. TDC 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.

FINDINGS:

The plans show two existing driveways to SW 126th Place, the northern is 36 feet wide and the southern is 40 feet wide. A 36-foot wide driveway is proposed to SW Leveton Drive.

A traffic impact study from ARD Engineering was submitted for this development that determined this access to be safely designed opposing an existing access on the south side of SW Leveton Drive and therefore acceptable. The applicant will submit final plans and construct the proposed access to SW Leveton Drive.

This criterion is satisfied with conditions of approval PFR-10 and PFR-12.

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

FINDINGS:

The plans show two existing driveways to SW 126th Place, the northern is 36 feet wide and the southern is 40 feet wide. A 36-foot wide driveway is proposed to SW Leveton Drive.

This criterion is satisfied.

(8) To afford safe pedestrian access and egress for properties within the City, a sidewalk shall be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design and in a manner approved by the City Engineer. Sidewalks approved by the City Engineer may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grades and alignment established by the City Engineer.

FINDINGS:

The plans show existing sidewalks adjacent to both frontage streets SW 126th Place and SW Leveton Drive that meet cross-section standard widths.

This criterion is met.

(12) Minimum Access Requirements for Industrial Uses.

Ingress and egress for industrial uses shall not be less than the following::

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
1-250	1	36 feet for first 50 feet from ROW, 24' thereafter	No curbs or walkway required

FINDINGS:

The plans show two existing driveways to SW 126th Place, the northern is 36 feet wide and the southern is 40 feet wide. A 36-foot wide driveway is proposed to SW Leveton Drive. These driveways meet and exceed the minimum requirements for width and quantity.

A traffic impact study from ARD Engineering was submitted for this development that determined this access to be safely designed opposing an existing access on the south side of SW Leveton Drive and therefore acceptable. The applicant will submit final plans and construct the proposed access to SW Leveton Drive.

This criterion is satisfied with conditions of approval PFR-10 and PFR-12.

(14) Maximum Driveway Widths and Other Requirements.

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

FINDINGS:

The existing and proposed driveways do not exceed 40-feet in width.

This criterion is met.

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

FINDINGS:

The existing northern driveway on SW 126th Place is over 20 feet from the property line. The proposed driveway will be at least 42 feet from the nearest lot line.

This criterion is met.

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

FINDINGS:

Only the two existing driveways to SW 126th Place are adjacent and are over 70 feet apart.

This criterion is met.

(15) Distance between Driveways and Intersections

Except for single-family dwellings, the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection.

(b) At the intersection of two local streets, driveways shall be located a minimum of 30 feet from the intersection.

FINDINGS:

The existing southern driveway to SW 126th Place is approximately 110 feet away from the intersection with SW Leveton Drive. The proposed driveway to SW Leveton Drive is over 230 feet from the intersection with SW 126th Place.

This criterion is met.

(16) Vision Clearance Area.

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

(b) Collector Streets - A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections shall be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area shall be 10 feet (see Figure 73-2 for illustration).

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

FINDINGS:

The plans show two existing driveways to SW 126th Place, the northern is 36 feet wide and the southern is 40 feet wide. A 36-foot wide driveway is proposed to SW Leveton Drive. The vision clearances are illustrated on the Landscape Plan and comply with provisions.

A traffic impact study from ARD Engineering was submitted for this development that determined this access to be safely designed opposing an existing access on the south side of SW Leveton Drive and therefore acceptable. The applicant will submit final plans and construct the proposed access to SW Leveton Drive.

This criterion is satisfied with conditions of approval PFR-10 and PFR-12.

C. TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS

I. TDC SECTION 74.120 PUBLIC IMPROVEMENTS.

(1) Except as specially provided, all public improvements shall be installed at the expense of the applicant. All public improvements installed by the applicant shall be constructed and guaranteed as to workmanship and material as required by the Public Works Construction

Code prior to acceptance by the City. No work shall be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and a Public Works Permit issued and the required fees paid.

FINDINGS:

All public improvements proposed as part of this project will be installed in accordance with the Public Works Construction Code.

This criterion is satisfied with conditions of approval PFR-10 and PFR-12.

II. TDC SECTION 74.130 PRIVATE IMPROVEMENTS.

All private improvements shall be in-stalled at the expense of the applicant. The property owner shall retain maintenance responsibilities over all private improvements.

FINDINGS:

The applicant will be responsible for proposed utility facilities located within the subject property.

This criterion is satisfied with conditions of approval PFR-12.

III. TDC SECTION 74.140 CONSTRUCTION TIMING.

(1) All the public improvements required under this chapter shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

(2) All private improvements required under this chapter shall be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

FINDINGS:

All public and private improvements required will be complete prior to receiving a Certificate of Occupancy.

This criterion is satisfied with conditions of approval PFR-12.

IV. TDC SECTION 74.210 MINIMUM STREET RIGHT-OF-WAY WIDTHS.

The width of streets in feet shall not be less than the width required to accommodate a street improvement needed to mitigate the impact of a proposed development. In cases where a street is required to be improved according to the standards of the TDC, the width of the

right-of-way shall not be less than the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

FINDINGS:

The street from curb to curb was fully developed at the time of the Leveton Commons No. 2 in 2005. Full right-of-way width was also dedicated at that time as well. The sidewalk was installed with previous land use for lot.

This criterion is satisfied.

(2) For development applications other than subdivisions and partitions, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width, the additional right-of-way necessary to comply with TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G of the Tualatin Community Plan shall be dedicated to the City for use by the public prior to issuance of any building permit for the proposed development. This right-of-way dedication shall be for the full width of the property abutting the roadway and, if required by the City Engineer, additional dedications shall be provided for slope and utility easements if deemed necessary.

FINDINGS:

60-feet of right-of-way exists for both SW 126th Place and SW Leveton Drive which is sufficient for their Connector cross-sections. No additional dedications for right-of-way or additional easements are needed.

This criterion is satisfied.

(3) For development applications that will impact existing streets not adjacent to the applicant's property, and to construct necessary street improvements to mitigate those impacts would require additional right-of-way, the applicant shall be responsible for obtaining the necessary right-of-way from the property owner. A right-of-way dedication deed form shall be obtained from the City Engineer and upon completion returned to the City Engineer for acceptance by the City. On subdivision and partition plats the right-of-way dedication shall be accepted by the City prior to acceptance of the final plat by the City. On other development applications the right-of-way dedication shall be accepted by the City prior to issuance of building permits. The City may elect to exercise eminent domain and condemn necessary off-site right-of-way at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.

FINDINGS:

A traffic impact analysis from ARD Engineering determined that no mitigation is needed for this development. There are not any additional impacts to streets not adjacent to the site that would require any upgrades.

This criterion is satisfied.

V. TDC SECTION 74.330 UTILITY EASEMENTS.

(1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities shall be granted to the City.

FINDINGS:

Public utility easements were acquired at the time of subdividing Leveton Commons 2 which included this lot.

This criterion is satisfied.

(4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement shall be granted to the City; building permits shall not be issued for the development prior to acceptance of the easement by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council shall determine when condemnation proceedings are to be used.

FINDINGS:

Public utility easements were acquired at the time of subdividing Leveton Commons 2 which included this lot.

This criterion is satisfied.

(5) The width of the public utility easement shall meet the requirements of the Public Works Construction Code.

FINDINGS:

Public utility easements were acquired at the time of subdividing Leveton Commons 2 which included this lot.

This criterion is satisfied.

VI. TDC SECTION 74.420 STREET IMPROVEMENTS.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City's Public Works Construction Code, subject to the following provisions:

(1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 shall be improved to standards as set out in the Public Works Construction Code.

FINDINGS:

The cross-sections for SW 126th Place and SW Leveton Drive were constructed at the time of Leveton Commons 2 subdivision which includes this lot. The cross-section classification at that time sufficiently matches the current cross-section.

The proposed driveway to SW Leveton Drive and ADA accessibility will be a part of the development improvements. The existing sidewalks and ramps may not meet current requirements. The applicant will prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.

This criterion is with conditions of approval PFR-5, PFR-10, and PFR-12.

(2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.

FINDINGS:

The existing sidewalks and ramps may not meet current requirements. The applicant will prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.

This criterion is with conditions of approval PFR-5, PFR-10, and PFR-12.

(3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.

FINDINGS:

A traffic impact analysis from ARD Engineering determined that no mitigation is needed for this development.

This criterion is satisfied.

(4) Where development abuts an existing street, the improvement required shall apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Engineer to ensure a smooth transition between a new improvement and the existing roadway (half-street improvement). Additional right-of-way and street improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement shall connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.

FINDINGS:

The cross-sections for SW 126th Place and SW Leveton Drive were constructed at the time of Leveton Commons 2 subdivision which includes this lot. The cross-section classification at that time sufficiently matches the current cross-section.

The proposed driveway to SW Leveton Drive and ADA accessibility will be a part of the development improvements. The existing sidewalks and ramps may not meet current requirements. The applicant will prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.

This criterion is with conditions of approval PFR-5, PFR-10, and PFR-12.

(6) All required street improvements shall include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.

FINDINGS:

The cross-sections for SW 126th Place and SW Leveton Drive were constructed at the time of Leveton Commons 2 subdivision which includes this lot. The cross-section classification at that time sufficiently matches the current cross-section.

The proposed driveway to SW Leveton Drive and ADA accessibility will be a part of the development improvements. The existing sidewalks and ramps may not meet current requirements. The applicant will prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.

This criterion is with conditions of approval PFR-5, PFR-10, and PFR-12.

(8) For development applications other than subdivisions and partitions, all street improvements required by this section shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.

FINDINGS:

All improvements to SW 126th Place and SW Leveton Drive will be completed prior to the issuance of a Certificate of Occupancy.

This criterion is with conditions of approval PFR-12.

(11) Existing streets which abut the proposed development site shall be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).

FINDINGS:

The cross-sections for SW 126th Place and SW Leveton Drive were constructed at the time of Leveton Commons 2 subdivision which includes this lot. The cross-section classification at that time sufficiently matches the current cross-section.

The proposed driveway to SW Leveton Drive and ADA accessibility will be a part of the development improvements. The existing sidewalks and ramps may not meet current requirements. The applicant will prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.

This criterion is with conditions of approval PFR-5, PFR-10, and PFR-12.

(12) Sidewalks with appropriate buffering shall be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.

FINDINGS:

The cross-sections for SW 126th Place and SW Leveton Drive were constructed at the time of Leveton Commons 2 subdivision which includes this lot. The cross-section classification at that time sufficiently matches the current cross-section. Sections damaged through construction will be replaced.

The proposed driveway to SW Leveton Drive and ADA accessibility will be a part of the development improvements. The existing sidewalks and ramps may not meet current requirements. The applicant will prove that the existing sidewalks for SW 126th Place and SW Leveton Drive are in conformance with Public Works Construction Code/ADA/PROWAG or show the sections to be reconstructed.

This criterion is with conditions of approval PFR-5, PFR-10, and PFR-12.

(17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.

FINDINGS:

ARD Engineering provided a traffic impact study which summarized that all intersections will operate at adequate levels of service after development of the subject site as proposed.

This criterion is satisfied.

VII. TDC SECTION 74.425 STREET DESIGN STANDARDS.

(1) Street design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, and safety. They are necessary to ensure that the system of streets, as it develops, will be capable of safely and efficiently

servicing the traveling public while also accommodating the orderly development of adjacent lands.

(2) The proposed street design standards are shown in Figures 72A through 72G. The typical roadway cross sections comprise the following elements: right-of-way, number of travel lanes, bicycle and pedestrian facilities, and other amenities such as landscape strips. These figures are intended for planning purposes for new road construction, as well as for those locations where it is physically and economically feasible to improve existing streets

FINDINGS:

The existing cross-sections of SW 126th Place and SW Leveton Drive matches the elements for a Connector street.

This criterion is met.

(4) All streets shall be designed and constructed according to the preferred standard. The City Engineer may reduce the requirements of the preferred standard based on specific site conditions, but in no event will the requirement be less than the minimum standard. The City Engineer shall take into consideration the following factors when deciding whether the site conditions warrant a reduction of the preferred standard:

(a) Arterials:

- (i) Whether adequate right-of-way exists**
- (ii) Impacts to properties adjacent to right-of-way**
- (iii) Current and future vehicle traffic at the location**
- (iv) Amount of heavy vehicles (buses and trucks).**

(b) Collectors:

- (i) Whether adequate right-of-way exists**
- (ii) Impacts to properties adjacent to right-of-way**
- (iii) Amount of heavy vehicles (buses and trucks)**
- (iv) Proximity to property zoned manufacturing or industrial.**

(c) Local Streets:

(i) Local streets proposed within areas which have environmental constraints and/or sensitive areas and will not have direct residential access may utilize the minimum design standard. When the minimum design standard is allowed, the City Engineer may determine that no parking signs are required on one or both sides of the street.

FINDINGS:

SW 126th Place and SW Leveton Drive were developed in accordance with the requirements at the time the industrial subdivision "Leveton Commons No. 2" was constructed. This cross-section matches the current cross-section elements.

This criterion is satisfied.

VIII. TDC 74.440 STREETS, TRAFFIC STUDY REQUIRED

- (1) The City Engineer may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Engineer determines that such a study is necessary in connection with a proposed development project in order to:**
- (a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or**
 - (b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.**

FINDINGS:

A traffic impact study performed ARD Engineering summarized that no additional mitigation was required for this development.

This criterion is met.

- (2) The required traffic study shall be completed prior to the approval of the development application.**

FINDINGS:

A traffic impact study performed ARD Engineering was submitted with the projects' application.

This criterion is met.

- (3) The traffic study shall include, at a minimum:**
- (a) an analysis of the existing situation, including the level of service on adjacent and impacted facilities.**
 - (b) an analysis of any existing safety deficiencies.**
 - (c) proposed trip generation and distribution for the proposed development.**
 - (d) projected levels of service on adjacent and impacted facilities.**
 - (e) recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.**
 - (f) The City Engineer will determine which facilities are impacted and need to be included in the study.**
 - (g) The study shall be conducted by a registered engineer.**

FINDINGS:

A traffic impact study performed ARD Engineering, a firm specializing in transportation engineering and planning with registered engineering professionals. The study reviewed selected vicinity streets, study intersections, transit, and traffic counts; analyzed site trip generation and trip distribution; conducted a safety analysis, including crash data analysis, sight distance analysis, warrant analysis, and driveway width analysis; and conducted an operational analysis.

This criterion is met.

(4) The applicant shall implement all or a portion of the improvements called for in the traffic study as determined by the City Engineer.

FINDINGS:

No improvements were identified as requirements in the traffic impact study.

This criterion is met.

IX. TDC SECTION 74.470 STREET LIGHTS.

(1) Street light poles and luminaries shall be installed in accordance with the Public Works Construction Code.

(2) The applicant shall submit a street lighting plan for all interior and exterior streets on the proposed development site prior to issuance of a Public Works Permit.

FINDINGS:

Street lights were installed on SW Leveton Drive and SW 126th Place to standards at the time of Leveton Commons 2 subdivision which remain current.

This criterion is satisfied.

X. TDC SECTION 74.485 STREET TREES.

(2) In nonresidential subdivisions and partitions street trees shall be planted by the owners of the individual lots as development occurs.

(3) The Street Tree Ordinance specifies the species of tree which is to be planted and the spacing between trees.

FINDINGS:

There are existing street trees along this site's frontages of SW 126th Place and SW Leveton Drive. If any trees need to be replaced, the species and spacing of proposed street trees will be in conformance with the Street Tree Ordinance.

This criterion is satisfied.

XI. TDC SECTION 74.610 WATER SERVICE.

(1) Water lines shall be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans shall be submitted to the City Engineer for review and approval prior to construction.

FINDINGS:

The proposed industrial site development will be a single building at this time a single City meter is proposed, with the possibility that private sub-metering will be done at the building.

Water service was stubbed into the property, during the subdivision development, for use by the proposed development. The existing development utilizes a single lateral from the public main to serve both domestic and fire service. Separate laterals with valves at the main line will be constructed to separate the domestic from fire services.

Vaults for the fire service and meter for domestic with backflow prevention are required to be located adjacent to right-of-way. The plans show the meter in the correct location, but do not identify the fire vault. The applicant will submit plans that show the fire vault adjacent to right-of-way.

The applicant will submit water system plans that show location and other details prior to obtaining a Building Permit. A public works construction permit for the domestic and fire connections will be obtained. The applicant has not applied for a public works permit for these improvements. The applicant will need to submit water system plans that show location of the water lines, grade, materials, and other details prior to obtaining a public works permit.

This criterion is satisfied with conditions of approval PFR-2, PFR-10, and PFR-13.

(2) If there are undeveloped properties adjacent to the subject site, public water lines shall be extended by the applicant to the common boundary line of these properties. The lines shall be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.

FINDINGS:

Adjacent undeveloped sites have access to public water, sanitary sewer, and stormwater lines.

This criterion is satisfied.

(3) As set forth in TDC Chapter 12, Water Service, the City has three water service levels. All development applicants shall be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant shall be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.

FINDINGS:

The available public water lines in SW 126th Place and SW Leveton Drive are in the appropriate service level for this development.

This criterion is satisfied.

XII. TDC SECTION 74.620 SANITARY SEWER SERVICE.

(1) Sanitary sewer lines shall be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.

FINDINGS:

An existing sanitary sewer service lateral has been stubbed into the property as a part of Leveton Commons 2 subdivision development and in use by the previously approved development on this lot. The proposed development will privately connect to the same latera..

This criterion is satisfied with conditions of approval PFR-1, PFR-10, and PFR-12.

(2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant shall extend public sanitary sewer lines to the common boundary line with these properties. The lines shall be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.

FINDINGS:

Adjacent undeveloped sites have access to public water, sanitary sewer, and stormwater lines.

This criterion is satisfied.

XIII. TDC SECTION 74.630 STORM DRAINAGE SYSTEM.

(1) Storm drainage lines shall be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.

FINDINGS:

A storm drain line has been stubbed to the southwest corner of the site to serve as a storm drain lateral for the site during construction of Leveton Commons 2. The previous development on this lot connected to this lateral. The current proposal is to connect to the private side of the same lateral.

Preliminary storm water analysis and quality facility design performed by Sisul Engineering identified acceptable methods for treatment and detention. Final storm drainage construction plans and calculations will be submitted to the City Engineer for review and approval as a part of the construction permitting.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-7, PFR-10, and PFR-12.

(2) The storm drainage calculations shall confirm that adequate capacity exists to serve the site. The discharge from the development shall be analyzed in accordance with the City's Storm and Surface Water Regulations.

FINDINGS:

Preliminary storm water analysis and quality facility design performed by Sisul Engineering identified acceptable methods for treatment and detention. No additional public improvements were identified. Final storm drainage construction plans and calculations will be submitted to the City Engineer for review and approval as a part of the construction permitting.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-7, PFR-10, and PFR-12.

(3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant shall extend storm drainage lines to the common boundary line with these properties. The lines shall be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the Tualatin Drainage Plan in TDC Chapter 14.

FINDINGS:

Adjacent undeveloped sites have access to public water, sanitary sewer, and stormwater lines.

This criterion is satisfied.

XIV. TDC SECTION 74.640 GRADING.

(1) Development sites shall be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.

FINDINGS:

All improvement areas within the site will be graded so as the runoff is collected by the on-site drainage facilities.

This criterion is satisfied with conditions of approval PFR-3, PFR-7, PFR-10, and PFR-12.

(2) A development applicant shall submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Engineer may require the applicant to remove all excess material from the development site.

FINDINGS:

All drainage will be via gravity drainage and no building crawl spaces will be created.

This criterion is satisfied with conditions of approval PFR-3, PFR-7, PFR-10, and PFR-12.

XV. TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.

The applicant shall comply with the water quality, storm water detention and erosion control requirements in the Surface Water Management Ordinance. If required:

(2) On all other development applications, prior to issuance of any building permit, the applicant shall arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be met and obtain a Stormwater Connection Permit from Clean Water Services.

FINDINGS:

A preliminary Storm Water Analysis and Quality Facility Design from Sisul Engineering determined no offsite improvements were needed with onsite treatment and up to the 25-year storm detention. On-site stormwater quantity detention facilities will be a part of the design of the improvements. The applicant will submit final stormwater plans and calculations, then construct onsite detention and treatment facilities.

This criterion is satisfied with conditions of approval PFR-4, PFR-6, PFR-10, and PFR-12.

The applicant has submitted a Service Provider Letter from Clean Water Services indicating that Sensitive Areas do not exist on-site. A CWS Memorandum was received dated November 23, 2018 for development on this site. The applicant will submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions, for review and approval.

This criterion is satisfied with conditions of approval PFR-4 and PFR-6.

(3) For on-site private and regional non-residential public facilities, the applicant shall submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant shall submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site shall occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

FINDINGS:

A stormwater facility agreement that includes an operation and maintenance plan will be recorded.

An erosion control plan will be submitted prior to approval of a Public Works Permit. Stormwater and water quality for each building and associated impervious surface will be accommodated on-site.

The applicant will obtain an erosion control permit from the City of Tualatin prior to issuance of building permits.

This criterion is satisfied with conditions of approval PFR-10.

XVI. TDC 74.660 UNDERGROUND

(1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities shall be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant shall make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.

FINDINGS:

Utility lines will be placed underground within the site. There will be some surface mounted connection boxes, transformers and meter boxes.

This criterion is satisfied.

(2) Any existing overhead utilities may not be upgraded to serve any proposed development. If existing overhead utilities are not adequate to serve the proposed development, the applicant shall, at their own expense, provide an underground system. The applicant shall be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements shall be submitted to the City Engineer for acceptance by the City prior to issuance of the Public Works Permit.

FINDINGS:

No overhead utility lines currently exist within the boundaries of the site and none will be required.

This criterion is satisfied.

XVII. TDC SECTION 74.670 EXISTING STRUCTURES.

(1) Any existing structures requested to be retained by the applicant on a proposed development site shall be connected to all available City utilities at the expense of the applicant.

FINDINGS:

The existing structure is from a previously approved development that connected to all available City utilities.

This criterion is satisfied.

(2) The applicant shall convert any existing overhead utilities serving existing structures to underground utilities, at the expense of the applicant.

FINDINGS:

Existing utilities are underground.

This criterion is satisfied.

XVIII. TDC SECTION 74.720 PROTECTION OF TREE DURING CONSTRUCTION.

(1) During the erection, repair, alteration or removal of a building or structure, it is unlawful for the person in charge of such erection, repair, or alteration or to leave a tree in or upon a public right-of-way in the vicinity of the building or structure without a good and sufficient guard or protectors to prevent injury to the tree arising out of or by reason of such erection, repair, alteration or removal.

FINDINGS:

Tree protection will be provided as necessary.

This criterion is satisfied with conditions of approval PFR-10.

(2) Excavations and driveways shall not be placed within six feet of a tree in or upon a public right-of-way without written permission from the City Engineer. During excavation or construction, the person shall guard the tree within six feet and all building material or other debris shall be kept at least four feet from any tree.

FINDINGS:

The proposed driveway to SW Leveton Drive is in conflict with an existing street tree. The tree will be removed.

This criterion is satisfied with conditions of approval PFR-10.

XIX. TDC SECTION 74.765 STREET TREE SPECIES AND PLANTING LOCATIONS.

All trees, plants or shrubs planted in the right-of-way of the City shall conform in species and location and in accordance with the street tree plan in Schedule A. If the Operations Director determines that none of the species in Schedule A is appropriate or finds appropriate a species not listed, the Director may substitute an unlisted species.

FINDINGS:

No new or replacement street trees are proposed

This criterion is satisfied.



November 9, 2018

Erin Engman
Associate Planner
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062

Re: Columbia Roofing Addition
Tax Lot I.D: 2S121A4200

Dear Erin,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. These notes are provided in regards to the plans received November 7, 2018. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

FIRE APPARATUS ACCESS:

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1)
2. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)

The proposed locations for the truck berths reduces the access width to less than 20ft.

3. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
4. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
 1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – parking is allowed on one side
 3. Greater than 32 feet road width – parking is not restricted

Note: For specific widths and parking allowances, contact the local municipality.

5. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)

The new walkway curb will need to be painted red in color and marked with "No Parking Fire Lane". See attached sheet A1 for detail.

6. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
7. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
8. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)

Indicate turning radius on plans.

9. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 15%. Alternate methods and materials may be available at the discretion of the Fire Marshal (for grade exceeding 15%).
10. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
11. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
 2. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
 3. Electric gates shall be equipped with a means for operation by fire department personnel
 4. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
12. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
13. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

FIREFIGHTING WATER SUPPLIES:

14. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)
- Note:** OFC B106, Limiting Fire-Flow is also enforced, except for the following:
- The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
 - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1
15. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or

600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

16. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

FIRE HYDRANTS:

17. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
- This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
 - The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
18. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)
- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
 - Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
 - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
 - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.
19. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
20. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)
21. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)
22. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)
23. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)
24. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)

- Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
- FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

See sheet A1 for location of Fire Department Connection.

BUILDING ACCESS AND FIRE SERVICE FEATURES

25. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)

If a Knox box is not presently installed, install a knox box near proposed fire sprinkler riser room.

26. **FIRE PROTECTION EQUIPMENT IDENTIFICATION:** Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)

27. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification, please feel free to contact me at 503-259-1419.

Sincerely,

Tom Mooney

Tom Mooney
Deputy Fire Marshal II

Thomas.mooney@tvfr.com

Cc: File
City of Tualatin

A full copy of the New Construction Fire Code Applications Guide for Commercial and Multi-Family Development is available at <http://www.tvfr.com/DocumentCenter/View/1296>

PROPOSED PROJECT SCOPE AND CODE SUMMARY

LOT 10, TAX MAP NO. 2S 1 21A, TAX LOT NO. 4200

Total Site Area: 84,070.8 sf
 Proposal to build a 20,040 footprint (21,720 net) of concrete tilt up addition to the existing 11,200 sf building and to add a sprinkler system to the new and existing buildings.
 City of Tualatin Zoning: ML Light Manufacturing
 Occupancy Groups: B (Offices), F1 (Auto), F2 (Metal Products), S-1 (Roofing Materials and tools).
 Construction Type (current building): III B Concrete tilt up exterior walls, wood frame interior wall, upper floor, roof framing.

Allowable Building Areas (III B) by Table 503 :
 B: 19,000 sf, 3 story
 F-1: 12,000 sf, 2 story
 F-2: 18,000 sf, 3 story
 S-1: 17,500 sf, 2 story

Allowable Building Area w/ Area Modifications:
 Frontage Increase calculation
 If = (F/P - 0.25) (W/30)
 If = (460/840 - .25) (30/30)
 If = (.55 - .25) (1) = .30 OR 30% increase allowed

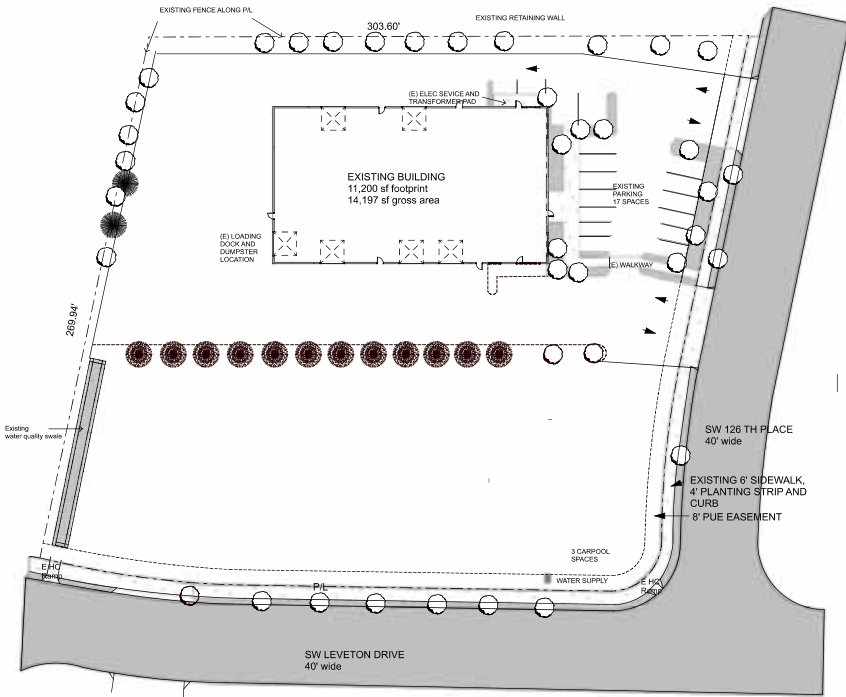
IIIB Construction Type
 12000 sf (using most restrictive) x .30 = 3600 sf
 12000 + 3600 = 15600 sf allowed per story
 Sprinkler increase = 31200 sf total allowed > 31240 sf proposed (actual F-1 space is considerably lower than allowable)

Building Height Allowed Max: 50', proposed 30'

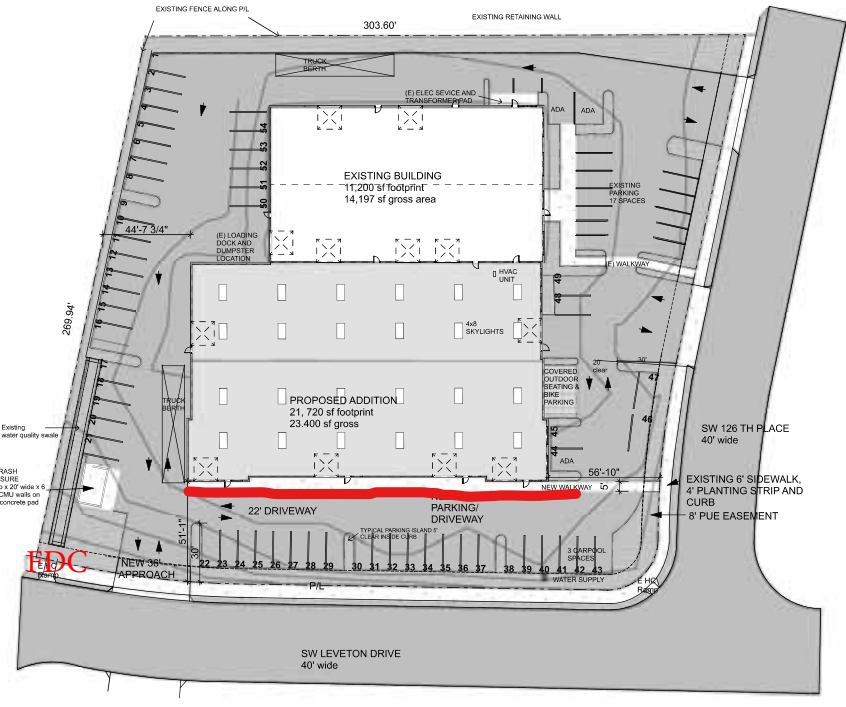
PARKING
 Most restrictive required: 71 based on: Office 6480 sf @ 2.7/1000 (17.5), Warehouse 8800 sf @ .3/1000 (3), Manuf. 7000 @ 1.6/1000 (11), 12900 @ 3/1000 (39)
 Existing spaces: 22 (17 net with revisions)
 New spaces: 54 (71 total net) carpool 1/25 spaces req'd - 3 provided
 HD spaces: 3
 Loading Berths: 2
 Bicycle Parking; Spaces required: .10 / 1000 gross SF = 4 req'd.
 Spaces provided: 4

LANDSCAPE
 Total Landscape required: 15% of site area 84070.8 sf x .15 = 12610 sf
 Total area proposed: 12535 sf based upon: 7570 perimeter area, 4965 Parking lot landscape + approx 2500 sf amenities (not included in calculation)
 Parking island area req'd: 25 sf/ parking stall = 1775 sf req'd, 1800+ sf provided
 Paving area:
 Tree count required: 1 deciduous shade tree per 4 stalls (18 req'd)
 Tree count proposed: 18 New, plus approx 27 existing

SOLID WASTE: Min 10 of plus 4 sf/1000 GLA Offices (26 sf), 6 sf/1000 GLA Wholesale, Warehouse, Manuf. (164 sf) = 190 sf req'd; New provided: 240 sf plus existing area



2 EXISTING SITE / LANDSCAPE PLAN
 SCALE: 1" = 30'



1 REVISED SITE PLAN
 SCALE: 1" = 30'



Chesshir Architecture pc

2337 NW York St. #208
 Portland OR 97210
 503 228 3273

**Columbia Roofing
 Building Addition**

18635 SW 126th Place
 Tualatin OR 97062

MARK DATE DESCRIPTION

PROJECT NO:
 MODEL FILE:
 Columbia Roofing Addition AR model updated.gn

DRAWN BY:
 COPYRIGHT:

SHEET TITLE

SITE PLAN

ARCHITECTURAL
 REVIEW SUBMITTAL
 10/4/18

A1



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

November 19, 2018

ODOT #8726

ODOT Response

Project Name: Columbia Roofing Building Addition	Applicant: Stan Chesshir
Jurisdiction: City of Tualatin	Jurisdiction Case #: AR18-0005
Site Address: 18525 SW 126th Place, Tualatin, OR	Legal Description: 02S 01W 21A Tax Lot(s): 04200
State Highway: OR 99W	

The site of this proposed land use action is in the vicinity of OR 99W. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

COMMENTS/FINDINGS

If the City is requiring a traffic impact analysis, ODOT would like to have the intersections on OR 99W at Leveton St and 124th Ave included in the analysis.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Traffic Impacts

- The applicant shall submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Contact the ODOT Traffic representative identified below and the local jurisdiction to scope the study.**

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

Region1_DEVREV_Applications@odot.state.or.us

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221

M E M O R A N D U M

Date: November 23, 2018

To: Erin Engman, Associate Planner, City of Tualatin

From: Jackie Sue Humphreys, Clean Water Services (CWS)

Subject: Columbia Roofing Building Addition, AR18-0005, 2S121A004200

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE

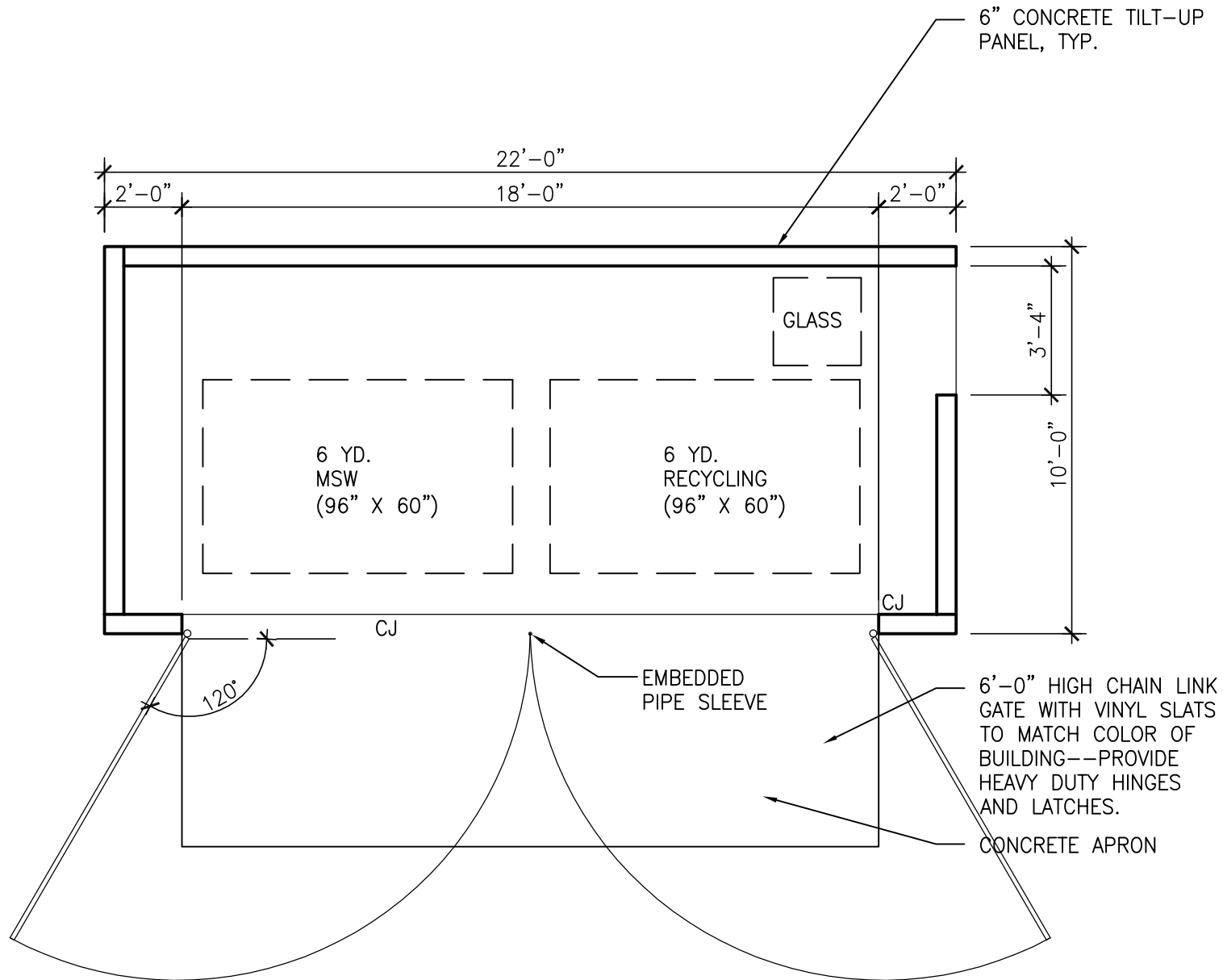
A Clean Water Services (CWS) Storm Water Connection Permit Authorization must be obtained. Application for CWS Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 17-5, (or current R&O in effect at time of Engineering plan submittal), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit.
- c. Detailed plans showing the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 17-5, Section 4.05. Access shall be provided for maintenance of facility per R&O 17-5, Section 4.02.4.
- e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.

- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Application may require additional permitting and plan review from CWS Source Control Program. For any questions or additional information, please contact Source Control at (503) 681-5175.
- i. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute CWS approval of storm or sanitary sewer compliance to the NPDES permit held by CWS. CWS, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.



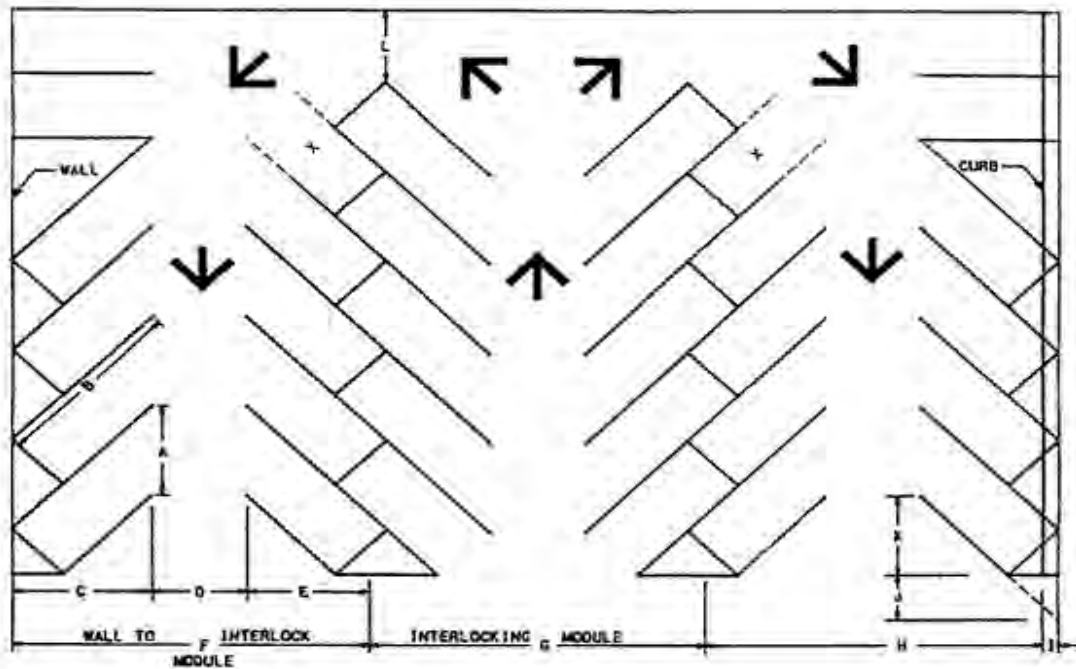
10
A0.2

TRASH ENCLOSURE PLAN

NOT TO SCALE

Section 73.900 Figures 73-1 and 73-2

Tualatin Development Code - Figure 73-1
 Parking Space Design Standards for 9-Foot Stalls



Dimension	On Diagram	45°	60°	75°	90°
Stall width parallel to aisle	A	12.7	10.4	9.3	9.0
Stall Length of line	B	25.0	22.0	20.0	18.5
Stall depth to wall	C	17.5	19.0	19.5	18.5
Aisle width between stall lines	D	12.0	16.0	21.0	24.0
Stall depth, interlock	E	15.3	17.5	18.8	18.5
Module, wall to interlock	F	44.8	52.5	61.3	63.0
Module, interlocking	G	42.6	51.0	61.0	63.0
Module, interlocking to curb face	H	42.8	50.2	58.8	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.3	2.7	0.5	0.0
Setback	K	11.0	8.3	5.0	0.0
Cross aisle, one-way	L	12.0	12.0	12.0	12.0
Cross aisle, two way	-	22.0	22.0	22.0	22.0

X = Stall not accessible in some cases.

Parking Dimensions for Subcompact Parking

	45°	60°	75°	90°
Stall Width	7.5	7.5	7.5	7.7
Aisle Width per Stall	10.5	8.7	7.8	7.5
Depth of Stalls at right angle to aisle	16.0	16.7	16.3	15.0
Aisle Width	11.0	14.0	17.4	20.0
Wall-to-Wall module	43.0	47.4	50.0	50.0

Note: These measurements are inadequate for average compact. Each stall depth should be increased about 1 foot (2 feet total for the module) to accommodate for the usual range of compact sizes.

RESOLUTION NO. 4632-07

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW WHOLESALE SALES AND WAREHOUSING OF BUILDING MATERIALS, A CONTRACTORS SHOP AND EQUIPMENT STORAGE, AND LIGHT METAL FABRICATION IN THE LIGHT MANUFACTURING (ML) PLANNING DISTRICT AT 18525-18575 SW 126TH PLACE (TAX MAP 2S1 21A, TAX LOT 4200) (CUP 06-02)

Whereas a public hearing was held before the City Council of the City Of Tualatin on February 12, 2007, upon the application of James Andrews, representing Columbia Roofing & Sheet Metal, for a Conditional Use Permit to allow wholesale sales and warehousing of building materials, a contractors shop and equipment storage, and light metal fabrication in the Light Manufacturing (ML) Planning District at 18525-18575 SW 126th Place, described as Tax Map 2S1 21A, Tax Lot 4200, Washington County, Oregon, and further described in the Staff Report dated February 12, 2007, and attached as "Exhibit C".

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

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

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 5-0] with Mayor Ogden and Councilor Boryska absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated February 12, 2007, marked "Exhibit C," attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of

the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit subject to the conditions set forth below is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

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

Section 1. Columbia Roofing & Sheet Metal is granted a Conditional Use Permit to allow wholesale sales and warehousing of building materials, a contractors shop and equipment storage, and light metal fabrication in the Light Manufacturing (ML) Planning District at 18525-18575 SW 126th Place, (Tax Map 2S1 21A, Tax Lot 4200).

Section 2. The Conditional Use referred to in Section 1 is approved subject to the conditions set forth below:

- a) To ensure compatibility with surrounding uses, outdoor storage shall be screened to adjoining properties and public streets with fencing and landscaping as approved in the Architectural Review process. Screening can be accomplished with an appropriately sized and designed wall or fence and with dense evergreen landscaping.
- b) Conditional use permit approval is required for hot "mopped" asphalt/tar roof installation contracting and equipment storage activities on the site.

INTRODUCED AND ADOPTED this ^{26th}~~12th~~ day of February, 2007.

CITY OF TUALATIN, Oregon

By _____

Mayor

ATTEST:

By _____

City Recorder

AFFIDAVIT OF MAILING

STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Stacy Fonseca, being first duly sworn, depose and say:

That on the 19th day of January, 2007, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, with postage fully prepared thereon.

Stacy Fonseca
Stacy Fonseca

SUBSCRIBED AND SWORN to before me this 19th day of Jan., 2007.

Julie A. Cohen
Notary Public for Oregon
My commission expires: 2-5-07



RE: CUP-06-02—COLUMBIA ROOFING AND SHEET METAL AT 12635-12685 SW LEVETON DRIVE (AT SW 126TH PLACE) (TAX MAP 2S121A, TAX LOT 4200 (LEVETON COMMONS LOT #10)

Exhibit "A"

LOU OGDEN
21040 SW 90TH AVENUE
TUALATIN OR 97062

DONNA MADDUX
21737 SW FULLER DRIVE
TUALATIN OR 97062

BOB BORYSKA
9535 SW CHERRY LANE
TUALATIN OR 97062

JAY HARRIS
5870 SW WICHITA STREET
TUALATIN OR 97062

MONIQUE BEIKMAN
22760 SW 87TH PLACE
TUALATIN OR 97062

ED TRAUX
19205 SW 55TH COURT
TUALATIN OR 97062

CHRIS BARHYTE
5702 SW CALUSA LOOP
TUALATIN OR 97062

PHIL HEALY
LAND DEV DIVISION DLUT
155 N FIRST STE 350
HILLSBORO OR 97124

SAM HUNAIDI, ASSISTANT MGR
ODOT DISTRICT 2A
6000 SW RAAB ROAD
PORTLAND OR 97221

DEVELOPMENT REVIEW PLAN
ODOT REGION 1
123 NW FLANDERS ST.
PORTLAND OR 97209-4037

MELISSA HARDY
ASSISTANT PLANNER

MARYANN ESCRIVA
TIGARD/TUALATIN SCHOOL DISTRICT
6960 SW SANDBURG STREET
TIGARD OR 97223-8039

BEN BALDWIN
TRI-MET
710 NE HOLLADAY STREET
PORTLAND OR 97232

COMCAST CABLE
MELODY MALONE
9605 SW NIMBUS AVE BLDG. 12
BEAVERTON OR 97008

MIKE MCKILLIP
CITY ENGINEER

WILL HARPER
ASSOCIATE PLANNER

CINDY HAHN
ASSISTANT PLANNER

JOHN STELZENMUELLER
BUILDING OFFICIAL

ELIZABETH STEPP
SENIOR PLANNER

DOUG RUX
COMMUNITY DEV DIRECTOR

ERIC UNDERWOOD
DEVELOPMENT COORDINATOR

CITY MANAGER

BRENDA BRADEN
CITY ATTORNEY

JIM EVERITT
TVF&R
7400 SW WASHO COURT #101
TUALATIN OR 97062

HEDGES CREEK NEIGHBORHOOD
ASSN
DAVE ZIMMERMAN
21685 SW HEDGES DRIVE
TUALATIN OR 97062

TUALATIN ASSN OF NEIGHBORS 1
GINNI SNODGRASS
9203 SW CREE
TUALATIN OR 97062

HAZELBROOK NEIGHBORHOOD
ASSN
ROBERT BOSAK
10605 SW HAZELBROOK ROAD
TUALATIN OR 97062

CUP - NOTICE OF HEARING
CUP-06-02

OUT OF JURISDICTION MAILING L
CREATED 6/26/06
BY TERI HEINO, WASH CO LUT
9000 SQ FT OFFICE WAREHOUSE,
2S121A004200

88JT
SHERWOOD SCHOOL DISTRICT
23295 S. SHERWOOD BLVD.
SHERWOOD, OR 97140

2S121A003400
A & R HOLDINGS LLC
7228 SW DURHAM RD #800
PORTLAND, OR 97229

2S121A002200
BARSTEAD, MALFRED I
c/o HOCK, LORELL TRUST THE ETA
LORELL HOCK TR
6363 SOUTH SCONCE RD
HUBBARD, OR 97032

CPOS
LINDA GRAY
OSU EXTENSION SERVICE
MS # 48,

2S121A002202
GRIMM, RODNEY D
c/o GRIMM BROTHERS LLC
18850 SW CIPOLE RD
TUALATIN, OR 97062

2S121A002100
GRIMM'S FUEL CO
18850 SW CIPOLE RD
TUALATIN, OR 97062

2S121A003700
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A003600
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A003800
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A003900
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A004200
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A004000
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A004100
HENRIKSEN PROPERTIES, LLC
PO BOX 230639
TIGARD, OR 97281

2S121A002201
L & T PROPERTIES LLC
18650 SW PACIFIC HWY
TUALATIN, OR 97062

2S121A003300
MARLOW FAMILY LLC
4731 AMHERST CT
LAKE OSWEGO, OR 97035 *17668 Woodhurst*

2S121A003200
REECE, LAWRENCE L TRUST
BY LAWRENCE L REECE TR
1720 BUCKTHORN CT
MINDEN, NV 89423

2S121A002300
SPEIGHT, LARRY G/MARGARET I TR
c/o VOSS, ANDREW J & ERICA B
8610 SW MARTINAZZI CT
TUALATIN, OR 97062

TUA
Tualatin
18880 SW MARTINAZZI
TUALATIN, OR 97062

2S121A004300
TUALATIN, CITY OF
18880 SW MARTINAZZI AVE
TUALATIN, OR 97062

TVFR
T-V FIRE & RESCUE
7401 SW WASHO CT., #101
TUALATIN, OR 97062

2S121A002600
DAVID HARMON
PO BOX 2060
TUALATIN OR 97062



City of Tualatin

18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
TDD 503.692.0574

NOTICE OF HEARING CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at **7:00 p.m., Monday, February 12, 2007**, at the Council Building, 18884 SW Martinazzi Avenue, to consider:

CUP-06-02: AN APPLICATION BY JAMES ANDREWS ON BEHALF OF COLUMBIA ROOFING & SHEET METAL, REQUESTING A CONDITIONAL USE PERMIT TO ALLOW
1. BUILDING MATERIALS AND SUPPLIES, WHOLESALE SALES AND WAREHOUSING;
2. CONTRACTORS SHOP AND EQUIPMENT STORAGE, AND;
3. LIGHT METAL FABRICATION USES IN THE LIGHT MANUFACTURING (ML) PLANNING DISTRICT AT 12635-12685 SW LEVETON DRIVE (AT SW 126TH PLACE) (TAX MAP 2S1 21A, TAX LOT 4200) (LEVETON COMMONS LOT #10)

In reviewing the conditional use the City Council must find that:

- (1) The use is listed as a conditional use in the underlying planning district;
- (2) The characteristics of the site are suitable for the proposed use;
- (3) The proposed use is timely;
- (4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the uses of surrounding properties for the primary uses listed in the underlying planning district;
- (5) The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

All citizens are invited to attend and be heard upon the application. Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA) based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings are commenced with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing.

Copies of the applications, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at the City Library and Planning Division at least seven days prior to the hearing, and will be provided at reasonable cost. For information contact William Harper, Associate Planner, at (503) 691-3027. This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos
City Recorder

AFFIDAVIT OF POSTING

STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Stacy Fonseca, being first duly sworn, depose and say:

That at the request of Sherilyn Lombos, City Recorder for the City of Tualatin, Oregon; that I posted two copies of the Notice of Hearing on the 19th day of January, 2007, a copy of which Notice is attached hereto; and that I posted said copies in two public and conspicuous places within the City, to wit:

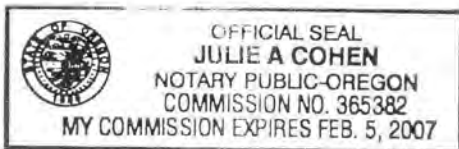
1. U.S. Post Office - Tualatin Branch
2. City of Tualatin City Center Building

Dated this 19th day of January, 2007.

Stacy Fonseca
Stacy Fonseca

Subscribed and sworn to before me this 19th day of January, 2007.

Julie A Cohen
Notary Public for Oregon
My Commission expires: 2-5-07



RE: CUP-06-02—COLUMBIA ROOFING AND SHEET METAL AT 12635-12685 SW LEVETON DRIVE (AT SW 126TH PLACE) (TAX MAP 2S121A, TAX LOT 4200 (LEVETON COMMONS LOT #10))



City of Tualatin

18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
TDD 503.692.0574

NOTICE OF HEARING CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at **7:00 p.m., Monday, February 12, 2007**, at the Council Building, 18884 SW Martinazzi Avenue, to consider:

CUP-06-02: AN APPLICATION BY JAMES ANDREWS ON BEHALF OF COLUMBIA ROOFING & SHEET METAL, REQUESTING A CONDITIONAL USE PERMIT TO ALLOW
1. BUILDING MATERIALS AND SUPPLIES, WHOLESALE SALES AND WAREHOUSING;
2. CONTRACTORS SHOP AND EQUIPMENT STORAGE, AND;
3. LIGHT METAL FABRICATION USES IN THE LIGHT MANUFACTURING (ML) PLANNING DISTRICT AT 12635-12685 SW LEVETON DRIVE (AT SW 126TH PLACE) (TAX MAP 2S1 21A, TAX LOT 4200) (LEVETON COMMONS LOT #10)

In reviewing the conditional use the City Council must find that:

- (1) The use is listed as a conditional use in the underlying planning district;
- (2) The characteristics of the site are suitable for the proposed use;
- (3) The proposed use is timely;
- (4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the uses of surrounding properties for the primary uses listed in the underlying planning district;
- (5) The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

All citizens are invited to attend and be heard upon the application. Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA) based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings are commenced with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing.

Copies of the applications, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at the City Library and Planning Division at least seven days prior to the hearing, and will be provided at reasonable cost. For information contact William Harper, Associate Planner, at (503) 691-3027. This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos
City Recorder

BACKGROUND

James Andrews of Nicoli Engineering, on behalf of Columbia Roofing & Sheet Metal submitted an application for a conditional use permit to allow wholesale sales and warehousing of building materials, a contractors shop and equipment storage and light metal fabrication uses in a Light Manufacturing (ML) Planning District. The site is the 2.0 acre Lot #10 of the Leveton Commons industrial subdivision property located at 18525-18575 SW SW 126th Place (Attachments 2, 3). The site has access to SW 126th Place on the east and adjoins SW Leveton Drive on the south.

Columbia Roofing & Sheet Metal is a roofing contractor and a supplier and fabricator of roofing materials. The firm's operations include "...office space activities, receipt of roofing products for offsite construction projects, storage/warehousing of products prior to job site delivery, and light gauge metal fabrication for associated roofing components" (Attachment 2, pg. 2). There will be on-site storage of six (6) trucks and equipment when the vehicles are not on job sites. Roofing materials will be stored primarily inside the warehouse. The firm seeks to develop the property for a roofing construction contracting operation, a wholesale roofing material supply business and fabrication of light metal roofing components. The site plan submitted with the application shows a proposed 16,000 square foot (s.f.) building on the northern portion of the site, with parking and landscaping on the SW 126th Place frontage and a loading and outdoor storage yard on the west elevation of the building (Attachment 2, Site Plan).

The Tualatin Development Code (TDC) allows "Building materials and supplies, wholesale sales, and warehousing", "Contractor's shops and equipment storage", and "Light metal fabrication" as conditional uses in the ML District, as stated in TDC 60.040(1)(b, d & j). The subject property adjoins or is across the public street from undeveloped or developing industrial properties in the ML and MG (General Manufacturing) Planning Districts. The issues to be considered are:

- Determination that the building materials and supplies, wholesale sales and warehousing, contractor's shops and equipment storage and light metal fabrication uses are appropriate for the site in the ML Planning District. Granting the request for a conditional use permit would allow the applicant to conduct the roofing contractor, wholesale building materials and roofing component fabrication operation on this property.
- Determine that the criteria for approval of a conditional use permit are met with the application, and any necessary conditions of approval. Based on the applicant's description of the operation and with the proposed site improvements, a condition of approval requiring screening of outdoor storage is recommended.

DECISION TO BE MADE

This is a quasi-judicial land use decision. Based on the approval criteria for granting a conditional use in TDC 32.030, the Council must decide to approve, approve with conditions, or deny the request for a Conditional Use Permit for the building materials and supplies, wholesale sales and warehousing use, the contractor's shop and equipment storage use and the light metal fabrication use.

**CUP-06-02 COUNCIL STAFF REPORT
EXECUTIVE SUMMARY (cont'd)**

OPTIONS

The options for Council are:

- Grant the conditional use permit as proposed by the applicant.
- Grant the conditional use permit with the condition recommended by staff, modify the recommended condition, or delete the recommended decision.
- Deny the request for the conditional use permit.
- Continue the public hearing and return to the matter at a later date.

PROS

The pros to granting the conditional use permit are:

- Allows the applicant to operate the roof contracting and wholesale supply business and roof component fabrication activity on the subject property. The subject property is located in an industrial area and the applicant will construct an industrial building with parking, landscaping and outdoor storage improvements subject to Architectural Review.
- The proposed Columbia Roofing & Sheet Metal business with the recommended condition and with Architectural Review approval for the site improvements can be made compatible with the industrial developments in the area.

CONS

The cons to granting the conditional use permit are:

- A contracting and wholesale building materials and supplies business will have outdoor storage of materials and equipment on a property that is visible to adjoining public streets. To mitigate the appearance of outdoor storage, a recommended condition of approval requires outdoor storage on the subject property to be screened from view of the public streets and neighboring properties.

RECOMMENDATION

Staff recommends the City Council adopt the staff report and direct staff to prepare a resolution granting CUP-06-02 with the condition: 1. To ensure compatibility with surrounding uses, outdoor storage shall be screened to adjoining properties and public streets with fencing and landscaping as approved in the Architectural Review process. Screening can be accomplished with an appropriately sized and designed wall or fence and with dense evergreen landscaping.

A-1/4



City of Tualatin

18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
TDD 503.692.0574

February 12, 2007

City Council
City of Tualatin

Members of the Council:

PUBLIC HEARING ON A CONDITIONAL USE PERMIT FOR COLUMBIA ROOFING & SHEET METAL AT 18525-18575 SW 126TH PLACE (CUP-06-02)

RECOMMENDATION

Staff recommends the City Council adopt the staff report and direct staff to prepare a resolution granting CUP-06-02 with the condition:

1. To ensure compatibility with surrounding uses, outdoor storage shall be screened to adjoining properties and public streets with fencing and landscaping as approved in the Architectural Review process. Screening can be accomplished with an appropriately sized and designed wall or fence and with dense evergreen landscaping.

REQUEST

On November 7, 2006, the City of Tualatin received an application from James Andrews representing Columbia Roofing & Sheet Metal for a conditional use permit to allow wholesale sales and warehousing of building materials, a contractors shop and equipment storage and light metal fabrication in a Light Manufacturing (ML) Planning District. The site is the two acre Lot #10 of the Leveton Commons industrial subdivision property located at 18525-18575 SW SW 126th Place (Tax Map 2S121A, Tax Lot 4200)(Attachment 2). The site adjoins SW Leveton Drive on the south.

PUBLIC INTEREST

It is in the public interest to allow certain land use activities as conditional uses subject to consideration of the appropriateness of the proposed use at a particular location, the necessary facilities and services to support the use and the impact of the use on the public and neighboring properties. As stated in the Tualatin Development Code (TDC) 32.010 Purpose and Intent, certain uses of land or structures such as the uses proposed in this application, "...which because of their unique characteristics relative to locational features, design, size, operation, circulation and public interest or service, require special consideration in relation to the welfare of adjacent properties and the community as a whole. The conditional use process provides a means to evaluate these issues and ensure protection of the health, safety, convenience and general welfare of the community and adjacent properties.

APPLICANT'S MATERIALS

The applicant's reasons and supporting materials are made a part of this staff report (Attachment 3).

BACKGROUND

Columbia Roofing & Sheet Metal is a roofing contractor and a supplier and fabricator of roofing materials. The firm's operations include "...office space activities, receipt of roofing products for offsite construction projects, storage/warehousing of products prior to job site delivery, and light gauge metal fabrication for associated roofing components" (Attachment 3, pg. 2). The 2 acre property is in the ML Planning District and adjoins currently undeveloped or under construction industrial properties on the north and west. On the east, the site is across SW 126th Place from Lot #7 of the Leveton Commons industrial subdivision (proposed site of LPKF facility) and on the south is across SW Leveton Drive from the currently undeveloped Lot #9. The property is in the Leveton Tax Increment District (LTID). The site plan submitted with the application shows a proposed 16,000 square foot (s.f.) building on the northern portion of the property with parking and landscaping on the SW 126th Place frontage and a loading and outdoor storage yard on the developed portion of the property west of the building (Attachment 3, Site Plan). No improvements are shown on the southern portion of Lot #10.

ANALYSIS AND FINDINGS

TDC section 32.030 states the applicant must provide "evidence substantiating all requirements of the Code relative to the proposed use are satisfied, and further provided that the applicant demonstrates that the proposed use also satisfies the following criteria" [TDC 32.030 (1-5)].

1. The use is listed as a conditional use in the underlying planning district.

"Building materials and supplies, wholesale sales, and warehousing" is allowed as a conditional use in the ML District, as stated in TDC 60.040(1)(b). "Contractor's shops and equipment storage" is allowed as a conditional use in the ML District, as stated in TDC 60.040(1)(d). "Light metal fabrication (of semi-finished or finished metals)" is allowed as a conditional use in the ML District, as stated in TDC 60.040(1)(j). The proposed Columbia Roofing & Sheet Metal operation, including the building contractor shop and equipment storage facility, the outdoor storage and wholesale sales of roofing materials and supplies and the fabrication of light metal roofing components, are the conditional uses listed above and the proposed site is in the ML Planning District.

Criterion 1 is met.

2. The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features.

- Size:** The Columbia Roofing & Sheet Metal site is the 2.0 acre Leveton Commons industrial subdivision Lot #10. The site is currently vacant and development is shown on the northern portion. The plans show a proposed 16,000 square foot building with parking and landscaping on the east elevation and a paved loading and outdoor storage yard on the west side of the building. The applicant states that the subject property's size is larger than the development/improvements proposed for the use.
- Shape:** The shape of the subject property is rectangular and is suitable for the proposed use. Access to the proposed building will be from SW 126th Place on the east. No access is proposed from SW Leveton Drive.
- Location:** The site is adjacent to SW 126th Place and SW Leveton Drive in the ML Planning District. On the north and west, the subject site adjoins other industrial properties including the All Star Storage (self storage)(under construction) facility on the north the vacant Construction Equipment Company to the west.
- Topography:** The site was terraced to a relatively flat condition during the grading, fill and excavation of the Leveton Commons subdivision.
- Improvements:** Currently there are no improvements on the site. A 16,000 s.f. industrial building with parking, loading, outdoor storage and landscaping improvements are proposed subject to Architectural Review approval. Except for landscaping in the ROW adjoining the site, SW 126th Place and SW Leveton Drive are completed.
- Natural Features:** There are no natural features on the site

The applicant states "...the site characteristics are suitable for the proposed use" (Attachment 3, pp 4-5). The proposed building, on-site parking, loading and outdoor storage area improvements will be reviewed in the AR process. Given the features and proposed improvements of the subject property listed above, the characteristics of the site are suitable for the proposed uses.

Criterion 2 is met.

A-1/7

3. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

Public sewer and water are provided to the property and are adequate to serve the site and proposed use.

Access for the portion of the site proposed for development will be via two ingress/egress access driveways to SW 126th Place on the east. The existing transportation improvements on SW 126th Place and SW Leveton Drive are adequate to support the proposed use. The SW 126th Place improvements associated with the Leveton Commons Subdivision are nearing completion. The traffic study for the Leveton Commons Subdivision (SB-00-07) established that the peak traffic impacts of development in the subdivision (including Lot #10 and considering the range of uses allowed in the ML District) will be accommodated by the existing and proposed street and intersection improvements. The applicant indicates that the operation will have six construction crew trucks and a small warehouse and office staff. The site plan indicates 20 parking spaces on site and an outdoor storage area for the crew trucks, materials and equipment. Warehousing and light metal fabrication activities will occur inside the proposed building. There will be delivery and supply truck traffic associated with the building materials stored and wholesaled on the site. The site and the public streets serving the site can handle the employee and truck traffic proposed for contracting and wholesale building materials operations on the site. Because the proposed conditional use is for a contractor with building materials wholesale use and not for retail use and for a light metal fabrication operation, traffic generation from the conditional uses will not limit, impair or preclude surrounding properties from primary uses allowed in this Planning District.

Based on staff review and analysis of the application, the existing public facilities for the site are adequate for the proposed uses and the development is timely.

Criterion 3 is met.

4. The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying planning district.

The subject territory is in the ML Planning District. Surrounding land uses are:

- N: ML All Star Self-Storage (under construction)
- E: ML LPKF Laser & Engineering site Lot #7 (currently vacant, building & site improvements being reviewed in AR-06-26) (Across SW 126th Place)
- S: ML Vacant Lot #9 (Across SW Leveton Drive)
- W: MG Construction Equipment Company - Undeveloped Lot

There are no residential areas adjoining the subject property. The area on both sides of SW 124th Avenue south of SW Tualatin Road and the south side of Pacific Highway 99W west of SW 124th Avenue are characterized by industrial development in the ML, MG and MP Planning Districts. The recently constructed Shutters NW and NW Roller facilities on Lots #2 and #3 of the Leveton Commons industrial subdivision east of SW 126th Place are light industrial buildings with manufacturing uses respectively. CUP-06-01 and AR-06-20 approved the American Classic Deck & Fence facility on Lot #4 of the Leveton Commons subdivision. North of the site is the site of the All Star Self-Storage facility that is under construction. West of the site are undeveloped properties in the MG Planning District.

This conditional use application will allow construction of the proposed Columbia Roofing & Sheet Metal facility subject to Architectural Review approval. The proposed building materials & supplies, wholesale and warehousing use, the contractor's shops & equipment storage activities, and the light metal fabrication activities are similar to these neighboring industrial uses.

Staff is concerned with the need to screen outdoor storage of roofing and building materials and contractor's equipment. Storage of materials and equipment in outdoor areas would be unsightly to the developments on adjoining properties and to the site's adjoining frontage with SW 126th Place and SW Leveton Drive. TDC 73.160(4)(b) requires outdoor storage in industrial development "...shall be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping."

The submitted site plan shows the "vehicle parking and storage yard" and a large dumpster facility and ramp on the west portion of the site. The site plans shows a "chain link fence with sight-obscuring slats" on the south, west and north perimeters of the paved storage and loading area on the western portion of the development site. The height of the fence and height of the outdoor storage is not indicated. It is not clear that the vehicles, equipment and materials proposed for outdoor storage will be adequately screened by a slatted fence to the adjoining properties to the south, west and north and to the public ROW to the east and south. To ensure compatibility with surrounding uses, outdoor storage shall be screened to adjoining properties and public streets with fencing and landscaping as approved in the Architectural Review process. Screening can be accomplished with an appropriately sized and designed wall or fence and with dense evergreen landscaping.

Based on the applicant's submitted information and review by staff, with the proposed site improvements, and the condition of approval requiring screening the proposed outdoor storage area from adjoining properties and public streets, it is concluded that the proposed use will not alter the character of the surrounding area in any manner which substantially limits, impairs or precludes the surrounding properties for the primary uses listed in the underlying Planning Districts.

Criterion 4 is met.

5. The proposal is consistent with plan policies.

The proposal satisfies those objectives and policies of the Tualatin Development Code (TDC) that are applicable to the proposed use.

TDC 7.030 states objectives that should be used to guide development of the Community Plan for industrial activities. The objective in TDC 7.030(1) states, "Encourage new industrial development." This proposal is for building materials wholesale and storage, a contractor's shop and equipment storage facility, and a light metal fabrication activity, which is an industrial use. This use promotes the objective stated above.

7.040 Manufacturing District Objectives (2) Light Manufacturing Planning District: "(a) Suitable for warehousing and light manufacturing processes that are not hazardous and that do not create undue amounts of noise, dust, odor, vibration, or smoke. Rail access and screened outdoor storage allowed in these areas will conform to defined architectural, landscape and environmental design standards." The proposed use is a contractor's shop and storage yard and the operation includes receiving and storage of roofing materials. Light metal fabrication of roofing elements is also proposed. The operation does not use hazardous materials and is not a hazardous process. Minimal noise and no dust, odor, vibration or smoke emissions are expected. As a regulatory tool to implement this objective, the City has adopted environmental regulations. The proposed use is required to comply with these environmental regulations located in TDC 63.051 – 63.057 and would be applied through the Architectural Review process. The submitted plans indicate the outdoor storage areas will be on the west side of the building and a condition of approval requires that the outdoor storage will be screened from neighboring properties and public streets as approved in the AR process.

The proposal is consistent with plan policies.

Criterion 5 is met.

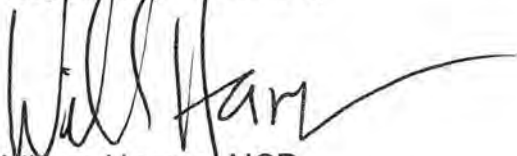
Based on the application and the above findings and analysis, the Columbia Roofing & Sheet Metal conditional use permit application for a building materials and warehousing operation, a contractor's shop and equipment storage facility, and a light metal fabrication use meets the criteria of TDC 32.030.

PUBLIC COMMENT

A neighborhood meeting was held for this application on August 10, 2006, at 6:30 p.m. in the Tualatin Heritage Center. Two (2) neighboring business and property owners attended. Mr. Pete Ketchum (owner's consultant from Nicoli Engineering) presented information about the proposed project, then received questions and noted concerns from the persons present. Questions focused on the owner's development plans for the property and concerns about the existing stormwater conditions and planned improvements.

At the time this staff report was prepared, there have been no comments on this application submitted into the record.

Respectfully submitted,

A handwritten signature in black ink that reads "William Harper". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

William Harper, AICP
Associate Planner

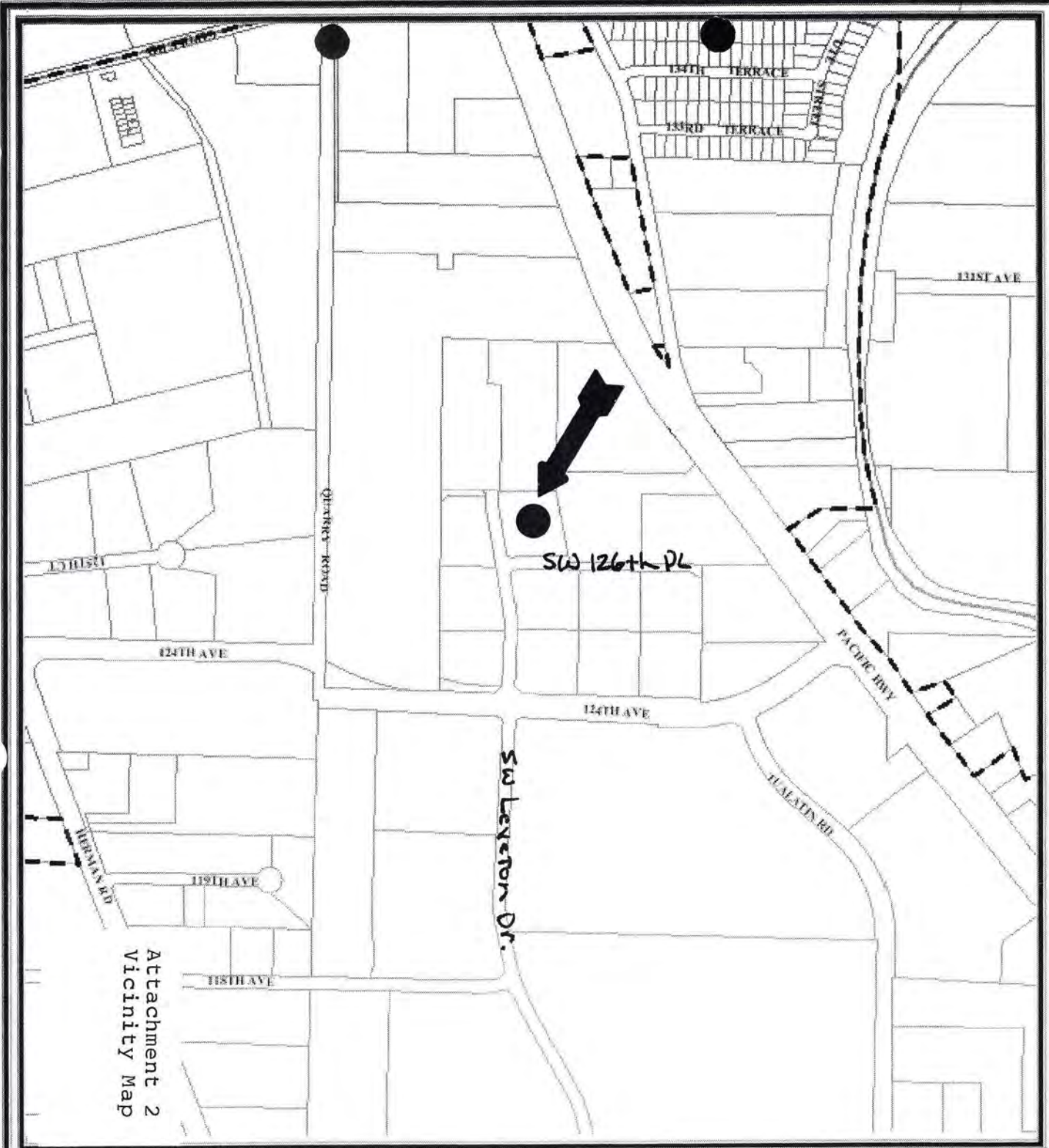
Attachments:

2. Vicinity Map
3. Applicant's Site Plan and Supporting Documentation

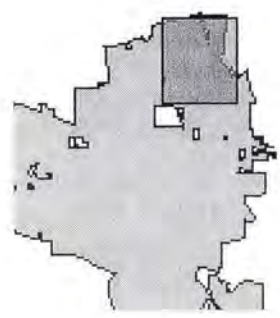
c: James Andrews, Nicoli Engineering

file: CUP-06-02

A-1/



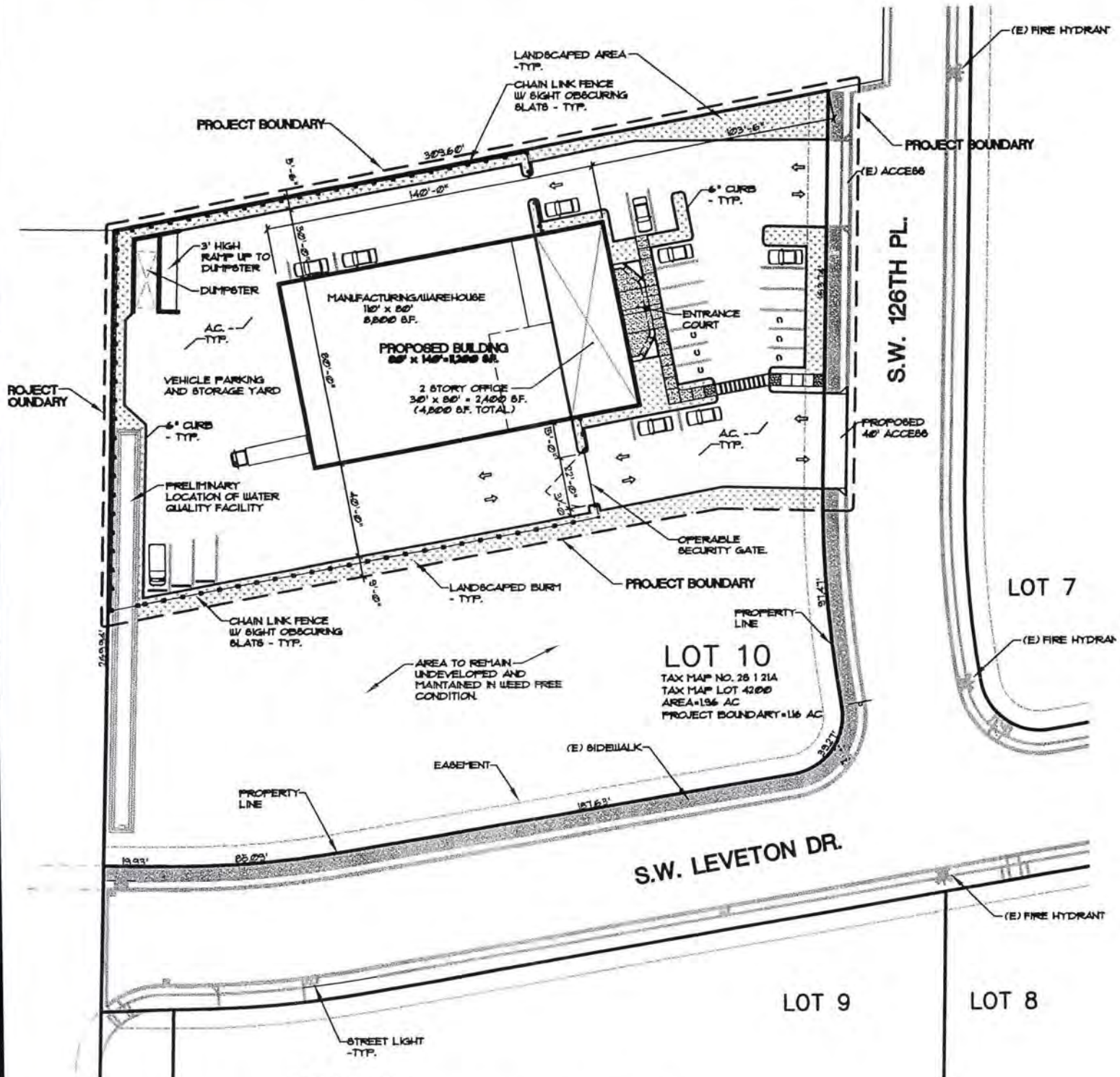
Attachment 2
Vicinity Map



Legend
Vicinity Map

Scale 1:8,490
1 in = 708 ft

A-1/12



SITE PLAN



A-1/13

Conditional Use Application
Columbia Roofing & Sheet Metal
Leveton Commons - Lot 10

October 2, 2006
Page 1 of 7

October 6, 2006

NEI# 05-0824

City of Tualatin
Community Development Department – Planning Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Re: Columbia Roofing & Sheet Metal
Conditional Use Proposal Application
Leveton Commons- Lot 10, Tualatin, OR

Attn: William Harper, AICP
Associate Planner

Dear Mr. Harper:

The following narrative and attachments addresses the application requirements for a Conditional Use Approval for Columbia Roofing & Sheet Metal, located at Lot 10, Leveton Commons industrial subdivision. The information provided below describes the operation of the company and the criteria for review of Conditional Use, as outlined in 32.030 of the Tualatin Development Code.

Inherent operation requirements of Columbia Roofing & Sheet Metal require approval of a conditional use in the ML District, as allowed under Tualatin Development Code, Sections 60.040(1)(b), 60.040(1)(d) and 60.040(1)(j).

If you have any comments, or require additional information, please do not hesitate to notify this office.

Sincerely,

Jim Andrews

JDA: dhl

DESCRIPTION OF PROPOSAL:

The following narrative addresses the approval criteria for a conditional use, as noted in Section 32.030 of the Tualatin Development Code. The specific permitted uses being addressed are as follows:

- 60.040(1)(b) Building Material and Supplies, Wholesale Sales, and Warehousing
- 60.040(1)(d) Contractor's Shop and Equipment Storage
- 60.040(1)(j) Light Metal Fabrication

Business Description:

Columbia Roofing & Sheet Metal is a local roofing contracting company who's business was once located in Tigard but is currently in Wilsonville, Oregon.

Columbia Roofing & Sheet Metal is a contractor for the installation of roof systems for new and existing construction projects. The firm's operations include: office space activities, receipt of roofing products for offsite construction projects, storage/warehousing of products prior to job site delivery, and light gauge metal fabrication for associated roofing components.

There are currently ten employees including eight office personnel, approximately two warehouse workers and varying numbers of field personnel. The number of field personnel varies depending on the work in progress. The field employees typically arrive at the job site and not the proposed facility.

Materials used in the business consist of the typical products associated with a roofing business such as: composition roofing, single membrane systems and miscellaneous items required for their Green Roof System. Columbia Roofing does not install "Hot Mopped/Tar" roofing systems.

Typically, the materials are delivered offsite to the project location. When this option is not available or practical, the product is temporarily stored in the warehouse. On the rare occasion, when this is not feasible, the product will be temporarily stored outside. Thus the Conditional Use request for "Building Materials and Supplies, Wholesale Sales and Warehousing," (60.040 (1)b) as allowed by a conditional use.

As noted above, Columbia Roofing & Sheet Metal is a roofing contractor and has specific equipment (i.e. field trucks, lifts, etc.) which, when not onsite will be located in the storage yard and are necessary for their specific industry. Therefore, the applicant is requesting approval of this type of business activity as

A-1/15

allowed as a conditional use, "Contractor's Shop and Equipment Storage" (60.040 (1)d)

The sheet metal aspect of the business is an associated component of the roofing business industry. The proposed facility will have a sheet metal fabrication shop inside the facility for the production of associated light gauge metal products for roofing projects. The products being fabricated are pre-finish light gauge steel, which are bent/shaped for roof flashings, vents, copings, etc. Although a minor part of their business, it is an integral component. As such, this application request approval for "Light Gauge Metal Fabrication" (60.040 (1j)) as listed as an accepted use in this ML Zone as a conditional use.

A-1/16

CONDITIONAL USE CRITERIA:

The following narrative addresses the conditional use criteria with respect to the business operation of Columbia Roofing & Sheet Metal.

1. *The proposed use is listed as a conditional use in the underlying Planning District.*

COMMENTS: Yes. The site is zoned ML (Light Manufacturing). Tualatin Development Code, Chapter 60, Section 60.040 Conditional Uses, specifically allows the following uses proposed to be located in this zone:

Tualatin Development Code 06.040, 1

(b) Building materials and supplies, wholesale sales and warehouse.

Tualatin Development Code 06.040, 1

(d) Contractor's shop and equipment storage.

Tualatin Development Code 06.040, 1

(j) Light metal fabrication

SUMMARY: The proposed uses are listed as conditional uses – Criteria met.

2. *Are the characteristics of the site suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features.*

COMMENTS: Yes, as outlines below the site is suitable for the proposed development and meets the above criteria.

Size: The Columbia Roofing & Sheet Metal site is 1.96 acres, and located in the Leveton Commons Industrial Subdivision, Lot 10. The site is larger than the proposed development/improvements being proposed at this time.

Shape: The site is roughly rectangular. The northern property line is angled to the NE corner. The Southern and Eastern property lines abut Leveton Drive and 126th Avenue, respectively. Access is from 126th Avenue.

Location: The site is located adjacent to major transportation systems (I-5 and 99W), which provide access to projects and for product delivery to and from the greater metropolitan area. The site is adjacent to sites of similar size and type of uses.

Topography: The proposed subject project parcel/lot was filled as part of the Leveton Commons Subdivision improvements. The site is relatively flat. No major fill or excavations will be required for the proposed development.

Improvements: There are currently no improvements on the site. The proposed structure, parking, and landscaping areas, and water quality facility as approved or dictated through the Architectural Review Process would be the only improvements associated with this development.

The southern and eastern portions of the site have curbs and sidewalks in place, which were constructed as part of the subdivision requirements.

Public facilities (water, sanitary sewer, storm drainage) have been stubbed to the subject site. No additional public improvements are anticipated at this time. Existing improvements are adequate for the proposed development.

Natural Features: There are no natural features present on the site.

SUMMARY: Site characteristics are suitable for the proposed use – Criteria met.

- The proposed development timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.*

COMMENTS: Yes. The proposed development will utilize the existing public infrastructure. These systems are designated to accommodate industrial development. No adverse effect on the existing services will be created by the proposed development.

Transportation Systems: The proposed development will utilize 126th Place and Leveton Drive (established by the Leveton Commons Subdivision) as access to and from the site. All transportation systems are existing.

The traffic study for the Leveton Commons Subdivision (SB-00-07) established that the peak traffic impacts of development in the subdivision (including Lot 10) will be accommodated by the existing street and intersection improvements.

Columbia Roofing & Sheet Metal has approximately eight office staff employees, two warehouse employees and approximately six crew trucks. The number of vehicles associated with the proposed use is consistent with the traffic impact with other uses in the ML Zone.

Public Facilities and Services; As noted above, public facilities and services have been provided as part of the Leveton Commons subdivision improvements.

A-1/18

These services have been stubbed to the site and will service the proposed development. No additional systems are required. Usage by the proposed facilities is typical for a building / facility in the ML Zone. No unique requirements will be placed on the public facilities or services by the proposed development.

SUMMARY: The proposed development is timely and systems are adequate – Criteria met.

4. *The proposed use alter the character of the surrounding area in any manner which substantial limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying Planning District.*

COMMENTS: No, Leveton Commons Subdivision is designed to accommodate smaller industrial businesses similar to Columbia Roofing & Sheet Metal. The portions of the company's operation, as noted below requiring conditional use approval will have little impact, if any, on the surrounding areas and will not preclude the use of the surrounding properties.

Currently, the sites / lots immediately adjacent to the site (Lots 7, 8, and 9 of the Leveton Commons Subdivision) are vacant. The site to the north is vacant and it is our understanding that a self-storage facility is being proposed. The area further to the south (beyond Lots 8 and 9) appears to be a natural drainage area and it is unlikely that this area will be developed. Shutters Northwest Inc. has recently constructed a facility in the subdivision (Lot 2) to the northeast; American Classic Decks & Fences is constructing a new facility in the subdivision (Lot 5) for the wholesale of building materials and supplies, contractor's shop and equipment storage, as approved as a conditional use (CUP-06-01).

It is believed that Construction Equipment Company (C.E.C.), a manufacturer of large rock crushers, and rock sorting equipment may be anticipating developing the adjacent site to the east (Tax Lot 2201) in the future.

The light metal fabrication and storage of material will be located inside of the proposed facility. The fabrication activity consists of the bending / shaping of light gauge pre-finished metals for roof coping and flashings for their roofing business. This operation requires small pieces of equipment, not the type of large fabrication equipment as required for structural steel fabrication. No noise or vibration will result from the proposed fabrication process and the process will not have an impact on the surrounding properties.

The other major aspect of the project, which requires a conditional use, is the contractor's shop and equipment storage. As noted on the enclosed site plan; the site is buried, fenced and planted with evergreen vegetation trees along the

A-1/19

southern edge of the proposed development, screening the storage area from the most visible area from Leveton Drive. The building will screen the outside storage area from 126th Place. The screening being proposed is required to be reviewed and modified, if so required, and approved by the Architectural Review process.

SUMMARY: The size, character and type of activities of the proposed development are consistent with other small industrial businesses in the area. The impacts of the requested activities of this application will not create any unusual impacts the neighboring / surrounding area.

- 5. *The proposal satisfies those objectives and policies of the Tualatin Community Plan, which apply to the proposed use.*

Yes. The Tualatin Development Code designates the site as Light Manufacturing (ML). The objective of the code and zone designation is to provide the business community the opportunity to locate in Tualatin within an area of similar activities. The approved Light Manufacturing (ML) uses demonstrate the diverse activities allowed in this zone. The Tualatin Development Code provides a vehicle (Conditional Use) to address/allow uses/activities, which may not adhere precisely into the allowed uses, and provides some latitude for modifications to the ML activities via the Conditional Use process. It is under this policy that this application for conditional use is being submitted.

SUMMARY: The requested conditional uses (Building Materials and Supplies, Wholesale Sales and Warehouse, Contractor's Shop and Equipment Storage, and Light Metal Fabrication) are all allowed uses per the Tualatin Development Code. – Therefore this criteria is met.

Accompanying Materials:

- Application Form and Filing Fee
- Neighborhood Meeting Documents
- Site Plan
- Washington County Assessor's Map
- Notification List
- Legal Description from Property Deed