



CITY OF TUALATIN

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February 7, 1996

ARCHITECTURAL REVIEW FINDINGS AND RECOMMENDED DECISION

**** APPROVAL WITH CONDITIONS ****

Case #: AR-95-53
Project: Oregon Auto Center
Location: 17795 & 17835 Pacific Highway (2S1 15C, 2192 & 2190)
Applicant: Steve Stolze

INTRODUCTION

Oregon Auto Center is proposing to remodel and expand an existing auto repair building into a general office (Lot 1) and provide aesthetic improvements to a separate site which contains a nonconforming automotive sales operation (Lot 2) at 17795 & 17835 SW Pacific Highway. The general office will be located on a separate site from the nonconforming auto sales operation. The general office building will be 2206 square feet in size on a site which is approximately 1.1 acres. The aesthetic improvements to the auto sales site is on a lot which is approximately .5 acres (Attachment 1).

ARCHITECTURAL REVIEW DECISION

FINDINGS

Section 73.050(1)(a-c) of the Tualatin Development Code (TDC) requires that a) the proposed site development, including the site plan, architecture, landscaping and graphic design, conforms to the standards of this and other applicable City ordinances, insofar as the location, height, appearance, etc. of the proposed development are involved; b) The proposed design of the development is compatible with the design of other developments in the same general vicinity; and c) The location, design, size, color and material of the exterior of all structures are compatible with the proposed development and appropriate to the design character of other development in the same vicinity .

Reviewing this application in terms of the TDC and other ordinances, the following findings are relevant. All references are to sections in the TDC unless otherwise noted.

ARRANGEMENTS CAN BE MADE TO PROVIDE THESE MATERIALS IN ALTERNATIVE FORMATS, SUCH AS LARGE TYPE OR AUDIO CASSETTE TAPE. PLEASE CONTACT THE PLANNING DEPARTMENT AND ALLOW AS MUCH LEAD TIME AS POSSIBLE.

1. Previous Land Use Actions: ANN-93-03 annexed the two lots into the City on July 18, 1993. PLA-94-11 requested a property line adjustment which was not finalized before the decision expired. INT-95-03 determined installation of security lighting at the nonconforming auto sales site was acceptable.
2. Planning Districts and Adjacent Land Uses: Tax Lot 2192, Tax Map 2S1 15C, (Lot 1) is located in the General Commercial (CG) Planning District where offices (business or professional) are permitted [54.020(1)]. Tax Lot 2190, Tax Map 2S1 15C, (Lot 2), is located in the General Commercial (CG) Planning District where automotive sales are not permitted. The existing auto sales use of this site and associated outdoor storage is classified as nonconforming (Chapter 35, TDC). Adjacent Planning Districts and land uses are:

N: FD-10, Undeveloped land in Washington County
W: FD-10, Mobile home park in Washington County
S: FD-10, Mobile home park in Washington County
E: CO, Undeveloped (across Pacific Highway)
3. Lot Size and Building Coverage: The subject property (Lot 1) for the general office (Tax Lot 2192) is approximately 47,916 square feet (approximately 1.1 acres) in size according to the Washington County Tax Assessor map. The subject property (Lot 2) for the nonconforming auto sales (Tax Lot 2190) is approximately 21,730 square feet (approximately .5 acres) in size according to the Washington County Tax Assessor map. The combined site size indicated on the Site Plan is 69,533 square feet. The Site Plan identified site size is approximately 110 square feet smaller than the Washington County information. The submitted Site Plan does not identify the two separate tax lots, instead indicating one large parcel with property perimeter dimensions based on the combined parcels. Because of the missing property boundary information staff cannot determine if the submitted proposal meets the requirements for lot size of 25,000 square feet [54.040(1)], minimum average lot width requirement of 75' [54.040(2)], or minimum lot width at the street requirement of 40' [54.040(3)]. According to Washington County information Lot 2 is nonconforming for lot size. This is also complicated by the unknown status of PLA-94-11. According to the Engineering Division it has not been confirmed that the lot line adjustment was finalized. A revised Site Plan shall be submitted which indicates the perimeter property boundaries and dimensions of the two subject lots (Lot 1 & 2), lot size, minimum average lot width and street frontage.

The stated development area size is 65,033 square feet for the combined two lots. Staff calculates the developed area for the two parcels as approximately 44,161 square feet. Because of this large discrepancy in the numbers and the fact the developed area establishes the required amount of landscaping, staff cannot determine if TDC requirements are being met. At the mid-AR meeting with the applicant it was clarified that a development area boundary was intended to be smaller than the overall combined site size. The development area boundary for Lot 1 shall be identified along with the square footage within the boundary. The development area boundary for Lot 2 shall be identified along with the square footage within the boundary.
4. Setbacks: The minimum front yard setback in the CG Planning District is 5 to 20' [54.060(1)]. The side yard setbacks are 0 to 15' and rear yard 0 to 15' as established through the Architectural Review process [54.060(2) & (3)]. The minimum setbacks for the proposed office building on Lot 1 are as follows:

	<u>Proposed</u>	<u>Required</u>	<u>Meets Requirement Of</u>
<u>North Rear Yard:</u>	12'	0-15'	54.060(3)
<u>West Side Yard:</u>	311'	0-15'	54.060(2)
<u>East Front Yard:</u>	42'	5-20'	54.060(1)
<u>South Side Yard:</u>	unknown	0-15'	54.060(2)

Because the interior property line which separates the two parcels has not been identified on the Site Plan staff cannot determine if the setback requirement has been met for the building expansion. In order to determine if setback requirements are met the south side yard for Tax Lot 1292, Tax Map 2S1 15C, shall be identified.

54.060(5) requires off-street parking and vehicular circulation areas to be set back a minimum of 5' from any public right-of-way or property line, except as approved through the Architectural Review process. This application proposes a joint access and shared vehicular maneuvering area between the two lots. No setback will be required from the common property line which separates the two subject tax lots. Parking and vehicular circulation areas meet or exceed the 5' requirement.

54.060(6)) requires fences adjacent to a public ROW to be set back 5'. A new fence is identified along the west side of the development area for Lot 1. The fence is identified to be a good-neighbor fence. There are conflicts in regards to the location of this fence between the Site, Landscape, Grading and Public Facilities Plans. The Grading and Public Facilities Plans indicate a gravel access road to the water quality facility. The Site and Landscape Plan indicate a fence across this access road. In order for access to the road, a gate will need to be provided for maintenance of the water quality facility. The plans shall be revised to indicate a gate opening in the fence for service and maintenance access to the water quality facility. In addition to this issue, the applicant at the mid-AR meeting indicated that a fence is proposed on the north and east side of Lot 1. This fence is not identified on the submitted plans. The applicant intends to provide fire access through the fence on the east property line. If a fence is proposed the required setback to the ROW for Pacific Highway is 5' and to the north property line is 0'. The type of fence and the location of the gate opening have also not been identified. The proposed fence location on the north property line and east property line (facing Pacific Highway) shall be identified, shall meet the setback requirement of Section 54.060, shall identify the gate opening location, and shall indicate the type of fence material proposed.

5. Height: The building height limit in the CG Planning District is 45' [54.070]. The proposed building expansion has a height of 13', the light poles 16' and the fence 6'. The building height meets the requirement of 54.070.
6. Parking and Loading: The gross square footage of the existing building and expansion on Lot 1 is 2,206 requiring 8 parking spaces [73.370(2)(a) Commercial (vi) General Office]. A total of 9 spaces are proposed on site which meets the requirement. Lot 2 does not require parking spaces.

Required bicycle parking is 2 or .5 spaces per 1000 gross sq. ft., whichever is greater of which the first 10 or 40%, whichever is greater, shall be covered [73.370(2)(a) Commercial (vi) General Office]. Based on the 2,206-

square-foot building on Lot 1, 2 bicycle spaces are required of which the 2 shall be covered. A bicycle parking area has been identified on the west side of the building which will accommodate 2 bicycles. The plans do not indicate if the bicycle spaces are covered. A minimum of 2 bicycle parking spaces shall be identified of which the two spaces shall be identified to be covered. Section 73.370(1)(n-u) details the requirements for bicycle parking which include lockable racks, bicycle rack access, lighting, individual bicycle parking space size (2' x 6'), signage and clear height of 7' for bike shelters. No information has been submitted which identifies compliance with the standards of 73.370(1)(n-u). Information shall be submitted which complies with the bicycle parking requirements of 73.370(1)(n-u) to the Planning Department for review and approval prior to issuance of a building permit.

One disability parking space is required for every 25 parking spaces. One of every eight disability parking spaces shall meet the van accessible size requirement. The total number of parking spaces in the development area for the office is 9, requiring 1 disability parking space. The plans identify 1 disability parking space which meets the minimum requirement. One of every 8 disability parking spaces must meet the van accessible standards (9' wide parking stall and 8' access aisle). The one identified disability space does not meet the van accessible size requirement. The identified access aisle does not meet the 8'-width requirement. Additionally, the disability space does not identify an accessible route from the access aisle onto the on-site walkway system. The disability stall shall identify a 9'-wide parking stall and 8'-wide access aisle along with access from the access aisle onto the on-site walkway.

73.370(3) requires a minimum number of off-street vanpool and carpool parking for commercial, institutional and industrial uses. One vanpool or carpool space is required. No vanpool/carpool space has been identified. One van/carpool parking space shall be identified along with the method of identifying the space (surface marking or signage).

73.380(1) requires parking lot design to comply with dimensional standards of Figure 73-1. Parking stall depth and width requirements are met for standard size 90° angle parking. The aisle requirement of 24' for two-way vehicular circulation is met with the shared maneuvering area.

73.380(2) allows for subcompact parking spaces to comprise 30% of the required number of spaces. No subcompact spaces are proposed.

73.380(3) requires that parking stalls shall not exceed eight continuous spaces without a landscape separation at least 5' in width measured from inside of curb to inside of curb. Landscape islands have been provided which meet this requirement.

All parking, truck maneuvering and loading areas are asphalt. This meets the requirement that all standing or maneuvering areas have paved asphalt or concrete surfaces [73.380(4)].

73.380(6) requires artificial lighting in parking lots, if provided, to be deflected downward. Nine new freestanding light poles are indicated in addition to one existing light pole. Six of the new lights are on the general office site (Lot 1) and 3 are on the nonconforming car sales site (Lot 2). The light poles are 16' in height with a shoe box light system which is down deflecting. The design of the freestanding lights complies with 73.380(6).

73.380(8) requires parking bumpers or wheel stops to prevent vehicular encroachment into street ROW, landscape areas and pedestrian walkways. Curbing, as indicated on the Site Plan, will be provided adjacent to all landscape areas in the parking lot and along vehicular circulation areas for the general office site and the nonconforming car sales site which meets the requirement. Along the west side of Lot 1 the curbing is identified to extend across the access location to the water quality facility. The applicant indicated this was incorrect. The location of the curbing across the access to the water quality facility shall be deleted. Staff also notes in the landscape section of this report that the landscape area on the west side of the parking area and north of the access to the water quality facility will need to be extended south to the edge of the access to the water quality facility. This landscape area will be required to provide curbing on the vehicular maneuvering area side. Curbing shall be identified on the vehicular maneuvering area side of the required landscape extension on the west side of the parking area north of the access to the water quality facility.

73.390(1) does not require a loading berth for buildings under 5,000 square feet.

7. Access: Site access is covered under the Public Facilities portion of this Architectural Review. Access for the general office site (Lot 1) is over a 32'-wide driveway off of Pacific Highway over the nonconforming car sales site (Lot 2). Section 73.400(2) outlines the requirements for joint access. Staff at pre-application meetings indicated that the area for joint access across the nonconforming auto sales site to the proposed general office site would need to be identified. No information on the joint access is included in the plans. In approving joint access, legal documentation in the form of deeds, easements, leases or contracts must be reviewed by the City Attorney [73.400(2)]. Legal documentation in the form of deeds, easements, leases or contracts shall be submitted to the Planning Department for the joint access and shared maneuvering area between Lot 2 and Lot 1 for review by the City Attorney prior to issuance of a building permit. A copy of the documentation approved by the City Attorney shall be returned to the City once recorded with Washington County.

Vision clearance requirements at the driveways and street intersection shall comply with the requirements of 73.400(13). Staff cannot determine if this requirement is met due to the Landscape Plan not clearly identify the material proposed at the site access location. Landscaping proposed at the site access on Lot 2 shall comply with the vision clearance requirements of Section 74.400(13).

8. Site Conditions, Grading, Tree Preservation Pedestrian and Bicycle Circulation, and Landscaping:

Site Conditions

Lot 1 currently has two separate buildings. The first building housed an automotive repair shop which has vacated the premises and the second building housed offices for the auto sales operation. This second building is proposed to be demolished. A part of the nonconforming auto sales operation on Lot 2 is also located on the southern 40' wide area of Lot 1. Lot 1 is currently gravel and has a fence located 40' north of the south property line which is proposed to be removed. The use which is proposed for Lot 1 is a general office. This site, except for the southern 40' wide-area, is not proposed to be used for auto sales as auto sales is not a permitted use in the General Commercial Planning District.

Lot 2 is the location of the nonconforming auto sales. This site has two small outbuildings of which only one is identified on the Site Plan. The second unidentified outbuilding is on the south property line. In order to accommodate the proposed improvements this second building will need to be removed. The second building on Lot 2 shall be identified and indicated to be removed. Lot 2 is currently graveled and the proposed paving is identified to occur within the existing graveled area boundaries.

NonConforming Use, Section 35.030 Alteration or Enlargement Prohibited in the TDC establishes standards for nonconforming uses. This section states "A nonconforming structure or use of land may be continued, but shall not be altered or enlarged. For purposes of this chapter, enlargement or alteration of a nonconforming structure or use of land shall not include improvements to required paving, landscaping, or other aesthetic improvements to the premises. Structural expansion or any change in the external dimensions of the building shall be considered an alteration or enlargement, unless such changes are primarily for aesthetic improvements. A structure conforming as to use but nonconforming as to setback or yard requirements may be altered or enlarged, providing the alteration or enlargement does not result in a violation of the Tualatin Community Plan. A nonconforming structure or use of land may be altered or enlarged when such alteration or enlargement will bring the structure or use into conformity with the Planning District Standards for the planning district within which the use or land is located." The applicant proposes to provide aesthetic improvements to this lot by paving the existing gravel surface, providing perimeter landscaping along the vehicular circulation areas and installing additional security lighting and fencing. The limits of these improvements comply with the provisions of Section 35.030.

Grading

The two sites are relatively flat and slope downward from east to west with an overall grade change of 6' (186' to 180'). A lower terrace on Lot 1 has a grade change of 49' (182' - 133'). Minimal grading will be required to accommodate the proposed improvements. Impervious surface areas will be contoured and drained to catch basins and discharged into the water quality facility at the west end of Lot 1. Grades in the parking lot areas will be 186' to 184' with 1% slopes.

A water quality facility will be located in the lower terrace of Lot 1 which will treat the water from Lots 1 & 2.

Topsoil replacement in landscape areas has not been noted on the Landscape Plan in compliance with 73.270(1). Topsoil replacement in landscape areas shall be noted on the Landscape Plan.

Tree Preservation

73.250(2)(a-b) requires fencing at the dripline of trees to be retained on site with chain link or other sturdy fencing. There are trees on this site larger than 8" in diameter within the development area boundary or adjacent to the development area boundary which have not been identified according to a staff inspection on January 16, 1996. All trees larger than 8" in diameter shall be identified and noted whether to be removed or retained and trees retained identified to have a chain link or other sturdy fencing places at the dripline during construction. No removal of trees shall occur off-site.

Pedestrian and Bicycle Circulation

73.160(1)(a)(i) requires that a walkway shall be provided between the main entrance to the building and any abutting public right-of-way of an arterial or collector street where a transit stop is designated or provided. The walkway shall be a minimum of 6-feet wide and shall be constructed to meet the requirements for sidewalks in the Public Works Construction Code. The main building entrance for this building is being relocated to the south elevation from the east elevation. No walkway has been identified on the plans. A 6'-wide walkway shall be identified connecting the main building entrance to abutting public right-of-way (Pacific Highway).

73.160(1)(a)(ii) requires that walkways shall be provided between the main building entrance and other on-site buildings and accessways. This requirement does not apply to this application as no other buildings are located on site and no accessway is required.

73.160(1)(a)(iii) requires walkways through parking areas, drive aisles, and loading areas shall be visibly raised and of a different appearance than the adjacent paved vehicular areas. The alignment of the required walkway will require crossing a vehicular area. The walkway from the main building entrance to the public ROW where it crosses a drive aisle shall be visibly raised and of a different appearance than the paved vehicular area.

73.160(1)(a)(iv) accessways shall be provided as a connection from the development's internal bikeways and walkways to all of the following locations that apply: abutting arterial or collector streets upon which transit stops or bike lanes are provided or designated; abutting undeveloped residential or commercial areas; adjacent undeveloped sites where an agreement to provide an accessway connection exists; and to abutting publicly-owned land intended for general public use, including schools, bike and pedestrian paths and greenways where a bike or pedestrian path is provided or designated. Pacific Highway is a transit street and has designated bike lanes. The accessway for the development will be over the main vehicular access with a separate pedestrian access which meets the requirement.

73.160(1)(a)(v) requires fences or gates which prevent pedestrian and bike access shall not be allowed at the entrance to or exit from any accessway. A fence identified 5' back from the ROW of Pacific Highway at the main entrance on Lot 2 which serves as the accessway will have a gate. The gate will be open during normal business hours which meets the requirement.

73.160(1)(a)(vi) requires that bikeways shall be provided which link building entrances and bike facilities on the site with the adjoining public right-of-way and accessways. A bikeway connection has been provided in the vehicular maneuvering area to the bike parking location.

73.160(1)(c) requires that curb ramps shall be provided wherever a walkway or accessway crosses a curb. No ramp is identified for the required walkway connection. A ramp shall be identified where the required walkway connection to Pacific Drive crosses a curb.

73.160(1)(d) requires walkways and accessways which provide a pedestrian linkage to a public right-of-way or a transit facility shall meet State of Oregon Structural Specifications Code (OSSC) requirements for accessibility. Accessways and pedestrian linkages to a public right-of-way or a transit facility shall meet State of Oregon Structural Specifications Code (OSSC) requirements for accessibility as determined by the Building Division.

73.160(1)(e) requires that maximum grade of a walkway or an accessway is 5%. No notation on the slope of the required walkway has been provided. The slope of the required walkway from the main building entrance to Pacific Highway shall be identified and not exceed a maximum grade of 5%.

Landscaping

73.240(3) requires 15% of the developed area to be landscaped. No calculations for the square footage and percentage of landscaping for Lot 1 and Lot 2 have been indicated. Lot 1 requires 15% landscaping. Lot 2 is aesthetic improvements. A minimum of 15% landscaping shall be identified on Lot 1 (general office site) based on the amount of area to be developed.

All landscaping in the development area is required to be irrigated either with automatic underground or drip irrigation system [73.280]. No notation on the use of an automatic irrigation system has indicated on the plans. A note shall be added to the Landscape Plan that an automatic underground or drip irrigation system shall be provided for all new landscape areas.

A 5'-wide landscape area shall be located along all building perimeters which are viewable by the general public from parking lots or the public ROW, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations [73.310(1)]. Staff cannot determine if this requirement has been met. The Landscape Plan indicates a walkway on the north side of the building which does not provide the required 5'-wide landscape area. The Site Plan does not identify this walkway. A 5'-wide landscape area shall be identified along all building perimeters viewable by the general public from parking lots or the public ROW, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations.

A clear zone shall be provided at the ends of aisles and driveways vertically between a maximum of 30" and 8' as measured from the ground level [73.340(1)]. Proposed landscaping with proper maintenance will meet this requirement.

Perimeter site landscaping of at least 5' in width shall be provided in all off-street parking and vehicular circulation areas (including loading) which includes deciduous trees 30' on center (average), plants which reach 30" in height for screening, and shrubs or ground cover. Shrubs or ground cover shall achieve 90% coverage in 3 years [73.340(2)]. The Landscape Plan identifies a landscape area along the perimeter of the parking and vehicular area for Lot 1, except along the property line which separates Lot 1 and Lot 2 which is for shared maneuvering. The plan also does not indicate the required landscaping for approximately a distance of 23' along the west property line north of the access to the water quality facility. The area along the west property line requires landscaping as it abuts a vehicular area. The area along the west property line between the gravel access road to the water quality facility and the existing terminus of the 5'-wide landscape shall be identified to be landscaped. The landscape material for Lot 1 does not meet the requirements for trees, shrubs and ground cover. The plan indicates the use of Northern Red Oak spaced 30' on center and Cleveland Select Pear. The Northern Red Oak trees with a 60' canopy spread are too large for the area and are actually street trees. The Northern Red Oaks shall be deleted from the plan. With the requirement for additional landscaping on the west property line an additional tree is required. Additionally, no shrubs have been identified in the landscape area along the vehicular areas which will reach a height of 30". Lot 1 shall identify landscaping along the perimeter of the parking lot and vehicular circulation areas deciduous trees spaced 30' on center (average) with trees a minimum 1½"

caliper with a maximum mature canopy spread of 30'. Shrubs with a maximum height of 30" shall also be identified.

Lot 2 identifies Northern Red Oak spaced 30' on center and photinia in the 5' wide landscape area. The Northern Red Oak is too large of a tree for the area due to the 60' canopy spread. A different deciduous tree with a maximum canopy spread of 30' and a minimum size of 1½" caliper shall be identified around the vehicular circulation area of Lot 2. Lot 2 like Lot 1 does not show shrubs along the frontage with Pacific Highway. Shrubs with a maximum height of 30" shall be identified in the 5'-wide landscape area along Pacific Highway. The photinia along the south and west development area boundary line meets the requirement.

The Public Facilities Plan indicates the location of a public sanitary sewer line which crosses Lot 1 and Lot 2. No deciduous trees are allowed to be planted in this sewer easement. In reviewing the Landscape Plan, it indicates 1 or possibly two trees will be located in the sewer easement. Trees which are currently identified to be planted in the sewer easement shall be adjusted outside of the sewer easement boundary.

The minimum area to be landscaped in a parking lot shall be 25 square feet per stall. The islands shall be dispersed throughout the parking area [73.360(1)]. A total of 9 parking spaces have been provided on Lot 1 which requires 225 square feet of parking lot island landscaping. No parking lot landscape area calculations or identification where the parking lot landscaping is located have been submitted. A minimum of 25 square feet of landscaping shall be provided per parking stall for Lot 1. The location of the landscaping and the square footage of the respective areas shall be identified.

All landscape islands with trees shall be a minimum of 5' in width (60" from inside of curb to inside of curb) and protected with curbing [73.360(2)]. Landscape islands meet this requirement.

One deciduous shade tree shall be provided for every four parking spaces. The trees shall be uniformly distributed throughout the lot [73.360(3)]. Based on the 9 parking spaces for Lot 1, a total of 2 trees are required. A total of 2 trees have been identified which meet the requirement.

Landscape islands shall be utilized at aisle ends to protect parked vehicles from moving vehicles [73.360(4)]. Landscape islands have been provided which meet this requirement for Lot 1.

At the site access a landscape area 5' wide on each side shall be provided and shall extend onto the site 25' back from the ROW line for parking lots with 12 or more parking spaces [73.360(6)]. On Lot 2 landscaping on either side of the access drive has been provided which meets this requirement.

The required street tree is Northern Red Oak spaced 60' on center and 3' behind the curbside sidewalk or in the planter strip (ORD NO 701-86). Street trees will be provided at the time Pacific Highway is improved.

In accordance with Section 73.290, areas disturbed outside of the proposed development area shall be revegetated. Prior to issuance of a Certificate of Occupancy, all areas disturbed outside of the development boundary area shall be revegetated in accordance with 73.290.

In reviewing the plant legend the common name, botanical name, number of trees, size of shrubs and size of trees have not been indicated in accordance with Section 73.260(1). The required deciduous tree size is 1½" caliper and shrubs 1-5 gallon in size. The common name, botanical name, number of trees, size of shrubs shall be identified in compliance with 73.260(1).

Notation on the use of barkdust has been identified for plant bed areas.

The landscape plan identified the use of junipers generally around the location of the water quality facility. It is unclear by the plan the extent of the boundary of the proposed planting. The location of the proposed junipers near the water quality facility shall be clearly identified for their location.

9. Safety and Security: Locate windows and provide lighting in a manner which enables tenants, employees and police to watch over pedestrian, parking and loading areas [73.160(3)(a)]. Windows have been provided on the west, south and east elevations to meet this requirement. Freestanding and wall mounted lights are provided which meets the requirement.

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 [73.160(3)(b)]. Windows have been provided which allow surveillance from the outside to the inside of the building and provide an indirect form of illumination. Freestanding and wall packs provide exterior illumination.

Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way [73.160(3)(c)]. Wall pack lights and freestanding lights are proposed to facilitate surveillance of on-site activities and provide adequate illumination for pedestrians and tenants.

Provide an identification system which clearly locates buildings and their entries for patrons and emergency services [73.160(3)(d)]. A building address location has not been identified. The location of the building address shall be identified.

Site accessibility for individuals with disabilities shall comply with Chapter 31 Accessibility, Oregon Structural Specialty Code (current edition). Exterior access to the building shall comply with Oregon Structural Specialty Code requirements.

10. Mixed Solid Waste and Source Separated Recyclables Storage Areas Minimum Standards Method. 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 [73.227(2)(v)]. The mixed solid waste and recyclable area for this development (Lot 1) is located along the west development area boundary line. A total of 19 square feet is required. The plan indicates an area of approximately 60 square feet will be provided which exceeds the minimum required. The design of the trash area has not been provided. In commercial development the enclosures are to provide 6' sight-obscuring walls, a 10'-wide gate, landscaping around the perimeter and a separate pedestrian access [73.227(6)(b & c)]. A design of the trash enclosure shall be submitted which complies with the requirements of 73.227(6)(b & c) and shall be submitted to

the Planning Department for review and approval prior to issuance of a building permit.

11. Service and Delivery: 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 [73.160(4)(a)]. No mechanical units are identified. No ground mounted mechanical equipment is identified. Prior to issuance of a Certificate of Occupancy all ground and roof mounted mechanical equipment shall be screened in compliance with 73.160(4).
12. Structure Design: The proposed general office building is proposed to be remodeled from an automotive repair building. The existing building walls are constructed of concrete masonry units which will be covered with a stucco material which will be painted white. Two projecting additions on the south elevation of the building and a covered entry porch are proposed. The addition will also have a stucco exterior finish and will be painted white. The existing and proposed fascia boards will be painted red. All windows will be white vinyl frames with clear glazing slider windows. The roofing material will be composition shingle (gray) to match the existing roofing material.

Section 73.050(1)(b) requires that the proposed design of the development is compatible with the design of other developments in the same general vicinity. This area of Tualatin is generally a mix of older buildings developed before annexation. Due to this, the proposed improvements to the existing building and expansion will begin to establish the design character in the area as future development and redevelopment is anticipated.

Section 73.050(1)(c) of the Development Code states that the location, design, size, color and materials and the exterior of all structures must be compatible with the development and appropriate to the design character of the other structures in the same vicinity. The design, size, color and materials are compatible with other development in the area which includes a mix of concrete, wood and metal exteriors, a wide array of building colors and use of other building materials.

13. Signs: Any signage proposed for the site shall be submitted separately for sign permits.
14. Time Limit on Approval: Architectural Review approvals shall be void after one year unless:
 - (1) A building permit has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division; or
 - (2) An extension is requested by the applicant of the Architectural Review and approved by the Planning Director and City Engineer. Before approving an extension the Planning Director and City Engineer shall find that there have been no significant changes in any ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. The following conditions shall also apply:
 - (a) An extension request shall be submitted prior to the initial one year expiration, and
 - (b) No more than one 6 month extension shall be granted for a project receiving Architectural Review approval.

ARCHITECTURAL REVIEW RECOMMENDATION

Based on the Findings and Conclusions presented, staff recommends that AR-95-53 be approved, subject to the following Architectural Review conditions:

- AR-1. Prior to issuance of Building Permits, two revised Site Plans shall be submitted for review and approval to the Planning Department with the following changes:
- a. A revised Site Plan shall be submitted which indicates the perimeter property boundaries and dimensions of the two subject lots (Lot 1 & 2), lot size, minimum average lot width and street frontage.
 - b. The development area boundary for Lot 1 shall be identified along with the square footage within the boundary. The development area boundary for Lot 2 shall be identified along with the square footage within the boundary.
 - c. In order to determine if setback requirements are met, the south side yard for Tax Lot 1292, Tax Map 2S1 15C, shall be identified.
 - d. The plans shall be revised to indicate a gate opening in the fence for service and maintenance access to the water quality facility.
 - e. The proposed fence location on the north property line and east property line (facing Pacific Highway) shall be identified, shall meet the setback requirement of Section 54.060, shall identify the gate opening location, and shall indicate the type of fence material proposed.
 - f. A minimum of 2 bicycle parking spaces shall be identified of which the two spaces shall be identified to be covered.
 - g. The disability stall shall identify a 9'-wide parking stall and 8'-wide access aisle along with access from the access aisle onto the on site walkway.
 - h. One van/carpool parking space shall be identified along with the method of identifying the space (surface marking or signage).
 - i. The location of the curbing across the access to the water quality facility shall be deleted.
 - j. Curbing shall be identified on the vehicular maneuvering area side of the required landscape extension on the west side of the parking area north of the access to the water quality facility.
 - k. The second building on Lot 2 shall be identified and indicated to be removed.
 - l. A 6'-wide walkway shall be identified connecting the main building entrance to abutting public right-of-way (Pacific Highway).
 - m. The walkway from the main building entrance to the public ROW where it crosses a drive aisle shall be visibly raised and of a different appearance than the paved vehicular area.
 - n. A ramp shall be identified where the required walkway connection to Pacific Drive crosses a curb.


- o. The slope of the required walkway from the main building entrance to Pacific Highway shall be identified and not exceed a maximum grade of 5%.
- AR-2. Information shall be submitted which complies with the bicycle parking requirements of 73.370(1)(n-u) to the Planning Department for review and approval prior to issuance of a building permit.
- AR-3. Legal documentation in the form of deeds, easements, leases or contracts shall be submitted to the Planning Department for the joint access and shared maneuvering area between Lot 2 and Lot 1 for review by the City Attorney prior to issuance of a building permit. A copy of the documentation approved by the City Attorney shall be returned to the City once recorded with Washington County.
- AR-4. Prior to issuance of Building Permits, two revised Landscape Plans shall be submitted for review and approval to the Planning Department with the following changes:
- a. Modifications made to the Site Plan shall be made to the Landscape Plan and the two plans shall be consistent in site layout.
 - b. Landscaping proposed at the site access on Lot 2 shall comply with the vision clearance requirements of Section 74.400(13).
 - c. Topsoil replacement in landscape areas shall be noted on the Landscape Plan.
 - d. A minimum of 15% landscaping shall be identified on Lot 1 (general office site) based on the amount of area to be developed.
 - e. A note shall be added to the Landscape Plan that an automatic underground or drip irrigation system shall be provided for all new landscape areas.
 - f. A 5'-wide landscape area shall be identified along all building perimeters viewable by the general public from parking lots or the public ROW, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations.
 - g. The area along the west property line between the gravel access road to the water quality facility and the existing terminus of the 5'-wide landscape shall be identified to be landscaped.
 - h. The Northern Red Oaks shall be deleted from the plan.
 - i. Lot 1 shall have landscaping identified along the perimeter of the parking lot and vehicular circulation areas deciduous trees spaced 30' on center (average) with trees a minimum 1½" caliper with a maximum mature canopy spread of 30'. Shrubs with a maximum height of 30" shall also be identified.
 - j. A different deciduous tree with a maximum canopy spread of 30' and a minimum size of 1½" caliper shall be identified around the vehicular circulation area of Lot 2.
 - k. Shrubs with a maximum height of 30" shall be identified in the 5'-wide landscape area along Pacific Highway.
 - l. Trees which are currently identified to be planted in the sewer easement shall be adjusted outside of the sewer easement boundary.

- m. A minimum of 25 square feet of landscaping shall be provided per parking stall for Lot 1. The location of the landscaping and the square footage of the respective areas shall be identified.
 - n. The common name, botanical name, number of trees, size of shrubs shall be identified in compliance with 73.260(1).
 - o. The location of the proposed junipers near the water quality facility shall be clearly identified for their location.
- AR-5. Prior to issuance of Building Permits, two revised Grading Plans shall be submitted for review and approval to the Planning Department with the following changes:
- a. Modifications made to the Site Plan shall be made to the Grading Plan and the two plans shall be consistent in site layout.
 - b. All trees larger than 8" in diameter shall be identified and noted whether to be removed or retained and trees retained identified to have a chain link or other sturdy fencing places at the dripline during construction. No removal of trees shall occur off-site.
- AR-6. Prior to issuance of Building Permits, two revised Public Facilities Plans shall be submitted for review and approval to the Planning Department with the following changes:
- a. Modifications made to the Site Plan shall be made to the Public Facilities Plan and the two plans shall be consistent in site layout.
- AR-7. Accessways and pedestrian linkages to a public right-of-way or a transit facility shall meet State of Oregon Structural Specifications Code (OSSC) requirements for accessibility as determined by the Building Division.
- AR-8. Prior to issuance of a Certificate of Occupancy, all areas disturbed outside of the development boundary area shall be revegetated in accordance with 73.290.
- AR-9. The location of the building address shall be identified.
- AR-10. Exterior access to the building shall comply with Oregon Structural Specialty Code requirements.
- AR-11. A design of the trash enclosure shall be submitted which complies with the requirements of 73.227(6)(b & c) and shall be submitted to the Planning Department for review and approval prior to issuance of a building permit.
- AR-12. The applicant shall submit for separate sign permits for all signage proposed for the development.
- AR-13. The applicant shall comply with the Public Facilities Recommendation.

APPEAL

The Architectural Review portion of this decision will be final after 10 City business days on **February 23, 1996**, unless a written appeal is received by the Planning Department at 18880 Martinazzi Avenue (mailing address P.O. Box 369, Tualatin, OR 97062) before 5 p.m., **February 22, 1996**. The plans and appeal forms are available at the Tualatin Library and at the Planning Department offices. Architectural Review appeals are reviewed by the Architectural Review Board.

Submitted by,



Douglas R. Rux, AICP
Associate Planner

Attachment 1: Site Plan

jb

file: AR-95-53
17795 SW Pacific Highway
17835 SW Pacific Highway

PUBLIC FACILITIES RECOMMENDATION

The following are the Public Facilities findings for AR-95-53:

1. Fire and Life Safety: Fire hydrants are required within 250' of all portions of the proposed buildings. The final location of the fire hydrants are to be approved by Tualatin Valley Fire & Rescue (City Ordinance 510-80). All hydrants located within the public right-of-way (ROW) shall be considered public hydrants; all others shall be private. Private hydrants shall be designed in accordance with Ord. No. 839-91.
2. Transportation: This site is adjacent to SW Pacific Highway, which is classified as a major arterial to be built to street standard Eb&t (102' ROW, four 12' travel lanes, one 12' turn lane, two 6' bike lanes, two 5' planter strips and two 10' sidewalks). At present, there is 80' of ROW on the west half of Pacific Highway, which exceeds the minimum required; therefore, no ROW dedications are required. The roadway currently operates as a four-lane arterial with roadside shoulders. The impact from this development will be very small compared to the traffic that exists on the roadway at this time.

However, this roadway is under the jurisdiction of ODOT, who issued a letter dated January 11, 1996. ODOT stated that the proposed fire access driveway should not be allowed, unless specifically required by Tualatin Valley Fire and Rescue. Staff concurs with this recommendation. Staff received comments from TVF&R, dated January 18, 1996, indicating there is no requirement for an emergency driveway. Therefore, the applicant shall close off the existing northerly driveway.

ODOT also stated that the main driveway should be moved further to the north to provide a greater distance between this driveway and an access immediately south of this site, which at present is only approximately 150' away. ODOT was not specific as to how far north the driveway should be moved. Therefore, the applicant will be required to coordinate with ODOT and obtain an access approval from them prior to issuance of a building permit. In addition, since there are two tax lots involved with this project, the applicant shall provide a cross access easement for both Tax Lot 2190 and 2192 that allows joint use of the main driveway.

3. Water: This site is located in pressure level A and is not currently served by the public water system. The plan indicates that the applicant proposes to make a connection to the existing 12" public water main line in Pacific Highway. A public works permit will be required for this connection.

In accordance with Section 12 of City Ordinance No. 839-91, a backflow prevention device is required to be installed by the applicant for any of the following:

1. a fire protection service;
2. an irrigation service;
3. a nonresidential service 2" or larger in size; or
4. 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.

Any backflow prevention device which is installed on property for the protection of the City water supply shall be tested at the time of installation. No water service shall be provided to the on-site water system until the device is tested and test results are submitted to the Operations Backflow Inspector. In any case, test results for such devices shall be

forwarded to the Operations Backflow Inspector within 10 days of the date of installation.

4. Sanitary Sewer: There is an existing 8" public sanitary sewer line that crosses this site. The applicant has proposed to make a direct connection to this line as a part of this project. A public works permit will be required for this work.
5. Storm Drainage: The applicant's plan indicates that drainage will be directed to the north into a water quality facility, then off-site from there. However, the current plan does not clearly show how storm water will be diverted into the water quality pond. This must be revised for clarity.

One other problem with the current plan is that it shows the storm water leaving the site at the north edge into an "existing swale" that apparently flows to the Tualatin River. Planning staff visited the site and did not find a swale. If water were to be discharged where the applicant proposes, it would simply flow onto the neighboring parcel (Tax Lot 1800, on Tax Map 2S1 15C -- Roamer's Rest RV Park). This will not be acceptable. TDC 74.640 states that the applicant shall grade his site to minimize impacts on adjacent parcels. The applicant shall revise his grading and storm drainage plan to clearly show how the water from this site will be conveyed. In addition the City's SWM Ordinance requires the applicant to perform a downstream analysis to determine if there will be impacts from the storm water from this site. If impacts will occur, the applicant shall either improve the downstream system, or provide an on-site detention facility meeting the criteria of the SWM Ordinance.

The applicant indicated that they will provide a downstream analysis. This analysis shall be reviewed for approval prior to issuance of the building permit. Any off-site storm easements needed to convey the storm water from this site shall be obtained by, and at the expense of, the applicant prior to issuance of the building permit.

6. Water Quality: The City's Surface Water Management Ordinance requires new development projects to construct permanent on-site storm water quality facilities to remove phosphorus in the runoff from newly constructed impervious surfaces. Per TDC 74.650(2) and (3), the developer shall submit plans and calculations for an on-site facility for review and approval prior to issuance of City permits. In addition, a facility maintenance plan shall be included.
7. Erosion Control: The Surface Water Management Ordinance regulates erosion control to reduce the level of discharge of pollutants into the Tualatin River Basin. Per 74.650(3), the applicant shall submit an erosion control plan for City review and approval prior to issuance of City permits.
- B. Greenway and Riverbank Protection District: Does not apply.
9. Floodplain: Does not apply.
10. Wetlands Protection District: Does not apply.
11. Access Management: As stated in Section 2 above, only one driveway is approved for this site. The main driveway location is required to be approved by ODOT prior to issuance of a building permit.

12. Building Code Requirements and Fees: This development is subject to all applicable building code requirements and all applicable building and development fees.
13. Recovery Agreements and In Lieu Assessments: As of this date none were found.
14. Miscellaneous Approvals Required: The applicant shall obtain all necessary permits and/or approvals required for development of this site.

All work in a public right-of-way requires a public works permit from the City. For county and/or state roadways, the applicant shall obtain permits and/or approvals from the respective agency(ies) prior to issuance of a public works permit from the City.

Before any work can commence on the subject site, the applicant must receive a building permit from the City. If a public works permit is required, it shall be obtained by the applicant prior to issuance of a building permit.

74.140(1) states that all public improvements constructed as a part of a development project shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.

PUBLIC FACILITIES RECOMMENDATION

Based on the findings presented, staff recommends that AR-95-53 be approved subject to the following Public Facilities conditions:

- PF-1. The final location of the fire hydrants shall be approved by Tualatin Valley Fire & Rescue.
- PF-2. Fire hydrants shall be installed and functioning prior to beginning on-site combustible construction.
- PF-3. Fire hydrants shall be located so that no part of the building is more than 250 feet from a fire hydrant as measured in an approved manner around the outside of the structure and along the route of travel accessible to the fire hydrant.
- PF-4. Provisions for ingress and egress for fire-fighting equipment to and from the fire hydrants shall be in place prior to beginning on-site combustible construction.
- PF-5. There shall only be one driveway approved for this site. The existing northerly driveway shall be closed. The location of the main driveway shall be approved by ODOT prior to issuance of a building permit. A cross access easement shall also be provided between Tax Lots 2190 and 2192 to allow both tax lots to use the main driveway.
- PF-6. Water line construction plans shall be submitted to the City for review and approval prior to construction.
- PF-7. The water system has unique operating characteristics. The developer should contact the Operations Department for more information when designing fire sprinkler systems.

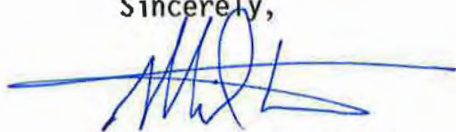
- PF-8. The developer shall contact the City's Operations Department for detection of any cross connections prior to issuance of any building permits.
- PF-9. A backflow prevention device shall be installed for any of the following:
1. a fire protection service;
 2. an irrigation service;
 3. a nonresidential service 2" or larger in size; or
 4. 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.
- PF-10. Any backflow prevention device which is installed on property for the protection of the City water supply shall be tested at the time of installation. No water service shall be provided to the on-site water system until the device is tested and test results are submitted to the Operations Backflow Inspector. In any case, test results for such devices shall be forwarded to the Operations Backflow Inspector within 10 days of the date of installation.
- PF-11. Sanitary sewer construction plans and calculations shall be submitted to the City for review and approval prior to construction. A public works permit will be required for the connection to the public sewer line.
- PF-12. Storm drainage construction plans and calculations, based on the rational method for storm sewer design, shall be submitted to the City for review and approval prior to issuance of a building permit. The applicant shall provide a downstream analysis to determine if there will be impacts from the storm runoff from this development. If there will be impacts, the applicant shall either improve the downstream system or provide an on-site detention facility meeting the criteria of the SWM Ordinance.
- PF-13. Prior to issuance of City permits, the applicant shall submit final plans and calculations for the installation of a water quality facility meeting the requirements of the Surface Water Management Ordinance. In addition, a maintenance plan for the facility shall be submitted for City review and approval.
- PF-14. No construction or disturbing of the site shall occur until an erosion control plan is approved by the City and the required measures are in place and approved by the City.
- PF-15. Building plans and on-site utility plans shall be submitted to the Building Division for review and approval prior to issuance of a building permit.
- PF-16. The developer shall be required to submit a soils report indicating adequate soil conditions exist prior to issuance of the building permit.
- PF-17. **Any work in the public right-of-way or public easement will require a Public Works Permit from the City.**
- PF-18. **Any necessary Public Works Permit shall be obtained prior to issuance of a building permit.**
- PF-19. Any necessary off-site utility easements shall be the responsibility of the owner to obtain and shall be submitted to and accepted by the City prior to issuance of a Public Works Permit.

- PF-20. Any on-site private utility construction shall require a plumbing permit from the Building Division.
- PF-21. All on-site utility lines shall be private and, therefore, maintained by the property owner.

APPEAL

The Public Facilities Review portion of this decision will be final after ten (10) City business days (February 23, 1996) unless a written appeal is received by the Engineering Division at 18880 SW Martinazzi Avenue before 5:00 p.m. (February 22, 1996). The plans and appeal forms are available at the Tualatin Library and at the City offices. Public Facilities appeals are reviewed by City Council. The Public Facilities appeal must include a \$100 fee.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Bisset", with a long horizontal flourish extending to the left.

Michael Bisset, P.E.
Civil Engineer

TUALATIN AUTO ARCHITECTURAL REVIEW GRADING PLAN

TAX LOTS 280 & 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

APPLICANT
 BLS CUSTOM HOMES, INC.
 P.O. Box 1093
 TUALATIN, OR 97062
 (503) 625-7898
 ATTN: STEVE STOLZE

ENGINEER / SURVEYOR:
 Westlake Consultants Inc.
 15115 SW Stephens Pkwy
 Pacific Corporate Center
 Tigard, OR 97224
 (503) 664-0863
 ATTN: RANDY CLAZBURKI

EXISTING ZONING
 CG - General Commercial

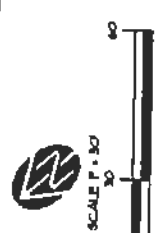
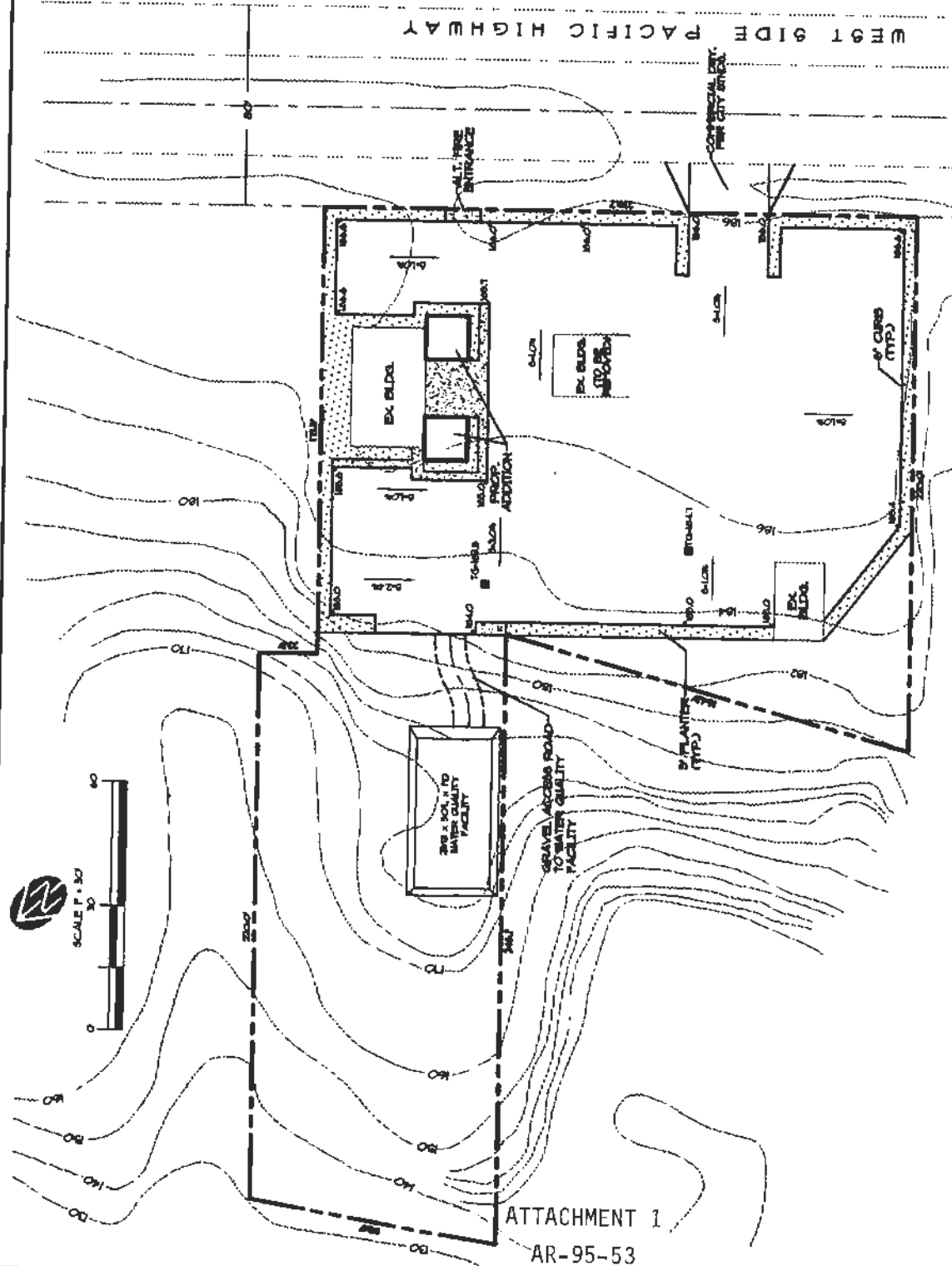
SITE AREA
 Developed Site = 69,033 SF.

NOTES:

- The area of the site to be paved is currently gravel and contains no trees therefore no protection measures are necessary.
- Contours were based on City Aerial Topo.
- Existing utilities are per City record drawings.
- Flood Plain elevation per City map
- Elevation = 130.0
- Paving area to be A.C. surfaced pavement.
- Water Quality Facility:
 Bottom Elevation = 125.0
 Depth = 1'0"
 Freeboard = 1'0"
 Slopesides = 3:1, Accessway = 5:1
 Capacity = 1250 c.f.
 The size of the preliminary water quality facility is estimated by calculating 0.36" drop of 1' over the entire impervious surface.
 (0.36' x 31,200 s.f. = 11,232 c.f.)

LEGEND

- EXISTING SANITARY SEWER
- EXISTING WATER
- EXISTING FIRE HYDRANT
- EXISTING CATCH BASIN / MANHOLE
- PROPOSED SANITARY SEWER
- PROPOSED SEWER SERVICE
- PROPOSED CATCH BASIN / MANHOLE
- PROPOSED SPOT ELEVATION
- PROPOSED SLOPE



ATTACHMENT 1
 AR-95-53

APPLICATION FOR ARCHITECTURAL REVIEW

PROJECT TITLE OREGON AUTO CENTER

PROJECT ADDRESS 17835 SW PACIFIC HWY

APPLICANT'S NAME SLS CUSTOM HOMES INC PHONE 691-9878

ADDRESS P.O. 1093 TUALATIN OR 97062

DESIGNER ARCHITECT KOZAK/DANIELS PHONE 628-0236

ADDRESS 30266 SW BALD PEAK RD Hillsboro Or 97123

ENGINEER WESTLAKE CONSULTANTS INC PHONE 684-0652

ADDRESS 15115 SW Sequoia Parkway, Tigard Or 97224

PROPERTY OWNER RICHARD R. WRIGHT PHONE 590-2929

ADDRESS 15350 SW BULL MTN RD, TIGARD, OR 97224

PROPERTY OWNER'S SIGNATURE [Signature]

(NOTE: Letter of authorization is required if not signed by owner.)

PROJECT INFORMATION

TOTAL Dev. site = 65033[±]

PLANNING DISTRICT CG PROPOSED USE OFFICE / AUTO SALES

TAX LOT NO. 2190 / 2192 TAX MAP NO. 2S115C PARCEL SIZE 69533

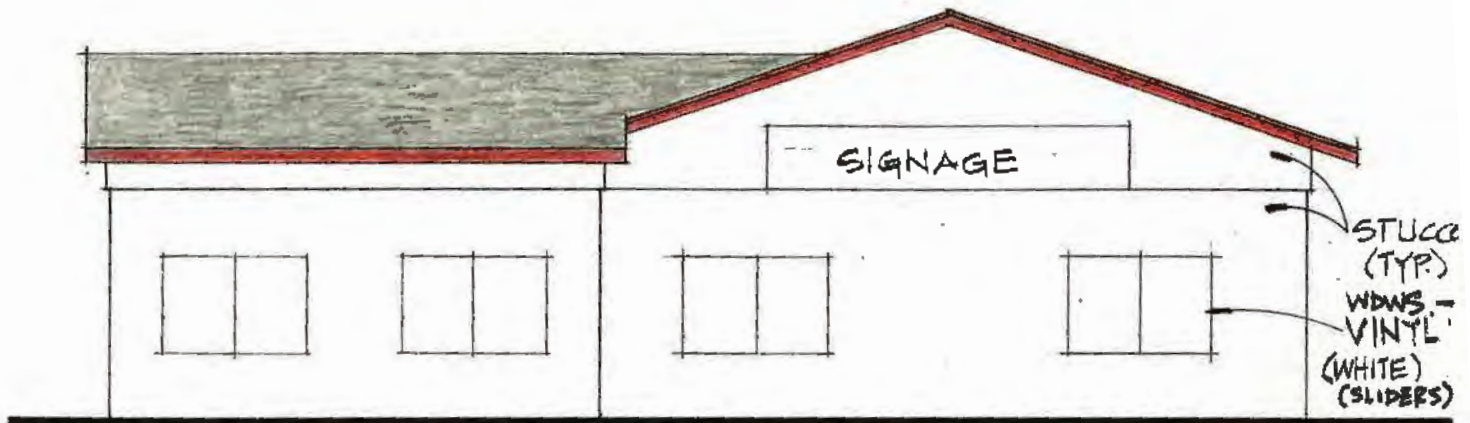
SQ. FT. OF BUILDINGS 2206 SQ. FT. LANDSCAPING 9755

SQ. FT. OF PAVING 37200 VALUE OF IMPROVEMENTS 65000

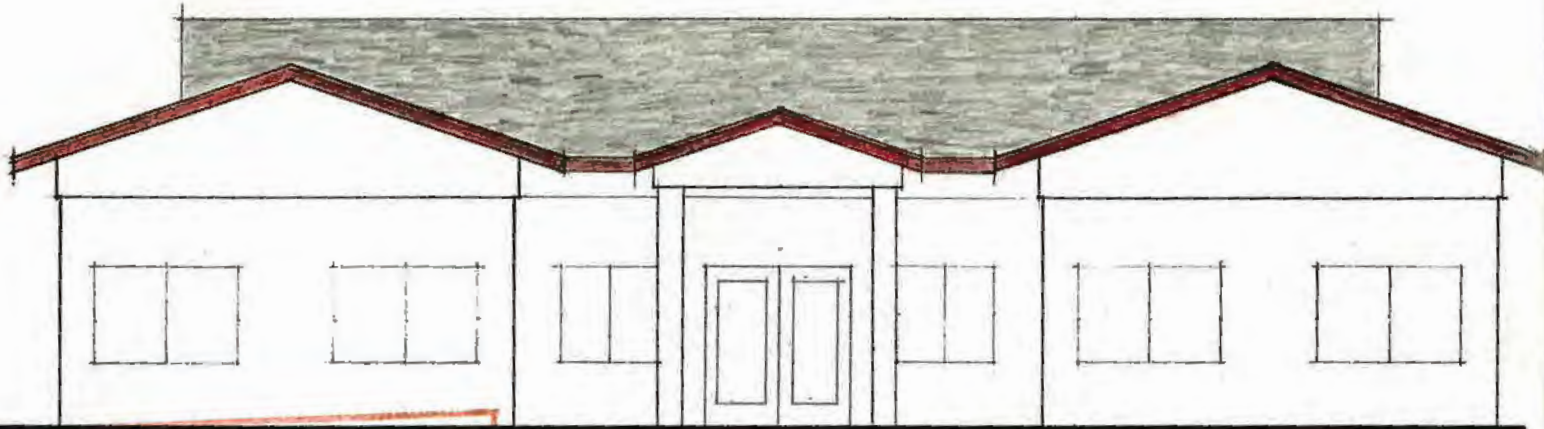
AS THE APPLICANT RESPONSIBLE FOR THIS APPLICATION, I, THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I HAVE READ THE ABOVE APPLICATION AND ITS ATTACHMENTS, UNDERSTAND THE REQUIREMENTS DESCRIBED HEREIN, AND STATE THAT THE INFORMATION SUPPLIED IS AS COMPLETE AND DETAILED AS IS CURRENTLY POSSIBLE, TO THE BEST OF MY KNOWLEDGE.

APPLICANT'S SIGNATURE [Signature] DATE 12/29/95

Case No. <u>AR-95-53</u>	Date Received <u>12/29/95</u>	Application Complete as of _____
Received by <u>DR</u>	Receipt No. <u>8675</u>	
Fee: complete review (\$50 - \$500) <u>450.00</u>		
15 copies of drawings (folded) <u>✓</u>		ARB hearing date (if applies): _____
1 reproducible 8 1/2 x 11" site plan <u>✓</u>		
1 reproducible 8 1/2 x 11" vicinity map <u>✓</u>		
Posting verification <u>✓</u>		

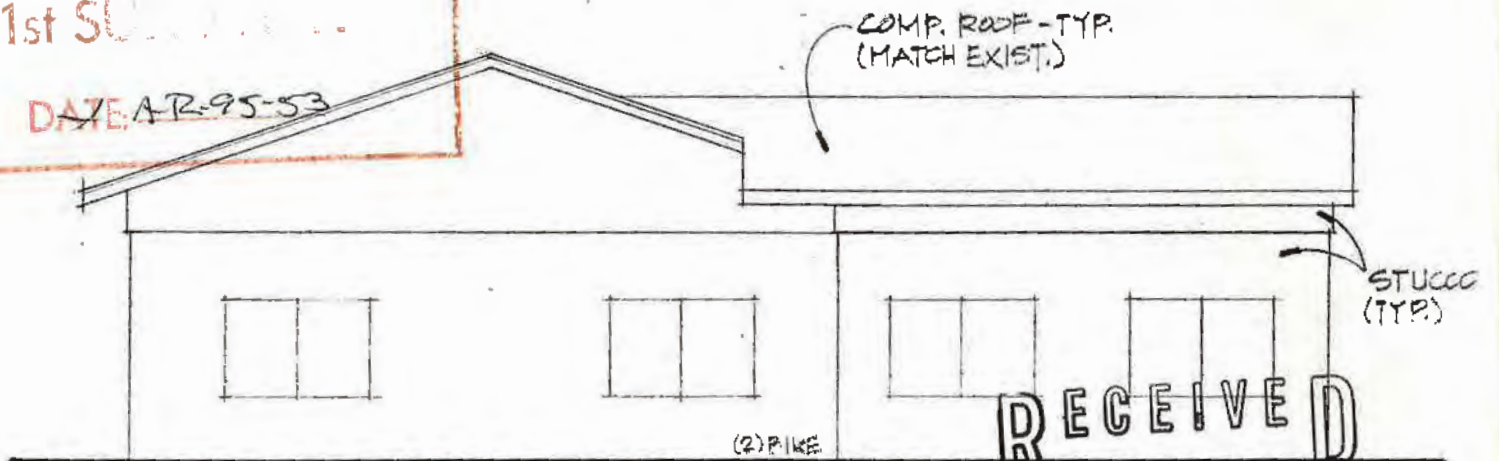


RIGHT - SIDE ELEVATION



FRONT ELEVATION

CITY OF TUALATIN
 ARCHITECTURAL DEPARTMENT
 1st SUBMITTAL
 DATE APR-95-53



LEFT-SIDE ELEVATION

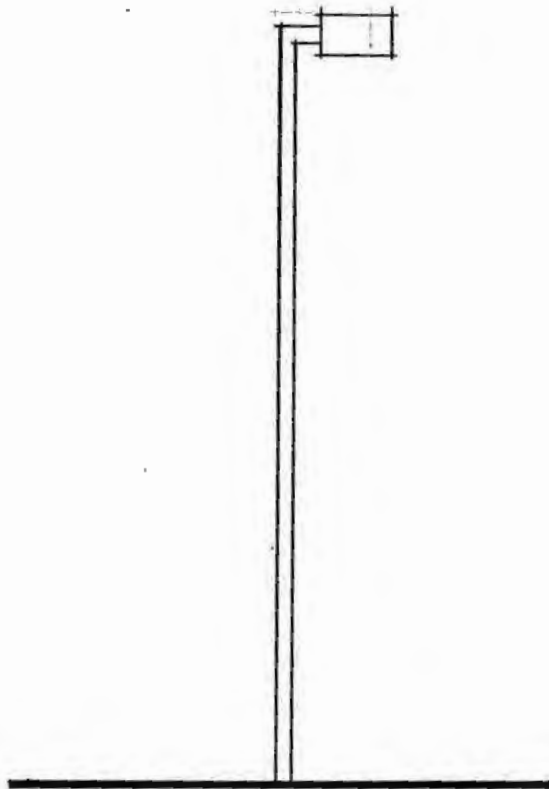
SCALE:

$\frac{1}{8}'' = 1'-0''$

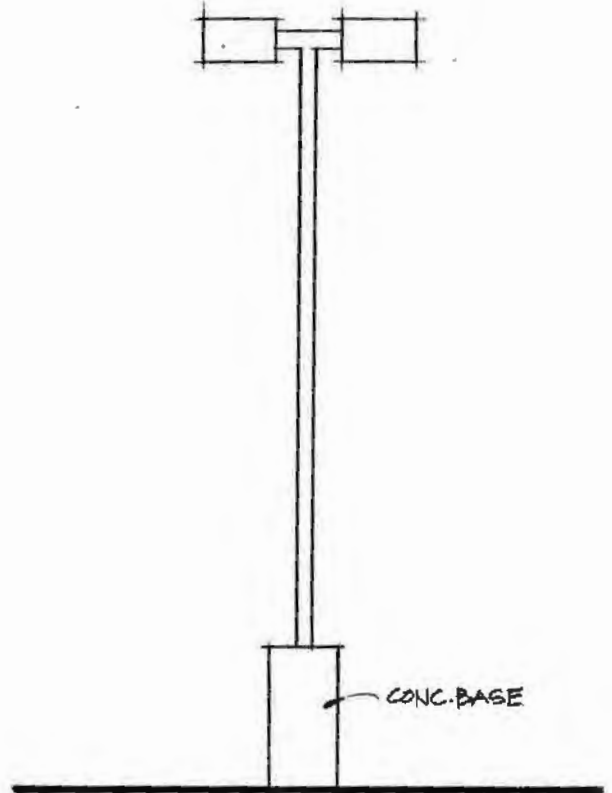
RECEIVED

DEC 29 1995

CITY OF TUALATIN
 PLANNING DEPT.



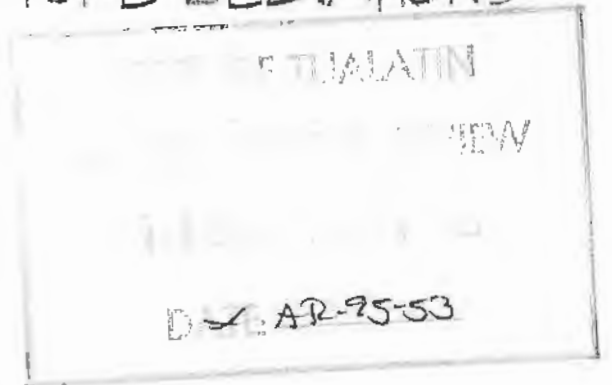
PERIMETER FIXTURES



CENTER LOT EXIST. FIXTURE

EXTERIOR LIGHT FIXTURE ELEVATIONS

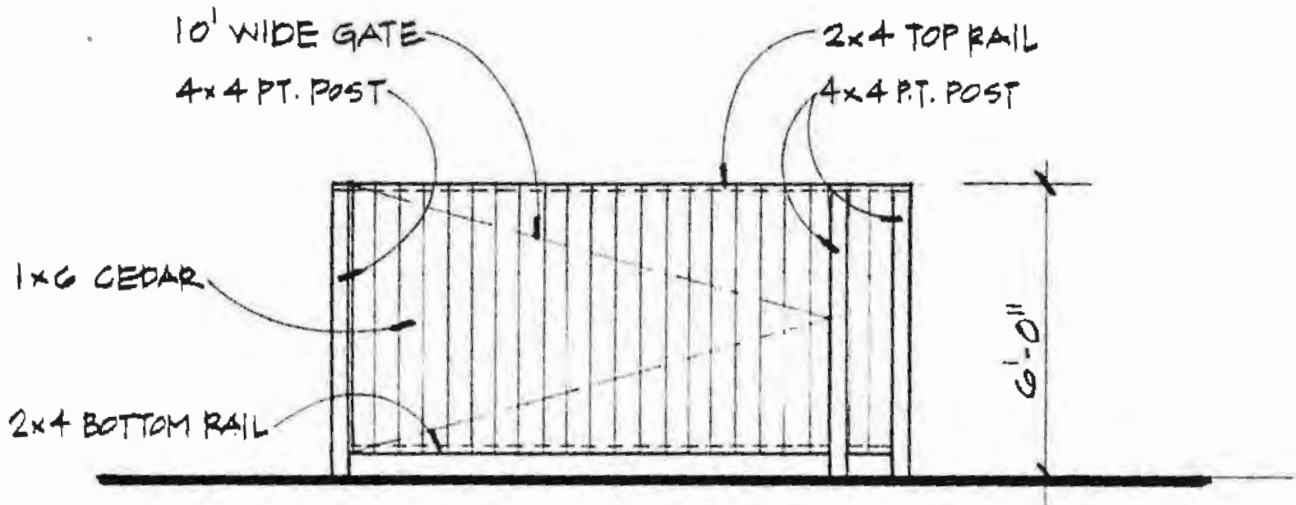
SCALE: 1/4" = 1'-0"



R E C E I V E D

DEC 29 1995

CITY OF TUALATIN
PLANNING DEPT.



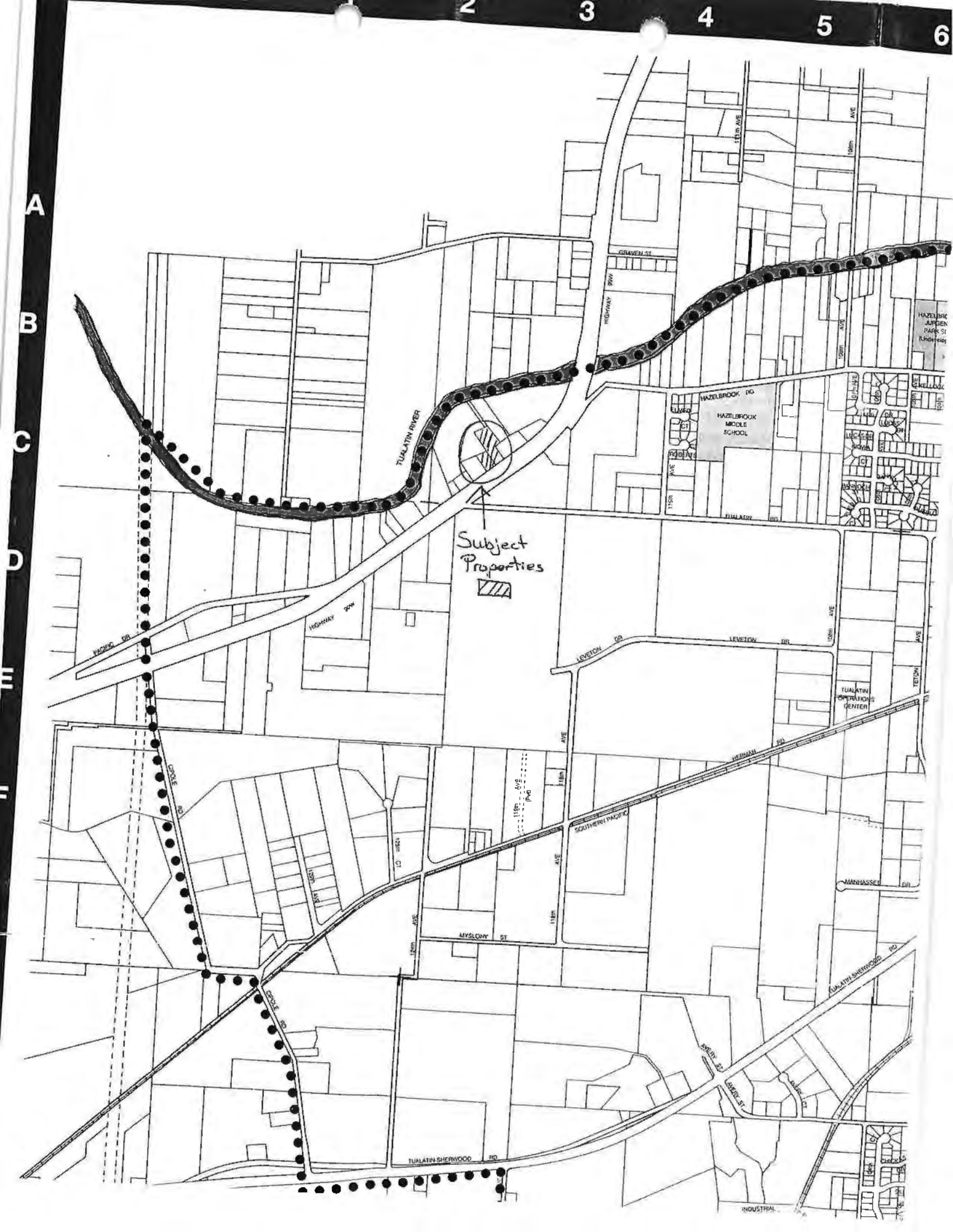
TRASH ENCLOSURE ELEV.

SCALE: $1/4" = 1'-0"$

(OREGON AUTO CENTER).

REGULATORY
 MAR 15 1996
 CITY OF TUALATIN
 PLANNING DEPARTMENT

CITY OF TUALATIN
 PLANNING DEPARTMENT
 APPROVED PLANS
 AR: 95-53
 DATE: 3/13/96
 BY: [Signature]



Subject Properties

TULALATIN RIVER

HAZELBROOK RD
HAZELBROOK MIDDLE SCHOOL

HAZELBROOK JUNIEN PARK ST UNDERPASS

TULALATIN CENTER

TULALATIN SHERWOOD RD

INDUSTRIAL

A

B

C

D

2

3

4

5

6

ARCHITECTURAL REVIEW

TUALATIN AUTO

RECEIVED
DEC 29 1995

CITY OF TUALATIN
PLANNING DEPT.

APPLICANT: SLS Custom Homes, Inc.
P.O. Box 1093
Tualatin, Oregon 97062
Contact Person: Steve Stolze
Phone: (503)691-9878

ENGINEER/SURVEYOR: Westlake Consultants Inc.
Pacific Corporate Center
15115 S.W. Sequoia Parkway, Suite 150
Tigard, Oregon 97224
Contact Person: Len Schelsky, P.L.S.
Phone: (503)684-0652

LOCATION: Tualatin Auto is located along the west side of Pacific Highway just prior to the Tualatin River Crossing more specifically as Tax Lots 2190 and 2192 situated in the southwest quarter of section 15, T.2S., R.1W., W.M., City of Tualatin, Washington County, Oregon.

Site address: 17825 SW Pacific Hwy.
Tualatin, OR 97062

PROJECT DESCRIPTION: This summary is for the remodel/addition of the existing commercial site known as Tualatin Auto. The two existing service buildings will be combined through remodeling and the existing gravel parking area will be curbed and paved including installation of storm drainage facilities. Public utilities are available and site services will be upgraded to current standards. Water quality needs have been calculated and provided for.

ZONING: General Commercial (CG)

KOVAC

Daniels 

DESIGNS Residential • Graphic

30266 S.W. Bald Peak Road • Hillsboro • Oregon • 97123 • 503-628-0236 Fax: 503-628-2313

Nov. 30, 1995

Attn: Doug Rux.

(4 pages total).

From: Don Kovac

Re: Oregon Auto Center.

Doug,

Please review the following pages & let me know if everything looks good for the Arch. Review.

Give me a call at 628-0236 for any comments or questions.

In fact give me a call & we can review the drawings (I can walk you through them).

Thank you.

Don Kovac.



SITE PLAN

SCALE:

1" = 30'-0"

SITE S.F. = 70,000 S.F.
LANDSCAPE S.F. = 5135 S.F.
ASPHALT S.F. = 38,970 S.F.

102.8'
246.1' (N.T.S.)
What is h.s. % for this lot

164.5'

New paving - determine 4' + 15% h.s.

Need H.C. access from space to bldg

Plant trees

FENCE & CURB

EXIST. FENCE TO BE REMOVED

Need h.s. island in delete space

H.C.

BIKE

ADDITION (383 S.F.)

ENTRY

EXIST. BLDG (1440 S.F.)

ADDITION (383 S.F.)

EXIST. BLDG. TO BE REMOVED

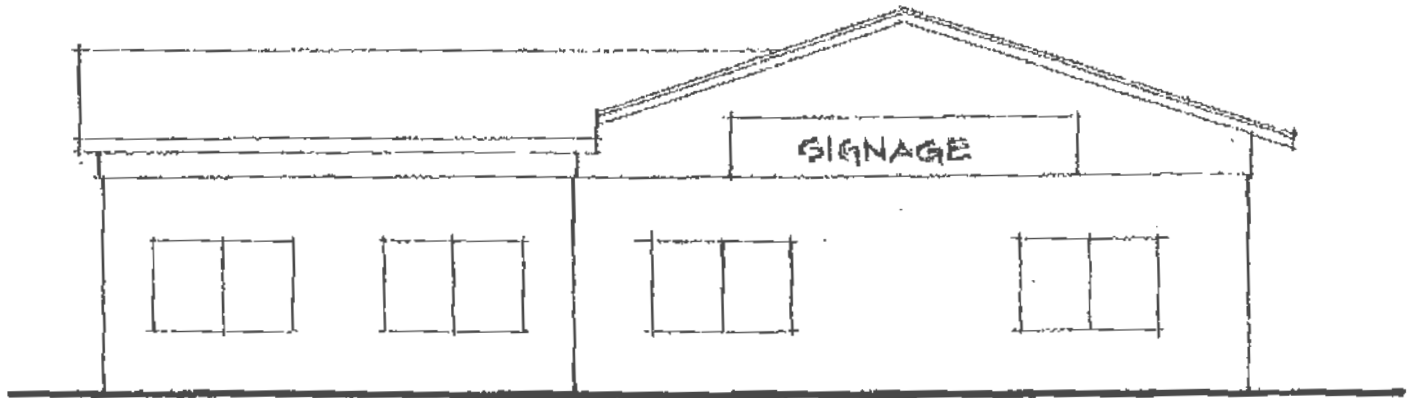
239.2'

+ P.H.

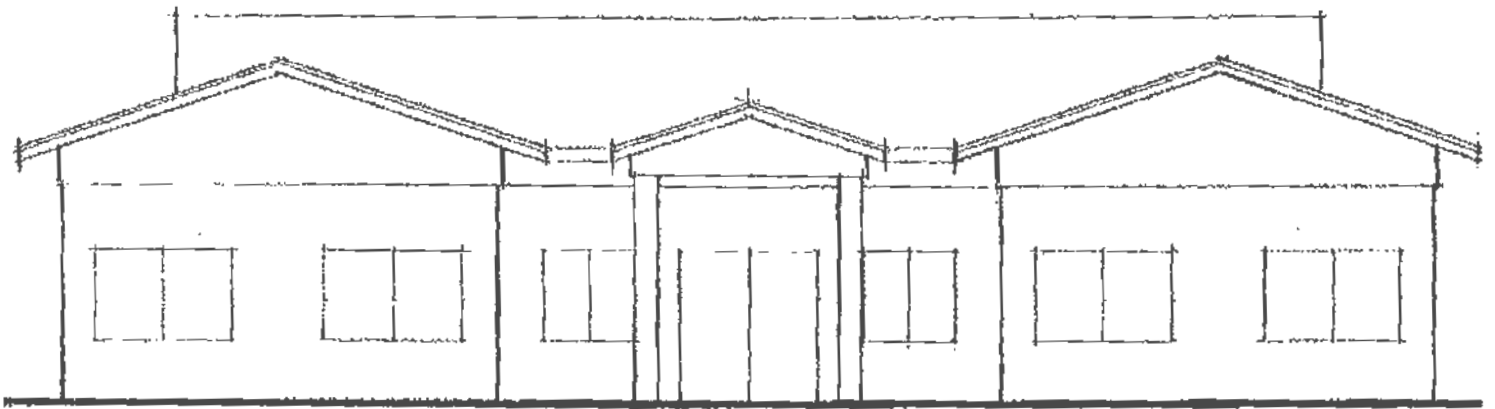
ALT. FIRE ENTRANCE

48'-0"

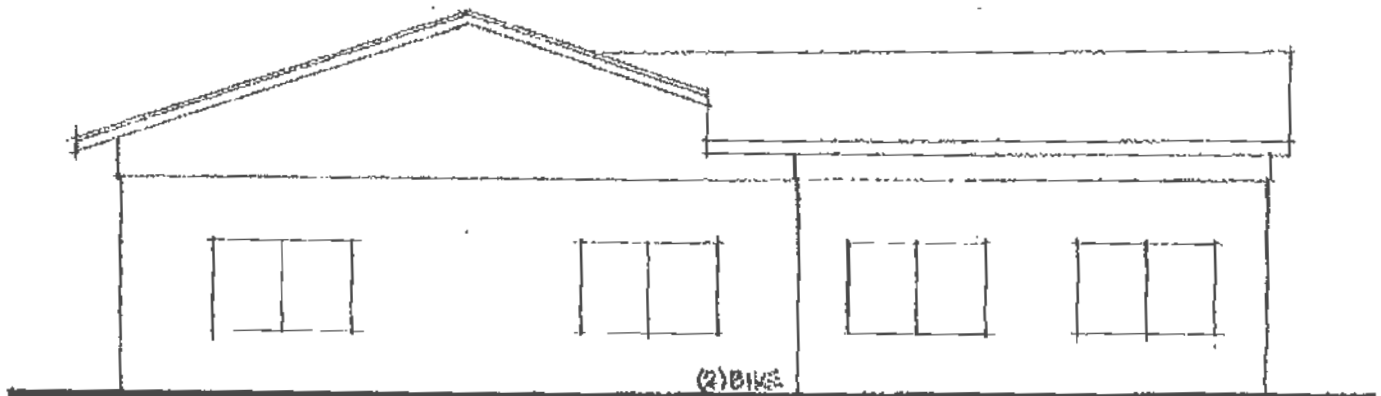
HWY. 99 W



RIGHT - SIDE ELEVATION



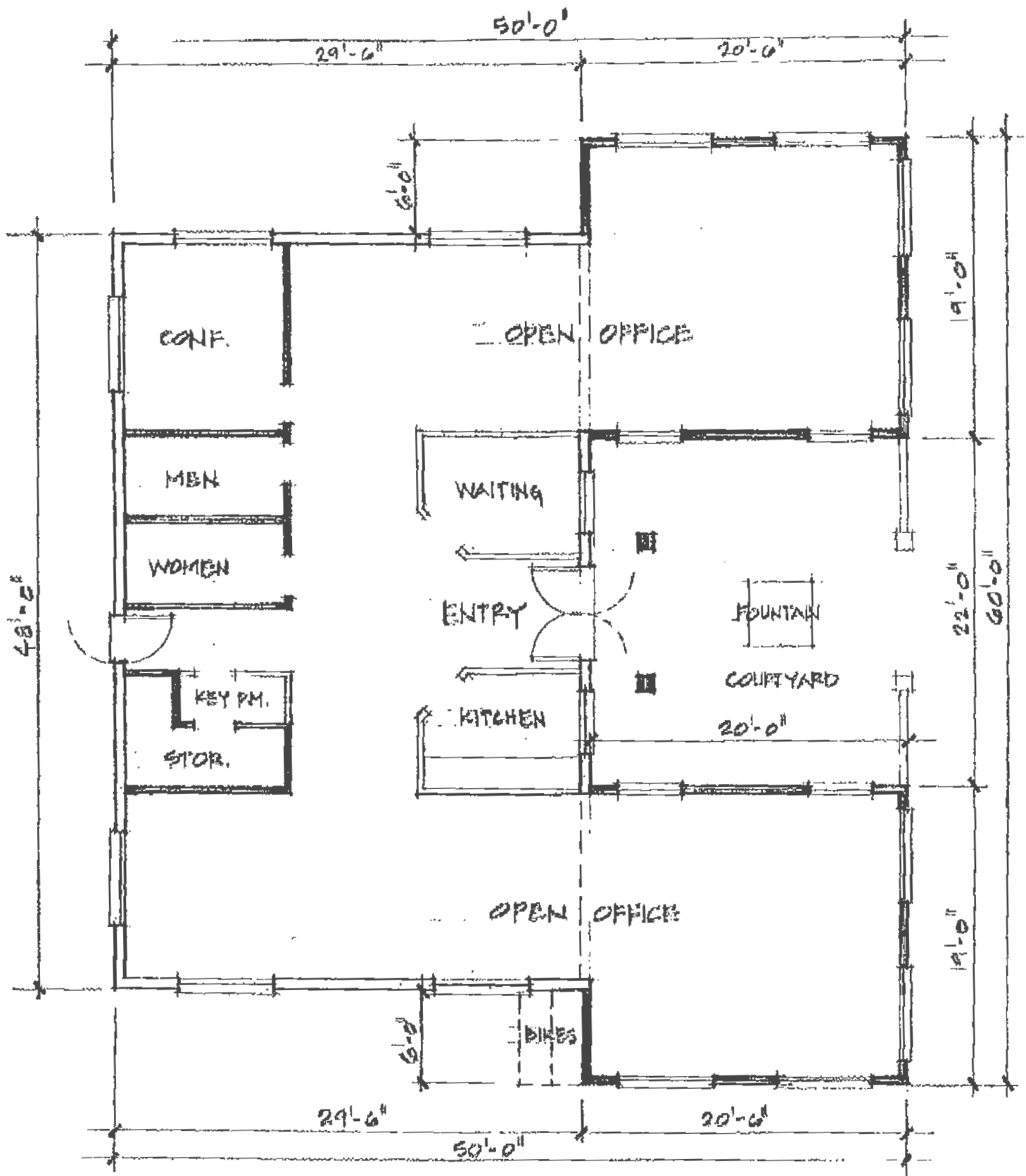
FRONT ELEVATION



LEFT - SIDE ELEVATION

SCALE:

$\frac{1}{8}'' = 1' - 0''$



FLOOR PLAN

2706 S.F.

SCALE:

1/8" = 1'-0"



CITY OF TUALATIN

PO BOX 369
TUALATIN, OREGON 97062-0369
(503) 692-2000
TDD 692-0574

July 22, 1994

PROPERTY LINE ADJUSTMENT APPLICATION: FINDINGS AND RECOMMENDED DECISION

** APPROVAL

Job Number: PLA-94-11
Location: 17825 SW Pacific Highway
2S1 15C, #2190 & 2192
Applicant: Richard Wright

312 146
Don't think
he did it
SS
1/23/96
was not
done

BACKGROUND

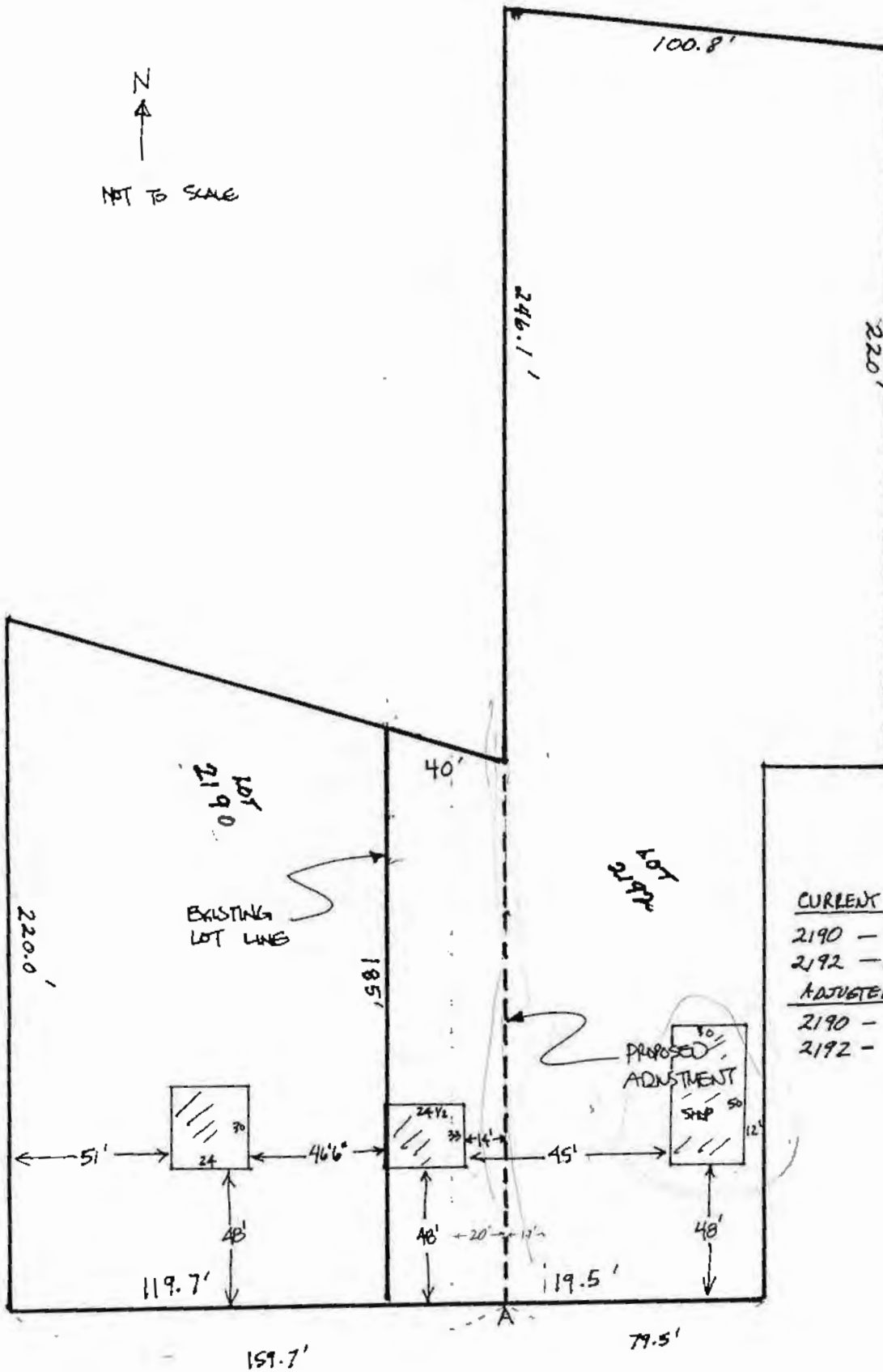
On June 24, 1994, the Engineering Division received a development application to adjust the property lines on the above tax lots as indicated on Attachment 1. The development application meets the requirements for property line adjustments pursuant to the City's property line adjustment standards and regulations in the Tualatin Development Code (TDC), Section 36.300. It is the City Engineer's recommended decision to grant approval of the application.

The proposed property line adjustment will involve 2 existing lots which make up approximately 1.6 acres. These lots are currently used for commercial business.

FINDINGS

1. The development application was submitted on June 24, 1994. The subject property consists of tax lots 2190 and 2192 (Map 2S1 15C). The site location lies northwest of and adjacent to Highway 99W, south and east of the Tualatin River, and north of Tualatin Road. The property owners are Richard Wright and Raymond Meyer.
2. TDC 31.060 defines "property line adjustment" to mean, "the relocation of a common property line between two abutting properties, as set forth in ORS 92.010". The proposed sketch map indicates that common lot lines will be adjusted between abutting properties. Therefore, the requirement for a property line adjustment is met.

N
↑
NOT TO SCALE



CURRENT ACREAGE	
2190	- .50
2192	- 1.10
ADJUSTED ACREAGE	
2190	- .68
2192	- .92

Michael J. Lilly
Attorney at Law
One S.W. Columbia Street, Suite 1850
Portland, OR 97258

CITY OF TUALATIN
RECEIVED
SEP 04 1998
PLANNING

Telephone: 503-294-0062
Facsimile: 503-229-1856
Email: mikelilly@imagina.com

September 3, 1998

Brenda Braden
City Attorney
City Of Tualatin
18880 S.W. Martinezzi Ave.
PO Box 369
Tualatin, OR 97062-0369

By Facsimile and Mail
Re: Oregon Auto Center

Dear Brenda:

As we have discussed, I have been retained by Oregon Auto Center to advise them in connection with the City's demand letter of August 17, asserting that the Company's non-conforming use was no longer valid because the company is now conducting retail sales at its used car lot instead of wholesale sales.

Fairly stated, I think the issue is whether the change in the operation of Oregon Auto's Business, from wholesale to retail, constitutes a change of use, or is merely a continuation of the same use, a used car lot.

In the past, Tualatin's Planning Department has not distinguished between wholesale and retail car sales at the site. For example in the City's January 26, 1995 "Interpretation" of the City code, Oregon Auto's business is referred to as "An automobile wholesale/retail operation at 17835 SW Pacific Highway is a nonconforming use." As that interpretation points out:

"3. NW Motor Sports moved out and a new business, Oregon Auto Center, an auto wholesale/retail business, has moved in. Oregon Auto displays cars outside and the office is in the existing building. Parking for clients is located on the site. The wholesale/retail auto dealership is similar to a used car and pickup truck dealer."

Similarly, in the City's February 7, 1996 "Architectural Review Findings and Recommended Decision," the City made no distinction between wholesale and retail. The decision refers to "...the nonconforming auto sales operation," and the "auto sales site."

Understandably, Oregon Auto read these statements to mean that the City did not distinguish between wholesale and retail used car lots. The company has invested a great deal of money in recent months on the expectation that it would be able to continue to use this site for an "auto sales operation."

When I met with you and Art Tyree last week, and it became apparent during that discussion that the City's position was based upon a misunderstanding of the relative traffic impact of a wholesale used car lot as opposed to a retail used car lot. I can understand why the Planning Department assumed that a retail used car lot would generate more traffic than a wholesale used car lot, but the facts are to the contrary. While a retail used car lot will have more customers, the wholesale used car lot sells far more cars, as a result the net traffic impact of the retail lot is not greater than the wholesale lot.

I asked my client to summarize traffic counts for both lots and I enclose a copy of their summaries for your review. If you would like, we can provide you with more detailed business records to substantiate the summaries. There are several key facts.

1. The retail lot is expected to sell between 75 and 110 cars per month. By contrast the wholesale sales averaged 554 cars per month, over 5 times as many cars.

2. The wholesale cars typically arrived on large "convoy" type trucks. The wholesale operation generated about 15 trips per month by the large trucks. Some cars at the wholesale lot arrived individually. Wholesale cars were usually delivered to customers by driving them off the lot individually. As a result, in addition to the 15 convoy trucks per month, there were 548 trips per month by outside drivers either picking up or delivering the 554 cars being sold per month. The 75 to 110 retail cars per month arrive and depart individually.

3. Each wholesale car was usually driven from the lot to be detailed (200 cars a month) or reconditioned (170 per month), and then driven back to the lot. This generated an additional 370 round trips from the wholesale lot per month. On the retail lot these trips do not occur because the cars are detailed or reconditioned before they arrive.

4. Consequently, each of the 554 wholesale car sold per month usually generated four trips namely:

- a. arrival,
- b. departure for detailing or other reconditioning,
- c. return from detailing or reconditioning, and
- d. departure.

On one of those trips the car was usually delivered on a convoy truck. The other three were usually individual trips.

5. In contrast, each of the 75 to 110 cars per month sold at the retail lot generates only 2 trips, plus test drives by customers. Even assuming that there is a test drive of every car sold, the much greater number of wholesale cars (and the additional trips detailing associated with the wholesale cars) makes up for the fact that there are more retail customers than wholesale customers.

If the traffic is not more intensive there is no good reason to distinguish between wholesale sales of used cars and retail sales of used cars as a different kind of use. The visual impacts are not significantly greater on the neighborhood, and probably are in fact reduced because of the greater attention to the appearance of a retail lot. (I believe the signs you mentioned during our meeting have been removed.)

While there are no Oregon cases discussing the significance of the distinction between wholesale sales and retail sales, *Hendgen v. Clackamas County*, 115 Or. Ap. 117 (1992) sheds some light on these circumstances. In that case LUBA had distinguished between a) using buildings for storage of materials and inventory of businesses that operated on the premises, or b) rental of the buildings to an off premises business for commercial warehousing and storage. LUBA distinguished between the two uses because the buildings had not previously been rented to third parties. *Hendgen v. Clackamas County*, 23, Or. LUBA 285 (1992). The Court of Appeals reversed LUBA and said "The common nucleus of both activities is storage." 115 Or. Ap. at 120. The common nucleus for Oregon Auto is the sale of used cars. A change in the nature of the way it conducts its business or the nature of its customers should not be relevant unless the change has a different impact on surrounding uses.

I look forward to discussing this with you after you have had a chance to review this information.

Very Truly Yours,

Michael J. Lilly
Michael J. Lilly

cc: Jim Jacks
Art Tyree

TUE: PM 2pm

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sur copy). I

of my own).

is of this enforce-
' get BB& me &
you to update
The J.



OREGON AUTO CENTER TRAFFIC FLOW REPORT

FEB. - AUG. 98	MONTHLY AVERAGE	6 MONTH AVERAGE
PURCHASES	554	3324
SALES	554	3324
CUSTOMER TRAFFIC	166.66	1000
DETAILS	200	1200
CONVOYS	15	90
OUTSIDE DRIVERS	548	3288
FEDERAL EXPRESS	42	252
OTHER RECOND.	170	1020
TOWS	4	24
EMPLOYEES	144	864

THIS IS THE TRAFFIC FLOW REPORT FOR OREGON AUTO CENTER WHOLESALE. THE BUSINESS FOR WHOLESALE IS CONDUCTED BETWEEN THE HOURS OF 8 A.M. TO 5 P.M. MONDAY THROUGH FRIDAY.

Oregon Auto Center II, Inc.

Projected Traffic Count

	Sept '98	Full Projection
* Number of employees	13	16
* Company Demos	2	2
* Inventory Count	65	100
* Traffic Count:		
a) Daily Average	5	8
b) Weekend Sat-Sun	25	40
* Units Sold (08/27/1998)	34	100
* Vendors:		
1. Detail	0	0
2. Touch Up	0	0
3. Stereos	0	0
4. Glass Repair	0	0
5. Fed Ex, Etc.	1 a week	3 a week
* Convoys	0	0
* Units purchased	75	110

For August the total traffic count should end up as 100 total during weekdays, 100 for the total weekends. That is a grand total of 200 customers. During the week the total employees on hand would be maximum of 9 a day and peaking at 11 for August of '98 on weekends. That number would stay the same for future with a slight increase of 2 for the weekends. The projected total traffic count is 160 for weekdays, and 160 for weekends totaling 320. Multiplying $200 \times 2 = 400$ cars in and out for august and projected future count $320 \times 2 = 640$. That is whether customer buys or not they will leave with one car in average. Add the employees traffic that should bring the total in August of 98 to 670. Future total count is estimated with employees 940. All cars are bought reconditioned by Wholesale side and therefor there would be no traffic generated for those vendors. These numbers are generated by a daily log kept of our total customer walked or driving in our facilities. Number of cars sold are accurate for August of '98 and projected sold units are the ultimate goal for our organization.