



# City of Tualatin

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December 15, 2015

## ARCHITECTURAL REVIEW FINDINGS AND DECISION

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

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Case #: AR15-0023  
 Project: Arby's to Starbucks Conversion Remodel  
 Location: [17771 SW Lower Boones Ferry Rd, Lake Oswego](#) (postal address) (Tax Lots 21E 18BC 01000 & 21E 18CB 01900)  
 Applicant: Sarah Vaz, Holst Architecture (503-233-9856; Job No. 07870-026); Mike Berrey, Berrey Properties LLC

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*Arrangements can be made to provide these materials in alternative formats such as large type or audio recording. Please contact the Planning Division at 503-691-3026 and allow as much lead time as possible.*

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**I. INTRODUCTION**

The proposal by Mike Berrey of Berrey Properties LLC and Starbucks Coffee Co. is to construct a major exterior remodel of a restaurant building and a new south side patio for a new Starbucks store. The drive-thru fast food restaurant building is at the southwest corner of a strip mall anchored by Dick’s Sporting Goods and Safeway grocery and was vacated by Arby’s. This site redevelopment area is the westerly portion of the subject tax lots. The strip mall is bound by Lower Boones Ferry Road to the south, SW 63<sup>rd</sup> Avenue to the east, and SW 65<sup>th</sup> Avenue to the west. Original site development of the strip mall was in the early 1980s. The site is in the portion of the city within Clackamas County.

Changes include exterior remodeling, addition of a patio, and the following:

- Walkway/Accessway: Construction of a bicycle/pedestrian connection between the main entrance and SW Lower Boones Ferry Road.
- Recycling and trash: Construction of new replacement recycling and trash enclosure outside of the drive-thru lane to meet the front yard setback requirements and primarily the waste hauler needs and thereby the trash and recycling and requirements.
- Removal of five parking spaces:
  - One space removed to accommodate the outdoor patio;
  - One space is proposed to be replaced with Americans with Disabilities Act (ADA) circulation area (next to an existing stall to be designated handicap) to bring handicap parking up to building code; and
  - Three to accommodate the new recycling and trash enclosure.

The neighborhood/developer meeting was on September 8, 2015. Staff visited the site on October 21, 2015. Staff received no letters of comment from property owners within 1,000 ft of the subject property, including pursuant to Tualatin Development Code (TDC) 31.064(1) within any residential subdivisions platted through the City, during the comment period that ended November 23, 2015.

**II. CONDITIONS OF APPROVAL**

Based on the Findings and Conclusions presented, AR15-0023 is approved, subject to the following Architectural Review conditions:

AR-1 All further submittals shall be sent in one complete and full set. No piecemeal submittals will be accepted. Submittals prior to building permit shall contain one plan set, with one table of contents that includes all pages submitted. All plan set pages and documents shall be numbered in accordance with table of contents. All plan submittals must be on 24 x 36 inch

paper. All submittals shall be stapled or bound together down the length of the bound side. Please do not use binder or paper clips. The entire set will be reviewed at one time. A narrative shall be included and will address each condition of approval. Each applicant narrative response shall include how the condition is being addressed and on what revised plan page the condition is shown to be met in drawn form. Each resubmittal will start a new 2-week minimum review period by staff.

AR-2 Prior to obtaining a building permit, the applicant shall submit two revised plan sets – plan size and ledger (11 x 17) – for review and approval to the Planning Division with the following changes:

- a. To meet the requirement of 73.160(1)(iv), accessways shall be provided as a connection from the development's internal bikeways and walkways to all of the following locations that apply: abutting arterial or collector streets upon which transit stops or bike lanes are provided or designated; abutting undeveloped residential or commercial areas; adjacent undeveloped sites where an agreement to provide an accessway connection exists; and to abutting publicly-owned land intended for general public use, including schools.
  - The applicant shall revise the site and landscape plans to indicate an accessway between the restaurant building main entrance and the SW Lower Boones Ferry Road sidewalk, such as through widening the proposed walkway to 8 ft.
- b. To meet the requirement of 73.160(1)(c), curb ramps shall be provided wherever a walkway or accessway crosses a curb.
  - The applicant shall revise the site plan to illustrate a ramp wherever a walkway or accessway crosses a curb.
- c. To meet the requirement of 73.160(1)(d), accessways shall be a minimum of 8 feet wide and constructed in accordance with the Public Works Construction Code if they are public accessways, and if they are private accessways they shall be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable.
  - The applicant shall revise the site plan to illustrate or note that an accessway is paved.
- d. To meet the requirement of 73.227(6)(b)(iii), in multi-family, commercial, public and semi-public developments evergreen plants shall be placed around the enclosure walls, excluding the gate or entrance openings.
  1. The applicant shall revise the site and landscape plans to illustrate and shall plant evergreen plants around the walls of the replacement recycling and trash enclosure, excluding the gate or entrance openings.
  2. The applicant shall provide an elevation view of each of the four sides of replacement recycling and trash enclosure illustrating that it is sight obscuring and 6 ft high.
- e. To meet the requirement of 73.310(3), all areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.
  - Because staff applied a condition to meet the enclosure evergreen plants requirement of 73.227(6)(b)(iii) above, complying with that condition can

substantially or fully meet this condition for this second area: The applicant shall revise the site and landscape plans to illustrate and shall plant evergreen plants around the walls of the replacement recycling and trash enclosure, excluding the gate or entrance openings.

- f. To meet the requirement of 73.370(1)(x), required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.
- The applicant shall revise the site plan to indicate the specific carpool/vanpool (C/V) stall or stalls and symbolize their striping and/or signage.

AR-3 To meet the requirement of 73.100(2), all building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval, as a condition of approval.

AR-4 To meet the requirement of 73.100(1), all landscaping approved through architectural review (AR) shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved by the AR decision, unless subsequently altered through AR.

AR-5 The applicant shall separately from this AR submit sign permit applications for any changed or new signage.

### III. FINDINGS

Reviewing this application in terms of the Tualatin Development Code ([TDC](#)) and other ordinances, the following findings are relevant. All references are to sections in the TDC unless otherwise noted.

#### A. Previous Land Use Actions:

- AR-84-28 approved the original site development of the strip mall, referred to as GI Joe's and Safeway.
- AR-93-01 and AR-07-18 approved Arby's and the addition of neon lighting to Arby's.
- AR-14-04 approved the Meridian Square Remodel. (This restaurant building is east of the subject restaurant building and on the same tax lots as the subject restaurant building.)

#### B. Other Permit Actions:

Clean Water Services (CWS) Service Provider Letter (SPL) No. 15-002442, July 31, 2015.

#### C. Planning Districts and Adjacent Land Uses:

The subject property is located in the [General Commercial \(CG\) Planning District](#) in which drive-in and take-out restaurants are permitted uses pursuant to TDC [54.020\(2\)\(g\)](#) and (s). Adjacent planning districts and land uses are clockwise:

- N: CG Strip mall, west to east: Dick's Sporting Goods, a few non-anchor retail tenants, and Safeway grocer
- E: CG Strip mall outbuilding Meridian Square with tenants Baskin Robbins, Cafe Yumm!, European Wax Center Tualatin, and Subway; Lower Boones Ferry Rd; Chevron gas station; and city limit
- S: CG East to west: Walgreens pharmacy, GameTime bowling alley, and Space Age Fuel gas station
- W: CG SW 65<sup>th</sup> Ave, Baja Fresh fast food

**D. Lot Sizes:**

**54.040**

- (1) The minimum lot area shall be 10,000 square feet.
- (2) The minimum average lot width shall be 75 feet.
- (3) The minimum lot width at the street shall be 40 feet.
- (4) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(8) to (12).
- (5) The minimum lot width at the street shall be 40 feet on a cul-de-sac street.

**31.060 "Definitions:"**

**"Lot Line, Rear."** A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular, or other-shaped lot, a line ten feet in length within the lot, parallel to and at a maximum distance from the front lot line. On a corner lot, the shortest lot line abutting adjacent property that is not a street shall be considered a rear lot line.

**"Lot Width."** The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line, at the center of the lot, or, in the case of a corner lot, the horizontal distance between the front lot line and a side lot line.

**"Lot Width, Average."** The sum of the length of the front lot line and the rear lot line divided by 2.

Because the proposal involves neither changed or additional lots nor additional buildings or building square footage, the requirements are not applicable.

**E. Setback Requirements:**

**54.060**

- (1) **Front yard.** The minimum front yard setback shall be 5 to 20 feet, as determined through the Architectural Review Process.
- (2) **Side yard.** Zero to 15 feet, as determined through the Architectural Review process, except where a side lot line ad-joins a Residential or Manufacturing Park District, a minimum side yard setback of 5 feet shall be required.
- (3) **Rear yard.** Zero to 15 feet, as determined through the Architectural Review process, except where a rear lot line ad-joins a Residential or Manufacturing Park District, a minimum rear yard setback of five (5) feet shall be required.

**(4) Corner lot yards. Zero to 20 feet for a sufficient distance to provide adequate sight distance for vehicular and pedestrian traffic at an intersection, as determined through the Architectural Review process.**

The proposal involves no change to any of the south front, west front, or east rear setbacks of the existing restaurant building and increases the north side setback. The shortest existing setback is the west front setback from SW 65<sup>th</sup> Avenue right-of-way (ROW) of 32¼ ft. The site plan (Sheet A2) illustrates the proposed outdoor patio in the south front yard 32¼ ft from SW Lower Boones Ferry Road ROW. The requirements are met.

**54.060(5) Off-street parking and vehicular circulation areas shall be set back a minimum of five (5) feet from any public right-of-way or property line, except as approved through the Architectural Review process.**

Because the applicant proposes no change to any off-street parking and vehicular circulation areas such that any would be within 5 ft of a public ROW, and the site plans propose no additional parking within 5 ft of a public ROW, the requirement is not applicable.

**54.060(6) No fence shall be constructed within 5 feet of a public right-of-way.**

Because the applicant proposes no change to any existing fence within 5 ft of a public ROW, and the site plans propose no such additional fencing, the requirement is not applicable.

**F. Structure Height:**

**54.070(1) Except for flagpoles displaying the flag of the United States of America, either alone or with the State of Oregon flag which shall not exceed 100 feet in height above grade, and except as provided in TDC 54.070(2), the maximum height of any structure is 45 feet.**

The elevation illustrates the highest restaurant building parapet at 15.7 ft, meeting the requirement.

**G. Site Planning:**

**73.050(1)(a) The proposed site development, including the site plan, architecture, landscaping and graphic design, conforms to the standards of this and other applicable City ordinances, insofar as the location, height, appearance, etc. of the proposed development are involved.**

This project has been reviewed based on TDC standards and other applicable general ordinances of the City of Tualatin. The proposed location, height, appearance, etc. of the development complies with the TDC and other applicable general ordinances as identified in this report, and with applicable conditions of approval will be in compliance.

**73.160 The following standards are minimum requirements for commercial, industrial, public and semi-public development and it is expected that development proposals shall meet or exceed these minimum requirements.**

**73.160(1) Pedestrian and Bicycle Circulation. (a) For commercial, public and semi-public uses:**

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

### **31.060**

**Outdoor Recreational Access Route.** A pedestrian path that provides access to a recreation trail. These trails are on City-owned property, exclusive rights-of-way or easements, but are not necessarily located in a designated greenway. They are typically 1/4 mile or less in length.

**Walkway.** A pedestrian facility which provides a paved surface for pedestrian circulation within a development. A walkway may be shared with bicycles and may cross vehicle areas.

#### *Walkway:*

No walkway exists as a connection to either public sidewalk. Because proposal is for commercial use, the site abuts SW Lower Boones Ferry Road that is an arterial street upon which TriMet Bus Stop ID 12852 is provided for Line 37-Lake Grove, a walkway to the sidewalk in this ROW is required. The site plan illustrates a 6-foot paved walkway to the sidewalk, meeting the requirement.

#### *Accessway:*

No accessway exists as a connection to either public ROW. Because proposal is for commercial use, the site abuts SW Lower Boones Ferry Road that is an arterial street upon which TriMet Bus Stop ID 12852 is provided for Line 37-Lake Grove, an accessway to this

ROW is required. Because the site plan illustrates no accessway, staff is applying a condition to meet the requirement. Because the physical difference between a walkway and accessway is that an accessway is 8 ft wide, 2 ft wider than a 6-foot walkway, a simple way to create an accessway is to widen the proposed walkway to 8 ft.

*Condition*

To meet the requirement of 73.160(1)(iv), accessways shall be provided as a connection from the development's internal bikeways and walkways to all of the following locations that apply: abutting arterial or collector streets upon which transit stops or bike lanes are provided or designated; abutting undeveloped residential or commercial areas; adjacent undeveloped sites where an agreement to provide an accessway connection exists; and to abutting publicly-owned land intended for general public use, including schools.

- The applicant shall revise the site and landscape plans to indicate an accessway between the restaurant building main entrance and the SW Lower Boones Ferry Road sidewalk, such as through widening the proposed walkway to 8 ft.

**73.160(1)(c) Curb ramps shall be provided wherever a walkway or accessway crosses a curb.**

The site plan illustrates a proposed walkway, but does not illustrate that it will include ramps at curb crossings. Staff applied a condition to meet accessway the requirement of 73.160(1)(iv) above. For these reasons, staff is applying a condition.

*Condition*

To meet the requirement of 73.160(1)(c), curb ramps shall be provided wherever a walkway or accessway crosses a curb.

- The applicant shall revise the site plan to illustrate a ramp wherever a walkway or accessway crosses a curb.

**73.160(1)**

**(d) Accessways shall be a minimum of 8 feet wide and constructed in accordance with the Public Works Construction Code if they are public accessways, and if they are private accessways they shall be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable.**

**(e) Accessways to undeveloped parcels or undeveloped transit facilities need not be constructed at the time the subject property is developed. In such cases the applicant for development of a parcel adjacent to an undeveloped parcel shall enter into a written agreement with the City guaranteeing future performance by the applicant and any successors in interest of the property being developed to construct an accessway when the adjacent undeveloped parcel is developed. The agreement shall be subject to the City's review and approval.**

**(f) Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection to a bike or pedestrian path, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland.**

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

### **31.060**

**Accessway. A non-vehicular, paved pathway designed for pedestrian and bicycle use and providing convenient linkages between a development and adjacent residential and commercial properties and areas intended for public use such as schools, parks, and adjacent collector and arterial streets where transit stops or bike lanes are provided or designated. An accessway is not a sidewalk.**

Because staff applied a condition to meet accessway the requirement of 73.160(1)(iv) above, staff is applying a condition.

#### *Condition*

To meet the requirement of 73.160(1)(d), accessways shall be a minimum of 8 feet wide and constructed in accordance with the Public Works Construction Code if they are public accessways, and if they are private accessways they shall be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable.

- The applicant shall revise the site plan to illustrate or note that an accessway is paved.

### **73.160(2) Drive-up Uses.**

**(a) Drive-up uses shall provide a minimum stacking area clear of the public right-of-way and parking lot aisles from the window serving the vehicles as follows:**

**(ii) Restaurants--each lane shall provide a minimum capacity for eight automobiles.**

**(iii) Other Drive-Up Uses--each lane shall provide a minimum capacity for two to eight automobiles, as determined through the architectural review process.**

**(iv) For purposes of this Section, an automobile shall be considered no less than twenty feet in length. The width and turning radius of drive-up aisles shall be approved through the architectural review process.**

**(b) Parking maneuvers shall not occur in the stacking area. The stacking area shall not interfere with safe and efficient access to other parking areas on the property.**

**(c) Locate drive-up aisles and windows a minimum of 50 feet from residential planning districts to avoid adverse impacts. A wall or other visual or acoustic may be required through the architectural review process.**

The existing drive-up (a.k.a. drive-thru) dates from original site development of the strip mall including the restaurant building through AR-84-28. Because TDC 73.160 did not exist until March 23, 1992 through Ordinance No. 862-92, §51, the requirement did not at that time exist to apply to the drive-thru. Based on scaled measurement of 20-foot increments between the south side of the drive-thru window the edge of the drive-thru entry, the existing restaurant drive-thru is able to accommodate stacking of seven automobiles between the entrance and the drive-thru window and can accommodate eight if an eighth stacked vehicle hugs the curb of the west north-south drive aisle. Stacking of eight vehicles would not interfere with the adjacent east-west drive aisle serving the strip mall as a whole with access to and from SW 65<sup>th</sup> Avenue. Additionally, the north-south drive aisle loops east and north to provide another means for vehicles to access the east-west drive aisle and bypass drive-thru stacking if needed. The requirement of (a) is met.

The drive-thru is designed to exclude parking maneuvers, meeting the requirement of (b).

Because there is no residential planning district within 50 ft of the drive-thru, the requirement of (c) is not applicable.

**73.160(3)**

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

**(b) In commercial, public and semi-public development and where possible in industrial development, locate windows and provide lighting in a manner which enables surveillance of interior activity from the public right-of-way.**

**(c) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way.**

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

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

The elevations illustrate windows on all restaurant building facades, and the proposal adds a window on the blank volume of the east façade near the restaurant building perimeter walkway and parking area as Note 16 indicates, meeting the window portions of the requirements of (a) and (b).

Regarding the lighting portion of (a) and (b) and the whole of (c), the elevations illustrate and Notes 13 and 14 note wall-mounted lighting on the south and west elevations, meeting the requirements.

Regarding (d), the elevations sheet Note 1 indicates new address numerals that meet Tualatin Valley Fire & Rescue (TVF&R) standards, meeting the requirement.

The landscape plan (Sheet L1) proposes some additional shrubbery, and Note 4 indicates maintenance of vision clearance area, meeting the requirement of (e).

**73.160(4)(a) On and above grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners shall be screened with sight obscuring fences, walls or landscaping.**

The proposal includes changed and additional above grade mechanical equipment as rooftop units (RTUs). The elevations illustrate and Note 17 notes the RTUs, and they illustrate and Note 18 notes rooftop screen walls as high as the RTUs, meeting the requirement.

**73.160(4)(b) Outdoor storage, excluding mixed solid waste and source separated recyclables storage areas listed under TDC 73.227, shall be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping.**

Because the proposal involves no existing, changed, or new outdoor storage, excluding mixed solid waste and source separated recyclables storage areas, the requirement is not applicable.

## H. Structure Design:

### 73.050(1)

**(b) The proposed design of the development is compatible with the design of other developments in the same general vicinity.**

**(c) The location, design, size, color and materials of the exterior of all structures are compatible with the proposed development and appropriate to the design character of other developments in the same vicinity.**

The vicinity is clockwise the main strip mall building with anchor tenants Dick's Sporting Goods and Safeway grocer to the north; Meridian Square outbuilding to the east; Chevron gas station, Walgreen's pharmacy, and Space Age Fuel gas station south across SW Lower Boones Ferry Road; and Baja Fresh fast food to the west across SW 65<sup>th</sup> Avenue.

This vicinity is zoned General Commercial (CG) Planning District, and development within the vicinity is late twentieth century conventional suburban development: single-story structures with retail tenants surrounded by off-street surface parking. Development spans from the 1980s. Architectural cladding includes red brick and beige split faced concrete masonry units (CMUs) on Dick's; cream and beige stucco-like material over reddish brick base on Safeway; tan brick and stucco on the Meridian Square outbuilding; gray and off white split faced CMU on the Chevron convenience store; reddish beige horizontal brick on Walgreens; no architecture to speak of on the Space Age Fuel attendant booth; and beige and beige brick base, white stucco-like material, and medium-dark gray trim on the Baja Fresh fast food.

The proposal is an outdoor patio area adjacent to the existing restaurant building and a remodel of the restaurant building. The elevations (Sheet A3) illustrate a brick base colored charcoal, medium-dark grayish tan brick, wood trim colored charcoal, roof parapets painted black as accents, and black awnings.

The proposal is compatible with the development, the design of other developments in the same general vicinity, and the location, design, size, color and materials of the exterior of all structures are compatible with the proposal and appropriate to the design character of other developments in the same vicinity, meeting the requirements.

**73.100(2) All building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval.**

To meet the requirement of 73.100(2), all building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval, as a condition of approval.

### 73.220(1)

**(a) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way or other public areas.**

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

**(c) Shrubs in parking areas shall not exceed 30 inches in height, and tree canopies must not extend below 8 feet measured from grade, except for parking structures and underground parking where this provision shall not apply.**

Staff examined these requirements as part of 73.160(3) above.

**I. Mixed Solid Waste and Source Separated Recyclables Storage Areas:**

**73.227(2)(a)(i) The storage area requirement is based on the area encompassed by predominant use(s) of the building (e.g., residential, office, retail, wholesale/warehouse/manufacturing, educational/institutional or other) as well as the area encompassed by other distinct uses. If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building shall be the sum of the area of each use.**

For the purpose of mixed solid waste and source separated recyclables storage area, the restaurant building has the predominant use of “retail”.

**73.227(2)(a)(ii) Storage areas for multiple uses on a single site may be combined and shared.**

Because the restaurant building will have one tenant, the option is not applicable.

**73.227(2)(a)(v) Commercial, industrial, public and semi-public developments shall provide a minimum storage area of 10 square feet plus: office - 4 square feet/1000 square feet gross leasable area (GLA); Retail - 10 square feet/1000 square feet GLA; Wholesale/Warehouse/Manufacturing - 6 square feet/1000 square feet GLA; Educational and institutional - 4 square feet/1000 square feet GLA; and other - 4 square feet/1000 square feet GLA.**

The applicable rate for the restaurant building is retail at 10 square feet (sq ft) per 1,000 sq ft gross leasable area (GLA) applied as follows:

Use	Sq Ft	Applied Rate	Storage Area (Sq Ft)	
			Required	Proposed
Retail	2,673	$10 + ([2,673 / 1,000] * 10)$	36.7	150.0

The proposal meets the requirement.

**73.227(6)(a)**

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

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

**(vi) Exterior storage areas can be located in a parking area, if the proposed use provides parking spaces required through the Architectural Review process.**

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

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

The proposal abandons an existing recycling and trash enclosure located northwest of the restaurant building, within the west front yard setback, and accessible to the waste hauler only through the drive-thru lane. To comply with the requirements of (iv) and (vii), the site plan illustrates a new enclosure northeast of the restaurant building at a parking area. The application materials include a letter from the waste hauler that supports the proposal. The requirements are met.

**73.227(6)(b)**

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

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

The site plan illustrates an enclosure and Note 5 indicates it is designed to comply with 73.227(6). It has a gate opening of 15 ft and gates capable of being secured in a closed and open position, with a separate pedestrian access, and paved flooring; however, because the enclosure walls lack adjacent evergreen plants, staff is applying a condition.

Because there is no elevation view of the enclosure, it is not readily apparent if the proposed enclosure meets the requirement of (iii) by being sight obscuring and 6 ft high. For this reason, staff is applying a condition.

*Condition*

To meet the requirement of 73.227(6)(b)(iii), in multi-family, commercial, public and semi-public developments evergreen plants shall be placed around the enclosure walls, excluding the gate or entrance openings.

1. The applicant shall revise the site and landscape plans to illustrate and shall plant evergreen plants around the walls of the replacement recycling and trash enclosure, excluding the gate or entrance openings.
2. The applicant shall provide an elevation view of each of the four sides of replacement recycling and trash enclosure illustrating that it is sight obscuring and 6 ft high.

**73.227(6)(c)**

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

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

**(iii) Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the**

**storage area, adequate turning radius shall be provided to allow vehicles to safely exit the site in a forward motion.**

The proposed enclosure meets the requirements.

**J. Landscaping:**

**73.100(1) All landscaping approved through the Architectural Review Process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered with Community Development Director approval.**

The development will have landscaping to maintain. To meet the requirement of 73.100(1), all landscaping approved through the Architectural Review Process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered through the AR process.

**73.240(3) The minimum area requirement for landscaping for uses in CO, CR, CG, CG, ML and MG Planning Districts shall be fifteen (15) percent of the total area to be developed, except within the Core Area Parking District, where the minimum area requirement for landscaping shall be 10 percent. When a dedication is granted on the subject property for a greenway or natural area, the minimum area requirement for landscaping may be reduced by 2.5 percent from the minimum area requirement as determined through the AR process.**

Because the site redevelopment area is not within the Core Area Parking District, and the applicant proposes no dedication for a greenway or natural area and none is required, the minimum area requirement for landscaping is 15%.

The landscape plan (Sheet L1) illustrates and notes landscaping of 24% of the area to be developed, exceeding the minimum requirement.

**73.240(8) Developments not in a Low Density Residential (RL) or Manufacturing Park (MP) Planning district but which abut an RL or MP Planning District shall provide and perpetually maintain dense, evergreen landscaped buffers between allowed uses in the district and the adjacent Low Density Residential (RL) or Manufacturing Park (MP) Planning District as approved through the Architectural Review process.**

Because the site redevelopment area doesn't abut an RL or MP Planning District, the requirement is not applicable.

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

The landscape plan illustrates the west yard along SW 65<sup>th</sup> Avenue planted to lawn and live groundcover and with trees and shrubs. The south yard along SW Lower Boones Ferry Road is planted to lawn and live groundcover and with a tree and shrubs. (Though the plan sheet does not show trees in the south front yard, the staff site visit on October 21, 2015 found that

there is a tree in this yard at the southwest corner of the south parking area.) The requirement is met.

**73.240(10) Yards not adjacent to public streets or Low Density Residential (RL) or Manufacturing Park (MP) Planning Districts shall be planted with trees, shrubs, grass or other live groundcover, and maintained consistent with a landscape plan indicating areas of future expansion, as approved through the Architectural Review process.**

The site redevelopment area includes the north side yard, the one yard not adjacent to either public street, planted with shrubs, grass, and live groundcover, meeting the requirement.

**73.240(11) Any required landscaped area shall be designed, constructed, installed, and maintained so that within three years the ground shall be covered by living grass or other plant materials. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of 10% of the landscaped area may be covered with unvegetated areas of bark chips, rock or stone.**

The landscape plan proposes landscaping such that no more than 10% of the site redevelopment area is covered with unvegetated areas of bark chips, rock or stone, meet the requirement.

**73.260(1)(a) Deciduous shade and ornamental trees shall be a minimum one and one-half inch (1½") caliper measured six inches (6") above ground, balled and burlapped. Bare root trees will be accepted to plant during their dormant season. Trees shall be characteristically shaped specimens.**

Because the proposal includes no additional deciduous trees and none are required, the requirement is not applicable.

**73.260(1)(b) Coniferous trees shall be a minimum five feet (5') in height above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be well branched and characteristically shaped specimens.**

Because the proposal includes no coniferous trees, the requirement is not applicable.

**73.260(1)(c) Shrubs. Evergreen and deciduous shrubs shall be at least one (1) to five (5) gallon size. Shrubs shall be characteristically branched. Side of shrub with best foliage shall be oriented to public view.**

The landscape plan proposes shrubs that are one (1) to three (5) gallon size, meeting the requirement.

**73.260(1)(d) Groundcovers shall be fully rooted and shall be well branched or leafed. English ivy (Hedera helix) is considered a high maintenance material, which is detrimental to other landscape materials and buildings and is therefore prohibited.**

The landscape plan proposes groundcovers that meet the requirement.

**73.280 Landscaped areas shall be irrigated with an automatic underground or drip irrigation system.**

The landscape plan, Note C, indicates retention of an automatic irrigation system, meeting the requirement.

**73.290(1) Where natural vegetation has been removed or damaged through grading in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements, such areas shall be replanted.**

Because the site redevelopment area includes no natural vegetation pre-dating site development and in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements, the requirement is not applicable.

**73.310(1) A minimum 5-foot-wide landscaped area must be located along all building perimeters, which are viewable by the general public from parking lots or the public right-of-way, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations. Pedestrian amenities such as landscaped plazas and arcades may be substituted for this requirement. This requirement shall not apply where the distance along a wall between two vehicle or pedestrian access openings (such as entry doors, garage doors, carports and pedestrian corridors) is less than 8 feet.**

The proposal includes the outdoor patio and additional restaurant building perimeter shrubbery at the south and southerly east side. The restaurant building perimeter walkway directly adjacent to the northerly east side dates from original site development of the strip mall including the restaurant building through AR-84-28.

Because TDC 73.310 did not exist until December 14, 1992 through Ordinance No. 882-92, §16, the requirement did not at that time exist to apply to the restaurant building perimeter. The proposal includes keeping the walkway, and relocating the walkway east to accommodate a 5-foot landscaped strip would consume at least five parking spaces, lowering the supply from the proposed 29 spaces to 24 spaces, less than a minimum supply of 27. For these reasons, the requirement is not applicable.

**73.310(2) Areas exclusively for pedestrian use that are developed with pavers, bricks, etc., and contain pedestrian amenities, such as benches, tables with umbrellas, children's play areas, shade trees, canopies, etc., may be included as part of the site landscape area requirement.**

The applicant has chosen not to exercise this option.

**73.310(3) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.**

The landscape plan illustrates as landscaped all areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas, excepting two remnant paved areas. For these reasons, staff is applying a condition.

The first is on the west side of the proposed walkway at the southwest corner of the southernmost parking area. Because staff applied a condition to meet the accessway requirement of 73.160(1)(iv) above, complying with that condition can substantially or fully meet this condition for this first area.

The second is on the north side of the proposed recycling and trash enclosure that is not useful for anything in particular. Because staff applied a condition to meet the enclosure evergreen plants requirement of 73.227(6)(b)(iii) above, complying with that condition can substantially or fully meet this condition for this second area.

*Condition*

To meet the requirement of 73.310(3), all areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.

- Because staff applied a condition to meet the enclosure evergreen plants requirement of 73.227(6)(b)(iii) above, complying with that condition can substantially or fully meet this condition for this second area: The applicant shall revise the site and landscape plans to illustrate and shall plant evergreen plants around the walls of the replacement recycling and trash enclosure, excluding the gate or entrance openings.

**73.340(1) A clear zone shall be provided for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of 8 feet as measured from the ground level, except for parking structures and underground parking, where this provision shall not apply.**

Note 4 on the landscape plan indicates maintenance of vision clearance area, meeting the requirement.

**73.340(2) Perimeter site landscaping of at least 5 feet in width shall be provided in all off-street parking and vehicular circulation areas (including loading areas).**

**(a) The landscape area shall contain:**

- (i) Deciduous trees an average of not more than 30 feet on center. The trees shall meet the requirements of 73.360(7).**
- (ii) Plantings which reach a mature height of 30 inches in 3 years which provide screening of vehicular headlights year round.**
- (iii) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years.**

Because the proposal includes no changed or additional landscaping in off-street parking and vehicular circulation area along the site perimeter, the requirement is not applicable.

**73.360**

**(1) A minimum of 25 square feet per parking stall shall be improved with landscape island areas which are protected from vehicles by curbs. These landscape areas shall be dispersed throughout the parking area [see 73.380(3)].**

**(2) All landscaped island areas with trees shall be a minimum of 5 feet in width (60 inches from inside of curb to curb) and protected with curbing from surface runoff and damage by vehicles. Landscaped areas shall contain groundcover or shrubs and deciduous shade trees.**

**(3) Provide a minimum of one deciduous shade tree for every four (4) parking spaces to lessen the adverse impacts of glare from paved surfaces and to emphasize circulation patterns. Required shade trees shall be uniformly distributed throughout the parking lot. The trees shall meet the requirements of 73.360(7).**

**(4) Landscape islands shall be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns. Landscape island location requirements shall not apply to parking structures and underground parking.**

The existing parking area dates from original site development of the strip mall including the restaurant building through AR-84-28. Because TDC 73.360 did not exist until December 14, 1992 through Ordinance No. 882-92, §20, the requirements did not at that time exist to apply to the parking area.

Regarding physical changes to parking, the proposal limits changes to removal of five spaces:

- One, replacing a not-up-to-building-code handicap stall, for a portion of the outdoor patio
- One for a handicap parking space striped circulation area (next to an existing stall to be designated handicap) to bring handicap parking up to building code
- Three to accommodate the new recycling and trash enclosure

Because the parking area predates the requirements, the changes do not increase the parking area or supply, the majority of parking area is undisturbed, loss of one space is to bring handicap parking up to building code, and loss of three spaces is needed as the most feasible way to accommodate the need of the proposal to site a new enclosure to meet the trash and recycling and front yard setback requirements, the requirements are not applicable.

**73.360(6)(a) Except as in (b) below, site access from the public street shall be defined with a landscape area not less than 5 feet in width on each side and extend 25 feet back from the property line for commercial, public, and semi-public development with 12 or more parking spaces and extend 30 feet back from the property line for industrial development.**

Because the applicant proposes no changed or additional landscaping affecting either site access from SW 65<sup>th</sup> Avenue or SW Lower Boones Ferry Road, which are beyond the site redevelopment area, the requirement is not applicable.

**73.360(7) Deciduous shade trees shall meet the following criteria:**

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

Because the applicant proposes no changed or additional deciduous trees, the requirements are not applicable.

**74.765 All trees, plants or shrubs planted in the right-of-way of the City shall conform in species and location and in accordance with the street tree plan in Schedule A.**

Because the applicant proposes no changed or additional street trees, the requirement is not applicable.

**K. Tree Preservation:**

**73.050(4)** As part of Architectural Review, the property owner may apply for approval to cut trees in addition to those allowed in TDC 34.200. The granting or denial of a tree-cutting permit shall be based on the criteria in TDC 34.230.

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

The Community Development Director may approve a request to cut a tree when the applicant can satisfactorily demonstrate that any of the following criteria are met:

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

Because the applicant proposes no tree removal, the requirement is not applicable.

**73.250**

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

(2) During the construction process:

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

(3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.

(4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and

**replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, nearby landscape materials.**

Note 2 on the landscape plan notes preservation of existing trees within the site redevelopment area, meeting the requirements.

**L. Grading:**

**73.270(1) After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.**

Because the applicant proposes no site re-grading, the requirement is not applicable.

**73.270(4) Impervious surface drainage shall be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.**

Because the applicant proposes no re-grading and the proposed outdoor patio is pervious, the requirement is not applicable.

**M. Bicycle Parking, Off-Street Parking and Loading:**

**73.370(1)(b) At the time of enlargement of an existing multi-family residential, commercial, institutional or industrial structure or use, TDC 73.370 shall apply to the existing and enlarged structure or use.**

**Bicycle Parking:**

**73.370(2)(a) Commercial (ix) Drive-up restaurant. Required bicycle parking is 2.00 spaces per 1,000 sq. ft. of gross floor area of which 25% shall be covered.**

*Bike Parking Supply*

<i>Use</i>	<i>Sq Ft</i>	<i>Applied Rate</i>	<i>Bicycle Parking</i>	
			<i>Required</i>	<i>Proposed</i>
Drive-up restaurant	2,673	$([2,673 / 1,000] * 2.0) = 5.3$	5.3 → 6	6

The proposed supply exceeds the minimum required.

*Bike Parking Coverage*

As the site plan illustrates, the coverage is:

<i>Supply</i>		
<i>Total</i>	<i>Covered</i>	<i>Percentage</i>
6	2	33.3%

The proposal exceeds the minimum requirement.

**73.370(1)**

**(n) Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks, which accommodate a bicyclist's lock securing the frame and both wheels.**

**(o) Each bicycle parking space shall be at least 6 feet long and 2 feet wide, and overhead clearance in covered areas shall be at least 7 feet, unless a lower height is approved through the Architectural Review process.**

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

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

**(r) Required bicycle parking shall be located in convenient, secure, and well lighted locations approved through the Architectural Review process.**

**(s) Bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.**

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

The proposed bicycle parking supply is in the form of three outdoor racks along the building perimeter walkway and patio, near the main side entrances, and with clearances, meeting the requirements of (n)-(s). Notes 24 and 25 on the site plan indicates signage at the racks and main entrance pursuant to the requirement of (u).

**Off-Street Vehicle Parking:**

**73.370**

**(1)(a) At the time of establishment of a new structure or use, or change in use, or change in use of an existing structure, within any planning district of the City, off-street parking spaces, off-street vanpool and carpool parking spaces for commercial, institutional and industrial uses, off-street bicycle parking, and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process, based upon clear findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare or that a lesser number of vehicle parking spaces will be sufficient to carry out the objectives of this section. In the Central Design District, the Design Guidelines of TDC 73.610 shall be considered. In case of conflicts between guidelines or objectives in TDC Chapter 73, the proposal shall provide a balance.**

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

**(c) Except where otherwise specified, the floor area measured shall be the gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading.**

(2)(a):

Use	Minimum Motor Vehicle Parking Requirement	Maximum
(iii) Shopping center (over 100,000 sq. ft. of gross floor area)	3.90 spaces per 1,000 sq. ft. of gross floor area	Zone A: 4.9 spaces per 1,000 sq. ft. gross floor area Zone B: 5.9 spaces per 1,000 sq. ft. gross floor area
(ix) Drive-up restaurant	9.90 spaces per 1,000 sq. ft. of gross floor area	Zone A: 12.4 spaces per 1,000 sq. ft. gross floor area Zone B: 14.9 spaces per 1,000 sq. ft. gross floor area

The site redevelopment area is within Zone A per [Figure 73-3](#) Parking Maximum Map.

Use	Sq Ft	Applied Rate	Vehicle Parking	
			Required	Proposed
(iii) Shopping center (over 100,000 sq. ft. of gross floor area)	2,673	$([2,673 / 1,000] * 3.9) = 10.4$	10.4 → 10	29
(ix) Drive-up restaurant	2,673	$([2,673 / 1,000] * 9.9) = 26.5$	26.5 → 27	29

The existing parking spaces in the vicinity of the restaurant building is part of a large shared supply of the strip mall. The existing conditions are 35 spaces that are between and shared by the restaurant building and the Meridian Square outbuilding to the east and are also within the subject tax lots. As examined for the requirement of 73.360(1)-(4), the proposal removes 5 spaces resulting in a total of 29. For either of the above two uses, for the restaurant building the proposed parking supply exceeds the minimum requirement.

**73.370(3) The minimum number of off-street Vanpool and Carpool parking for commercial, institutional, and industrial uses is as follows:**

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

Because  $([2,673/1,000] \times 9.9) = 26.5$  parking spaces would be required, then  $26.5 / 26 = 1.0 \rightarrow 1$  carpool/vanpool (C/V) space is required. On the site plan, Note 21 and its call-out placement indicates provision of two carpool/vanpool (C/V) spaces, exceeding the minimum requirement.

**73.370(1)(x) Required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.**

The site plan through Note 21 and its call-out placement indicates provision of two carpool/vanpool (C/V) stalls. Because only a general vicinity is indicated, it is unclear which particular stalls would be designated and marked with striping and/or signage as Note 21 indicates. For this reason, a plan sheet revision is needed, and staff is applying a condition.

*Condition*

To meet the requirement of 73.370(1)(x), required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.

- The applicant shall revise the site plan to indicate the specific carpool/vanpool (C/V) stall or stalls and symbolize their striping and/or signage.

**73.380**

**(1) Off-street parking lot design shall comply with the dimensional standards set forth in Figure 73-1 of this section.**

**(2) Parking stalls for sub-compact vehicles shall not exceed 35 percent of the total parking stalls required by Section 73.370(2).**

**(3) Off-street parking stalls shall not exceed eight continuous spaces in a row without a landscape separation.**

**(4) Areas used for standing or maneuvering of vehicles shall have paved asphalt or concrete surfaces maintained adequately for all-weather use and so drained as to avoid the flow of water across sidewalks.**

**(6) Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way.**

**(8) Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.**

**(9) Parking bumpers or wheel stops or curbing shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.**

**(11) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, shall have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, shall have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic.**

The existing parking area dates from original site development of the strip mall including the restaurant building through AR-84-28. Because TDC 73.380 did not exist until December 14, 1992 through Ordinance No. 882-92, §22, the requirements did not at that time exist to apply to the parking area.

Regarding physical changes to parking, the proposal limits changes to removal of five spaces:

- One, replacing a not-up-to-building-code handicap stall, for a portion of the outdoor patio
- One for a handicap parking space striped circulation area (next to an existing stall to be designated handicap) to bring handicap parking up to building code
- Three to accommodate the new recycling and trash enclosure

Because the parking area predates the requirements, the changes do not increase the parking area or supply, the majority of parking area is undisturbed, loss of one space is to bring handicap parking up to building code, and loss of three spaces is needed as the most feasible way to accommodate the need of the proposal to site a new enclosure to meet the trash and recycling and front yard setback requirements, the requirements of (1)-(4), (8), (9), and (11) are not applicable.

Regarding (6), the elevations illustrate and Notes 13 and 14 note replacement of all wall-mounted lighting with full cut-off fixtures, meeting the requirement.

**73.390**

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

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

Because the applicant proposes no changed or additional gross floor area and the building is less than 5,000 sq ft, the requirement is not applicable.

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

- (b) Industrial uses - 12' x 60'**
- (c) Berths shall have an unobstructed height of 14'**
- (d) Loading berths shall not use the public right-of-way as part of the required off-street loading area.**

Because the requirement of 73.390(1) is not applicable, the requirement is not applicable.

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

Because the requirement of 73.390(1) is not applicable, the requirement is not applicable.

**N. Access:**

**73.400(9) Ingress and egress for industrial uses shall not be less than 36 feet for the first 50 feet from the right-of-way, and 24 feet thereafter (Applies to industrial uses with less than 250 required parking spaces).**

Because the applicant proposes no site plan changes that would affect ingress and egress, the requirement is met.

**Vision clearance requirements at the driveways and street intersection shall comply with the requirements of 73.400(13).**

Because the applicant proposes no site plan changes that would affect vision clearance at either of the driveway intersections with SW 65<sup>th</sup> Avenue or SW Lower Boones Ferry Road, which are beyond the site redevelopment area, the requirement is not applicable.

**O. Signs:**

The applicant shall separately from this AR submit [sign permit](#) applications for any changed or new signage.

**P. Time Limit on Approval:**

**73.056 Architectural Review approvals shall expire after two years unless:**

- (1) A building, or grading permit submitted in conjunction with a building permit application, has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division; or**
- (2) The Architectural Review (AR) applicant requests in writing an extension and the City approves it. If the Community Development Director and City Engineer or their designees approved the AR. then the Community Development Director and City Engineer shall decide upon the extension request. If the Architectural Review Board (ARB) approved the AR. then the ARB shall decide upon the extension request. The applicant shall provide notice of extension request to past recipients of the AR notice of application and post a sign pursuant to TDC 31.064. Before approving an extension, the deciding party shall find the request meets these criteria:**
  - (a) The applicant submitted a written extension request prior to the original expiration date.**
  - (b) There have been no significant changes in any conditions, ordinances, regulations or other standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for AR.**
  - (c) If the previously approved application included a special study, the applicant provided with the extension a status report that shows no significant changes on the site or within the vicinity of the site. A letter from a recognized professional also would satisfy this criterion if it states that conditions have not changed after the original approval and that no new study is warranted.**
  - (d) If the AR applicant neglected site maintenance and allowed the site to become blighted, the deciding party shall factor this into its decision.**
  - (e) The deciding party shall grant no more than a single one-year extension for an AR approval.**
  - (f) If the Community Development Director and City Engineer or their designees are the deciding party, then they shall decide within thirty (30) days of receipt of the request. If the ARB is the deciding party. then the ARB shall decide within sixty (60) days of receipt of the request. If the deciding party fails to decide within the applicable time period, the decision shall default to approval.**

#### **IV. APPEAL**

The Architectural Review portion of this decision will be final after 14 calendar days on **December 29, 2015**, unless a written appeal is received by the **Community Development Department – Planning Division at 18880 Martinazzi Avenue, Tualatin, Oregon 97062 before 5:00 p.m., December 29, 2015**. The appeal must be submitted on the City appeal form with all the information requested provided thereon and signed by the appellant. The plans and appeal forms are available at the Tualatin Library and at the Community Development Department – Planning Division offices. Appeals of a staff Architectural Features decision are reviewed by the Architectural Review Board (ARB).

Submitted by:

A handwritten signature in blue ink that reads "Colin Cortes".

Colin Cortes, AICP, CNU-A

- Attachments:
101. Tax Maps
  102. Site Plans and Other Application Materials
  103. Agency Comments
  104. "No Public Facilities Recommendation (PFR)" Memo

file: AR15-0023

SW 1/4 NW 1/4 SEC. 18 T.2S. R.1E. W.M.  
CLACKAMAS COUNTY

2 1E 18BC  
LAKE OSWEGO

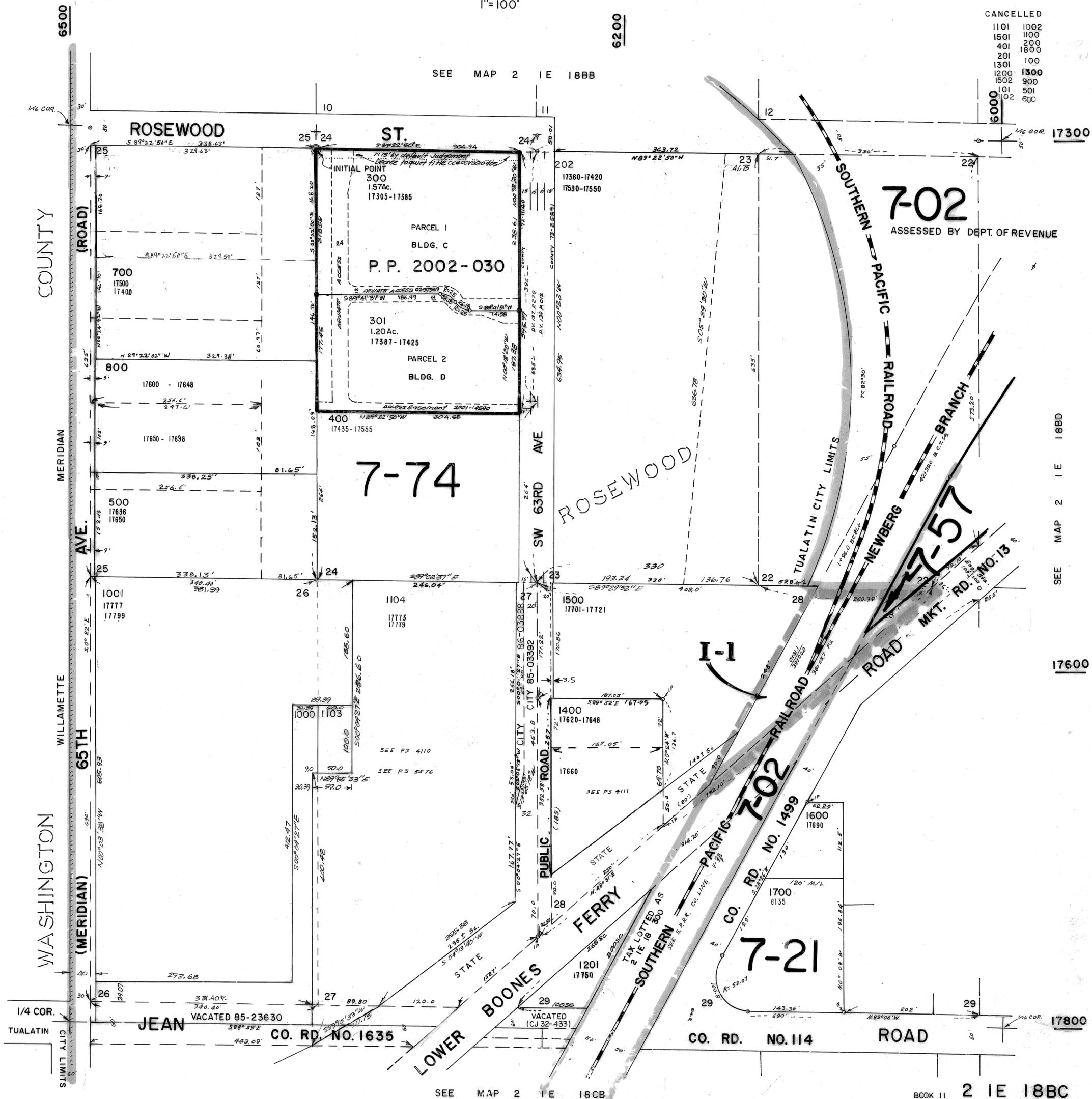
This map was prepared for  
assessment purpose only.

1"=100'

CANCELLED

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1501	1100
401	200
201	1800
1301	100
1200	1300
101	900
102	501
	600

SEE MAP 2 1E 18BB



SEE MAP 2 1E 18BD

17600

SEE MAP 2 1E 18CB

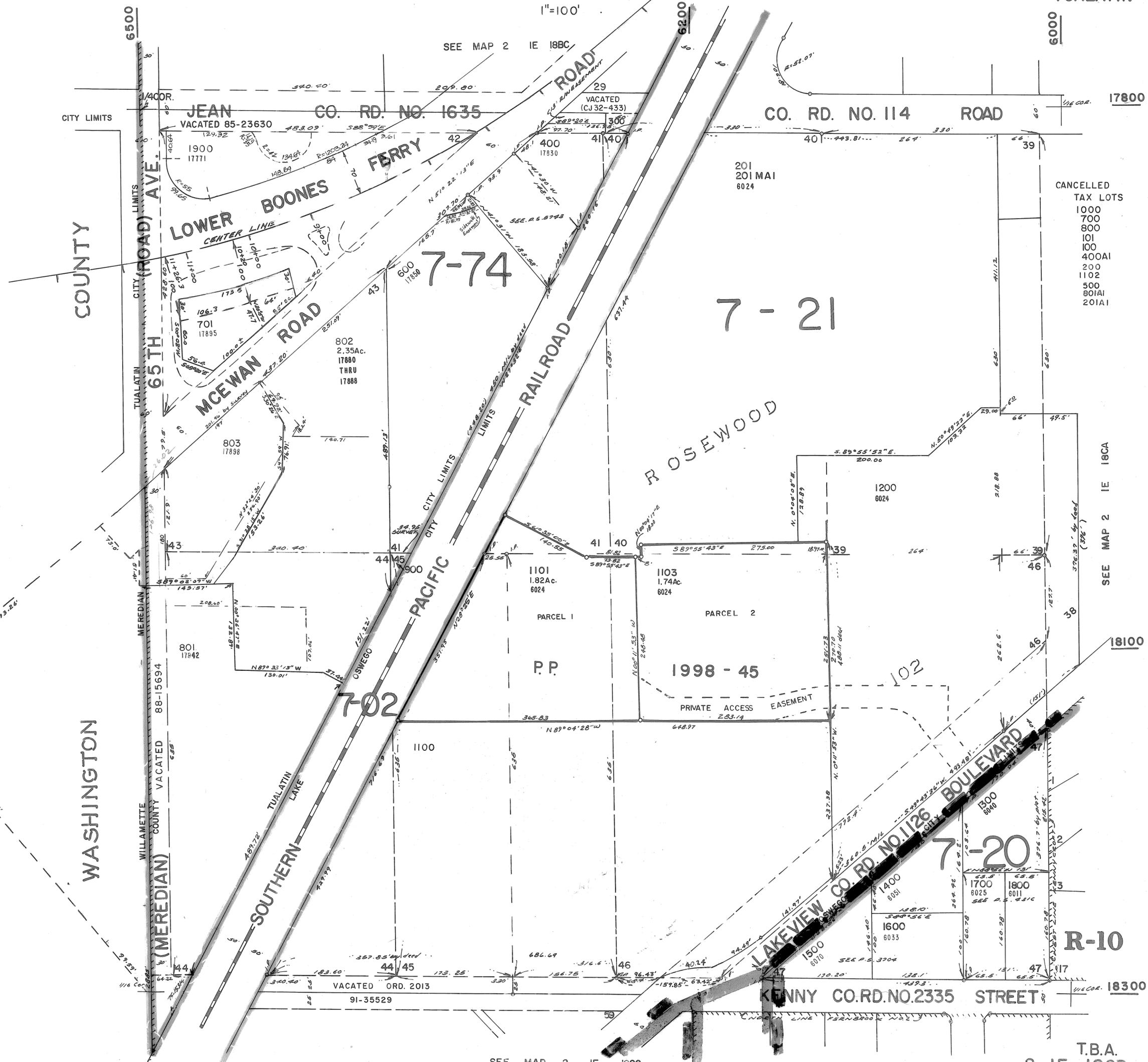
BOOK 11 2 1E 18BC  
LAKE OSWEGO

This map was prepared for assessment purpose only.

NW 1/4 SW 1/4 SEC. 18 T.2S. R.1E. W.M.  
CLACKAMAS COUNTY

2 IE 18CB  
LAKE OSWEGO  
TUALATIN

1"=100'



- CANCELLED TAX LOTS
- 1000
  - 700
  - 800
  - 101
  - 100
  - 400AI
  - 200
  - 1102
  - 500
  - 801AI
  - 201AI

SEE MAP 2 IE 18CA

SEE MAP 2 IE 18CC

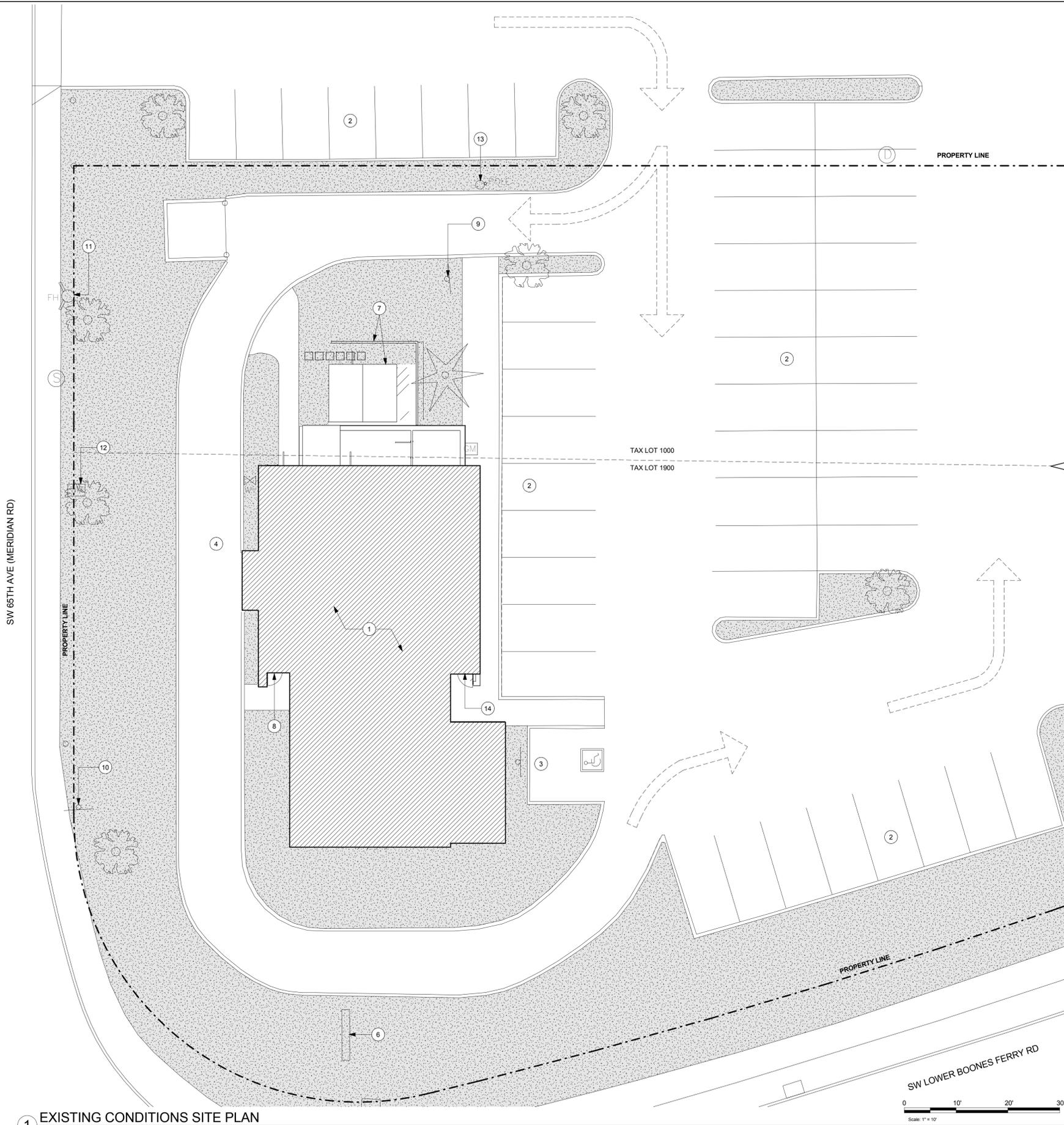
T.B.A.  
2 IE 18CB  
LAKE OSWEGO  
TUALATIN  
BOOK 11

SHEET NOTES

1. TENANT LEASE AREA.
2. EXISTING PARKING LOT. ALL SPACES TO REMAIN UNON.
3. EXISING ADA PARKING TO BE RELOCATED.
4. EXISING DRIVE THROUGH LANE TO REMAIN.
5. NOT USED.
6. DEMOLISH ALL EXISTING SITE SIGNAGE ASSOCIATED WITH PREVIOUS TENANT.
7. DEMOLISH EXISING SHED, OUTDOOR WALK-IN FREEZER, AND SURROUNDING WOOD FENCE.
8. DEMOLISH EXISING EXTERIOR ENTRY DOOR.
9. DEMOLISH EXISING DRIVE THROUGH EQUIPMENT.
10. EXISING "35 MPH" SIGN TO REMAIN.
11. EXISING FIRE HYDRANT TO REMAIN.
12. EXISING WATER METER BOX TO REMAIN.
13. EXISING SITE LIGHTING TO REMAIN, TYP.
14. EXISING ENTRY DOOR TO REMAIN.

SITE PLAN LEGEND - EXISTING

-  TENANT LEASE AREA
-  EXISING LANDSCAPING



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH SHED BUILDING AND WALK-IN COOLER

2 EXISTING SITE PHOTOS

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

1 EXISTING CONDITIONS SITE PLAN

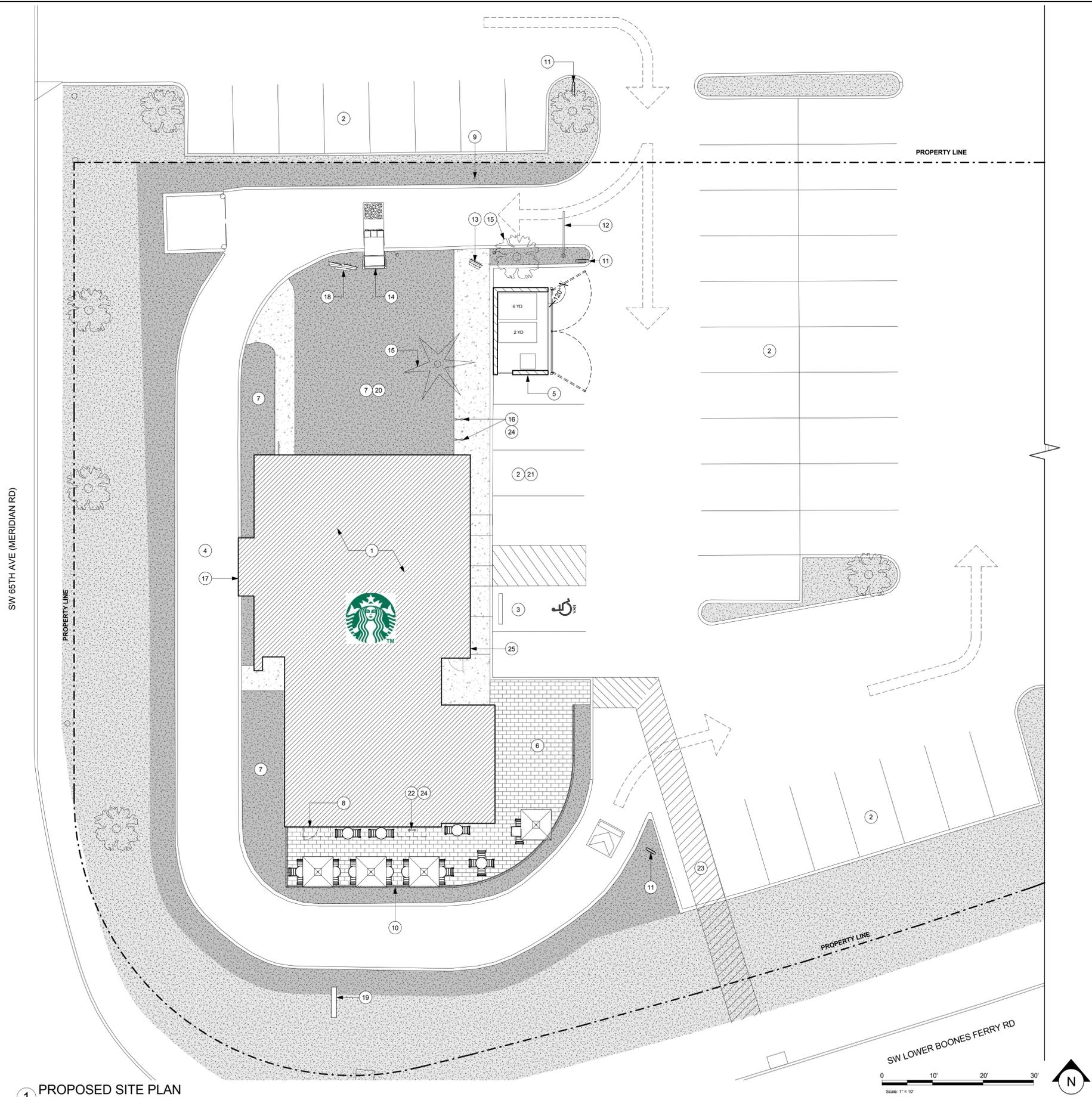
Scale: 1" = 10'-0"

SHEET NOTES

1. TENANT LEASE AREA.
2. EXISTING PARKING LOT, ALL SPACES TO REMAIN UNON.
3. RELOCATED ADA PARKING.
4. EXISING DRIVE-THRU LANE TO REMAIN.
5. NEW TRASH ENCLOSURE, DESIGN TO COMPLY WITH TDC 73.227(6).
6. NEW EXTERIOR PATIO WITH PERMEABLE PAVERS.
7. AMEND LANDSCAPING WITH REFRESHED PLANTINGS PER DESIGN BUILDING LANDSCAPE SUBMITTALS, MATCH SHOPPING CENTER STANDARDS
8. NEW ENTRY DOOR, SEE ELEVATIONS FOR ADDITIONAL INFORMATION.
9. ALL EXISING SITE LIGHTING TO REMAIN.
10. NEW WOOD AND METAL RAILING AT NEW EXTERIOR PATIO.
11. NEW DIRECTIONAL SIGNAGE.
12. NEW CLEARANCE BAR.
13. NEW PRE-ORDER MENU.
14. NEW ORDER CANOPY AND SCREEN.
15. ALL EXISTING TREES TO REMAIN, TYP.
16. NEW BIKE PARKING.
17. EXISTING PICK-UP BUMP OUT TO REMAIN.
18. NEW 3-PANEL MENU BOARD.
19. NEW PYLON SIGN, UNDER SEPARATE SIGNAGE PERMIT.
20. AFTER COMPLETION OF SITE GRADING, TOPSOIL IS TO BE RESTORED TO EXPOSED CUT AND FILL AREAS TO PROVIDE A SUITABLE BASE FOR SEEDING AND PLANTING.
21. TWO (2) SPACES TO BE STRIPED AND SIGNED AS DESIGNATED CARPOOL/VANPOOL SPACES.
22. NEW COVERED BIKE PARKING.
23. LOCATION OF NEW PEDESTRIAN WALKWAY, DESIGN TO COMPLY WITH TDC 73.160(1)(a)
24. BIKE PARKING AREA TO BE IDENTIFIED WITH SIGNAGE AS SPECIFIED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)
25. DIRECTIONAL SIGNAGE NEAR MAIN ENTRY DOOR TO INDICATE LOCATION OF BIKE PARKING AREAS AS SPECIFIED IN THE MUTCD

SITE PLAN LEGEND - PROPOSED

-  TENANT LEASE AREA
-  EXISITING LANDSCAPING TO REMAIN
-  NEW AND AMENDED LANDSCAPING
-  PERMEABLE PAVERS AT PATIO
-  EXISTING SIDEWALK TO REMAIN



SW 65TH AVE (MERIDIAN RD)

SW LOWER BOONES FERRY RD

1 PROPOSED SITE PLAN  
Scale: 1" = 10'-0"

Holst Architecture  
113 SW 9th Portland, OR 97214  
t 503 233 8868 f 503 232 7135

**BOONES FERRY & SW 65TH**  
17771 LOWER BOONES FERRY RD,  
TUALATIN, OR 97035

job no.  
07870-026

Architectural Review  
11/01/2015

title:  
PROPOSED SITE  
PLAN

sheet:  
A2

11/2/2015 4:24:00 PM

SHEET NOTES

1. PROVIDE BLACK ACRYLIC STORE ADDRESS NUMERALS ON GLAZING, TO BE A MINIMUM OF 4" HIGH WITH A MINIMUM 1/2" STROKE PER THE REQUIREMENTS OF THE TUALATIN VALLEY FIRE & RESCUE DISTRICT.
2. NEW EXTERIOR STOREFRONT DOOR TO MATCH EXISTING, AT LOCATION OF EXISTING STOREFRONT GLAZING.
3. NEW 48" ILLUMINATED LOGO DISK, UNDER SEPARATE SIGNAGE PERMIT.
4. NEW 36" ILLUMINATED LOGO DISK, UNDER SEPARATE SIGNAGE PERMIT.
5. NEW DRIVE THROUGH SIGNAGE, UNDER SEPARATE SIGNAGE PERMIT.
6. NEW WORDMARK SIGNAGE, UNDER SEPARATE SIGNAGE PERMIT.
7. NEW WOOD ACCENT WALL, ROUGH CUT CEDAR WITH CLEAR STAIN.
8. NEW FABRIC AWNING ON METAL FRAME.
9. EXISTING ROOF ACCESS LADDER.
10. NEW WOOD AND METAL RAILING AT NEW EXTERIOR PATIO.
11. REFER TO MATERIALS LEGEND FOR NEW WALL AND TRIM PAINT.
12. EXISTING WOOD TRIM TO BE REPLACED AS NECESSARY.
13. EXISTING EXTERIOR BUILDING LIGHTS TO BE REPLACED WITH NEW IN EXISTING LOCATIONS, TYP. NEW LIGHTS TO BE FULL CUT-OFF.
14. NEW EXTERIOR SCENCE LIGHTING. FIXTURE TO BE FULL CUT-OFF.
15. EXISTING STOREFRONT SYSTEM TO REMAIN, UON.
16. NEW WINDOW AT EAST FACADE.
17. REPLACEMENT ROOFTOP UNITS.
18. NEW SCREEN FOR REPLACEMENT ROOFTOP UNITS, SHOWN DASHED.

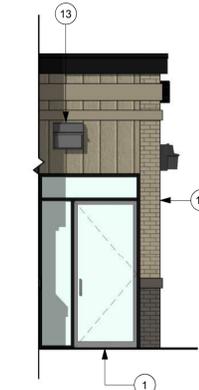
MATERIALS LEGEND

-  EXISTING BUILDING PAINTED SW 7033 BRAINSTORM BRONZE
-  EXISTING BUILDING PAINTED SW 7020 BLACK FOX
-  ROUGH SAWN CEDAR, CLEAR COAT



1 EAST ELEVATION

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



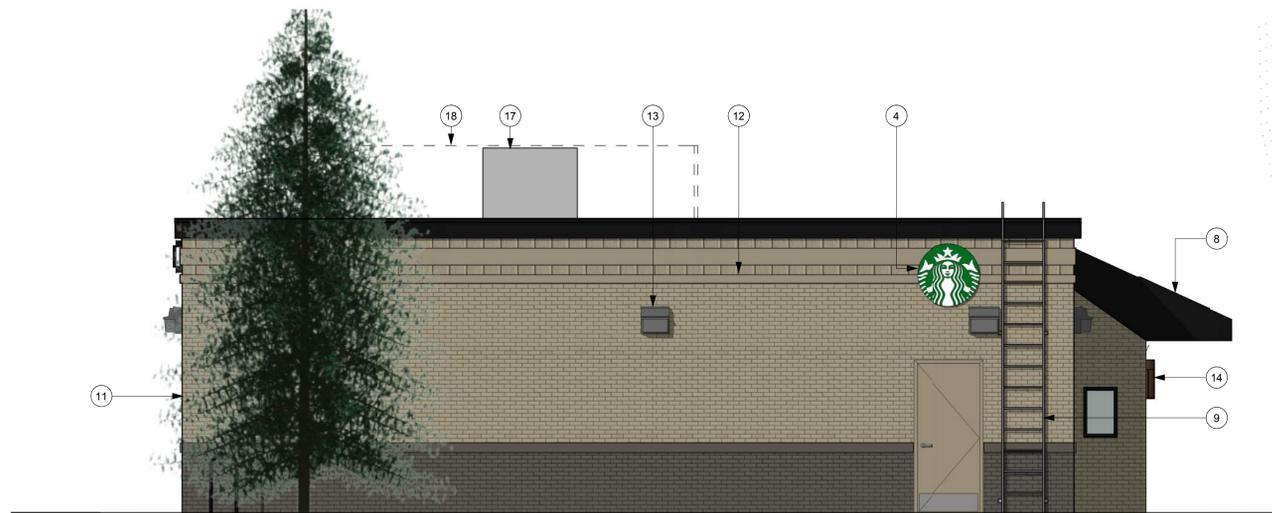
2 EAST ENTRANCE

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



3 WEST ELEVATION

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



4 NORTH ELEVATION

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



5 SOUTH ELEVATION

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

**LANDSCAPE PLAN NOTES**

- A. NEW PLANTINGS SHALL BE SPECIFIED BY THE DESIGN-BUILD LANDSCAPER DURING CONSTRUCTION, LANDSCAPE PLAN FOR REFERENCE ONLY.
- B. ALL LANDSCAPING APPROVED THROUGH THE ARCHITECTURAL REVIEW PROCESS SHALL BE MAINTAINED IN A MANNER SUBSTANTIALLY SIMILAR TO THE ORIGINAL.
- C. EXISTING IRRIGATION SYSTEM TO BE RETAINED.

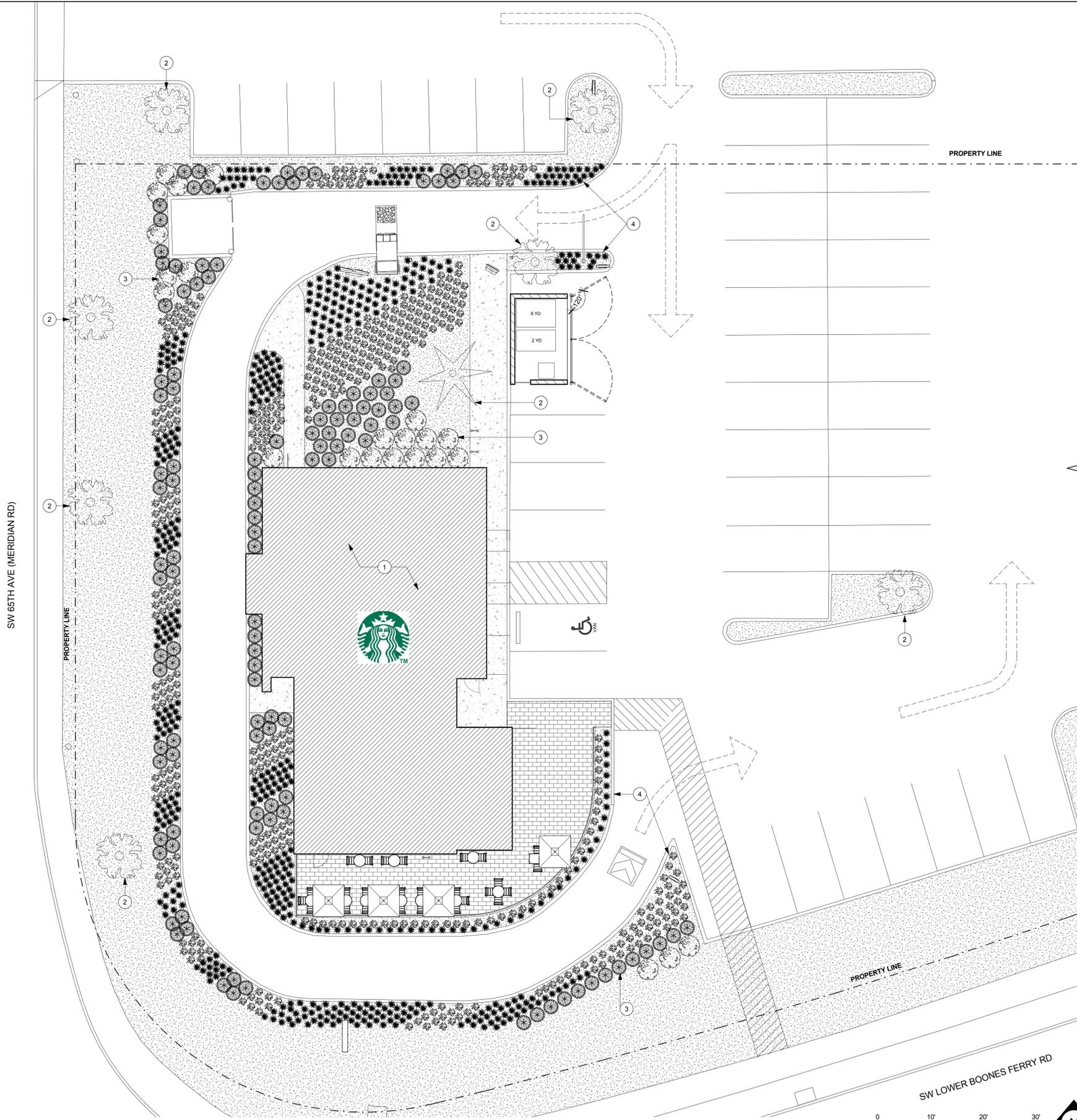
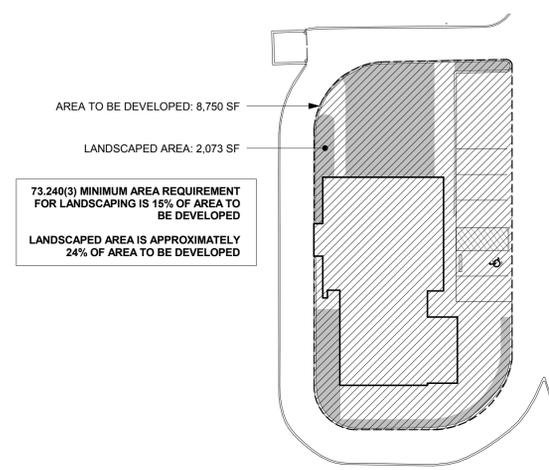
**SHEET NOTES**

- 1. TENANT LEASE AREA.
- 2. EXISTING TREE TO BE PRESERVED, TYP. SEE SITE SURVEY FOR TREE SIZE.
- 3. NEW SHRUBS SHALL BE ONE TO FIVE GALLON SIZE.
- 4. A CLEAR ZONE SHALL BE PROVIDED FOR THE DRIVER AT ENDS OF ON-SITE DRIVE AISLES AND DRIVEWAY ENTRANCES, VERTICALLY BETWEEN A MAX OF 30 INCHES AND A MINIMUM OF 8 FEET

**SITE PLAN LEGEND - MATERIALS**

-  TENANT LEASE AREA
-  EXISTING LANDSCAPING TO REMAIN
-  PERMEABLE PAVERS AT PATIO
-  EXISTING SIDEWALK TO REMAIN
-  SHRUB, TO BE SPECIFIED BY DESIGN-BUILD LANDSCAPER
-  ORNAMENTAL GRASS, TO BE SPECIFIED BY DESIGN-BUILD LANDSCAPER
-  ORNAMENTAL GRASS, TO BE SPECIFIED BY DESIGN-BUILD LANDSCAPER
-  SHRUB, TO BE SPECIFIED BY DESIGN-BUILD LANDSCAPER

**LANDSCAPED AREA KEY**



**1 LANDSCAPE SITE PLAN**  
Scale: 1" = 10'-0"

Holst Architecture  
113 SW 9th Portland, OR 97114  
t 503 252 8868 f 503 252 7135

**BOONES FERRY & SW 65TH**  
17771 LOWER BOONES FERRY RD,  
TUALATIN, OR 97035  
job no. 07870-026

**Architectural Review** title: LANDSCAPE PLAN sheet: **L1**  
11/01/2015

11/2/2015 4:24:21 PM



**STARBUCKS COFFEE COMPANY**  
 2401 UTAH AVENUE SOUTH  
 SEATTLE, WASHINGTON 98134  
 (206) 318-1575



Holt Architecture  
 110 SW 8th Portland, OR 97214  
 v: 503 253 9656 f: 503 252 7135



**FROELICH ENGINEERS**  
 Portland: (503) 624-7005  
 Bend: (541) 383-1828  
 Froelich-Engineers.com

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

**Revision Schedule**

Rev	Date	By	Description

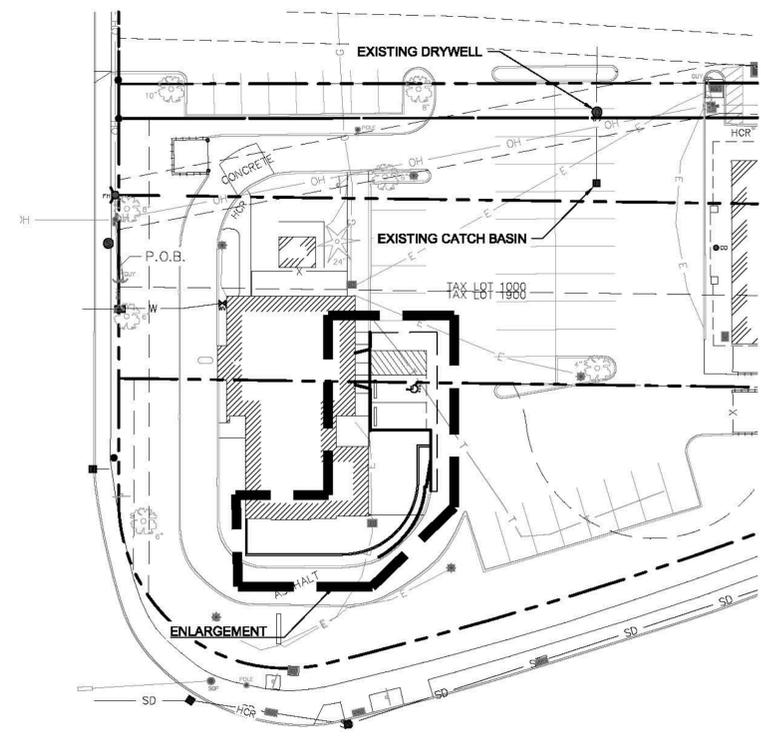
Project Name: **BOONES FERRY AND SW 64TH**  
 17771 SW BOONES FERRY RD.  
 TUALATIN, OR 97035  
 COUNTY: WASHINGTON

Store #: 487  
 Project #: XXXXX-XXX  
 Issue Date: XX/XX/2015  
 Project Engineer: EME  
 Checked by: EME

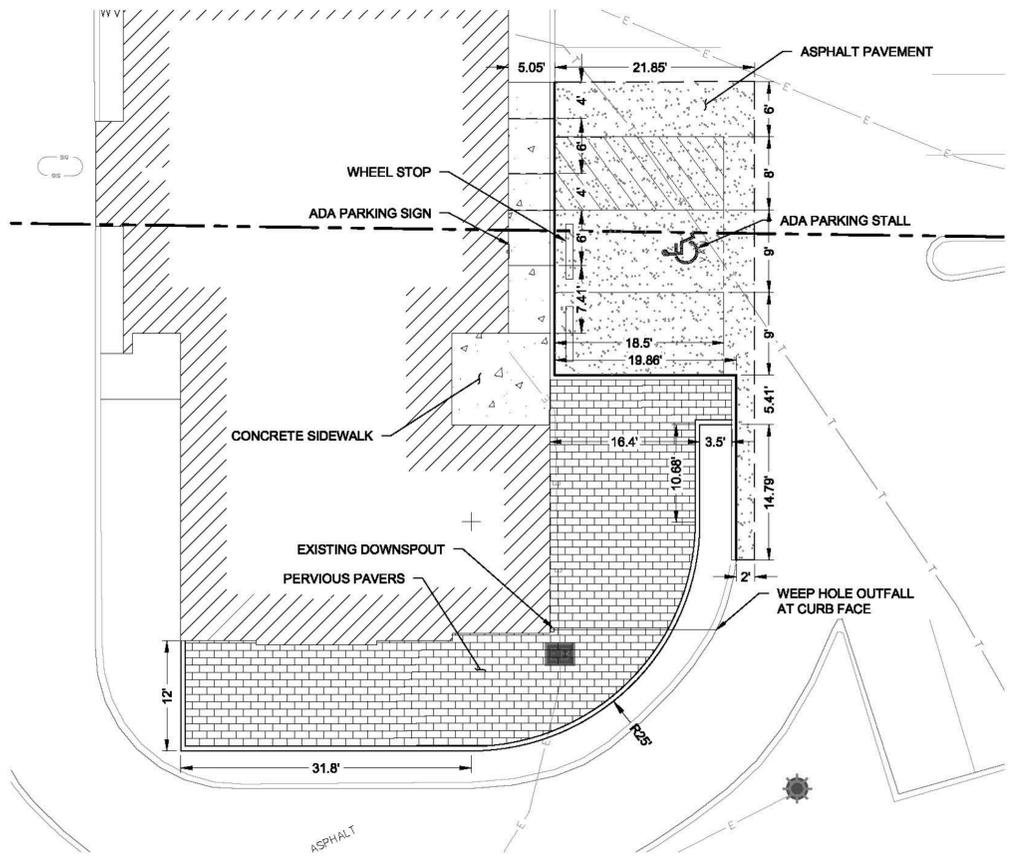
Sheet Title: **SITE PLAN**

Scale: AS NOTED

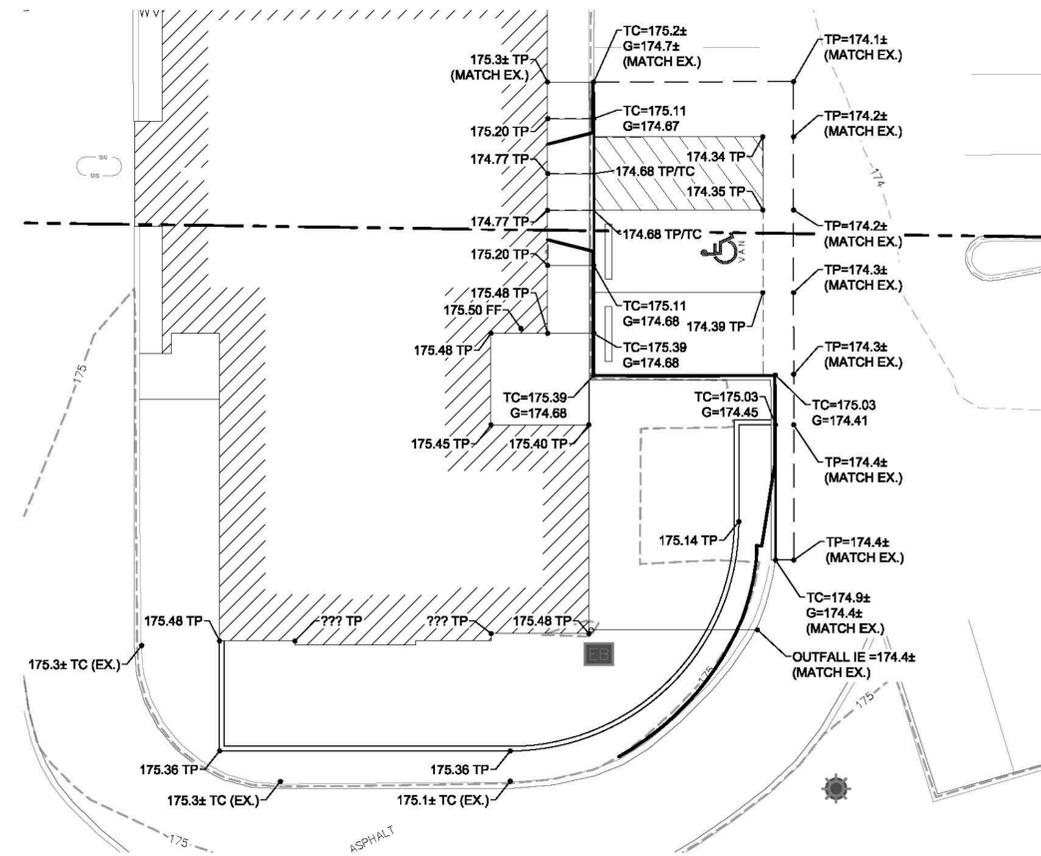
Sheet Number: **C-1001**



**1 SITE PLAN**  
 SCALE: 1" = 30'



**3 SITE PLAN ENLARGEMENT**  
 SCALE: 1" = 10'



**2 GRADING PLAN ENLARGEMENT**  
 SCALE: 1" = 10'

**ABBREVIATION:**  
 EG EXISTING GRADE  
 FF FINISHED FLOOR  
 GB GRADE BREAK  
 TC TOP OF CURB  
 TP TOP OF PAVEMENT

**NOTICE TO EXCAVATORS:**  
 ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER.  
 (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987.)

POTENTIAL UNDERGROUND FACILITY OWNERS

**Dig Safely.**  
 Call the Oregon One-Call Center  
 1-800-332-2344



File: P:\2015\15-C007 (Starbucks Boones Ferry and 65th)\Drafting-Civil\CAD\PL0115-C007\_C1\_0\_SITE.dwg TAB-C-001  
 Plotted: 9/14/15 at 12:41pm By: FCE-CV-1





# City of Tualatin

www.tualatinoregon.gov

## APPLICATION FOR ARCHITECTURAL REVIEW

<b>Direct Communication to:</b>			
Name: SARAH VAZ		Title: DESIGN STAFF	
Company Name: HOLST ARCHITECTURE			
Current address:			
City: PORTLAND		State: OREGON	ZIP Code: 97214
Phone: (503) 233 9856	Fax: (503) 232 7135	Email: SVAZ@HOLSTARC.COM	
<b>Applicant</b>			
Name: SARAH VAZ		Company Name: HOLST ARCHITECTURE	
Address: 110 SE 8TH AVE			
City: PORTLAND		State: OREGON	ZIP Code: 97214
Phone: (503) 233 9856	Fax: (503) 232 7135	Email: SVAZ@HOLSTARC.COM	
Applicant's Signature:			Date: 8/4/2015
<b>Property Owner</b>			
Name: MIKE BERREY, BERREY PROPERTIES LLC			
Address: 6305 SW ROSEWOOD ST, SUITE D			
City: LAKE OSWEGO		State: OREGON	ZIP Code: 97035
Phone: (503) 697 3310	Fax:	Email: MIKE.BERREY@BERREYPROPERTIES.COM	
Property Owner's Signature:			Date
<b>(Note: Letter of authorization is required if not signed by owner)</b>			
<b>Architect</b>			
Name: RENEE STRAND, HOLST ARCHITECTURE			
Address: 110 SE 8TH AVE			
City: PORTLAND		State: OREGON	ZIP Code: 97214
Phone: (503) 233 9856	Fax: (503) 232 7135	Email: RSTRAND@HOLSTARC.COM	
<b>Landscape Architect</b>			
Name:			
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
<b>Engineer</b>			
Name: SETH DAVIS, FROELICH ENGINEERING			
Address: 6969 SW HAMPTON ST.			
City: PORTLAND		State: OREGON	ZIP Code: 97223
Phone: (503) 924 6314	Fax:	Email: SDAVIS@FROELICH-ENGINEERS.COM	
<b>Project</b>			
Project Title: STARBUCKS - SW 65TH & BOONES FERRY			
Address: 17771 SW LOWER BOONES FERRY RD.			
City: TUALATIN		State: OREGON	ZIP Code: 97035
Brief Project Description: CONVERSION OF FORMER ARBY'S RESTAURANT INTO A STARBUCKS. SCOPE INCLUDES WINDOWS AND DOORS, LIGHTING, LANDSCAPING, PARKING, AND DRIVE THROUGH EQUIPMENT AND SIGANAGE.			
Proposed Use: COFFEE HOUSE			

Value of Improvements: \$175,000

**AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION ABOVE, ON THE FACT SHEET, AND THE SURROUNDING PARTY OWNER MAILING LIST IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.**

Applicant's Signature:

Date:

### Office Use

Case No:	Date Received:	Received by:
Fee: Complete Review (\$115-\$5040):	Receipt No:	
Application Complete as of:	ARB hearing date (if applicable):	
Posting Verification:	6 copies of drawings (folded)	
1 reproducible 8 ½" X 11" vicinity map	1 reproducible 8 ½" X 11" site, grading, LS, Public Facilities plan	
Neighborhood/Developer meeting materials		

<b>GENERAL INFORMATION</b>	
Site Address:	17771 LOWER BOONES FERRY RD, TUALATIN OR 97035
Assessor's Map and Tax Lot #:	21E18CB01900 & 21E18BC01000
Planning District:	GC - GENERAL COMMERCIAL
Parcel Size:	.67 ACRES & .73 ACRES
Property Owner:	BERREY PROPERTIES - MIKE BERREY
Applicant:	HOLST ARCHITECTURE - SARAH VAZ
Proposed Use:	COFFEE SHOP

<b>ARCHITECTURAL REVIEW DETAILS</b>	
<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial	
Number of parking spaces:	26
Square footage of building(s):	3,032 SF (FOOTPRINT); 2,673 SF (LEASABLE)
Square footage of landscaping:	3,107 sf
Square footage of paving:	1,514 sf
Proposed density (for residential):	N/A

**For City Personnel to complete:**

Staff contact person:

**CITY OF TUALATIN FACT SHEET**

**General**

Proposed use: COFFEE SHOP			
Site area:	1.4 acres	Building footprint:	3,032 sq. ft.
Development area:	.17 acres	Paved area:	1,514 sq. ft.
	7,653 Sq. ft.	Development area coverage:	%

**Parking**

Spaces required (see TDC 73.400) (example: warehouse @ 0.3/1000 GFA) RETAIL @ 9.9/1000 GFA = 26 _____ @ _____/1000 GFA = _____ _____ @ _____/1000 GFA = _____ Total parking required: 26 spaces Handicapped accessible = 1 Van pool = 2 Compact = (max. 35% allowed) = 0 Loading berths = 0	Spaces provided: Total parking provided: 26 spaces Standard = 23 Handicapped accessible = 1 Van pool = 2 Compact = 0 Loading berths = 0
--	---

**Bicycles**

Covered spaces required: 1	Covered spaces provided: 1
----------------------------	----------------------------

**Landscaping**

Landscaping required: 15 % of dvpt. area 1,148 Square feet	Landscaping provided: 40 % of dvpt. area 3,107 Square feet
Landscaped parking island area required: N/A %	Landscaped parking island area provided: N/A %

**Trash and recycling facility**

Minimum standard method:	36.7 square feet required; 110 square feet provided
Other method:	_____ square feet

**For commercial/industrial projects only**

Total building area:	2,673 sq. ft.	2 <sup>nd</sup> floor:	NONE sq. ft.
Main floor:	2,673 sq. ft.	3 <sup>rd</sup> floor:	NONE sq. ft.
Mezzanine:	NONE sq. ft.	4 <sup>th</sup> floor:	NONE sq. ft.

**For residential projects only**

Number of buildings: N/A	Total sq. ft. of buildings: N/A	sq. ft.
Building stories: N/A		

## Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Tualatin

2. Property Information (example 1S234AB01400)

Tax lot ID(s): 21E18CB01900

Site Address: 17771 SW Lower Boones Ferry Rd

City, State, Zip: Lake Oswego OR 97035

Nearest Cross Street: 65th and Lower Boones Ferry Rd

3. Owner Information

Name: Mike Berrey

Company: Berrey Properties LLC

Address: 6305 SW Rosewood St, Suite D

City, State, Zip: Lake Oswego, OR 97035

Phone/Fax: (503) 697 3310

E-Mail: mike.berrey@berreyproperties.com

4. Development Activity (check all that apply)

- Addition to Single Family Residence (rooms, deck, garage)
- Lot Line Adjustment       Minor Land Partition
- Residential Condominium       Commercial Condominium
- Residential Subdivision       Commercial Subdivision
- Single Lot Commercial       Multi Lot Commercial
- Other Change of tenant, alteration/renovation

5. Applicant Information

Name: Sarah Vaz

Company: Holst Architecture

Address: 110 SE 8th Ave

City, State, Zip: Portland, OR 97214

Phone/Fax: (503) 233 9856

E-Mail: svaz@holstarc.com

6. Will the project involve any off-site work?  Yes  No  Unknown

Location and description of off-site work \_\_\_\_\_

7. Additional comments or information that may be needed to understand your project \_\_\_\_\_

Tenant improvement to existing shell building, former Arby's to Starbucks drive through store.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Sarah Vaz Print/Type Title \_\_\_\_\_

ONLINE SUBMITTAL

Date 7/29/2015

### FOR DISTRICT USE ONLY

Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.

Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

This Service Provider Letter is not valid unless \_\_\_\_\_ CWS approved site plan(s) are attached.

The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Laurie Harris Date 07/31/15

17771 Lower Boones Ferry Rd – Starbucks Coffee Company  
Clackamas County - Parcel # 00339253  
Application for Architectural Review

## INDEX TO APPLICATION

### PROJECT OVERVIEW

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Building Data.....	5

ARCHITECTURAL DRAWINGS INDEX .....	5
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### APPLICABLE DEVELOPMENT STANDARDS

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10. Bicycle Parking, Off-Street Parking and Loading .....	21
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12. Signs .....	25

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### ADDITIONAL ENCLOSURES

Application for Architectural Review and Fact Sheet  
Tax Maps  
Neighborhood Meeting  
    Mailing Affidavit  
    Sign Posting Certification  
    Attendance Log  
    Notes  
    Letter  
    GIS Buffer Map  
    Regular and CIO Mailing List  
    Mailing Labels  
Traffic Study  
Clean Water Services (CWS) Pre-Screen  
Solid Waste and Recycling Hauler Letter

## **APPLICATION REQUEST SUMMARY**

Approval of the exterior building changes indicated on the attached drawings, including the removal of one single exit door and associated storefront system, the addition of one storefront door and alteration to storefront window, the repainting of the existing building exterior and trash enclosure, the removal of a stucco pediment feature, and addition of wood cladding at the south façade.

Approval of the site changes indicated on the attached drawings, including the demolition of the exterior walk-in cooler and storage shed, addition of an exterior patio, relocation of the ADA parking, new and amended landscaping around the building, new steel trash enclosure gates, and new drive-thru equipment.

**Signage will be submitted as part of a separate sign permit for the building.**

## **PROJECT DESCRIPTION**

This architectural review includes exterior modifications associated with the tenant improvement for the conversion of an existing Arby's restaurant/retail space into a Starbucks store on the corner of SW 65<sup>th</sup> Ave and Lower Boones Ferry Rd.

The building was constructed in approximately 1988 as a RAX Restaurant and later converted to an Arby's. The configuration is a rectangular single single-story box with a seating bay in the southwest corner which was part of the original construction. There is a packaged walk-in cooler and shed building along the north side of the building which was also part of the original construction. Wall cladding varies, employing brick wainscot and T&G wood vertical siding, brick accent walls, and EIFS highlights.

The site is on a commercial intersection with a gas station, and two fast-food restaurants. This corner location shares a parking lot with a strip mall, sporting goods store, grocery, and several smaller retailers. The I-5 on/off ramp is one block west. Boones Ferry Road is one of two major access points to the City of Lake Oswego.

17771 Lower Boones Ferry Rd – Starbucks Coffee Company  
Clackamas County - Parcel # 00339253  
Application for Architectural Review

## PROJECT DATA

Tenant: Starbucks Coffee Company  
2401 Utah Ave South  
Seattle, WA 98134  
(206) 318-1575

Property  
Owner: Berrey Properties - Mike Berrey  
6305 SW Rosewood St, Suite D  
Lake Oswego, OR 97035  
(503) 697-3310

Applicant  
/Architect: Holst Architecture – Sarah Vaz  
110 SE 8<sup>th</sup> Avenue  
Portland, OR 97214  
(503) 233-9856  
[svaz@holstarc.com](mailto:svaz@holstarc.com)

Engineer: Froelich Engineering – Seth Davis  
6969 SW Hampton St.  
Portland, OR 97223  
(503) 924-6314

MEP: Rensch Engineering – Chris Rensch  
111 Ave C, Suite 104  
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Location: Northeast corner of SW 65<sup>th</sup> Ave and Lower Boones Ferry RD

Parcel #: 00339253

Zoning: GC – General Commercial

Pre-app date: June 4, 2015

Request: Architectural Review

17771 Lower Boones Ferry Rd – Starbucks Coffee Company  
Clackamas County - Parcel # 00339253  
Application for Architectural Review

## **BUILDING DATA**

Use Type: Retail/ Coffee Shop

Leasable area: 2,673 SF

Occupancy Type: A-2

Construction Type: V-B

Occupant Load: 97

Interior Seating: 71

## **ARCHITECTURAL DRAWINGS INDEX**

A1	Existing Conditions Plan
A2	Proposed Site Plan
A3	Elevations
L1	Landscape Site Plan
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## **APPLICABLE DEVELOPMENT STANDARDS**

### **1. Lot Sizes**

#### *31.060 Definitions:*

*"Lot Line, Rear." A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular, or other-shaped lot, a line ten feet in length within the lot, parallel to and at a maximum distance from the front lot line. On a corner lot, the shortest lot line abutting adjacent property that is not a street shall be considered a rear lot line.*

*"Lot Width." The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line, at the center of the lot, or, in the case of a corner lot, the horizontal distance between the front lot line and a side lot line.*

*"Lot Width, Average." The sum of the length of the front lot line and the rear lot line divided by 2.*

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

- (1) The minimum lot size shall be 10,000 square feet.*
- (2) The minimum average lot width shall be 75 feet.*
- (3) The minimum lot width at the street shall be 40 feet.*
- (4) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(8) to (12).*
- (5) The minimum lot width at the street shall be 40 feet on a cul-de-sac street.*

**Response:** The property includes two lots. Tax lot number 21E18CB01900, is .67 acres, or 29,185 square feet. Tax lot number 21E18BC01000 is .73 acres, or 31,798 square feet. Both lots exceed the minimum lot size of 10,000 square feet.

Average lot width for lot 1900 is 209 feet. Average lot width for lot 1000 is 200 feet. Both exceed minimum average lot width of 75 feet.

For lot 1900, the width is 342 feet along Boones Ferry Rd, and 147 feet along SW 65<sup>th</sup> Ave. For lot 1000, the width is 55 feet fronting SW 65<sup>th</sup> Ave. These exceed the minimum lot width requirement of 40 feet at the street.

No changes to the existing lot sizes are proposed, the requirement is met.

### **2. Setback Requirements**

#### *Section 54.060 Setback Requirements.*

*(1) Front yard. The minimum front yard setback shall be 5 to 20 feet, as determined through the Architectural Review Process.*

*(2) Side yard. Zero to 15 feet, as determined through the Architectural Review process, except where a side lot line adjoins a Residential or Manufacturing Park District, a minimum side yard setback of 5 feet shall be required.*

*(3) Rear yard. Zero to 15 feet, as determined through the Architectural Review process, except where a rear lot line adjoins a Residential or Manufacturing Park District, a minimum rear yard*

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*setback of five (5) feet shall be required.*

*(4) Corner lot yards. Zero to 20 feet for a sufficient distance to provide adequate sight distance for vehicular and pedestrian traffic at an intersection, as determined through the Architectural Review process.*

*5) Off-street parking and vehicular circulation areas shall be set back a minimum of five (5) feet from any public right-of-way or property line, except as approved through the Architectural Review process.*

*6) No fence shall be constructed within 5 feet of a public right-of-way.*

**Response:** No changes to the existing building footprint or building setbacks are proposed. Existing building is set back 50 feet from the south property line, and 32 feet from the west property line. Off-street parking is set back 15 feet from the south property line. There are no fences on the property.

The requirement is met.

### **3. Structure Height**

*54.070(1) Except for flagpoles displaying the flag of the United States of America, either alone or with the State of Oregon flag which shall not exceed 100 feet in height above grade, and except as provided in TDC 54.070(2) [for wireless communication facility], the maximum height of any structure is 45 feet.*

**Response:** No changes to the existing building height are proposed. Existing building is one story tall, and does not exceed 17 feet in height.

The requirement is met.

### **4. Site Planning**

*73.050(1)(a) The proposed site development, including the site plan, architecture, landscaping and graphic design, conforms to the standards of this and other applicable City ordinances, insofar as the location, height, appearance, etc. of the proposed development are involved.*

**Response:** The proposal complies with the TDC and city ordinances where applicable as identified in this report.

The requirement is met.

*73.160 The following standards are minimum requirements for commercial, industrial, public and semi-public development and it is expected that development proposals shall meet or exceed these minimum requirements.*

*73.160(1)(a) For commercial, public and semi-public uses:*

*(i) A walkway shall be provided between the main entrance to the building and any abutting public right-of-way of an arterial or collector street where a transit stop is*

*designated or provided. The walkway shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;*

*(ii) Walkways shall be provided between the main building entrances and other onsite buildings and accessways. The walkways shall be a minimum of 6 feet wide and shall be constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable;*

*(iii) Walkways through parking areas, drive aisles, and loading areas shall be visibly raised and of a different appearance than the adjacent paved vehicular areas;*

**Response:** No changes to the existing building footprint are proposed. Providing additional walkways on site would incur cost disproportionate to the proposed development, the requirement is not applicable.

*31.060 Definitions:*

*Accessway. A non-vehicular, paved pathway designed for pedestrian and bicycle use and providing convenient linkages between a development and adjacent residential and commercial properties and areas intended for public use such as schools, parks, and adjacent collector and arterial streets where transit stops or bike lanes are provided or designated. An accessway is not a sidewalk.*

*73.160(1)(b)(iii) Accessways shall be provided as a connection between the development's walkway and bikeway circulation system and an adjacent bike lane.*

**Response:** No changes to the existing building footprint are proposed. Providing additional accessways on site would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.160(1)(c) Curb ramps shall be provided wherever a walkway or accessway crosses a curb.*

**Response:** No changes to the existing building footprint are proposed. Providing additional accessways on site would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.160(1)(d) Accessways shall be a minimum of 8 feet wide, and if they are private accessways they shall be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable.*

**Response:** No changes to the existing building footprint are proposed. Providing additional accessways on site would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.160(1)(e) Accessways to undeveloped parcels or undeveloped transit facilities need not be constructed at the time the subject property is developed. In such cases the applicant for development of a parcel adjacent to an undeveloped parcel shall enter into a written agreement with the City guaranteeing future performance by the applicant and any successors in interest of the property being developed to construct an accessway when the adjacent undeveloped parcel*

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*is developed. The agreement shall be subject to the City's review and approval.*

**Response:** No undeveloped parcel or undeveloped transit facility abuts the site, the requirement is not applicable.

*73.160(1)(f) Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection to a bike or pedestrian path, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland.*

**Response:** No greenway or wetland abuts the site, the requirement is not applicable.

*73.160(1)(g) Accessways shall be constructed, owned and maintained by the property owner.*

**Response:** No changes to the existing building footprint are proposed. Providing additional accessways on site would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.160(2)(a) Drive-up uses shall provide a minimum stacking area clear of the public right-of-way and parking lot aisles from the window serving the vehicles as follows:*

*(ii) Restaurants each lane shall provide a minimum capacity for eight automobiles.*

*(iv) For purposes of this Section, an automobile shall be considered no less than twenty feet in length. The width and turning radius of drive-up aisles shall be approved through the architectural review process.*

**Response:** No changes to the existing drive-thru lane are proposed. The existing drive-thru lane provides stacking capacity for six automobiles behind the drive-thru window, and pull forward stacking capacity for seven automobiles. Starbucks has analyzed this location and feels the queuing is sufficient for smooth operation and customer service. Additionally, a traffic study was conducted for this location and no negative traffic changes were predicted. Providing additional stacking capacity would incur cost disproportionate to the proposed development and would complicate traffic flow on the site. The requirement is not applicable.

*73.160(b) Parking maneuvers shall not occur in the stacking area. The stacking area shall not interfere with safe and efficient access to other parking areas on the property.*

**Response:** The existing stacking area is a one-way single lane drive aisle separated from the parking area. No parking maneuvers need occur within the stacking area, nor does it interfere with the safe and efficient access to any parking area.

The requirement is met.

*(c) Locate drive-up aisles and windows a minimum of 50 feet from residential planning districts to avoid adverse impacts. A wall or other visual or acoustic may be required through the architectural review process.*

**Response:** There are no residential planning districts within 50 feet for the drive-thru aisle and window, the requirement is not applicable.

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*73.160(3)(a) Locate windows and provide lighting in a manner which enables tenants, employees and police to watch over pedestrian, parking and loading areas.*

**Response:** No changes to the existing building footprint are proposed. Parking and pedestrian areas are located to the east and south of the building. Storefront windows on the east and south façades face the parking area and the patio seating, providing views from the café to both these spaces. Building lights are provided on both façades, and all site lighting to be retained shall adequately illuminate these spaces.

The requirement is met.

*73.160(3)(b) In commercial, public and semi-public development and where possible in industrial development, locate windows and provide lighting in a manner which enables surveillance of interior activity from the public right-of-way.*

**Response:** Storefront windows located on the street facing façades allow views from the public right-of-way into the building.

The requirement is met.

*73.160(3)(c) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way.*

**Response:** No changes to the existing site lighting are proposed. All exterior building lights shall be replaced with new fixtures in existing locations providing on-site lighting to facilitate surveillance of on-site activities from the public right-of-way.

The requirement is met.

*73.160(3)(d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services.*

**Response:** Note on elevations indicates store address to be located in 3" high black acrylic numerals at both entrance doors.

The requirement is met.

*73.160(3)(e) Shrubs in parking areas must not exceed 30 inches in height. Tree canopies must not extend below 8 feet measured from grade.*

**Response:** With proper pruning provided during construction, the proposed shrubs and trees will meet this requirement.

*73.160(4)(a) On and above grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners shall be screened with sight obscuring fences, walls or landscaping.*

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**Response:** No new at grade units are proposed. Rooftop units shall be located at a minimum 10' – 0" on all sides from the existing parapet and not viewable from the public right-of-way. If replacement units are visible, screening will be provided.

*73.160(4)(b) Outdoor storage, excluding mixed solid waste and source separated recyclables storage areas listed under TDC 73.227, shall be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping.*

**Response:** No outdoor storage, excluding mixed solid waste and source separated recyclables storage, is proposed on site, the requirement is not applicable.

## **5. Structure Design**

*73.050(1)(b) The proposed design of the development is compatible with the design of other developments in the same general vicinity.*

**Response:** Developments in the vicinity of the proposed project include a gas station, fast-food restaurants, and big box retailers. These developments incorporate neutral colored building with brand specific signage and accent features. The proposed development is compatible with the neighboring developments in that it incorporates a similarly neutral palette with accent cladding in wood and brand specific signage.

The requirement is met.

*73.050(1)(c) The location, design, size, color and materials of the exterior of all structures are compatible with the proposed development and appropriate to the design character of other developments in the same vicinity.*

**Response:** No changes to the location, or size of the existing building are proposed. The proposed color changes, materials, and minor design alterations at the façade are in keeping with neighboring developments.

The requirement is met.

*73.100(2) All building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval.*

**Response:** All building exterior improvement approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval. Maintenance occurs through Starbucks Facilities and Operations Departments.

*73.220(1)(a) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way or other public areas.*

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**Response:** No changes to the existing site lighting are proposed. All exterior building lights shall be replaced with new fixtures in existing locations providing on-site lighting to facilitate surveillance of on-site activities from the public right-of-way.

The requirement is met.

*73.220(1)(b) Provide an identification system, which clearly identifies and locates buildings and their entries.*

**Response:** Note on elevations indicates store address to be located in 3” high black acrylic numerals at both entrance doors.

The requirement is met.

*73.220(1)(c) Shrubs in parking areas shall not exceed 30 inches in height, and tree canopies must not extend below 8 feet measured from grade, except for parking structures and underground parking where this provision shall not apply.*

**Response:** With proper pruning during construction landscaping, the proposed shrubs and trees will meet this requirement.

## **6. Mixed Solid Waste and Source Separated Recyclables Storage Area**

*73.227(2)(a)(i) The storage area requirement is based on the area encompassed by predominant use(s) of the building (e.g., residential, office, retail, wholesale/ warehouse/ manufacturing, educational/ institutional or other) as well as the area encompassed by other distinct uses. If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building shall be the sum of the area of each use.*

**Response:** The building has only one use, the storage area requirement is based on the commercial rate.

*73.227(2)(a)(ii) Storage areas for multiple uses on a single site may be combined and shared.*

**Response:** There is only one use on the site, the requirement is not applicable.

*73.227(2)(a)(v) Commercial, industrial, public and semi-public developments shall provide a minimum storage area of 10 square feet plus: office 4square feet/1000 square feet gross leasable area (GLA); Retail 10 square feet/1000 square feet GLA; Wholesale/ Warehouse/ Manufacturing 6 square feet/1000 square feet GLA; Educational and institutional 4 square feet/1000 square feet GLA; and other 4 square feet/1000 square feet GLA.*

**Response:** The existing building is 2,673 sf. Applying the relevant rate for retail use means the

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required storage area is calculated as  $10 \text{ sf} + ([2,673/1000]*10)$ , yielding 36.7 sf of minimum required storage area. The applicant proposes to retain the existing exterior storage area of 110 sf, meeting the minimum requirement.

The requirement is met.

*73.227(6)(a)(iv) Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street.*

**Response:** The existing exterior storage area is set back 17' – 6" from the property line and buffered from view by landscaping.

The requirement is met.

*73.227(6)(a)(v) Exterior storage areas shall be located in central and visible locations on the site to enhance security for users.*

**Response:** No change to the location of the existing exterior storage area is proposed. Moving the storage area would incur cost disproportionate to the proposed development, and disrupt building operations by complicating employee access. The requirement is not applicable.

*73.227(6)(a)(vi) Exterior storage areas can be located in a parking area, if the proposed use provides parking spaces required through the Architectural Review process.*

**Response:** No change to the location of the existing exterior storage area is proposed, the requirement is not applicable.

*73.227(6)(a)(vii) Storage areas shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle traffic movement on site or on public streets adjacent to the site.*

**Response:** The existing exterior storage area is located at the end of the drive-thru lane and would require the collection vehicle to drive through the drive-thru or back in during off-hours, potentially obstructing vehicle traffic for the duration of the collection time. Moving the storage area would incur cost disproportionate to the proposed development, the requirement is not applicable.

Note: At other Starbucks locations the collection time is coordinated by Starbucks with the waste hauler to ensure pickup occurs during closed hours, or at a non-peak time where the drive-thru can be closed to private vehicles.

*73.227(6)(b)(iii) Exterior storage areas shall be enclosed by a sight obscuring fence or wall at least 6 feet in height. In multi-family, commercial, public and semi-public developments evergreen plants shall be placed around the enclosure walls, excluding the gate or entrance openings. Gate openings for haulers shall be a minimum of 10 feet wide and shall be capable of being secured in a closed and open position. A separate pedestrian access shall also be provided in multi-family, commercial, public and semipublic developments.*

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**Response:** The existing trash enclosure is open from above, surrounded on three sides by a 6-foot CMU wall. The proposal indicates a new gate to be installed, capable of being secured in a closed and open position. Existing pedestrian access to be retained.

The requirement is met.

*73.227(6)(b)(iv) Exterior storage areas shall have either a concrete or asphalt floor surface.*

**Response:** Existing storage area has concrete ground surface.

The requirement is met.

*73.227(6)(c)(i) Access to storage areas can be limited for security reasons. However, the storage areas shall be accessible to users at convenient times of the day, and to hauler personnel on the day and approximate time they are scheduled to provide hauler service.*

**Response:** The proposal does not limit access to the storage area for security reasons, the requirement is not applicable.

*73.227(6)(c)(ii) Storage areas shall be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access. A minimum of 10 feet horizontal clearance and 8 feet vertical clearance is required if the storage area is covered.*

**Response:** The existing storage area is not covered, the requirement is not applicable.

*73.227(6)(c)(iii) Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow vehicles to safely exit the site in a forward motion.*

**Response:** No change to the existing location is proposed, this location has been in service since 1988. The storage area is located at the end of the first leg of the drive-thru lane. Location of the drive thru lane allow for the collection vehicles to drive through the lane without backing out onto a driveway in a public street.

The requirement is met.

## **7. Landscaping**

*73.100(1) All landscaping approved through the Architectural Review Process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered with Community Development Director approval.*

**Response:** All landscaping approved through the Architectural Review Process shall be maintained by Starbucks, including necessary watering, weeding, pruning, and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered with Community Development Director approval.

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*73.240(3) The minimum area requirement for landscaping for uses in CO, CR, CC, CG, ML and MG Planning Districts shall be fifteen (15) percent of the total area to be developed, except within the Core Area Parking District, where the minimum area requirement for landscaping shall be 10 percent. When a dedication is granted on the subject property for a greenway or natural area, the minimum area requirement for landscaping may be reduced by 2.5 percent from the minimum area requirement as determined through the AR process.*

**Response:** Landscaped area is approximately 40 percent of the area to be developed.

The requirement is met.

*73.240(8) Developments not in a Low Density Residential (RL) or Manufacturing Park (MP) Planning district but which abut an RL or MP Planning District shall provide and perpetually maintain dense, evergreen landscaped buffers between allowed uses in the district and the adjacent Low Density Residential (RL) or Manufacturing Park (MP) Planning District as approved through the Architectural Review process.*

**Response:** The development does not abut an RL or MP Planning District, the requirement is not applicable.

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

**Response:** The south and west yards adjacent to public streets are and will remain planted to lawn or live groundcover, trees, and shrubs, and shall be maintained by Starbucks.

The requirement is met.

*73.240(10) Yards not adjacent to public streets or Low Density Residential (RL) or Manufacturing Park (MP) Planning Districts shall be planted with trees, shrubs, grass or other live groundcover, and maintained consistent with a landscape plan indicating areas of future expansion, as approved through the Architectural Review process.*

**Response:** The south and west yards adjacent to public streets are and will remain planted with trees, shrubs, grass, or live groundcover, and shall be maintained by Starbucks.

The requirement is met.

*73.240(11) Any required landscaped area shall be designed, constructed, installed, and maintained so that within three years the ground shall be covered by living grass or other plant materials. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of 10% of the landscaped area may be covered with unvegetated areas of bark chips, rock or stone.*

**Response:** New plantings specified per design-build landscaper during construction shall meet

the requirement.

*73.260(1)(a) Deciduous shade and ornamental trees shall be a minimum one and onehalf inch (1 1/2") caliper measured six inches (6") above ground, balled and burlapped. Bare root trees will be accepted to plant during their dormant season. Trees shall be characteristically shaped specimens.*

**Response:** No new deciduous shade and ornamental trees are proposed, the requirement is not applicable

*73.260(1)(b) Coniferous trees shall be a minimum five feet (5') in height above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be well branched and characteristically shaped specimens.*

**Response:** No new coniferous trees are proposed, the requirement is not applicable.

*73.260(1)(c) Shrubs. Evergreen and deciduous shrubs shall be at least one (1) to five (5) gallon size. Shrubs shall be characteristically branched. Side of shrub with best foliage shall be oriented to public view.*

**Response:** New plantings specified per design-build landscaper during construction shall meet the requirement.

*73.260(1)(d) Groundcovers shall be fully rooted and shall be well branched or leafed. English ivy (Hedera helix) is considered a high maintenance material, which is detrimental to other landscape materials and buildings and is therefore prohibited.*

**Response:** New plantings specified per design-build landscaper during construction shall meet the requirement.

*73.280 Landscaped areas shall be irrigated with an automatic underground or drip irrigation system.*

**Response:** Landscaped areas shall continue to be irrigated with the existing irrigation system.

The requirement is met.

*73.290(1) Where natural vegetation has been removed or damaged through grading in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements, such areas shall be replanted.*

**Response:** No natural vegetation exists on site, the requirement is not applicable.

*73.310(1) A minimum 5-foot-wide landscaped area must be located along all building perimeters, which are viewable by the general public from parking lots or the public right-of-way, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations. Pedestrian amenities such as landscaped plazas and arcades may be substituted for this requirement. This requirement shall not apply where the distance along a wall between two*

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*vehicle or pedestrian access openings (such as entry doors, garage doors, carports and pedestrian corridors) is less than 8 feet.*

**Response:** The site plan illustrates the landscaped area along the north and south facades meet the requirement. Landscaped area along the west façade is approximately 2' – 9" wide, and no landscaped area is provided along the east façade. Adding additional landscaping on the east and west facades would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.310(2) Areas exclusively for pedestrian use that are developed with pavers, bricks, etc., and contain pedestrian amenities, such as benches, tables with umbrellas, children's play areas, shade trees, canopies, etc., may be included as part of the site landscape area requirement.*

**Response:** Landscaped area calculation includes paved patio with tables with umbrellas, putting the landscaped area at approximately 40 percent of the area to be developed.

The requirement is met.

*73.310(3) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.*

**Response:** The site plan indicates that all areas not occupied by buildings, parking, driveways, drive aisles, or pedestrian areas shall be landscaped.

The requirement is met.

*73.340(1) A clear zone shall be provided for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of 8 feet as measured from the ground level, except for parking structures and underground parking, where this provision shall not apply.*

**Response:** With proper maintenance and pruning, the parking area landscaping will continue to meet the requirement.

*73.340(2) Perimeter site landscaping of at least 5 feet in width shall be provided in all off-street parking and vehicular circulation areas (including loading areas).*

**Response:** Existing perimeter landscaping in excess of 5 feet in width to be retained.

The requirement is met.

*73.340(2)(a) The landscape area shall contain:*

- (i) Deciduous trees an average of not more than 30 feet on center. The trees shall meet the requirements of 73.360(7).*
- (ii) Plantings which reach a mature height of 30 inches in 3 years which provide screening of vehicular headlights year round.*
- (iii) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years.*

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**Response:** New plantings specified per design-build landscaper during construction shall meet the requirement.

*73.360(1) A minimum of 25 square feet per parking stall shall be improved with landscape island areas which are protected from vehicles by curbs. These landscape areas shall be dispersed throughout the parking area [see 73.380(3)].*

**Response:** No changes are proposed to the existing parking lot, existing landscape islands are not within the development area. They are protected from traffic by curbs but do not meet the area requirement. New landscape islands would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.360(2) All landscaped island areas with trees shall be a minimum of 5 feet in width (60 inches from inside of curb to curb) and protected with curbing from surface runoff and damage by vehicles. Landscaped areas shall contain groundcover or shrubs and deciduous shade trees.*

**Response:** No changes are proposed to the existing parking lot, existing landscape islands are not within the development area. New landscape islands would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.360(3) Provide a minimum of one deciduous shade tree for every four (4) parking spaces to lessen the adverse impacts of glare from paved surfaces and to emphasize circulation patterns. Required shade trees shall be uniformly distributed throughout the parking lot. The trees shall meet the requirements of 73.360(7).*

**Response:** One deciduous shade tree for every four (4) parking spaces equals (6) trees (26 spaces/4). There are eight (8) existing trees on site.

The requirement is met.

*73.360(4) Landscaped islands shall be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns. Landscape island location requirements shall not apply to parking structures and underground parking.*

**Response:** Existing landscape islands bookend the central parking bay, protecting it from moving vehicles and emphasizing vehicular circulation patterns.

The requirement is met.

*73.360(6)(a) Except as in (b) below, site access from the public street shall be defined with a landscape area not less than 5 feet in width on each side and extend 25 feet back from the property line for commercial, public, and semi-public development with 12 or more parking spaces and extend 30 feet back from the property line for industrial development.*

**Response:** No changes are proposed to site access, the requirement is not applicable.

*73.360(7) Deciduous shade trees shall meet the following criteria:*

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

**Response:** No new shade trees are proposed, the requirement is not applicable.

*74.765 All trees, plants or shrubs planted in the right-of-way of the City shall conform in species and location and in accordance with the street tree plan in Schedule A.*

**Response:** New plantings specified per design-build landscaper during construction shall meet the requirement.

## **8. Tree Preservation**

*73.050(4) As part of Architectural Review, the property owner may apply for approval to cut trees in addition to those allowed in TDC 34.200. The granting or denial of a treecutting permit shall be based on the criteria in TDC 34.230.*

**Response:** No trees shall be removed with this proposal, the requirement is not applicable.

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

*The Community Development Director may approve a request to cut a tree when the applicant can satisfactorily demonstrate that any of the following criteria are met:*

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

**Response:** No trees shall be removed with this proposal, the requirement is not applicable.

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*73.250(1) Trees and other plant materials to be retained shall be identified on the landscape plan and grading plan.*

**Response:** The site plan and grading plan indicate location of trees to be retained.

The requirement is met.

*73.250(2) During the construction process:*

*(a) The owner or the owner's agents shall provide above and below ground protection for existing trees and plant materials identified to remain.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(2)(b) Trees and plant materials identified for preservation shall be protected by chain link or other sturdy fencing placed around the tree at the drip line.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(2)(c) If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborist as defined in 31.060.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(2)(d) Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(2)(e) Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip line area, such grading, paving, trenching, boring, digging, or similar encroachment shall only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(2)(f) Tree root ends shall not remain exposed.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(3) Landscaping under preserved trees shall be compatible with the retention and health of said tree.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

*73.250(4) When it is necessary for a preserved tree to be removed in accordance with TDC 34.210 the landscaped area surrounding the tree or trees shall be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, nearby landscape materials.*

**Response:** The proposal indicates no disturbance to the existing trees, the requirement is not applicable.

## **9. Grading**

*73.270(1) After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.*

**Response:** Note on site plan indicates after completion of site grading, topsoil to be restored to exposed cut and fill areas to provide suitable base for seeding and planting.

The requirement is met.

*73270(4) Impervious surface drainage shall be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.*

**Response:** Grading plan indicates surface drainage directed away from pedestrian walkways, buildings, patio areas, and landscape areas.

The requirement is met.

## **10. Bicycle Parking, Off-Street Parking and Loading**

*Bicycle Parking:*

*73.370(2)(a) Commercial (ix) Drive-up restaurant. Bicycle parking requirement is 2.00 spaces per 1000 gross sq ft; percentage of bicycle parking to be covered is 25.*

**Response:** The required bike parking for the existing building is as follows:

<i>Use</i>	<i>Area</i>	<i>Rate</i>	<i>Required</i>	<i>Proposed</i>
(ix) Drive-up restaurant	2,673 sf	2 per 1,000 sf	5	5

*73.370(1)(n) Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks, which accommodate a bicyclist's lock securing the frame and both wheels.*

**Response:** Proposed bicycle parking facilities are secure stationary racks which accommodate

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a bicyclist's lock securing the frame and both wheels.

The requirement is met.

*73.370(1)(o) Each bicycle parking space shall be at least 6 feet long and 2 feet wide, and overhead clearance in covered areas shall be at least 7 feet, unless a lower height is approved through the Architectural Review process.*

**Response:** Bicycle parking spaces shall be at least 6 feet long and 2 feet wide, overhead clearance in covered area is 8 feet.

The requirement is met.

*73.370(1)(r) Required bicycle parking shall be located in convenient, secure, and well lighted locations approved through the Architectural Review process.*

**Response:** The proposed site plan indicates uncovered bike parking on the northeast corner of the building, 50 feet from a main entrance, and covered bike parking on the exterior patio 35 feet from the second entrance. Both are lit by building lights and open to the parking lot.

The requirement is met.

*73.370(1)(s) Bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.*

**Response:** No interior bike parking facilities are proposed, the requirement is not applicable.

*73.370(1)(u) Bicycle parking areas and facilities shall be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs shall be located at the main entrance and at the location of the bicycle parking facilities.*

**Response:** Site plan note indicates bicycle parking areas to be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD).

The requirement is met.

*Off-Street Vehicle Parking:*

*73.370(2)(a) Commercial (ix) Drive-up restaurant requires 9.9 parking spaces per 1000 square feet.*

**Response:** The required off-street parking for the existing building is as follows:

<i>Use</i>	<i>Area</i>	<i>Rate</i>	<i>Required</i>	<i>Proposed</i>
(ix) Drive-up restaurant	2,673 sf	9.9 per 1,000 sf	26	26

*73.370(3) The minimum number of off-street Vanpool and Carpool parking for commercial,*

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*institutional, and industrial uses is as follows:*

<i>Number of required parking spaces</i>	<i>Number of vanpool or carpool spaces</i>
0-10	1
10-25	2
26 and greater	1 for each 25 spaces

**Response:** The site development area requires 26 parking spaces, the resulting minimum number of off-street carpool/vanpool spaces is 1.1, rounded to two (2). The site plan indicates two spaces to be striped and signed as carpool/vanpool spaces.

The requirement is met.

*73.370(1 )(x) Required van pool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.*

**Response:** Two existing parking spaces that meet the 9-foot parking stall requirements shall be striped and identified with appropriate signage as carpool/vanpool spaces.

The requirement is met.

*73.380(1) Off-street parking lot design shall comply with the dimensional standards set forth in Figure 73-1 of this section.*

**Response:** The dimensions of the existing parking stalls meet the requirements of Figure 73-1.

The requirement is met.

*73.380(2) Parking stalls for sub-compact vehicles shall not exceed 35 percent of the total parking stalls required by Section 73.370(2).*

**Response:** Because there are no existing or proposed compact spaces, the requirement is not applicable.

*73.380(3) Off-street parking stalls shall not exceed eight continuous spaces in a row without a landscape separation.*

**Response:** Parking stalls within the development area do not exceed eight continuous spaces in a row. Providing additional landscape separations in the off-street parking outside the development area would incur cost disproportionate to the proposed development, the requirement is not applicable.

*73.380(4) Areas used for standing or maneuvering of vehicles shall have paved asphalt or concrete surfaces maintained adequately for all-weather use and so drained as to avoid the flow of water across sidewalks.*

**Response:** All proposed vehicular circulation areas are asphalt or concrete, and the grading plan indicates water will not flow across sidewalks.

The requirement is met.

*73.380(6) Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way.*

**Response:** There are no residential planning districts or dwellings adjacent to the site. Existing site lighting shall remain, building lights shall be replaced with similar fixtures in the same locations. The requirement is not applicable.

*73.380(8) Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.*

**Response:** No changes to existing service drives to off-street parking areas are proposed, the requirement is not applicable.

*73.380(9) Parking bumpers or wheel stops or curbing shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.*

**Response:** No changes to existing parking bumpers or wheel stops are proposed, the requirement is not applicable.

*73.380(11) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, shall have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, shall have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic.*

**Response:** No changes to the existing drive aisles are proposed, the requirement is not applicable.

*73.390(1) The minimum number of off-street loading berths for commercial, industrial, public and semi-public uses is as follows:*

<i>Square Feet of Floor Area</i>	<i>Number of Berths</i>
<i>Less than 5000</i>	<i>0</i>
<i>5,000-25,000</i>	<i>1</i>
<i>25,000-60,000</i>	<i>2</i>
<i>60,000 and over</i>	<i>3</i>

**Response:** Floor area of the building is 2,673 square feet. Since it is under 5,000 square feet, no loading berth is required.

The requirement is met.

*73.390(2) Loading berths shall conform to the following minimum size specifications:*

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*(b) Industrial uses- 12' x 60'*

*(c) Berths shall have an unobstructed height of 14'*

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

**Response:** No loading berth is required, the requirement is not applicable.

*73.390(3) Required loading areas shall be screened from public view from public streets and adjacent properties by means of sight-obscuring landscaping, walls or other means, as approved through the Architectural Review process.*

**Response:** No loading berth is required, the requirement is not applicable.

## **11. Access**

*73.400(9) Ingress and egress for industrial uses shall not be less than 36 feet for the first 50 feet from the right-of-way, and 24 feet thereafter (Applies to industrial uses with less than 250 required parking spaces).*

**Response:** The proposed use is commercial, the requirement is not applicable.

*Vision clearance requirements at the driveways and street intersection shall comply with the requirements of 73.400(13).*

*73.400(13) One Way Ingress or Egress*

*When approved through the Architectural Review process, one-way ingress or egress may be used to satisfy the requirements of Subsections (7), (8), and (9). However, the hard surfaced pavement of one-way drives shall not be less than 16 feet for multi-family residential, commercial, or industrial uses.*

**Response:** No changes is proposed to the existing one-way drives, the requirement is not applicable.

## **12. Signs**

**Response:** The applicant shall separately from this AR submit sign permit applications for any proposed signage.

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**SITE EXISTING PHOTOS**



South Elevation



Aerial View

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West Elevation at Drive-Thru



Detail at Drive-Thru Awning

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East Elevation



North Shed Building and Walk-In Cooler



10295 SW Ridder Road, Wilsonville, OR 97070  
O: 503.570.0626 F: 503.982.9307 republicservices.com

October 30, 2015

Sarah Vaz  
Holst Architecture  
110 SE 8<sup>th</sup>  
Portland OR 97214

Re: Starbucks-Tualatin

Dear Sarah;

Thank you, for sending me your site plans for this Starbucks located off SW 65<sup>th</sup> and Boones ferry Rd.

My Company: Republic Services of Clackamas & Washington Counties has the franchise agreement to service this area with the City of Tualatin. We will provide complete commercial waste removal and recycling services as needed on a weekly basis for this location.

The changes you made for the location & size of the enclosure, the opening of the gates, are very much appreciated. With the changes I do not foresee any problems for my company to be able to provide solid waste and recycling services to this site.

Thank you Sarah; for your help, and concerns for our services prior to this project being developed.

Sincerely,

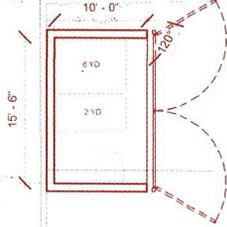
A handwritten signature in black ink that reads "Frank J. Lonergan". The signature is written in a cursive style.

Frank J. Lonergan  
Operations Manager  
Republic Services Inc.

SW 65TH AVE (MERIDIAN RD)

PROPERTY LINE

PROPERTY LINE



10/30/15

*FJ Lowery*

**MEMORANDUM**

**Date:** November 23, 2015

**To:** Colin Cortes, Assistant Planner, City of Tualatin

**From:** Jackie Sue Humphreys, <sup>W</sup>Clean Water Services (the District)

**Subject:** Arby's to Starbucks Conversion, AR-15-0023, 21E18CB01900/21E18BC01000

Clean Water Services has reviewed construction drawings for this project as part of the application packet and has no concerns or objections to this application request. As submitted, this application request will not require further review. Consider this memorandum to satisfy the requirement for a Storm Water Connection Permit Authorization.

CITY OF TUALATIN  
RECEIVED  
NOV 25 2015  
ENGINEERING &  
BUILDING DEPARTMENT



# MEMORANDUM

## CITY OF TUALATIN

**DATE:** December 3, 2015

**TO:** Colin Cortes  
Assistant Planner

**FROM:** Tony Doran  
Engineering Associate

**SUBJECT:** AR15-0023, STARBUCKS AT 65TH AND LBFR

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No PFR is needed based on the following:

This project has no Engineering requirements to meet criteria for approval:

- The approved traffic study recommended no improvements.
- Stormwater from all impervious areas flows to a drywell monitored by DEQ. DEQ approved the proposed plan.
- No new public lines or connections to existing lines are proposed.
- This site is not within the floodplain or near sensitive areas.

If you have any questions, please contact me at ext 3035.

## Colin Cortes

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**From:** Evan Eykelbosch [eeykelbosch@froelich-engineers.com]  
**Sent:** Friday, November 20, 2015 10:00 AM  
**To:** Tony Doran  
**Subject:** FW: Tualatin Arby's Drywell  
**Attachments:** IndBMP021413.pdf

Tony, I had a conversation with Matt at DEQ. We discussed the issue and to summarize, DEQ says that if your catch basin meets their design (see attached), then no additional treatment is necessary prior to discharge to a drywell. Therefore, my plans will indicate that the contractors shall confirm that the existing catch basin meets this design. If it does not then the catch basin will be replaced. The CWS water quality requirements will not be required for this project site.

Thanks for your help in clarifying this issue.

Evan

Evan Eykelbosch, PE

### Froelich Engineers

Office: 503.624.7005 - Extension 321  
Direct: 503.924.6321

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**From:** KOHLBECKER Matt [mailto:Kohlbecker.Matt@deq.state.or.us]  
**Sent:** Friday, November 20, 2015 9:05 AM  
**To:** 'eeykelbosch@froelich-engineers.com'  
**Subject:** RE: Tualatin Arby's Drywell

Hello Evan,

Please see [www.deq.state.or.us/wg/wgpermit/docs/IndBMP021413.pdf](http://www.deq.state.or.us/wg/wgpermit/docs/IndBMP021413.pdf) for DEQ requirements related to catch basin design.

mk

### Matthew Kohlbecker, RG

UIC Senior Hydrogeologist  
DEQ Northwest Region  
700 NE Multnomah Street  
Suite 600  
Portland, Oregon 97232-4100  
p: 503.229.6371  
f: 503.229.6957

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**From:** Evan Eykelbosch [mailto:eeykelbosch@froelich-engineers.com]  
**Sent:** Friday, November 20, 2015 8:54 AM  
**To:** KOHLBECKER Matt  
**Subject:** RE: Tualatin Arby's Drywell

Matt, completely understandable.

This site is part of a larger commercial development. The runoff from this parking lot is collected in a catch basin and conveyed to a drywell on an adjacent property (although part of the same parking lot). Previously we had discussed (see email below), that the responsibility for registering this drywell was on owner of the adjacent property and not on my client. Nothing has changed about that scenario, the only change is that the scope of our project has grown with the addition of this new sidewalk. The question that the City of Tualatin is asking, is what level of treatment is DEQ requiring for that runoff. Is the existing sump catch basin sufficient or do we need to treat the new impervious area per CWS standards?

I hope that helps clear things up. Please give me a call if you need more clarity.

The address for our site is:  
17805 SW 65th Ave,  
Lake Oswego, OR 97035, USA

The address for the drywell property is:  
17799 Lower Boones Ferry Road  
Lake Oswego, OR 97035 US

Evan Eykelbosch, PE

Froelich Engineers

Office: 503.624.7005 - Extension 321  
Direct: 503.924.6321

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**From:** KOHLBECKER Matt [<mailto:Kohlbecker.Matt@deq.state.or.us>]  
**Sent:** Friday, November 20, 2015 6:57 AM  
**To:** 'eeykelbosch@froelich-engineers.com'  
**Subject:** RE: Tualatin Arby's Drywell

Hello Evan,

I apologize but I only have a vague recollection of this project (I see so many of these that they tend to blur together). Is this drywell rule-authorized? What is the facility ID number? If you don't have a facility ID number, then what is the address?

Thanks,  
mk

**Matthew Kohlbecker, RG**

UIC Senior Hydrogeologist  
DEQ Northwest Region  
700 NE Multnomah Street  
Suite 600  
Portland, Oregon 97232-4100  
p: 503.229.6371  
f: 503.229.6957

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**From:** Evan Eykelbosch [<mailto:eeykelbosch@froelich-engineers.com>]  
**Sent:** Thursday, November 19, 2015 4:26 PM

**To:** KOHLBECKER Matt  
**Subject:** RE: Tualatin Arby's Drywell

Matt, good afternoon. I want to make a clarification to this email that I sent you earlier. The City's review of our project has triggered the need to add a raised crosswalk through the site. This repaving will increase our new impervious area. In talking with the City they have asked that I confirm the following with DEQ:

- Does DEQ required any additional stormwater BMP's prior to discharging into the drywell?
- Does DEQ require that the new impervious surface runoff meet CWS treatment requirements prior to discharging into the drywell?

Attached is an update copy of our site plan.

Thanks,

Evan

Evan Eykelbosch, PE

Froelich Engineers

Office: 503.624.7005 - Extension 321

Direct: 503.924.6321

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**From:** KOHLBECKER Matt [<mailto:Kohlbecker.Matt@deq.state.or.us>]

**Sent:** Friday, August 07, 2015 10:10 AM

**To:** 'eeykelbosch@froelich-engineers.com'

**Subject:** RE: Tualatin Arby's Drywell

Hello Evan,

Thank you for the follow-up email. The responsibility for the drywell lies with the property owner. Because the drywell is located on property that **is not** owned by Arby's, the drywell is not Arby's responsibility.

Thanks,  
mk

**Matthew Kohlbecker, RG**

UIC Senior Hydrogeologist

DEQ Northwest Region

700 NE Multnomah Street

Suite 600

Portland, Oregon 97232-4100

p: 503.229.6371

f: 503.229.6957

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**From:** Evan Eykelbosch [<mailto:eeykelbosch@froelich-engineers.com>]

**Sent:** Thursday, August 06, 2015 11:24 AM

**To:** KOHLBECKER Matt

**Subject:** Tualatin Arby's Drywell

Good morning Matt. I got your message concerning the Arby's/Starbucks project, but wanted to send you an email to confirm our conversation.

As mentioned we are doing a remodel of the Arby's building. A majority of the work is interior tenant improvements. The site work will include the conversion of the existing landscaped area into a pervious paver patio, and the grading of a few parking stalls in order to provide a code compliant ADA stall. The site will have a be reducing impervious surface from approx. 1,300sf to just under 1,000sf.

The City of Tualatin has asked us to confirm with DEQ that our discharge of stormwater into a drywell is acceptable and that no action is required by our project. Currently all runoff is collected within a catch basin (on our site) and drains into a drywell located on an adjacent property. Because our site improvements are create less than 1,000 SF of new impervious area, we are not required to upgrade our site to meet current Clean Water Services standards.

Thanks for your help. Please let me know if you need any additional information.

Evan Eykelbosch, PE

**Froelich Engineers**

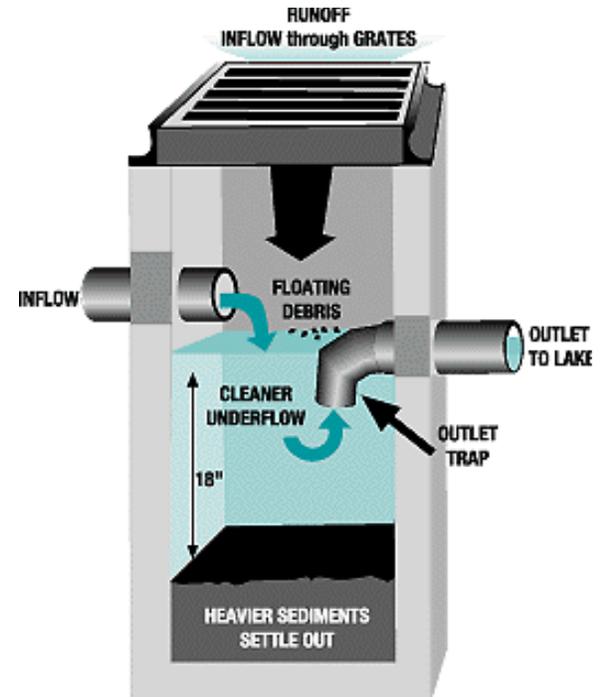
*Office: 503.624.7005 - Extension 321*

*Direct: 503.924.6321*

## Industrial Stormwater Best Management Practices

**BMP:** Retrofitting drains to standard sediment and oil trap (Lynch style) catch basins properly designed for the flow-through rate and when properly maintained can reduce oil and grease levels in the storm water discharge significantly.

**Efficiency/Impact:** Proper sizing and maintenance can reduce the discharge concentrations of oil and grease to below 10mg/l and suspended solids including heavy metals by from 10% to 42% depending on the influent flow rate and the accumulated sediment level already in the lower sump with the lower efficiency corresponding to the higher flow rates. It is extremely important to remove the accumulated sediments and oil in the catch basin when the sediment retention capacity (depth below the bottom of the outfall pipe) is reduced by 50 % but to a depth of not less than 18 inches to the outfall pipe.



**Note:** An additional issue on some industrial sites is the lack of a single or common sampling point which may require that sampling be accomplished from the catch basin(s). The catch basin is typically the worst place to sample in that it is where the pollutants are concentrated and retained and it is not really representative of the pollutant concentrations leaving the site. Sometimes an insert bag may be used in the catch basin as a BMP to remove sediments. Moving this bag to the side typically re-suspends TSS that was clinging to the bag thus increasing the TSS in the samples collected. Consider using a pipe Tee instead of an inverted elbow or flat steel invert/cleanout in the catch basin outfall. If the pipe and tee are four inches or more in diameter, it is possible to dip the sample bottle in the clean side of the catch basin and if the tee were extended up through the grate and a removable cap was placed upon it, the insert bag would not have to be disturbed nor would the grate have to be removed in order to sample. Another option for sampling is to excavate to the outfall piping on the discharge side of the catch basin and replace a section of the 45 degree angled drain pipe with a sampling sump with access to a sealed cover at ground level. The depth to the angled outfall pipe would probably be around 18 inches or less in most cases.