

Cipole Properties, LLC Architectural Review

Date: July 2023 (Updated)

Submitted to: City of Tualatin
Planning Division
10699 SW Herman Road
Tualatin, OR 97062

Applicant: Cipole Properties, LLC
1990 SW Cipole Road
Tualatin, OR 97062

AKS Job Number: 7949



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibits

- Exhibit A:** Preliminary Plans
 - Exhibit B:** Preliminary Architectural Drawings & Renderings
 - Exhibit C:** Application Form
 - Exhibit D:** Washington County Assessor’s Map
 - Exhibit E:** Mailing Labels
 - Exhibit F:** Pre-Application Meeting Notes
 - Exhibit G:** Neighborhood Meeting Materials
 - Exhibit H:** Preliminary Stormwater Report
 - Exhibit I:** Service Provider Letters
 - Exhibit J:** Preliminary Title Report, Legal Description, and Map
 - Exhibit K:** Traffic Memo
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Architectural Review Cipole Properties, LLC

Submitted to:	City of Tualatin Planning Division 10699 SW Herman Road Tualatin, OR 97062
Applicant/Property Owner:	Cipole Properties, LLC 1990 SW Cipole Road Tualatin, OR 97062
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Tony Mills Email: millst@aks-eng.com Phone: (503) 563-6151
Site Location:	Unaddressed property north of the intersection of SW Herman Road and SW Cipole Road
Washington County Assessor's Map:	2S121DC, Tax Lot 700
Site Size:	±1.44 acres
Land Use Districts:	General Manufacturing Planning District (MG)
Comprehensive Plan Designation:	General Manufacturing Planning District (MG)

I. Executive Summary

Cipole Properties, LLC (Applicant) is applying for an Architectural Review to improve a vacant ±1.44-acre property (Tax Lot 700 of Washington County Assessor's Map 2S121DC) in the City of Tualatin's General Manufacturing (MG) zoning district. The site is located north of SW Herman Road but has no frontage along the public right-of-way. The subject property has access to the right-of-way via an access and utility easement (Doc. No. 2013-107655), which grants the site use of an existing shared private driveway that extends through the eastern portion of the site.

The planned site improvements will establish a ±13,790-square-foot building intended for light manufacturing uses similar to those outlined in TDC 39.400. Along with the new industrial building, the applicant plans to construct ±64 off-street parking spaces, two bike parking spaces, a trash enclosure, and a truck loading area. The primary structure design includes an office area, storage space, production/processing equipment, and two truck-loading bays. Utilities are available to the site in an easement that extends through the eastern portion of the site. Stormwater is planned to be collected on-site and conveyed to the north to Tax Lot 301.

This application includes the forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

II. Site Description/Setting

The subject property is a single ±1.44-acre lot: Tax Lot 700 of Washington County Assessor's Map 2S121DC. The current configuration of Tax Lot 700 results from two recently recorded property line adjustments (Survey, 33983) that reorganized three parcels consisting of Tax Lots 700, 800, 801, and 900 of Washington County Assessor's Map 2S121DC. The recently annexed property is within Tualatin's MG zoning district. A shared private drive extending north from SW Herman Road provides access to the site. The site has no frontage on public rights-of-way. Based on a topographic survey, the subject property is relatively flat, with a slope from southeast to northwest. There are two trees and no other significant natural features on the property. According to Tualatin Development Code Appendix A - Maps 71-1–17-3, the site has no greenways or vegetative corridors.

III. Applicable Review Criteria

City of Tualatin Development Code

CHAPTER 32 – PROCEDURES

TDC 32.010. Purpose and Applicability.

- (1) *Purpose.* The purpose of this Chapter is to establish standard procedures for the review and processing of land use applications and legislative land use proposals, as well as ministerial actions. This Chapter is intended to enable the City, the applicant, and the public, where applicable, to reasonably review applications and participate in the local decision-making process in a timely and effective way. Table 32-1 provides a key for determining the review procedure and the decision-making body for particular applications.

- (2) *Applicability of Review Procedures.* All land use and development permit applications and decisions, will be made by using the procedures contained in this Chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or application. There are five types of permit/application procedures as described in subsections (a) through (e) below. Table 32-1 lists the City's land use and development applications and corresponding review procedure(s).

[...]

- (b) *Type II Procedure (Administrative/Staff Review with Notice).* A Type II procedure is used when the standards and criteria require limited discretion, interpretation, or policy or legal judgment. Type II decisions are made by the City Manager and require public notice and an opportunity for appeal to the Planning Commission, Architectural Review Board, or City Council as shown in Table 32-1. Those Type II decisions which are "limited land use decisions" as defined in ORS 197.015 are so noted in Table 32-1.
- (3) *Determination of Review Type.* Unless specified in Table 32-1, the City Manager will determine whether a permit or application is processed as Type I, II, III, IV-A or IV-B based on the descriptions above. Questions regarding the appropriate procedure will be resolved in favor of the review type providing the widest notice and opportunity to participate. An applicant may choose to elevate a Type I or II application to a higher numbered review type, provided the applicant pays the appropriate fee for the selected review type.

Table 32-1—Applications Types and Review Procedures					
Application/Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required
Architectural Review	II	City Manager	City Council	Yes	Yes

Response:

This application aims to secure preliminary approval for site improvements on a vacant property in the City's MG zoning district. Preliminary Plans (Exhibit A) indicate that modifications to the site will include establishing a new industrial building to house a light manufacturing use and constructing an associated off-street parking/loading area. Per TDC Table 61-1, Light Manufacturing is permitted outright in the General Manufacturing Zone. TDC 33.020.2.b requires that new structures are reviewed through an Architectural Review application. TDC Table 32-1 requires that applications for Architectural Review follow the Type II procedure. The threshold for triggering a Type III Architectural Review outlined in TDC 33.020.3.g states that new industrial buildings greater than 150,000 square feet require a Type III review. The Preliminary Site Plan (Exhibit A) indicates that the building will be ±13,790 square feet. Therefore, this application will be reviewed following the City's Type II procedure.

TDC 32.110. Pre-Application Conference.

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- (1) *Purpose of Pre-Application Conferences.* Pre-application conferences are intended to familiarize applicants with the requirements of the TDC; to provide applicants with an opportunity discuss proposed projects in detail with City staff; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to assist applicants in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing any applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.
 - (2) *When Mandatory.* Pre-application conferences are mandatory for all land use actions identified as requiring a pre-application conference in Table 32-1. An applicant may voluntarily request a pre-application conference for any land use action even if it is not required.

Response: A pre-application conference regarding this project was held on January 19, 2022. The project design has not substantially changed since the meeting. This requirement is satisfied.

TDC 32.120. Neighborhood/Developer Meetings.

- (1) *Purpose.* The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet to review a development proposal and identify issues regarding the proposal so they can be considered prior to the application submittal. The meeting is intended to allow the developer and neighbors to share information and concerns regarding the project. The applicant may consider whether to incorporate solutions to these issues prior to application submittal.
- (2) *When Mandatory.* Neighborhood/developer meetings are mandatory for all land use actions identified in Table 32-1 as requiring a neighborhood/developer meeting. An applicant may voluntarily conduct a neighborhood/developer meeting even if it is not required and may conduct more than one neighborhood/developer meeting at their election.

Response: Consistent with the requirements in TDC 32.120, a neighborhood meeting was held virtually regarding this project on March 28, 2022. A meeting notice was mailed to the relevant parties at least 14 days before the meeting, consistent with TDC 32.120.5.a and b. A sign was posted to the site per TDC 32.120.6. The requisite affidavits and meeting materials are included in Exhibit G.

CHAPTER 33 - APPLICATIONS AND APPROVAL CRITERIA

TDC 33.020. Architectural Review.

- (1) *Purpose.* The City Council finds that excessive uniformity, dissimilarity, inappropriateness, or poor quality of design in the exterior appearance of structures and the lack of proper attention to site development and landscaping, in the business, commercial, industrial, and certain residential areas of the City hinders the harmonious development of the City; impairs the desirability of residence, investment or occupation in the City; limits the opportunity to attain the optimum use and value of land and improvements; adversely affects the stability and value of property; produces degeneration of property in such areas with attendant deterioration of conditions affecting the peace, health and welfare of the City; and destroys a proper relationship between the taxable value of property and the cost of municipal services therefore. The purposes and objectives of community design standards are to:

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- (a) Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of development.
 - (b) Discourage monotonous, drab, unsightly, dreary and inharmonious development.
 - (c) Promote the City's natural beauty and visual character and charm by ensuring that structures and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain, natural environment, and landscaping. Exterior appearances of structures and other improvements should enhance these qualities.
 - (d) Encourage site planning and development to incorporate bikeways, pedestrian facilities, greenways, wetlands, and other natural features of the environment and provide incentives for dedication of access easements and property to the public through shift of residential density, system development charge credits, landscaping credits and setback allowances.
 - (e) Protect and enhance the City's appeal to tourists and visitors and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial properties.
 - (f) Stabilize and improve property values and prevent blighted areas and thus increase tax revenues.
 - (g) Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and thus decrease the cost of governmental services.
 - (h) Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvement.
 - (i) Sustain the comfort, health, safety, tranquility and contentment of residents and attract new residents by reason of the City's favorable environment and thus promote and protect the peace, health and welfare of the City.
 - (j) Determine the appropriate yard setbacks, building heights, minimum lot sizes when authorized to do so by City ordinance.
 - (k) Ensure all public facilities including right-of-way, water, sewer, and storm systems are adequate to serve the development.

Response: The provided exhibits and responses to code sections within this written narrative demonstrate how this project is compatible with the purposes and objectives of the community design standards listed in TDC 33.020.1.a–k.

(2) **Applicability.**

- (a) The following types of development are subject to Architectural Review:
 - (i) Any exterior modifications to improved or unimproved real property;
 - (ii) Any remodeling that changes the exterior appearance of a building;
 - (iii) Any site alteration which alters the topography, appearance or function of the site; and
 - (iv) Any change in occupancy from single family use to commercial or industrial use.

Response: This application aims to secure preliminary approval for site improvements on a vacant property in the City’s MG zoning district. Preliminary Plans (Exhibit A) indicate that modifications to the site will include establishing a new industrial building to house a light manufacturing use and constructing an associated off-street parking/loading area. Per the applicability standards in TDC 33.020.2.a, an Architectural Review is required.

(3) **Types of Architectural Review Applications—Procedure Type.**

- (f) *General Development.* All development applications, (except Single Family Dwelling, duplex, townhouse, triplex, quadplex, or cottage cluster, Clear and Objective and Large Commercial, Industrial, and Multifamily Development) are subject to Type II Review.
- (g) *Large Commercial, Industrial, and Multifamily Development.* Development applications that propose any of the following are subject to Type III Review by the Architectural Review Board as the hearing body:
 - (i) New Commercial Buildings 50,000 square feet and larger;
 - (ii) New Industrial Buildings 150,000 square feet and larger; and
 - (iii) New Multifamily Housing Projects with 100 units or more units (or any number of units abutting a single family district).

Response: TDC 32.020.3.g.ii notes that new industrial buildings that are 150,000 square feet and larger should be reviewed following the City’s Type III procedure. As indicated on the Preliminary Plans (Exhibit A), the primary structure is expected to be a ±13,790-square-foot industrial building used for light manufacturing. Therefore, this application does not meet the threshold outlined in TDC 33.020.3.g.ii and should be reviewed following the Type II procedure outlined in TDC 32.220.

- (4) *Application Materials.* The application must be on forms provided by the City. In addition to the application materials required by TDC 32.140 (Application Submittal), the following application materials are also required:
 - (a) The project name and the names, addresses, and telephone numbers of the architect, landscape architect, and engineer on the project;

Response: The project name and applicant team information are provided on the land use application form and on the cover page of the Preliminary Plans (Exhibit A). The requirement in TDC 33.020.4.a is satisfied.

- (b) Existing conditions plan, site plan, grading plan, utility plan, landscape plan, and lighting plan all drawn to scale;

Response: The Preliminary Plans in Exhibit A include an existing conditions plan, preliminary site plan, preliminary grading plan, preliminary utility plan, preliminary landscape plan, and preliminary lighting plan. Each sheet identifies the applicable engineer scale. The requirements outlined in TDC 33.020.4.b are satisfied.

- (c) A building materials plan that includes a written description and image representation of facade, windows, trim, and roofing materials, colors, and textures;

Response: Preliminary Architectural Drawings and Renderings are in Exhibit B. The planned exterior materials, color, and pattern are depicted in a legend on Sheet A 2.1. Materials are anticipated to include Flex and purlin bearing R (PBR) wall paneling, Span-Lok metal roofing, and concrete masonry unit (CMU) wainscotting. The requirement in TDC 33.020.4.c is satisfied.

(d) Title report; and

Response: A Preliminary Title Report is included in Exhibit J. This requirement in TDC 33.020.4.d is satisfied.

(e) A Service Provider Letter from Clean Water Services.

Response: Service Provider Letters from Clean Water Services (CWS), Republic Services, and Tualatin Valley Fire & Rescue (TVF&R) are provided in Exhibit I. The requirement in TDC 33.020.4.e is satisfied.

(5) Approval Criteria.

[...]

(c) *General Development. Applications for General Development must comply with the applicable standards and objectives in TDC Chapter 73A through 73G.*

Response: Responses throughout this written narrative and the provided exhibits demonstrate how this project meets the applicable standards and objectives outlined in TDC Chapters 73A through 73G. The criterion in TDC 33.020.5.c is satisfied.

[...]

(6) Conditions of Approval.

(a) Architectural Review decisions may include conditions of approval that apply restrictions and conditions that:

(i) Implement identified public facilities and services needed to serve the proposed development;

Response: Public facilities needed for this project include sanitary sewer, water, and access to the public right-of-way. An existing access and utility easement (Doc. No. 2013-107655) grants the project site the right to utilize a shared private access that extends from SW Herman Road as well as existing sanitary sewer and water lines within the private drive that also stem from a public main within SW Herman Road. The Preliminary Composite Utility Plan (Exhibit A) details how the primary structure is expected to connect to those existing water and sanitary sewer lines. The condition of approval in TDC 33.020.6.a.i is satisfied.

(ii) Implement identified public facilities and services needed to be altered or increased attributable to the impacts of the proposed development; and

Response: As noted in the pre-application conference notes from January 19, 2022, the additional demand generated by the new industrial building is not anticipated to result in a need to

increase the capacity of existing public services. It is not expected that improvements to public systems/infrastructure will be a condition of approval for this project. To the extent applicable, the condition of approval in TDC 33.020.6.a.ii is satisfied.

(iii) Implement the requirements of the Tualatin Development Code.

Response: The applicable development standards and other requirements of the Tualatin Development Code are listed within this written narrative. The responses to each code section and the referenced exhibits demonstrate how this project is consistent with the applicable standards and requirements regarding site improvements to a vacant property in Tualatin’s MG zoning district. The condition of approval in TDC 33.020.6.a.iii is satisfied.

CHAPTER 61 GENERAL MANUFACTURING ZONE (MG)

TDC 61.200. Use Categories.

- (1) *Use Categories.* Table 61-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the MG zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 61-1 and restrictions identified in TDC 61.210. Limitations may restrict the specific type of use, location, size, or other characteristics of the use category. Use categories which are not listed are prohibited within the zone, except for uses which are found by the City Manager or appointee to be of a similar character and to meet the purpose of this zone, as provided in TDC 31.070.
- (2) *Use Categories in the Limited Commercial Setback.* Commercial uses may be further restricted within the Limited Commercial Setback, see TDC 60.210(4).
- (3) *Overlay Zones.* Additional uses may be allowed in a particular overlay zone. See the overlay zone Chapters for additional uses.

Table 61-1 Use Categories in the MG Zone	
Light Manufacturing	P

Response: This project will establish an industrial building for light manufacturing use consistent with characteristics and examples of light manufacturing uses listed in TDC 39.400. According to Tualatin’s geographic information system (GIS), the subject property is in the MG zoning district. Per TDC Table 61-1, light manufacturing is permitted in the MG zoning district.

TDC 61.300. Development Standards.

Development standards in the MG zone are listed in Table 61-2. Additional standards may apply to some uses and situations, see TDC 61.310.



Table 61-2 Development Standards in the MG Zone		
STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
LOT SIZE		
Minimum Lot Size	20,000 square feet	
LOT DIMENSIONS		
Minimum Lot Width	100 feet	When lot has frontage on public street, minimum lot width at the street is 100 feet. When lot has frontage on cul-de-sac street, minimum lot width at the street is 50 feet.
Infrastructure and Utilities Uses	—	As determined through the Subdivision, Partition, or Lot Line Adjustment process
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C.

Response: The subject property is an established ±1.44-acre (62,743-square-foot) parcel within the City’s MG zoning district. This application will not result in alterations to the existing parcel configuration. The lot size and dimension standards in TDC Table 61-2 are satisfied.

MINIMUM SETBACKS		
Front	30 feet	
Front Setback Adjacent to Residential or Manufacturing Park Zone	50 feet	
Side	0-50 feet	Determined through Architectural Review process. No minimum setback if adjacent to railroad right-of-way or spur track.
Side Setback Adjacent to Residential or Manufacturing Park Zone	50 feet	
Rear	0-50 feet	Determined through Architectural Review process. No minimum setback if adjacent to railroad right-of-way or spur track.
Rear setback adjacent to Residential or Manufacturing Park Zone	50 feet	
Parking and Circulation Areas	5 feet	No minimum setback required adjacent to joint access approach in accordance with TDC 73C.
Fences	10 feet	From public right-of-way.

Response: Per TDC Table 61-2, the setback requirements for the MG zoning district are generally determined by the surrounding uses or through the Architectural Review process. The objective standards are limited to the front setback, parking area setback, and setbacks for fences from the right-of-way. Based on the City’s definition of “Setback” and “Front Lot Line” in TDC 31.060, the subject site does not technically have a front property line. As shown on the Preliminary Plans (Exhibit A), access to the site is provided via a shared driveway that connects to SW Herman Road. The subject property has no frontage along the public right-of-way. The Preliminary Plans (Exhibit A) show that the planned building is set back at least 30 feet from the shared driveway and the property line closest to the right-of-way and indicates that the parking area is set back 5 feet from the adjoining

properties. The subject site and the surrounding properties are all within the MG zoning district and occupied by industrial uses. As such, it is anticipated that no additional setbacks will be applied to other project features through the discretionary Architectural Review process. The minimum setback requirements in TDC Table 61-2 are met.

STRUCTURE HEIGHT		
Maximum Height	60 feet	May be increased to 100 feet if yards adjacent to structure are not less than a distance equal to the height of the structure. Measured at the 50-foot setback line, includes flagpoles. The building height may extend above 28 feet on a plane beginning at the 50-foot setback line at a slope of 45 degrees extending away from the 50-foot setback line. Flagpoles may extend to 100 feet.
Maximum Height Adjacent to Residential Zone	28 feet	

Response: According to the City of Tualatin’s TualGIS Planning District Map, the subject property and all surrounding properties are within the City’s MG zoning district. Therefore, per TDC Table 61-2, the maximum building height allowed for this project is 60 feet. Exhibit B includes Preliminary Architectural Drawings and Renderings, which indicate the building will be ±32 feet in height. These standards are satisfied.

TDC 61.310. Additional Development Standards.

- (1) *Outdoor Uses.* All uses must be conducted wholly within a completely enclosed building, except off-street parking and loading, Basic Utilities, Wireless Communication Facilities and outdoor play areas of child day care centers as required by state day care certification standards.

Response: The Preliminary Plans (Exhibit A) do not indicate that this project will establish an outdoor storage area. The primary light manufacturing use should be contained within the planned building. Outdoor activities associated with the site are expected to be limited to off-street parking and loading.

- (2) *Sound Barrier Construction.* Sound barrier construction is required to mitigate the impact of noise associated with overhead doors and building mechanical equipment, including but not limited to heating, cooling and ventilation equipment, compressors, waste evacuation systems, electrical transformers, and other motorized or powered machinery located on the exterior of a building. Sound barrier construction must conform to the following standards:
 - (a) *Applicability.* New construction, including additions or changes to existing facilities, must comply with the provisions of this section. When additions or changes to existing facilities are proposed, existing structures on the property may be required to comply with the provisions of this section, as determined through the Architectural Review process. Where buildings or outdoor use areas located on more than one parcel are all part of a single use as determined through the Architectural Review process, all of the parcels may be required to comply with the provisions of this section.

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- (b) *Distance from Residential Use.* Sound barriers must be used to intercept all straight-line lateral (direct line between two points) paths of 450 feet or less between a residential property within a residential planning district and:
 - (i) Any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway; or
 - (ii) Any building mechanical device at a minimum height equal to the height of the mechanical object to be screened.
 - (c) *Exemption for Existing Structures.* Where existing structures (on or off site) are located such that they will reflect sound away from residential areas and will function as a sound barrier, on-site sound barrier construction is not required, except that at the time such structures are removed, sound barrier construction is required.
 - (d) *Design.* Sound barriers must consist of masonry walls or earth berms located so as to reflect sound away from, rather than toward, noise sensitive properties. This may include masonry "wing walls" attached to a building, detached masonry walls (such as at the perimeter of the site), earth berms, or combinations of the three. Wing walls must be at least as tall as the tallest overhead door they are designed to screen at the point where they meet the building. The height of the wall may be reduced along a maximum incline formed by a horizontal distance twice the vertical change in height, or 26.5 degrees from horizontal.
 - (i) "Wing wall" means a wall that is attached to a building on one side and meets the screening requirements of (1) and (2) of this section."

Response: Per TDC 61.310.2, sound barriers may be required for all new construction through the Architectural Review process. While these standards may be applied generally, this section includes specific requirements based on proximity to residential uses and noise-sensitive properties. According to TDC 31.060, a "Noise Sensitive Property" is defined as "any residence, apartment, condominium, multi-family dwelling or any school church, nursing home, retirement home, group care home or daycare center located in a residential district." As previously noted, the properties surrounding the subject site are occupied by industrial uses and in the City's MG zoning district. No properties are occupied by a residential use or meet the City's definition of a noise-sensitive property near the site. Therefore, the standards in TDC 61.310.2.b and d are not applicable. General structural requirements are expected to be applied through the building permit review process. To the extent applicable, the standards in TDC 61.310.2 are satisfied.

CHAPTER 63 INDUSTRIAL USES AND UTILITIES AND MANUFACTURING ZONES—ENVIRONMENTAL REGULATIONS

TDC 63.010. Purpose.

TDC 63.020. Applicability.

The regulations of this Chapter apply to:

- (1) All industrial uses and utilities, regardless of the Planning District in which they are located, and
- (2) All Manufacturing Planning Districts, regardless of the use category.

Response: This project aims to establish a new building for light manufacturing use on a property in Tualatin’s MG zoning district. Therefore, the requirements of this section apply. However, environmental regulations apply to the operational characteristics of the eventual use regarding noise, vibration, air quality, odors, heat and glare, storage and stored materials, liquid or solid waste materials, and dangerous substances. This land use application will establish the use and preliminary site design. It is anticipated that a future tenant will be required to meet the applicable environmental regulations based on the specific use of the site.

CHAPTER 70 FLOODPLAIN DISTRICT (FP)

TDC 70.040. Lands to Which This Chapter Applies.

This chapter shall apply to all areas of special flood hazards within the jurisdiction of the City of Tualatin.

Response: As shown on the Preliminary Stormwater Extension Plan (Exhibit A), the stormwater management system is designed to convey runoff to the north of the site to an outfall on Tax Lot 301 (Washington County Assessor’s Map 2S121D). According to the Flood Insurance Rate Map (FIRM), Map Number 41067C0543E, Tax Lot 301, is situated within the 100-year floodplain. Therefore, the standards of this section apply to the stormwater outfall location.

[...]

TDC 70.110. Development Permit Required.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established by TDC 70.050 (Basis for Establishing the Areas of Special Flood Hazard). The permit shall be for all structures, including manufactured homes, as set forth in TDC 70.030 (Definitions), and for all other development, including fill and other activities, also as set forth in TDC 70.030 (Definitions).

Response: Per TDC 70.030, development *means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.* The Preliminary Plans (Exhibit A) indicate that a new stormwater line will be extended from the subject site to an outfall on Tax Lot 301. According to the FEMA FIRM, Tax Lot 301 is within the 100-year floodplain. The planned stormwater line and outfall meet the definition of development in TDC 70.030. Therefore, a Development Permit is required.

TDC 70.120. Application for Development Permit.

Application for a development permit shall be made on forms furnished by the Local Floodplain Administrator and may include, but not be limited to, plans in duplicate, drawn to scale, showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

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- (2) Elevation in relation to mean sea level of floodproofing of any structure;
 - (3) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in TDC 70.180 (Specific Standards for Nonresidential Structures); and
 - (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

Response: The Preliminary Stormwater Extension Plan (Exhibit A) includes a cross-section of the planned stormwater line and outfall. As shown on the plan, ±335 feet of the line will extend into the floodplain. The cross-section shows that the pipe is planned to be below grade until it reaches the outfall, which will be at grade. It is not anticipated that the outfall or storm line will result in alterations to a watercourse. It is expected that a Flood Development Permit will be required as a part of this project's site improvement phase. At this point, the anchoring, construction materials and methods, and any other additional requirements will apply. The requirements are satisfied to the extent necessary and feasible for this preliminary review.

CHAPTER 73A SITE DESIGN STANDARDS

General Purpose and Objectives of Site and Building Design Standards

Residential Design Standards

Multi-Family Design Standards

Commercial Design Standards

Industrial Design Standards

Institutional Design Standards

[...]

TDC 73A.500. Industrial Design Standards.

The following standards are minimum requirements for industrial development in all zones, except the Mixed-Use Commercial (MUC) zone, which has its own standards:

- (1) *Walkways.* Industrial development must provide walkways as follows:
 - (a) Walkways must be a minimum of five feet in width;

Response: The Preliminary Site Plan (Exhibit A) identifies the planned width of each walkway on the site. As noted on the preliminary plans, the walkways are designed to exceed the 5-foot standard in TDC 73A.500.1.a. Therefore, this standard is satisfied.

- (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable;

Response: It is anticipated that the walkways will be constructed in the form of concrete or asphalt. These materials are listed under the notes section of the Preliminary Site Plan (Exhibit A). Therefore, this standard is satisfied.

- (c) Walkways must meet ADA standards applicable at time of construction or alteration;

Response: As identified on the Preliminary Plans (Exhibit A), the curb ramps and walkways are designed to meet the applicable Americans with Disabilities Act (ADA) requirements. As noted in TDC 73A.500.1.c, this standard should be reviewed during the project's construction phase. This standard is satisfied to the extent possible.

- (e) Walkways must be provided between the main building entrances and other on-site buildings, accessways, and sidewalks along the public right-of-way;

Response: This property accesses SW Herman Road via a shared private drive and has no frontage along the public right-of-way. The adjacent site to the south (that fronts SW Herman Road) of the subject property is under different ownership than the subject site. The applicant does not have the right, nor can they be expected, to construct across the frontage of the neighboring property. Additionally, the portion of Herman Road that the shared drive connects to is unimproved and has a narrow shoulder, so any pedestrian connection to the public right-of-way would not allow for safe pedestrian travel. Therefore, the Preliminary Site Plan (Exhibit A) does not include a walkway that extends to the public street. However, consistent with TDC 73A.500.1.e, a sidewalk/pedestrian connection is provided from the shared private drive to the main entrance of the planned building. Therefore, this requirement is satisfied.

- (f) Walkways through parking areas, drive aisles, and loading areas must be of a different appearance than the adjacent paved vehicular areas; and

Response: The preliminary site design will make it necessary for a portion of the planned walkway to cross a parking lot travel aisle and a loading area. Note 1 on the Preliminary Site Plan (Exhibit A) indicates that these portions of the pedestrian crossing will be striped to distinguish the path from the parking/loading area pavement. This requirement is satisfied.

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

Response: This project is not near a greenway, bikeway, park, or designated pedestrian path. The on-site circulation is consistent with the applicable standards. To the extent applicable, this standard is satisfied.

- (2) Accessways.

[...]

- (b) *Design Standard.* Accessways must meet the following design standards:
 - (i) Accessways must be a minimum of eight feet in width;
 - (ii) Public accessways must be constructed in accordance with the Public Works Construction Code;
 - (iii) Private accessways must be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material;
 - (iv) Accessways must meet ADA standards applicable at time of construction or alteration;

-
- (v) Accessways must be provided as a connection between the development's walkway and bikeway circulation system;
 - (vi) Accessways may be gated for security purposes;
 - (vii) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways, and greenways where a bike or pedestrian path is designated; and
 - (viii) Must be constructed, owned and maintained by the property owner.

Response: As previously mentioned and shown on the Preliminary Plans (Exhibit A), access to the site is provided via a shared private connection established by an easement (Doc. No. 2013-107655). The ±40-foot-wide paved accessway connects five properties to SW Herman Road. This project's scope does not include any changes to the existing private drive. To the extent applicable, these requirements are satisfied.

[...]

- (4) *Safety and Security.* Industrial development must provide safety and security features as follows:
 - (a) Locate windows and provide lighting in a manner that enables tenants, employees, and police to watch over pedestrian, parking, and loading areas;
 - (b) Locate windows and interior lighting to enable surveillance of interior activity from the public right-of-way;
 - (c) Locate, orient, and select exterior 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;

Response: Preliminary Architectural Drawings and Renderings are included in Exhibit B, which consists of the preliminary elevation drawings and details that show ground-floor windows and exterior lighting on the building. As shown, windows will face the parking area and in the direction of the right-of-way. The Preliminary Plans (Exhibit A) include a lighting plan demonstrating how the on-site parking area and walkways will be lit. Lighting fixtures are expected to follow the applicable shielding requirements.

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

Response: This project aims to establish one building. As shown on the Preliminary Elevation Plans (Exhibit B), the primary entrance will be well lit. Addressing will occur during the building permit review process. Once officially addressed, the building is expected to include formal identification in a visible location.

- (e) Above ground sewer or water pumping stations, pressure reading stations, water reservoirs, electrical substations, and above ground natural gas pumping stations must provide a minimum six foot tall security fence or wall.

Response: As shown on the Preliminary Composite Utility Plan (Exhibit A), the subject site is not expected to include any aboveground utilities. Therefore, this standard is not applicable.

- (5) *Service, Delivery, and Screening.* Industrial development must provide service, delivery, and screening features as follows:
 - (a) Above grade and on-grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners must be screened with sight obscuring fences, walls or landscaping;

Response: The exact location of any potential on-grade electrical and mechanical equipment is unknown in this preliminary phase. Screening requirements are expected to be reviewed during the building permit process.

- (b) Outdoor storage must be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping; and

Response: Outdoor storage is not included in or anticipated with this project. This requirement is not applicable.

- (c) Above ground pumping stations, pressure reading stations, water reservoirs; electrical substations, and above ground natural gas pumping stations must be screened with sight-obscuring fences or walls and landscaping.

Response: As shown on the Preliminary Composite Utility Plan (Exhibit A), the subject site is not expected to include any aboveground utilities. Therefore, this standard is not applicable.

- (6) *Adjacent to Transit.* Industrial development adjacent to transit must comply with the following:
 - (a) Development on a transit street designated in TDC Chapter 11 (Figure 11-5) must provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street; and

Response: The Tualatin Development Code does not include Chapter 11 or Figure 11-5. According to the Tualatin Transit Plan (Map 8-5) in the City's Comprehensive Plan, the section of SW Herman Road that the subject site has access to is not Transit Street. Additionally, the subject site does not have frontage along the public right-of-way. Therefore, the standards of this section are not applicable.

CHAPTER 73B LANDSCAPING STANDARDS

TDC 73B.010. Landscape Standards Purpose and Objectives.

- (1) *Purpose.* The purpose of this Chapter is to establish standards for landscaping within Tualatin in order to enhance the environmental and aesthetic quality of the City.

[...]

TDC 73B.020. Landscape Area Standards Minimum Areas by Use and Zone.	
(4) CO, CR, CC, CG, MUC, ML and MG zones within the Core Area Parking District—All uses	10 percent of the total area to be developed

Response: According to TualGIS, the subject site is zoned MG. Therefore, per TDC 73B.020, 10 percent of the subject site is required to be landscaped. Ten percent of the ±1.44-acre (62,726-square-foot) site is ±6,272 square feet. As shown on the Preliminary Site Plan and Preliminary Landscape Plan (Exhibit A), the landscape areas exceed the minimum

requirements for landscaping in the MG zoning district. This requirement in TDC 73B.020 is satisfied.

Table 73B-1 Required Landscape Buffer Between Uses					
Proposed Improvement					
	Residential	Commercial	Institutional	Parking Lots 4—50 spaces	Parking Lots 50+ spaces Residential
Abutting	Industrial	D	A	D	—

Response: As noted throughout this written narrative, the subject site and all surrounding properties are within the MG zoning district and occupied by existing industrial uses. The subject site is expected to be occupied by a building used for light manufacturing. Per Table 73B-1, this project is not required to provide buffering from the adjacent properties. This section is not applicable.

TDC 73B.060. Additional Minimum Landscaping Requirements for Industrial Uses.

- (1) *General.* In addition to requirements in TDC 73B.020, industrial uses must comply with the following:
 - (a) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas, or undisturbed natural areas must be landscaped.
 - (i) This standard does not apply to areas subject to the Hedges Creek Wetlands Mitigation Agreement.

Response: The Preliminary Site and Landscape Plan (Exhibit A) demonstrates compliance with this standard.

- (b) Minimum 5-foot-wide landscaped area must be located along all building perimeters viewable by the general public from parking lots or the public right-of-way, but the following may be used instead of the 5-foot-wide landscaped area requirement:
 - (i) Pedestrian amenities such as landscaped plazas and arcades; and
 - (ii) Areas developed with pavers, bricks, or other surfaces, for exclusive pedestrian use and contain pedestrian amenities, such as benches, tables with umbrellas, children's play areas, shade trees, canopies.
- (c) Five-foot-wide landscaped area requirement does not apply to:
 - (i) Loading areas,
 - (ii) Bicycle parking areas,
 - (iii) Pedestrian egress/ingress locations, and
 - (iv) 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 eight feet.

Response: As shown on the Preliminary Plans (Exhibit A), the subject site does not abut the public right-of-way. The planned off-street parking area will be for private use, predominately for employees. Per the design shown on the Preliminary Landscape Plan (Exhibit A), a 5-foot landscape strip will be located along the southern property boundary. Additionally, plans identify 5-foot-wide planters along the portions of the building that do not have an

exterior entry or loading bay. These specified elements satisfy the minimum requirements outlined in TDC 73B.060.1.b. The current design does not utilize the features outlined in TDC 73B.060.1.c.

- (d) Development that abuts an RL or MP Zone must have landscaping approved through Architectural Review and must provide and perpetually maintain dense, evergreen landscaped buffers between allowed uses and the adjacent RL and MP zones.

Response: According to the TualGIS, the subject site and surrounding properties are all within the MG zoning district. Therefore, this requirement is not applicable.

CHAPTER 73C PARKING STANDARDS

TDC 73C.010. Off-Street Parking and Loading Applicability and General Requirements.

- (1) *Applicability.* Off-street parking and loading is required to be provided by the owner and/or developer, in all zones, whenever the following occurs:
 - (a) Establishment of a new structure or use;
 - (b) Change in use; or
 - (c) Change in use of an existing structure.
- (2) *General Requirements.* Off-street parking spaces, off-street vanpool and carpool parking spaces, off-street bicycle parking, and off-street loading berths must be as provided as set forth in TDC 73C.100, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process.
 - (a) The following apply to property and/or use with respect to the provisions of TDC 73C.100:
 - (i) The requirements apply to both the existing structure and use, and enlarging a structure or use;

Response: This project includes improvements to a vacant site to establish a new building and off-street parking area. Therefore, Chapter TDC 73C and the requirements outlined in TDC 73C.100 are applicable.

- (ii) The floor area is measured by gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading;

Response: The Preliminary Site Plan (Exhibit A) identifies the minimum number of off-street parking spaces required per TDC 73C.100.f.i (Manufacturing), and demonstrates the method used to calculate those spaces based on the gross square footage of the planned building. The requirement in TDC 73C.010.2.a.ii is satisfied.

- (iii) Where employees are specified, the term applies to all persons, including proprietors, working on the premises during the peak shift;

Response: Per TDC 73C.100.f.i, the calculation for manufacturing buildings is calculated based on the gross square footage of the building and not the number of employees. Therefore, 73C.010.2.a.iii is not applicable.

- (iv) Calculations to determine the number of required parking spaces and loading berths must be rounded to the nearest whole number;

Response: As demonstrated in the summary table on the Preliminary Site Plan (Exhibit A), the total number of required parking spaces and loading berths has been rounded to the nearest whole number. TDC 73C.010.a.iv is satisfied.

(v) If the use of a property changes, thereby increasing off-street parking or loading requirements, the increased parking/loading area must be provided prior to commencement of the new use;

Response: This project will establish a new use on a vacant property. Per TDC 73C.100.f, a new off-street parking area will be necessary to accommodate the minimum number of spaces required for the intended use. The Preliminary Site Plan (Exhibit A) includes a new off-street parking area consistent with the applicable requirements of Chapter 73C. Therefore, TDC 73C.010.2.a.v is satisfied.

(vi) Parking and loading requirements for structures not specifically listed herein must be determined by the City Manager, based upon requirements of comparable uses listed;

Response: As noted throughout this written narrative, this project aims to establish a new building for light manufacturing. Requirements in TDC 73C.100.f.i outline the minimum and maximum off-street parking standards for manufacturing uses. Therefore, it is not anticipated that an interpretation from the City Manager is necessary to determine the minimum parking requirements. TDC 73C.010.2.a.vi is not applicable.

(vii) When several uses occupy a single structure, the total requirements for off-street parking may be the sum of the requirements of the several uses computed separately or be computed in accordance with TDC 73.370(1)(m), Joint Use Parking;

Response: According to the floor plans shown in the Preliminary Architectural Drawing and Renderings in Exhibit B, the building design is anticipated to accommodate a single business/tenant. Therefore, the joint-use parking standards in TDC 73.370.1.m are not applicable, and TDC 73C.010.2.a.vii is satisfied.

(viii) Off-street parking spaces for dwellings must be located on the same lot with the dwelling. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site. The parcel upon which parking facilities are located must be in the same ownership as the structure;

Response: This project aims to establish a new building for light manufacturing in the MG zoning district. Residential dwellings are not included in the plan for the subject property. As noted on the Preliminary Plans (Exhibit A), the off-street parking area is designed to be adjacent to the new building and on the same property. Therefore, the allowance to provide off-street parking on a separate lot or parcel in TDC 73C.010.2.a.viii is not necessary.

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- (ix) Required parking spaces must be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and must not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business;

Response: This project aims to establish a new building for light manufacturing on vacant property in Tualatin’s MG zoning district. The Preliminary Site Plan (Exhibit A) demonstrates that the parking area is designed to exceed the minimum ±22 parking spaces required based on the size and intended use of the new building (per 73C.100.f.i). The Preliminary Plans (Exhibit A) do not define space dedicated to outdoor storage. Based on the number of provided parking spaces, it is not expected that the minimum required parking spaces will not be necessary for vehicle storage or parking trucks related to the future business. The parking area requirements in TDC 73C.010.a.2.ix are satisfied.

- (x) Institution of on-street parking, where none is previously provided, must not be done solely for the purpose of relieving crowded parking lots in commercial or industrial zones;

Response: The project site does not have frontage on a public or private street. SW Herman Road is the nearest public right-of-way. The subject property accesses the right-of-way via a shared private accessway. On-street parking is not currently available along SW Herman Road, nor is it anticipated to be. Furthermore, as noted on the Preliminary Plans (Exhibit A), the parking area design exceeds the minimum required spaces for the planned light manufacturing building outlined in TDC 73C.100.f.i. On-street parking is not necessary to supplement the planned parking area. Therefore, the requirement in TDC 73C.010.2.a.x is not applicable.

- (xi) Required vanpool and carpool parking must meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage;

Response: Per TDC 73C.100.2, one van/carpool space is required per 25 off-street parking spaces. Based on the number of parking spaces shown on the Preliminary Site Plan (Exhibit A), ±3 van/carpool parking spaces are required. The majority of the parking spaces are designed to meet the requirements for a 9-foot stall outlined in Figure 73-1. Signage can be provided as necessary during the site improvement phase of the project. To the extent applicable, the requirement in TDC 73C.010.2.a.xi is satisfied.

- (xii) Where uses are mixed in a single building, parking must be a blend of the ratio required less ten percent for the minimum number of spaces. The maximum number of spaces must be ten percent less than the total permitted maximum for each use; and

Response: The goal of this project is to improve a vacant property in Tualatin’s MG zoning district by establishing a new building for light manufacturing. According to the floor plans shown on the Preliminary Architectural Drawing & Renderings in Exhibit B, the building design is anticipated to accommodate a single business/tenant. Therefore, it is not expected that the design will need to accommodate a mix of uses on the property, and the requirement in TDC 73C.010.2.a.xii is not applicable.

-
- (xiii) If the applicant demonstrates that too many or too few parking spaces are required, applicant may seek a variance from the minimum or maximum by providing evidence that the particular use needs more or less than the amount specified in this Code.

Response: The summary table on the Preliminary Site Plan (Exhibit A) provides the parking space per gross square footage (building area) calculation that TDC 73C.100.f.i requires for manufacturing uses. The plan also demonstrates how the parking lot design for this project exceeds the required minimum number of spaces. Per TDC 73C.100.f.i, there is no maximum to the number of parking spaces for manufacturing uses in Tualatin. Therefore, the allowance to seek a variance provided in TDC 73C.010.2.a.xiii is unnecessary for this application.

TDC 73C.020. Parking Lot Design Standards.

A parking lot, whether an accessory or principal use, intended for the parking of automobiles or trucks, must comply with the following:

- (1) Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1;
 - (a) Exception: Parking structures and underground parking where stall length and width requirements for a standard size stall must be reduced by one-half feet and vehicular access at the entrance if gated must be a minimum of 18 feet in width.

Response: As shown on the Preliminary Plans (Exhibit A), the off-street parking area is planned to be at grade. It incorporates different types (compact, van/carpool, and standard) of perpendicular parking spaces. Each parking space is consistent with the applicable stall design standards in Figure 73-1. It is not anticipated that the parking area will include a gate. Therefore, the standards in TDC 73C.020.1 are satisfied.

- (2) Parking lots and parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;
- (3) Parking stalls must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or woody material are not an acceptable materials. Pavers, pervious concrete, or grasscrete are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor;

Response: The Surfacing Legend on the Preliminary Site Plan (Exhibit A) identifies the varying degrees/types of pavement expected to be used in parking and loading areas for this project. It is anticipated that concrete or asphalt pavement will be used to surface the parking and loading areas. Per TDC 73C.020.2 and 3, concrete and asphalt are acceptable materials for a parking area. Therefore, this requirement is satisfied.

- (4) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks;

Response: Per TDC 73C.020.4, the applicant understands the requirement to maintain the parking area. The Surfacing Legend on the Preliminary Site Plan (Exhibit A) indicates that the sidewalks will be paved and are designed to be separated from the parking area by vertical

curbing. Elevating the pedestrian path from the parking area should reduce the chances of water flowing across the sidewalk. Additionally, Exhibit H includes the Preliminary Stormwater Report for this project outlining how on-site stormwater will be managed to avoid flooding or pooling. To the extent applicable, TDC 73C.020.4 is satisfied.

- (5) Parking bumpers or wheel stops or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.

Response: As noted on the Preliminary Site Plan (Exhibit A), a 6-inch curb will separate the sidewalk from the parking stalls. This requirement is satisfied.

- (6) Disability parking spaces and accessibility must meet ADA standards applicable at time of construction or alteration;

Response: Parking stalls designed per the ADA standards outlined in ORS 477.233 are provided on the Preliminary Site Plan in Exhibit A. The preliminary design includes three accessible spaces with two van-accessible spaces and one standard accessible space. It is anticipated that the construction standards will be applied during the site improvement phase of this project. To the extent possible in this preliminary phase, the ADA parking space standard in TDC 73C.020.6 is satisfied.

- (7) Parking stalls for sub-compact vehicles must not exceed 35 percent of the total parking stalls required by TDC 73C.100. Stalls in excess of the number required by TDC 73C.100 can be sub-compact stalls;

Response: The current configuration of the off-street parking area (Preliminary Site Plan, Exhibit A) utilizes 90-degree stalls, including 63 standard spaces and one compact space (64 total). All the parking stalls are designed per the relevant dimensional standards outlined in TDC Figure 73-1. TDC 73C.020.7 limits the number of compact parking spaces allowed in a parking area to 35 percent of the total number of stalls provided. The number of compact spaces included in this design is less than 1 percent of all the parking stalls provided. The standard in TDC 73C.020.7 is satisfied.

- (8) Groups of more than four parking spaces must 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;

Response: According to TDC Figure 73-1, the minimum aisle width between stall lines for 90-degree stalls is required to be 24 feet. The off-street parking area configuration shown on the Preliminary Plans (Exhibit A) incorporates 90-degree parking stalls with travel aisles that meet and exceed the minimum 24-foot-width design requirement in TDC Figure 73-1. Based on the location of the parking stalls and the width of each travel aisle, vehicle movements (related to parking) should be contained in the parking area. Additionally, the site does not have frontage along a street/right-of-way (public or private). Therefore, the vehicle maneuvering requirements in TDC 73C.020.8 are satisfied.

- (9) Drives to off-street parking areas must 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;

Response: Access to the project site comes from an existing 40-foot-wide shared private drive that extends north from a connection with SW Herman Road. The Preliminary Site Plan (Exhibit A) shows a 26-foot-wide travel aisle providing ingress and egress between the planned parking and loading area and the accessway. The entrance to the parking area is ±85 feet from the access to SW Herman Road. Additionally, pedestrian circulation is mainly limited to sidewalks separated vertically by a 6-inch curb. When the pedestrian path has to cross an area of vehicle circulation, the plans indicate that striping will be used to distinguish the walkway. Compliance with the applicable design requirements for pedestrian and vehicle circulation is demonstrated in the Preliminary Plans (Exhibit A) and code responses throughout this written narrative. The design standard in TDC 73C.020.9 is satisfied.

- (10) 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, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree stalls are located on both sides of a drive aisle, a minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic;

Response: As shown on the Preliminary Plans (Exhibit A), all drive aisles on the project site are designed to be 24 feet or wider. Therefore, the standards in TDC 73C.020.10 are satisfied. This requirement is not applicable.

- (11) Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor;

Response: As shown on the Preliminary Lighting Plan (Exhibit A), lighting is anticipated to be contained to the site. According to Maps 72-1 through -3 in Appendix A of the Tualatin Development Code, the subject site is not in or adjacent to any formally designated Natural Resource Areas. According to a CWS SPL provided in Exhibit I, there are no vegetated corridors on or adjacent to the subject site. The artificial lighting standard in TDC 73C.020.11 is satisfied.

- (12) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200; and

Response: Responses to the parking lot landscaping standards of TDC 73C.200 are included in this written narrative. Code responses, along with the Preliminary Landscape Plan (Exhibit A), detail how the project design meets and, in most cases, exceeds the minimum required standards outlined in TDC 73C.200. Therefore, the standard in TDC 73C.020.12 is satisfied.

- (13) Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.

Response: The subject property and surrounding properties are within the MG zoning district. TDC 73C.020.13 is a standard requiring compatibility with nearby residential uses. Therefore, this requirement is not applicable.

TDC 73C.050. Bicycle Parking Requirements and Standards.

- (1) *Requirements.* Bicycle parking facilities must include:
 - (a) Long-term parking that consists of covered, secure stationary racks, lockable enclosures, or rooms in which the bicycle is stored;
 - (i) Long-term bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.
 - (b) Short-term parking provided by secure stationary racks (covered or not covered), which accommodate a bicyclist's lock securing the frame and both wheels.

Response: Per TDC 73C.100.1.f.i, a minimum of two covered bicycle parking spaces is required. Note 4 under Site Keyed Notes on the Preliminary Site Plan (Exhibit A) shows a dedicated space for bicycle parking near the main entrance of the planned building. However, the applicant may wish to incorporate bicycle parking within the new structure. It is anticipated that bike parking facilities will ultimately be reviewed during the final building permit phase of the project. This requirement is satisfied.

- (2) *Standards.* Bicycle parking must comply with the following:
 - (a) Each bicycle parking space must be at least six feet long and two feet wide, with overhead clearance in covered areas must be at least seven feet;
 - (b) A five-foot-wide bicycle maneuvering area must be provided beside or between each row of bicycle parking. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;
 - (c) Access to bicycle parking must be provided by an area at least three feet in width. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;

Response: Preliminary Plans (Exhibit A) identify a dedicated bike parking area that abuts the sidewalk near the northern property boundary between the vehicle parking area and the planned building. Consistent with TDC 73C.050.2, the bike parking has a minimum dimension of 2 feet wide by 6 feet long. Connecting the bike parking area to the paved sidewalk will provide adequate access and maneuvering area. The requirements of TDC 73C.050.2.a-c are satisfied.

- (d) Bicycle parking areas and facilities must be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs must be located at the main entrance and at the location of the bicycle parking facilities;

Response: Signage requirements are expected to be reviewed separately from this with the final plans during the building permit process. To the extent applicable, this requirement is satisfied.

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

Response: Light fixtures on the new building and pole locations throughout the site are identified on the Preliminary Site Plan (Exhibit A) and the Preliminary Architectural Drawings and Renderings. The bike parking area is planned to be located on the north end of the subject site between the vehicle parking area and the building. The Preliminary Lighting Plan (Exhibit A) identifies the expected lighting levels throughout the site. Additionally, the preliminary building design includes ground-floor windows, which will increase the visibility of the bike parking area. It is anticipated that the site lighting will be adequately shielded and contained to the site. The fixture details will be provided during the building permit review. Based on the above-described project features and design elements, the planned bike parking location satisfies the requirements outlined in TDC 73C 050.2.e.

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

Response: This requirement is understood.

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

Response: According to Tualatin’s Core Area Parking District boundary map, the subject site is outside the Core Area Parking District. Additionally, the site has no frontage on the public right-of-way. Therefore, the provision in TDC 73C.020.g allowing on-street bike parking does not apply to this project. A bicycle parking area is provided on the Preliminary Plans (Exhibit A) and designed to meet the relevant standards of TDC 73C.050.

(h) The City Manager 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 Architectural Review.

Response: As noted in responses to TDC 73C.050.2.a–g, the planned bicycle parking meets the minimum requirement of this section. Therefore, the flexibility that may be allowed by subsection f is not necessary.

TDC 73C.100. Off-Street Parking Minimum/Maximum Requirements.

(1) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City, except these standards do not apply in the Core Area Parking District. The Core Area Parking District standards are in TDC 73C.110.

USE	MINIMUM MOTOR VEHICLE PARKING	MAXIMUM MOTOR VEHICLE PARKING	BICYCLE PARKING	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
(f) Industrial				
(i) Manufacturing	1.60 spaces per 1,000 square feet of gross floor area	None	2 spaces, or 0.10 spaces per 1,000 gross square feet, whichever is greater	First five spaces or 30 percent, whichever is greater

Response: This application aims to establish a new building intended for light manufacturing use on a property in Tualatin’s MG zoning district. Therefore, the vehicle and bicycle parking standards for manufacturing uses in TDC 73C.100.1.f.i apply. According to Preliminary Plans (Exhibit A), the structure is expected to be ±13,790 square feet. Based on the development code’s parking calculations for manufacturing buildings (1.60 spaces per 1,000 square feet of gross floor area), there are no maximum parking limitations, and a minimum of ±22 parking spaces is required for this project. As shown on the plans, the off-street parking area is designed to accommodate 64 90-degree off-street parking spaces, including one compact stall, five standard temporary stalls, and 58 standard permanent stalls.

In addition to vehicle parking, TDC 73C.100.1.f.i requires a minimum of two bicycle parking spaces based on the size of the building. The Preliminary Site Plan (Exhibit A) identifies two covered bicycle parking spaces planned to be located near the northern property boundary between the building and the vehicle parking area. Therefore, the parking requirements of TDC 73C.100.1.f.i are satisfied.

(2) In addition to the general parking requirements in subsection (1), the following are the minimum number of off-street vanpool and carpool parking for commercial, institutional, and industrial uses.

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

Response: TDC 73C.100.2 requires parking areas that include 26 or more spaces to provide one vanpool or carpool space for every 25 spaces. The current design of the parking area (Preliminary Plans, Exhibit A) includes 64 stalls. Per TDC 73C.010.2.xi, vanpool and carpool spaces must be designed following the 9-foot stall standards outlined in TDC Figure 73-1 (Appendix B). As noted on the Preliminary Site Plan (Exhibit A), all but one of the 64 parking stalls are designed to meet the 9-foot design standard shown in Figure 73-1. It is anticipated that signage dedicating specific spaces will be required in the site improvement phase. Therefore, TDC 73C.100.2 is satisfied.

TDC 73C.120. Off-Street Loading Facilities Minimum Requirements.

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

Use	Square Feet of Floor Area	Number of Berths	Dimensions of Berth	Unobstructed Clearance of Berth
Industrial	5,000—25,000	1	12 feet × 60 feet	14 feet

(2) Loading berths must not use the public right-of-way as part of the required off-street loading area.

Response: According to TDC 73C.120.1, sites with a 5,000- to 25,000-square-foot building occupied by an industrial use must incorporate at least one 12-foot-wide, 60-foot-long loading berth in the design of the associated parking and loading area. As noted on the Preliminary Site

Plan (Exhibit A), the new building is expected to be ±13,790 square feet, and the plan identifies one (12-foot-by-60-foot) loading berth that aligns with the center travel aisle of the parking area. The center travel aisle is intentionally configured to exceed the minimum dimensional standards for a vehicle travel aisle in TDC Figure 73-1 to adequately accommodate truck maneuverings within the site's boundaries. The loading berth standards in TDC 73C.120.1 and 2 are satisfied.

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

Response: Per TDC 73C.120.3, loading areas must be screened from public view and adjacent properties. SW Herman Road is south of the subject site and runs along an elevated berm. This elevation difference creates a unique circumstance for the subject site regarding screening from the view of the right-of-way in that typical methods may be less effective. The site's loading area is planned to be located in the center of the south side of the future building, north of the primary parking area. The Preliminary Landscape Plan (Exhibit A) exceeds the applicable minimum Landscaping Standards in TDC Chapter 73A and Parking Lot Landscaping Standards in TDC 73C.200-250. Specific plants and their expected location are labeled on the plan. Given the unique circumstances of the site, the screening provided in the landscaping design should effectively disrupt the view of the loading area from neighboring properties and the right of way, consistent with the intent of TDC 73C.120.3.

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

Response: This requirement is understood and should be reviewed during the building permit review process.

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

Response: TDC 73C.120.4 requires that loading areas are designed to be on the same property as the associated building and not interfere with any required off-street parking spaces. Preliminary Plans (Exhibit A) identify that the building and related loading area will both be located on the subject property. Per TDC 73C.100.1.f.i, a ±13,790-square-foot light manufacturing building requires a minimum of 22 off-street parking spaces. The Preliminary Site Plan (Exhibit A) shows 64 parking stalls on the subject site. The site is designed such that the center travel aisle is directly south of the loading area in anticipation that this area may be utilized for truck maneuvering. As noted on the preliminary plans, five stalls on the west side of the center aisle are labeled temporary parking spaces. Since five of the 64 spaces could potentially be impacted by truck maneuvering, the 59 remaining parking stalls exceed the minimum parking requirements outlined in TDC 73C.100.1.f.i. Therefore, TDC 73C.120.4 is satisfied.

- (6) A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children must be located on the site of a school or child day care center having a capacity greater

Response: This application involves a light industrial use. Loading/unloading of children is not a design consideration. This standard is not applicable.

TDC 73C.130. Parking Lot Driveway and Walkway Minimum Requirements.

- (3) *Industrial Use.* Ingress and egress for industrial uses must 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' from ROW, 24 feet thereafter	No curbs or walkway required

Response: As noted on the Preliminary Plans and throughout this written narrative, the subject site does not have frontage along the public right-of-way. Ingress and egress to the site are provided via a ±40-footwide access easement (Doc. No. 2013-107655), which grants the subject property rights to utilize an existing shared private drive that connects to SW Herman Road. The Preliminary Site Plan (Exhibit A) notes that the existing paved width of the shared access is ±40 feet, and the entrance to the planned off-street parking area is ±85 feet from the right-of-way and designed to be ±26 feet wide. Per TDC 73C.130, industrial uses with less than 250 parking spaces are required to be 36 feet wide for the first 50 feet from the right-of-way. The project is designed to exceed the requirements in TDC 73C.130; therefore, this standard is satisfied.

TDC 73C.200. Parking Lot Landscaping Standards Purpose and Applicability.

[...]

- (2) *Applicability.* Off-street parking lot landscaping standards apply to any surface vehicle parking or circulation area. The following standards do not apply to the following residential development: single family detached or attached; duplexes; townhouses; triplexes; quadplexes; or cottage clusters

Response: This project aims to establish a new building for light manufacturing use on a vacant property. Per TDC 73C.100, off-street parking is required. Therefore, this section is applicable.

[...]

TDC 73C.240. Industrial Parking Lot Landscaping Requirements.

Industrial uses must comply with the following landscaping requirements for parking lots in all zones.

- (1) *General.* Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.

Response: A Preliminary Landscape Plan is provided in Exhibit A, which demonstrates that portions of the parking area that are not necessary for vehicle maneuvering are landscaped in accordance with this code. The general standard in TDC 73C.240.1 is satisfied.

-
- (2) *Clear Zone.* Clear zone required 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 eight feet as measured from the ground level.

(a) Exception: does not apply to parking structures and underground parking.

Response: The preliminary Landscape Plan (Exhibit A) depicts and notes each plant type and species. The plan demonstrates that the plants in clear zones are expected to include smaller bushes and ground cover, meeting the vertical standards outlined in TDC 73C.240.2. This requirement is satisfied.

- (3) *Perimeter.* Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following:

(a) Deciduous trees located not more than 30 feet apart on average as measured on center;

(b) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;

(c) Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;

(d) Native trees and shrubs are encouraged; and

(e) Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.

Response: As shown on the Preliminary Site Plan (Exhibit A), a 5-foot strip is reserved around the perimeter of the entire parking area except for the stalls on the northeastern side of the site that abut the shared accessway. Per subsection TDC 73C.240.3.e, areas bordering shared accessways are exempt from this standard. A Professional Landscape Architect has prepared the Preliminary Landscape Plan per the requirements in TDC 73C.240.3.a–d. It should be noted that the plan (Preliminary Landscape Plan, Exhibit A) identifies Lowfast Cotoneaster as one of the primary plants around the site’s perimeter. According to the Oregon State University’s Department of Horticulture Landscape Plant List, this is a broad-leaved evergreen plant that typically reaches 30 to 38 inches in height.

- (4) *Landscape Island.* Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following.

Response: The Preliminary Site Plan (Exhibit A) details that a total of 64 off-street parking stalls will be provided with this site design. Per TDC 73C.240.4, 1,600 square feet of the parking area must be improved with landscape island areas. As shown on the Preliminary Site and Landscape Plans (Exhibit A), the parking area includes ±20 landscape islands on the ends of each area of each parking space section. These islands provide a total of ±2,300 square feet of landscaped area. Therefore, the landscape area requirement outlined in TDC 73C.240.4 1 is satisfied.

(a) 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;

Response: This allowance is understood.

-
- (b) Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;

Response: The Preliminary Site Plan (Exhibit A) identifies a protective curbing that separates parking spaces from landscape areas. This requirement is satisfied.

- (c) Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;

Response: Per TDC 73C.240.4.c, the parking area design should incorporate a landscape island at the end of each aisle to protect parked vehicles from moving vehicles. This project's parking/loading area includes a primary travel aisle that extends from the parking area entrance through the site from east to west (Preliminary Plans, Exhibit A). Consistent with the requirement in TDC 73C.240.4.c, the site design includes landscape islands separating parking stalls from the main travel aisle that also meet the dimensional provision in TDC 73C.240.4.h. Therefore, this standard is satisfied.

- (d) Landscape separation required for every eight continuous spaces in a row;

Response: Per TDC 73C.240.4.d, landscape spacing is required for every eight continuous parking spaces. On the Preliminary Site Plan (Exhibit A), no parking section exceeds eight consecutive parking stalls. This requirement is not applicable.

- (e) Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;
- (f) Must be planted with groundcover or shrubs;
- (g) Native plant materials are encouraged;
- (h) Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);
- (i) Required plant material in landscape islands must achieve 90 percent coverage within three years; and
- (j) Exception: Landscape square footage requirements do not apply to parking structures and underground parking.

Response: A Preliminary Landscape Plan is provided in Exhibit A, which a certified Landscape Architect prepared, that includes the number of trees and shrubs to be planted as well as the type and species. In addition, the plan indicates the approximate location of each tree and shrub. In addition to the drawings, The Preliminary Plant Schedule on the Preliminary Landscape Plan (Exhibit A) demonstrates consistency with the requirements outlined in TDC 73C.240.4.e-i. The exception in subsection j is not applicable. These requirements are satisfied.

- (5) *Landscaping Along Driveway Access.* For lots with 12 or more parking spaces:

- (a) Landscape area at least five (5) feet in width on each side of an accessway;
- (b) Landscape area must extend 30 feet back from the property line; and
- (c) Exceptions: does not apply to parking structures and underground parking which must be determined through the Architectural Review process.

Response: The subject site does not have frontage along the public right-of-way. Access to SW Herman Road is provided via an established shared private accessway. Per TDC 31.060, the shared private accessway does not meet the City’s definition of a street, and the immediate entrance/exit to the site cannot be considered a driveway based on the City’s definition of a driveway (TDC 31.060). Further, the portion of the shared private access that abuts SW Herman Road is under different ownership from the subject site. Therefore, the project should be exempt from the driveway landscape standards in TDC 73C.240.5.

CHAPTER 73D WASTE AND RECYCLABLES MANAGEMENT STANDARDS

TDC 73D.010. Applicability and Objectives.

- (1) *Applicability.* The requirements of this Chapter apply to all new or expanded:
 - (a) Common wall residential developments containing five or more units;
 - (b) Commercial developments;
 - (c) Industrial developments; and
 - (d) Institutional developments.

Response: This application involves establishing a light manufacturing building on a vacant property in the MG zone. The planned use is considered industrial; therefore, this section applies.

TDC 73D.020. Design Methods.

An applicant required to provide mixed solid waste and source separated recyclables storage areas must comply with one of following methods:

- (1) The minimum standards method in TDC 73D.030;
- (2) The waste assessment method in TDC 73D.040;
- (3) The comprehensive recycling plan method in TDC 73D.050; or
- (4) The franchised hauler review method in TDC 73D.060.

Response: This project will follow the minimum standards method outlined in TDC 73D.030.

TDC 73D.030. 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.

- (1) The size and location of the storage area(s) must be indicated on the site plan. Requirements are based on an assumed storage area height of four feet for mixed solid waste and source separated recyclables. Vertical storage higher than four feet, but no higher than seven 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 must include drawings to illustrate the layout of the storage area and dimensions for containers.

-
- (2) The storage area requirement is based on 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 must 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 must be the sum of the area of each use. Minimum storage area requirements by use is as follows:

[...]

- (c) Commercial, industrial, and institutional developments must provide a minimum storage area of ten square feet plus:

[...]

- (iii) Wholesale/Warehouse/Manufacturing—Six square feet/1,000 square feet GLA;

Response: This project will establish a new building intended for light manufacturing use. According to the Preliminary Site Plan (Exhibit A), the planned building will be ±13,790 square feet. Per the calculation (6 square feet per 1,000 square feet GLA) in TDC 73D.030.2.c.iii, the waste storage area is required to be ±84 square feet. As noted on the plans, the waste storage area will exceed this requirement. This standard is satisfied.

TDC 73D.070. Location, Design and Access Standards.

The following location, design, and access standards are applicable to all storage areas:

(1) Location Standards.

- (a) The storage area for source separated recyclables may be collocated with the storage area for mixed solid waste.

Response: The waste storage area is anticipated to house mixed waste separated as necessary in accordance with the service providers requirements.

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

Response: The Preliminary Site Plan (Exhibit A) indicates that waste storage is planned to be located in one area and not multiple locations on the site.

(c) Exterior storage areas must:

- (i) Be located in central and visible locations on the site to enhance security for users;
- (ii) Be located in a parking area; and
- (iii) Not be located within a required front yard setback or in a yard adjacent to a public or private street.

Response: The subject site is located north of SW Herman Road and does not front the public right-of-way. The site is accessed via a shared private access that extends north from SW Herman Road and abuts the subject property's eastern boundary. According to the Preliminary Site Plan (Exhibit A), the primary drive aisle is expected to extend from east to west (south of the planned building) from a connection with the shared private drive to the western property boundary (inside of any required setbacks). The plans locate the

waste storage area at the west end of the primary drive aisle, south of the building, in an easily accessible and visible part of the parking area consistent with TDC 73D.070.c.i-iii. These standards are met.

(2) **Design Standards.**

- (a) **The dimensions of the storage area must accommodate containers consistent with current methods of local collection at time of construction or alteration.**

Response: Republic Services is the current waste management service provider for the subject site. A Service Provider Letter included in Exhibit I notes that the preliminary design of the waste storage area is consistent with the current collection methods. This requirement is satisfied.

- (b) **Indoor and outdoor storage areas must comply with Oregon Building and Fire Code requirements.**

Response: As shown on the Preliminary Site Plan (Exhibit A), the waste storage area will be outside. The final structure is anticipated to be reviewed during the City's building permit review process. To the extent applicable, this requirement is satisfied.

- (c) **Exterior storage areas must be enclosed by a sight obscuring fence or wall at least six feet in height.**

Response: Preliminary Architectural Drawings and Renderings in Exhibit B include a preliminary design for the waste storage enclosure that meets the standards of TDC 73.D.2.c. This requirement is satisfied.

- (d) **Evergreen plants must be placed around the enclosure walls, excluding the gate or entrance openings for common wall, commercial, and institutional developments.**

Response: The Preliminary Landscape Plan (Exhibit A) notes that a mixture of evergreen shrubs (along with other plant types) will be planted around the exterior of the enclosure walls (excluding the opening). This standard is satisfied.

- (e) **Gate openings for haulers must be a minimum of ten feet wide and must be capable of being secured in a closed and open position.**

Response: Dimensions of the planned waste enclosure noted on the Preliminary Plans (Exhibit A) are consistent with the width requirement. Mechanical features of the gate are expected to be reviewed during the building permit review.

- (f) **Horizontal clearance must be a minimum of ten feet and a vertical clearance of eight feet is required if the storage area is covered.**

Response: Based on the Preliminary Site Plan (Exhibit A), the location of the waste storage area will provide adequate horizontal and vertical clearance.

- (g) **A separate pedestrian access must also be provided in common wall, commercial, and institutional developments.**

Response: This application aims to establish a new building for light manufacturing on a vacant property in the City’s MG zoning district. Light manufacturing is considered an industrial use. Therefore, this standard is not applicable.

(h) Exterior storage areas must have either a concrete or asphalt floor surface.

Response: As noted on the Preliminary Site Plan (Exhibit A), the waste storage area is expected to be paved. This requirement is satisfied.

(i) Storage areas and containers must be clearly labeled to indicate the type of material accepted.

Response: This requirement is understood.

(3) Access Standards.

(a) Storage areas must 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.

(b) Storage areas must be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access.

(c) Storage areas must be accessible to hauler trucks 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 must be provided to allow hauler trucks to safely exit the site in a forward motion.

(d) Storage areas must be located so that pedestrian and vehicular traffic movement are not obstructed on site or on public streets adjacent to the site.

(e) The following is an exception to the access standard:

(i) Access may be limited for security reasons.

Response: The Preliminary Site Plan (Exhibit A) depicts the planned layout for the parking area and site circulation. Based on the site plan, the waste storage enclosure will be located at the end of the primary drive aisle on the western portion of the site. As shown on the plans, this location is in a paved area with direct access from the planned circulation and should provide adequate access for haulers.

CHAPTER 74 PUBLIC IMPROVEMENT REQUIREMENTS

In General

Improvements

Right-of-Way

Easements and Tracts

TDC 74.010. Purpose.

The City's Community Plan sets forth the requirements for providing adequate transportation and utility systems to serve the community's present and future needs. Land development without adequate transportation and utility systems will adversely affect the overall economic growth of the City and cause undue damage to the public health and welfare of its citizens. Consequently, the City finds that it is in the public interest to require land development to meet the following improvement requirements.

TDC 74.020. Authority.

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- (1) The City Manager may develop standard forms, including but not limited to deeds, easements, interim access agreements, escrow agreements, street improvement agreements, subdivision compliance agreements and agreements to dedicate right-of-way, to include the contents and warranties when they are submitted, and the procedure for implementation necessary to carry out the purpose of this chapter.
 - (2) Easements submitted on a final plat or on a separate easement form must be subject to this chapter.
 - (3) Supervision of Planting. The City Manager has jurisdiction over all trees, plants and shrubs planted or growing in or upon the public rights-of-way of the City and their planting, removal, care, maintenance and protection. The City Manager is to enforce these provisions.

Response: As shown on the Preliminary Plans (Exhibit A), the subject property does not have frontage along the public right of way. Legal access is provided to the site via an established shared private drive. Therefore, right-of-way improvements are not planned or necessary. A Preliminary Composite Utility Plan is provided in Exhibit A, which outlines a plan to connect to existing public utilities and shows the expected improvements and easements.

IMPROVEMENTS

TDC 74.110. Phasing of Improvements.

The applicant may build the development in phases. If the development is to be phased the applicant must submit a phasing plan to the City Manager for approval with the development application. The timing and extent or scope of public improvements and the conditions of development must be determined by the City Council on subdivision applications and by the City Manager on other development applications.

Response: This project is not expected to be phased. Therefore, a phasing plan is not necessary. This requirement is not applicable.

TDC 74.120. Public Improvements.

- (1) Except as specially provided, all public improvements must be installed at the expense of the applicant. All public improvements installed by the applicant must be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. Work must not be undertaken on any public improvement until after the construction plans have been approved by the City Manager and a Public Works Permit issued and the required fees paid.
- (2) In accordance with the Tualatin Basin Program for fish and wildlife habitat the City intends to minimize or eliminate the negative impacts of public streets by modifying right-of-way widths and street improvements when appropriate. The City Manager is authorized to modify right-of-way widths and street improvements to address the negative impacts on fish and wildlife habitat.

TDC 74.130. Private Improvements.

All private improvements must be installed at the expense of the applicant. The property owner must retain maintenance responsibilities over all private improvements.

Response: It is understood that private and public improvements are required to be installed at the applicant's expense and that maintenance of private utilities is the property owner's responsibility.

TDC 74.140. Construction Timing.

- (1) All the public improvements required under this chapter must 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 must 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.

Response: The requirement that improvements must be completed prior to occupancy is understood.

RIGHT-OF-WAY

TDC 74.210. Minimum Street Right-of-Way Widths.

The width of streets in feet must 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 must not be less than the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

Response: As shown on the Preliminary Plans, the subject site does not have frontage along a public street. Access is provided via an existing shared driveway connection to SW Herman Road. Right-of-way dedication is not anticipated as a part of this project.

EASEMENTS AND TRACTS

TDC 74.310. Greenway, Natural Area, Bike, and Pedestrian Path Dedications and Easements.

- (1) Areas dedicated to the City for Greenway or Natural Area purposes or easements or dedications for bike and pedestrian facilities during the development application process must be surveyed, staked and marked with a City approved boundary marker prior to acceptance by the City.
- (2) For subdivision and partition applications, the Greenway, Natural Area, bike, and pedestrian path dedication and easement areas must be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or
- (3) For all other development applications, Greenway, Natural Area, bike, and pedestrian path dedications and easements must be submitted to the City Manager ; building permits must not be issued for the development prior to acceptance of the dedication or easement by the City.

Response: The Preliminary Composite Utility Plan (Exhibit A) indicates that this project expects to grant some utility easements to the city. It is understood that the easements will easements are required to be submitted to the city before the issuance of the building permits.

[...]

TDC 74.330. Utility Easements.

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- (1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities must be granted to the City.
 - (2) For subdivision and partition applications, the on-site public utility easement dedication area must be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; and
 - (3) For subdivision and partition applications which require off-site public utility easements to serve the proposed development, a utility easement must be granted to the City prior to approval of the final plat 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 must determine when condemnation proceedings are to be used.
 - (4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement must be granted to the City; building permits must 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 must determine when condemnation proceedings are to be used.
 - (5) The width of the public utility easement must meet the requirements of the Public Works Construction Code. All subdivisions and partitions must have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines. Other easements may be required as determined by the City Manager.

Response: The Preliminary Composite Utility Plan (Exhibit A) identifies a 15-foot sanitary sewer easement and a 15-foot stormwater easement to be dedicated to the city. The necessary easement documents are expected to be submitted to the city during the site improvement phase of the project.

[...]

TDC 74.410. Future Street Extensions.

- (1) Streets must be extended to the proposed development site boundary where necessary to do any one of the following:
 - (a) Give access to, or permit future development of adjoining land;
 - (b) Provide additional access for emergency vehicles;
 - (c) Provide for additional direct and convenient pedestrian, bicycle and vehicle circulation;
 - (d) Eliminate the use of culs-de-sac except where topography, barriers such as railroads or freeways, existing development, or environmental constraints such as major streams and rivers prevent street extension; and
 - (e) Eliminate circuitous routes. The resulting dead end streets may be approved without a turnaround. A reserve strip may be required to preserve the objectives of future street extensions.

Response: As noted throughout this written narrative and depicted on the Preliminary Plans (Exhibit A), the subject site does not have frontage on a public street. Access to the subject property is provided via shared private access, which allows access to the right-of-way to

the site and the three properties to the north. Therefore, it is not anticipated that a future street is necessary.

TDC 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:

Response: As noted throughout this written narrative and depicted on the Preliminary Plans (Exhibit A), the subject site does not have frontage on a public street. A Traffic Memo produced by Lancaster Mobley is provided in Exhibit K, which provides an analysis of the site, the site's access to the public right-of-way, and the anticipated trip count. Based on the analysis of the proposed development and the lack of street frontage, it is not expected that street improvements will be necessary.

TDC 74.440. Streets, Traffic Study Required.

- (1) The City Manager 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 Manager 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.
- (2) The required traffic study must be completed prior to the approval of the development application.
- (3) The traffic study must 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 Manager will determine which facilities are impacted and need to be included in the study.
 - (g) The study must be conducted by a registered engineer.

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

Response: As required, a traffic study was conducted by a registered professional engineer. The findings from the traffic study are provided in a Traffic Memo in Exhibit K.

UTILITIES

TDC 74.610. Water Service.

- (1) Water lines must be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans must be submitted to the City Manager for review and approval prior to construction.
- (2) If there are undeveloped properties adjacent to the subject site, public water lines must be extended by the applicant to the common boundary line of these properties. The lines must be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.
- (3) As set forth in TDC Chapter 12, Water Service, the City has three water service levels. All development applicants must 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 must 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.

Response: A Preliminary Composite Utility Plan is provided in Exhibit A, which outlines how water is expected to be provided to the site. It is anticipated that this project will tie into an existing public utility line and extend service to the site. Specific requirements regarding the installation of utilities are expected to be applied during the site improvement phase of this project.

TDC 74.620. Sanitary Sewer Service.

- (1) Sanitary sewer lines must be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.
- (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 must extend public sanitary sewer lines to the common boundary line with these properties. The lines must 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.

Response: A Preliminary Composite Utility Plan is provided in Exhibit A, which outlines how a sanitary sewer service line is expected to be provided to the site. It is anticipated that this project will tie into an existing public utility line and extend service to the site. Specific requirements regarding the installation of utilities are expected to be applied during the site improvement phase of this project.

TDC 74.630. Storm Drainage System.

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- (1) Storm drainage lines must be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.
 - (2) The storm drainage calculations must confirm that adequate capacity exists to serve the site. The discharge from the development must be analyzed in accordance with the City's Storm and Surface Water Regulations.
 - (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 must extend storm drainage lines to the common boundary line with these properties. The lines must 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.

Response: As shown on the Preliminary Composite Utility and Stormwater Extension Plans (Exhibit A), stormwater is expected to be collected on-site and conveyed to the north via a new stormwater pipe. Specific requirements regarding the installation of utilities are expected to be applied during the site improvement phase of this project.

TDC 74.640. Grading.

- (1) Development sites must 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.
- (2) A development applicant must 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 Manager may require the applicant to remove all excess material from the development site.

Response: A Preliminary Grading Plan is provided in Exhibit A. It is expected that the plan will be finalized during the site improvement phase of this project.

TDC 74.650. Water Quality, Storm Water Detention and Erosion Control.

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

- (1) On subdivision and partition development applications, prior to approval of the final plat, the applicant must 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 satisfied and obtain a Stormwater Connection Permit from Clean Water Services; or
- (2) On all other development applications, prior to issuance of any building permit, the applicant must 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.

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- (3) For on-site private and regional non-residential public facilities, the applicant must 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 must submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site must occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

Response: Preliminary Composite Utility and Stormwater Extension Plans are provided in Exhibit A. stormwater is expected to be collected on-site and conveyed to the north via a new stormwater pipe. The requirement to install this system before building permit approval is understood.

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 must 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 must 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.
- (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 must, at their own expense, provide an underground system. The applicant must be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements must be submitted to the City Manager for acceptance by the City prior to issuance of the Public Works Permit.

Response: Preliminary Composite Utility plan (Exhibit A) indicates that franchise and public utilities expected to serve the site will be placed underground.

CHAPTER 75 ACCESS MANAGEMENT

TDC 75.010. Purpose.

The purpose of this chapter is to promote the development of safe, convenient and economic transportation systems and to preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties.

TDC 75.040. Driveway Approach Requirements.

- (1) The provision and maintenance of driveway approaches 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. No building or other permit may be issued until scale plans are presented that show how the driveway approach 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 driveway approach requirements, it is unlawful and a violation of this code to begin or maintain such altered use until the required increase in driveway approach is authorized by the City.

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- (2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same driveway approach when the combined driveway approach of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts must be placed on permanent file with the City Recorder.

Response: Access to the subject site is provided via an established shared private access that connects to SW Herman Road. According to the City of Tualatin Transportation System Plan, SW Herman Road is designated as a minor arterial. Therefore, the standards of this section that require upgrades of existing accessways are not applicable.

IV. Conclusion

The required findings have been made, and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Tualatin Development Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this Architectural Review.