Agenda Item: 2.1
Hearing Date: October 24, 2016 Time: 7:00PM

STAFF REPORT TO THE HEARINGS OFFICER FOR THE CITY OF TIGARD, OREGON

120 DAYS = December 20, 2016

SECTION I. APPLICATION SUMMARY

FILE NAME:		**RPC TIGARD STORAGE**
CASE NOS:	**Conditional Use Permit (CUP)**	**CUP 2016-00002**
	Variance (VAR)	**VAR 2016-00002**
	Variance (VAR)	**VAR 2016-00003**

APPLICANT: RPC Macro Storage
Attn: Alex Seals
2101 Cedar Springs Road, Suite1600
Dallas, TCX 75201

OWNER: Way W. Lee General Contractor, Inc
5210 SE 26th St.
Portland, OR 97202

PROPOSAL: RPC Macro Storage LLC requests a conditional use permit to construct a new four-story 125,000 square foot 878-unit self-storage facility on a 4.46-acre site approximately 500 feet southwest of the intersection of SW Pacific Highway (OR 99W) and SW 68th Parkway. The site's existing improvements include a parking area, landscaping, stormwater infrastructure, and a wetland/vegetated corridor enhancement (approved in 2013, SDR2013-00005). In addition, to address various constraints on the site, the applicant requests two variances to the Tigard Triangle Plan District standards for building frontage (18.620.030.A), and maximum building setback (18.620.030.B).

LOCATION: 11123 SW 68th Parkway; Washington County Tax Map 1S136DA Tax Lot 02400.

ZONING: C-G: General Commercial District. The C-G zoning district is designed to accommodate a full range of retail, office and civic uses with a city-wide and even regional trade area. Except where non-conforming, residential uses are limited to single-family residences which are located on the same site as a permitted use. A wide range of uses, including but not limited to adult entertainment, automotive equipment repair and storage, mini-warehouses, utilities, heliports, medical centers, major event entertainment, and gasoline stations, are permitted conditionally.

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.330, 18.360, 18.370, 18.390, 18.520, 18.620, 18.705, 18.745, 18.755, 18.765, 18.790, 18.795 and 18.810.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Hearings Officer find that the proposed Conditional Use and Variances will not adversely affect the health, safety and welfare of the City and meets the applicable approval criteria as outlined in Section VI of this report. Therefore, Staff recommends **APPROVAL,** subject to the following recommended Conditions of Approval.

CONDITIONS OF APPROVAL

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO COMMENCING ANY SITE WORK, INCLUDING GRADING, EXCAVATION AND/OR FILL ACTIVITIES:

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address each of the following requirements to the COMMUNITY DEVELOPMENT DEPARTMENT ATTN: Gary Pagenstecher, 503-718-2434. The cover letter shall clearly identify where in the submittal the required information is found:

1. Prior to site work, the project arborist shall perform a site inspection for tree protection measures, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection.

2. The project arborist shall perform twice monthly site inspections for tree protection measures during periods of active site development and construction, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection.

3. Prior to site work, the applicant shall provide a fee in the amount of $1,646 for the city's cost of collecting and processing the inventory data for the entire urban forestry plan of 24 existing retained trees, 23 planted trees, and 1 stand of trees: $154 first tree + $1,288 ($28 each additional x 46) + $204 = $1,646.

4. Prior to site work, the applicant shall provide a tree establishment bond in the amount of $10,580 (23 planted trees x $460/tree).

5. Prior to site work, the applicant shall submit a revised landscape plan to ensure the L-1 standard is met between parking lots and SW 68th Parkway.

6. Prior to site work, the applicant shall submit a revised Site Plan demonstrating that walkway connections between a building's entrance and the public street are at least six feet wide and paved with scored concrete or modular paving materials.

7. Prior to site work, the applicant shall submit a revised site plan and exhibits that demonstrate all service facilities are screened from view from SW 68th Parkway.

8. Prior to site work, the applicant shall submit a service provider letter from Pride Disposal verifying the proposed 10 x 20 foot waste enclosure is adequate and accessible.

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements, to the ENGINEERING DEPARTMENT, ATTN: Jonny Gish, 503-718-2467. The cover letter shall clearly identify where in the submittal the required information is found:

9. Prior to commencing site improvements, a Public Facility Improvement (PFI) permit is required for this project to cover all infrastructure work, stormwater treatment facilities and any other work in the public right-of-way or work to public facilities. Show any required improvements to provide the proposed access to tax lot 700. Six (6) sets of detailed public improvement plans shall be submitted for review to the Engineering Division. NOTE: these plans are in addition to any drawings required by the Building Division and should only include sheets relevant to public improvements. Public Facility Improvement (PFI) permit plans shall conform to City of Tigard Public Improvement Design Standards, which are available at City Hall and the City's web page (www.tigard-or.gov).

10. Prior to commencing site improvements, submittal of the exact legal name, address and telephone number of the individual or corporate entity who will be designated as the "Permittee", and who will provide the financial assurance for the public improvements. For example, specify if the entity is a corporation, limited partnership, LLC, etc. Also specify the state within which the entity is incorporated and provide the name of the corporate contact person. Failure to provide accurate information to the Engineering Division will delay processing of project documents.

11. The Applicant shall provide a construction vehicle access and parking plan for approval by the City Engineer. The purpose of this plan is for parking and traffic control during the public improvement construction phase. All construction vehicle parking shall be provided on-site. No construction vehicles or equipment will be permitted to park on any adjoining residential public streets. Construction vehicles include the vehicles of any contractor or subcontractor involved in the construction of site improvements or buildings proposed by this application, and shall include the vehicles of all suppliers and employees associated with the project.

12. Prior to commencing site improvements, dedicate to the public the right-of-way required for SW 68th Parkway to provide 35 feet from centerline along the entire frontage of the parcel. The dedication document shall be on City forms. Instructions are available from the Engineering Division.

13. Prior to commencing site improvements, the applicant's engineer shall submit a safety review of the driveway spacing for review by the Engineering Division.

14. Prior to commencing site improvements, the applicant's engineer shall submit revised plans that provide a 12-foot planter and sidewalk section, with tree wells and street trees.

15. Prior to commencing site improvements, convey an easement over the entirety of the natural resource area at the southern portion of the site to the City for the construction of a bike and pedestrian path. The easement document shall be on City forms. Instructions are available from the Engineering Division.

16. Prior to commencing site improvements, sanitary sewer, storm drainage and stormwater quality details shall be provided to the city for review and approval as part of the PFI permit plans. Include work required to the existing stormwater quality facility to comply with current standards.

17. Prior to commencing site improvements, a 1200-CN permit is required.

18. Prior to commencing site improvements, a final grading plan shall be submitted showing the existing and proposed contours.

19. Prior to commencing site improvements, the Applicant shall submit final design plans and calculations for the on-site stormwater facilities, including any improvements/replacement needed to the existing plantings in the water quality facility. The plans must be reviewed and approved before issuance of a site permit.

20. Prior to commencing site improvements, the Applicant shall obtain a Clean Water Services (CWS) Stormwater Connection Authorization prior to issuance of the City of Tigard PFI permit. Plans shall be submitted to the City of Tigard for review. The city will forward plans to CWS after preliminary review.

21. Prior to commencing site improvements, the applicant shall obtain approval from the Tualatin Valley Water District for all public water line improvements. Any extension of public water lines or work in a right-of-way shall be shown on the proposed Public Facility Improvement (PFI) permit construction plans.

22. Prior to commencing site improvements, the applicant will be required to provide written approval from Tualatin Valley Fire and Rescue for fire flow, hydrant placement and access prior to issuance of the City of Tigard's site permit.

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO ISSUANCE OF THE BUILDING PERMIT:

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address each of the following requirements to the COMMUNITY DEVELOPMENT DEPARTMENT ATTN: Gary Pagenstecher, 503-718-2434. The cover letter shall clearly identify where in the submittal the required information is found:

23. Prior to issuance of building permits, the applicant shall submit an exhibit demonstrating that any roof mounted equipment will be screened from view from SW 68th Parkway.

Submit to the ENGINEERING DEPARTMENT (Jonny Gish, 503-718.-2467) for review and approval:

24. Prior to issuance of a building permit, submit the number of suites to be addressed and pay the addressing fee.

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO A FINAL BUILDING INSPECTION:

The applicant shall contact the COMMUNITY DEVELOPMENT DEPARTMENT ATTN: Gary Pagenstecher 503-718-2434.

25. Prior to a final building inspection, the project arborist shall perform a final site inspection to document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection. The report will be used to mark the beginning of the tree establishment bond period.

26. Prior to a final building inspection, the applicant shall call for a final planning inspection to ensure the project was completed as shown on the approved plan.

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements, to the ENGINEERING DEPARTMENT, ATTN: Jonny Gish, 503-718-2467. The cover letter shall clearly identify where in the submittal the required information is found:

27. Prior to a final building inspection, complete all improvements required by the PFI permit.

28. Prior to final building inspection, the applicant shall submit as-built drawings tied to the GPS network. The applicant's engineer shall provide the City with an electronic file with points for each structure (manholes, catch basins, water valves, hydrants and other water system features) in the development, and their respective X and Y State Plane Coordinates, referenced to NAD 83 (91). As-built submittal shall include an Acrobat (***.pdf) file, one 11x17 paper copy and the electronic point file as state above and shown in the example below.

    Excel spreadsheet/point database file example:
    "Feature"; "Type"; "XCOORD"; "YCOORD"; "ZCOORD":
    "SSMH02"; "MH"; "7456892.234"; "6298769.879"; "192.45"
    "WV03", "WV", "7456956.654", "6298723.587", "214.05

29. Prior to a final building inspection, the applicant's traffic engineer shall submit a final sight distance certification for the SW 68th Parkway access including completion of required removal of vegetation.

30. Prior to a final building inspection, the applicant shall demonstrate that they have entered into an agreement on City forms for the maintenance of any on-site water quality facilities that will ensure compliance with the requirements of the manufacture. Submit a maintenance plan as required by CWS Design Standards for other types of facilities.

THIS APPROVAL SHALL BE VALID FOR EIGHTEEN (18) MONTHS FROM THE EFFECTIVE DATE OF THE HEARINGS OFFICER'S DECISION.

SECTION III. BACKGROUND INFORMATION

Proposal:
RPC Macro Storage LLC proposes to construct a new four-story 125,000 square foot 878-unit self-storage facility on a 4.46-acre site approximately 500 feet southwest of the intersection of SW Pacific Highway (OR 99W) and SW 68th Parkway. The site's existing improvements include a parking area, landscaping, stormwater infrastructure, and wetland/vegetated corridor enhancement (approved in 2013, SDR2013-00005). In addition, to address various constraints on the site, the applicant requests two variances to the Tigard Triangle Plan District standards for building frontage (18.620.030.A), and maximum building setback (18.620.030.B).

Site History:
The construction of the self-storage facility will be the second project to occur on the site in recent years. The development of a 43-space non-accessory parking lot on vacant land with access from an adjoining lot, landscaping, stormwater infrastructure, and wetland/vegetated corridor enhancement, approved in 2013, anticipated subsequent development proposed with this application.

Vicinity Information
Along the property's eastern frontage, SW 68th Parkway is a fully improved public street with two striped travel lanes, a center turn lane, curbs, planter strips, storm drainage, concrete sidewalks, and street lighting. Adjacent properties to the north and west are fully developed with restaurant and office uses, respectively. The adjacent parcel to the west is a deep lot which fronts on Pacific Hwy and is developed with surface parking, the southern portion of that lot also crossed by Red Rock Creek.

Neighbor Comments:
The applicant held a formal neighborhood meeting on April 6, 2016 with five attendees in addition to the applicant participating. General questions for clarification were addressed. The City did not receive any public comments.

SECTION IV. REPORT MAKING PROCEDURES, PERMITS AND USE

Use Classification
Chapter 18.130 lists the Use Categories used in the Development Code. The proposed facility defined is as self-service storage within the use classification and is permitted conditionally in the C-G zone.

Summary of Land Use Permits and Decision-making Procedures
Section 18.330.020.A states that a request for approval for a new conditional use shall be processed as a Type IIIA procedure, as regulated by Chapter 18.390.050, using approval criteria contained in Section 18.330.030A. Type IIIA procedures apply to quasi-judicial actions that predominantly apply discretionary approval criteria. Type IIIA actions are decided by the Hearings Officer with appeals being heard by the City Council.

SECTION V. SUMMARY OF APPLICABLE REGULATIONS

Staff has reviewed the proposal for consistency with the following code sections. Findings for these code sections are in Section VI of this report.

18.330 Conditional Use
18.360 Site Development Review
18.370 Variances and Adjustments
18.390 Decision – Making Procedures
18.520 Commercial Zoning Districts
18.620 Tigard Triangle District
18.705 Access Egress and Circulation
18.745 Landscaping and Screening
18.755 Mixed Waste and Recyclable Storage
18.765 Off- Street Parking and Loading Requirements
18.790 Urban Forestry Plan
18.795 Visual Clearance Areas
18.810 Street and Utility Improvement Standards

SECTION VI. APPLICABLE REVIEW AND APPROVAL CRITERIA AND FINDINGS

18.330 CONDITIONAL USE

18.330.010 Purpose.
The purpose of this chapter is to provide standards and procedures under which a conditional use may be permitted, enlarged or altered if the site is appropriate and if other appropriate conditions of approval can be met. There are certain uses which due to the nature of the impacts on surrounding land uses and public facilities require a case-by-case review and analysis.

The applicant requests approval of a self-service storage use on the subject site. The following standards in this chapter ensure the proposed development will not adversely impact surrounding uses and public facilities.

18.330.030 Approval Standards and Conditions of Approval

A. Approval standards. The hearings officer shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:

1. **The site size and dimensions provide adequate area for the needs of the proposed use;**

As shown on the Preliminary Site Plan (Sheet 3), the 4.46-acre site can sufficiently accommodate the planned self-storage facility. The planned self-storage facility meets the building height and setback requirements of the C-G Zoning District and the Tigard Triangle Design Standard, as modified through the variance requests for site distance and environmental conditions of the site. This criterion is met.

2. **The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features;**

The proposed use for a self-storage facility would have little impact on surrounding uses and properties given the relative isolation of the building and the low traffic count associated with the use. This criterion met.

3. **All required public facilities have adequate capacity to serve the proposal; and**

As described in the applicant's impact study within their submittal (Exhibit K), there is adequate capacity in the public facilities that serve the site. This criterion is met.

4. **The applicable requirements of the zoning district are met except as modified by this chapter.**

The proposed site is zoned C-G. Table 18.520.2 includes development standards in commercial zones related to lot size, width, coverage, and building setbacks, height, and landscape requirements. The table below compares the applicable standards of the base zone with the proposed development. In addition to these standards, the applicable Tigard Triangle District standards are addressed below in the findings for Chapter 18.620.

TABLE 18.520.2
DEVELOPMENT STANDARDS IN COMMERCIAL ZONES

STANDARD	C-G	Proposed
Minimum Lot Size - Detached unit - Boarding, lodging, rooming house	None - -	N/A - -
Minimum Lot Width	50 ft.	N/A
Minimum Setbacks - Front yard - Side facing street on corner & through lots [1] - Side yard - Side or rear yard abutting more restrictive zoning district - Rear yard - Distance between front of garage & property line abutting a public or private street.	0 ft. [11] - 0/20 ft. [8] - 0/20 ft. [8] -	13-30 ft N/A 45/430 ft N/A 35 ft. N/A
Minimum Building Height	N/A	N/A
Maximum Building Height	45 ft	45 ft
Maximum Site Coverage [2]	85 %	33%
Minimum Landscape Requirement	15 %	67%
Minimum FAR [3]	N/A	N/A
Minimum Residential Density [4][5][6]	N/A	N/A
Maximum Residential Density [4][5][6][7]	N/A	N/A

[1] The provisions of Chapter 18.795 (Vision Clearance) must be satisfied.

[2] Includes all buildings and impervious surfaces.

[3] Applies to all nonresidential building development and mixed use development which includes a residential component.

[8] No setback shall be required except 20 feet shall be required where the zone abuts a residential zoning district.

[11]There shall be no minimum front yard setback requirement; however, conditions in Chapters 18.745 and 18.795 must be met.

As shown in the applicant's submittal and in the comparative table above, the proposed development meets all of the applicable development standards of the underlying zoning district.

5. **The applicable requirements of 18.330.050 are met; and**

Section 18.330.050.does not regulate self-service storage facilities. This criterion does not apply.

6. **The supplementary requirements set forth in other chapters of this Code including but not limited to Chapter 18.780, Signs, and Chapter 18.745, Landscaping and Screening; Chapter 18.790, Urban Forestry Plan; and Chapter 18.360, Site Development Review, if applicable, are met.**

The supplementary requirements that are applicable in this case include the following chapters of the Community Development Code: 18.360, Site Development Review, 18.390 Decision Making Procedures, 18.620 Tigard Triangle District, 18.705 Access Egress and Circulation, 18.745 Landscaping and Screening, 18.765 Off- Street Parking and Loading Requirements, 18.790 Urban Forestry Plan, 18.795 Visual Clearance Areas, and 18.810 Street and Utility Improvement Standards. As provided below in this report, all supplementary requirements set forth in other chapters of the code are either met or conditioned to be met.

FINDING: As shown in the analysis above, the applicable conditional use criteria are met.

18.360 SITE DEVELOPMENT REVIEW

Site Development Review (Chapter 18.360)

18.360.020 Applicability of Provisions
Site development review shall be applicable to all new developments and major modification of existing developments.

The proposed storage facility is a new development. Therefore, the applicable site development review criteria apply.

18.360.080 Exceptions to Standards

B. **Exceptions to parking requirements. The director may grant an exception or deduction to the off-street parking dimensional and minimum number of space requirements in the applicable zoning district based on the following findings:**
   1. **The application is for a use designed for a specific purpose which is intended to be permanent in nature; e.g., senior citizen housing, and which has a demonstrated low demand for off-street parking;**

As stated in Section 18.765.070, 200 parking spaces are required for this project; however, the pre-application notes (Exhibit D) also specify that City staff would support a request to reduce the minimum number of parking spaces through a voluntary Site Development Review. Therefore, the applicant submits this Site Development Review with the request for an exception to the parking requirements.

To gauge potential vehicle trip generation and parking needs, a traffic count study has been provided (Exhibit H), which considers office and gate visits to seven similarly sized self-storage facilities located within the Portland and Puget Sound metro areas. The proposed facility is 125,000-SF with 878 units and is projected to result in 75-95 trips per day at 100% occupancy. Therefore, the proposed reduction to the required minimum parking standard is warranted due to the low demand for parking anticipated with the proposed use.

2. **There is an opportunity for shared parking and there is written evidence that the property owners have entered into a binding agreement to share parking; or**

The applicant has not proposed shared parking.

3. **There is community interest in the preservation of particular natural feature(s) on the site, public transportation is available to the site, and reducing the standards will not adversely affect adjoining uses, therefore the public interest is not adversely affected by the granting of the exception.**

As shown on the preliminary plans (Exhibit A) and discussed in the attached Service Provider Letter from CWS (Exhibit E), wetland areas and vegetated corridor are located on the subject property. If the applicant were to be required to provide 200 parking spaces, a substantial portion of the vegetated corridor would need to be paved. As demonstrated by the Traffic Count Study (Exhibit H), 42 vehicle parking spaces will be more than sufficient to accommodate the parking needs of the self-storage facility. With a 10:1 vehicle parking to bicycle parking ratio, a 4-stall bicycle rack should provide ample parking for bicycles. Therefore, this reduction to the required minimum parking standard is warranted to preserve natural features.

FINDING: Based on the analysis above, the exception criteria are met. The hearings officer may grant a reduction to off-street parking requirements.

18.360.090 Approval Criteria
The Director shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application:

The following approval criteria are not applicable to the proposed self-storage facility: 18.360.090.C (Exterior Elevations of residential buildings); 18.360.090.E (Privacy and Noise); 18.360.090.F (Shared outdoor area-Multifamily use); and 18.360.090.G (Landfills adjacent to 100-year Floodplain).

Approval criteria 18.360.090.A. (Street and Utility Standards); 18.360.090.D (Buffering, Screening and Compatibility between Adjoining Uses); 18.360.090.K (Landscaping); and 18.360.090.L (Drainage); are discussed elsewhere in this decision.

The following are the applicable approval criteria of this section that are relevant to the proposed project:

A. Compliance with all of the applicable requirements of this title including Chapter 18.810, Street and Utility Standards;

The proposed project will be in compliance or conditioned to comply, with all of the applicable requirements of Title 18 as reviewed in this report.

B. Relationship to the Natural and Physical Environment:
1. **Buildings shall be:**
   a. **Located to preserve existing trees, topography and natural drainage where possible based upon existing site conditions;**
   b. **Located in areas not subject to ground slumping or sliding;**
   c. **Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire-fighting; and**
   d. **Oriented with consideration for sun and wind.**

As shown on the preliminary plans (Exhibit A), the planned self-storage facility will be located in an area that preserves existing trees, topography, and natural drainage areas, which are primarily located on the southern half of the property. A geotechnical investigation was completed by GeoPacific Engineering on May 23, 2016. Subsurface conditions were found to be suitable for the proposed development. The area where the self-storage building is planned is located over 100 feet from the nearest building, Lu's Lounge, which is located to the northwest. In consideration of sun, wind, and other site factors, the self-storage facility has been planned with an east-west orientation. These criteria are met.

2. **Innovative methods and techniques to reduce impacts to site hydrology and fish and wildlife habitat shall be considered based on surface water drainage patterns, identified per Section 18.810.100.A.3. and the City of Tigard "Significant Habitat Areas Map." Methods**

and techniques for consideration may include, but are not limited to the following:

a. Water quality facilities (for infiltration, retention, detention and/or treatment);
b. Pervious pavement;
c. Soil amendment;
d. Roof runoff controls;
e. Fencing to guide animals toward safe passageways;
f. Re-directed outdoor lighting to reduce spill-off into habitat areas;
g. Preservation of existing vegetative and canopy cover.

An earlier project on the site (SDR2013-00005) included stormwater infrastructure to reduce impacts to site hydrology and fish and wildlife habitat. A water quality swale was installed with the subject project in mind to ensure runoff from the planned building would be treated in accordance with CWS standards. The project preserves 1.60 acres of vegetated corridor area. This criterion is met.

H. Demarcation of public, semi-public and private spaces for crime prevention—Nonresidential development.

1. **The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semi-public areas and private outdoor areas are clearly defined to establish persons having a right to be in the space, to provide for crime prevention and to establish maintenance responsibility; and**
2. **These areas may be defined by, but not limited to:**
   a. **A deck, patio, low wall, hedge, or draping vine,**
   b. **A trellis or arbor,**
   c. **A change in elevation or grade,**
   d. **A change in the texture of the path material,**
   e. **Sign, or**
   f. **Landscaping.**

The property will be demarcated by landscaping, which will separate the public right-of-way from the planned building and parking areas. This criterion is met.

I. Crime prevention and safety:

1. **Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;**
2. **Interior laundry and service areas shall be located in a way that they can be observed by others;**
3. **Mailboxes shall be located in lighted areas having vehicular or pedestrian traffic;**
4. **The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and**
5. **Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person.**

The proposed development plans were submitted to the Tigard Police Department for review. The Department commented on the proposal and had no objections. Most of the crime and safety standards relate to residential uses and areas having heavy pedestrian and vehicular traffic. A Lighting Plan (Sheet 10) was submitted showing adequate illumination across the site. Windows near the primary entrance will allow office staff a clear view of the adjacent parking lot. This criterion is met.

J. Public transit.

1. **Provisions within the plan shall be included for providing for transit if the development proposal is adjacent to or within 500 feet of existing or proposed transit route;**
2. **The requirements for transit facilities shall be based on:**
   a. **The location of other transit facilities in the area, and**
   b. **The size and type of the proposal;**

3. **The following facilities may be required after city and Tri-Met review:**
   a. **Bus stop shelters,**
   b. **Turnouts for buses, and**
   c. **Connecting paths to the shelters.**

The northernmost property line is approximately 450 feet from Oregon State Highway 99W, a transit route. There are existing bus stops at the intersection of 68th Parkway and Highway 99W, on both sides of the highway. An existing sidewalk and a bicycle lane front the property on SW 68th Parkway and provide access to Highway 99W. This criterion is met.

M. Provision for the disabled: All facilities for the disabled shall be designed in accordance with the requirements set forth in ORS Chapter 447; and

As shown in the Preliminary Site Plan (Sheet 3), the development includes two ADA parking spaces, and will be reviewed specifically for ADA conformance during the building permit review process. This criterion is met.

N. All of the provisions and regulations of the underlying zone shall apply unless modified by other sections or this title, e.g., Planned Developments, Chapter 18.350; or a variance or adjustment granted under Chapter 18.370.

The subject site is located in the Tigard Triangle District. Therefore, the applicable development standards in Chapter 18.620 will apply in addition to the underlying development standards for the C-G zone. In addition, the variance criteria in 18.370 apply to the proposed variances to the building setback and building frontage standards. As reviewed above and below, the applicable standards are met.

FINDING: As shown in the analysis above, all of the applicable site development review standards are met.

18.370 VARIANCES AND ADJUSTMENTS

A. Purpose. The purpose of this section is to provide standards for the granting of variances from the applicable zoning requirements of this title where it can be shown that, owing to special and unusual circumstances related to a specific property, the literal interpretation of the provisions of the applicable zone would cause an undue or unnecessary hardship, except that no use variances shall be granted.

The applicant requests two variances to the Tigard Triangle Plan District standards for building frontage (18.620.030.A), and maximum building setback (18.620.030.B). A use variance is not requested.

B. Applicability of provisions.
1. **The variance standards are intended to apply to individual platted and recorded lots only.**

As shown in the property title information (Exhibit C), the subject property is a recorded lot of record. This criterion is met.

C. Approval process and standards.
1. **Variances shall be processed by means of a Type II procedure, as governed by Section 18.390.040, using standards of approval contained in paragraph 2 of this subsection C.**
2. **The director shall approve, approve with conditions, or deny an application for a variance based on finding that the following criteria are satisfied:**

   a. **The proposed variance will not be materially detrimental to the purposes of this title, to any other applicable policies and standards, and to other properties in the same zoning district or vicinity;**

18.620.030.A: According to this standard, 50% building street frontage is required along arterial roads. The planned self-storage facility will have frontage on SW 68th Parkway, which is classified as a minor arterial according to the Tigard Triangle Plan District and a collector according to the Tigard TSP. The front lot line is approximately 675 feet along SW 68th Parkway. Due to a vegetated corridor area constraining a substantial portion of the subject property, the planned building's length at street frontage is planned to be 140 feet, reaching about 21% building street frontage. These constraints are further described in the subsequent responses to this chapter. Therefore, the applicant proposes a variance to 18.620.030.A. This proposed variance of a reduced building frontage is not materially detrimental to the purposes of this standard, and to other properties in the C-G zoning district or vicinity. This criterion is met.

18.620.030.B: According to this standard, the maximum building setback shall be 10 feet. As shown in the preliminary plans (Exhibit A), the planned location of the building will be between ±15 and ±35 from the right-of-way, which is necessary to provide adequate line of site as demonstrated by the vision triangle included on Sheet 3. This site constraint is further described in the subsequent responses to this chapter. Therefore, the applicant is proposing a variance to 18.620.030.B. This proposed variance of an increased setback is not materially detrimental to the purposes of this standard, and to other properties in the C-G zoning district or vicinity. This criterion is met.

b. There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;

18.620.030.A: According to this standard, 50% building street frontage is required along arterial roads. Due to existing special circumstances on the property pertaining to natural resources, the planned building will reach about 40% building street frontage. As shown on Sheet 5 of the preliminary plans (Exhibit A) and in the Conceptual Site Plan approved by CWS (Exhibit E), a vegetated corridor constrains development for a substantial portion (± 41% in total area) of the subject property. The building street frontage is well over 50 percent for the portion of the property outside of the vegetated corridor. To preserve this natural resource area, which is located on southern portions of the property, construction of the planned storage facility is limited to the portion of the property north of the vegetated corridor. Therefore, the applicant proposes a variance to 18.620.030.A due to special circumstances that currently exist on the property and which are outside of the applicant's control. This criterion is met.

18.620.030.B: According to this standard, the maximum building setback shall be 10 feet. Due to existing special circumstances that pertain to lot shape, the applicant proposes a variance to construct the planned building between ±15 and ±35 feet from the right-of-way. This increased setback is necessary to provide adequate line of site, as demonstrated by the vision triangle included on Sheet 3 of the preliminary plans (Exhibit A). The existing roadway curves along the northeast corner of the subject property. If the planned building were to be constructed within 10 feet from the right-of-way, the line of sight would be obstructed. This creates a safety concern when vehicles enter or exit SW 68th Parkway from both planned and existing driveways in the area. In an effort to meet this standard to the maximum extent possible while still ensuring a safe vision clearance, the proposed setback will gradually increase as the building approaches the roadway curve, preventing any intrusion into the vision triangle for intersection sight distance. More specific information is provided in the Preliminary Site Distance Certification (Exhibit I). Therefore, the applicant proposes a variance to 18.620.030.B due to special circumstances that currently exist and which are outside of the applicant's control. This criterion is met.

c. The use proposed will be the same as permitted under this title and city standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;

The proposed use is a self-storage facility, which is conditionally permitted in the C-G Zoning District with a Conditional Use Permit per Table 18.520.1. This Land Use application includes a Conditional Use Permit review. As demonstrated in the responses throughout this narrative, and in the supplemental information included in the application materials, the proposed self-storage facility will comply with all applicable city standards to the greatest extent reasonably possible. This criterion is met.

d. Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected any more than would occur if the development were developed as specified in the title; and

18.620.030.A: According to this standard, 50% building street frontage is required along arterial roads. The proposed variance to allow a 40% building street frontage will not result in adverse impacts to physical and natural systems which are greater than if the project were to be developed as specified in the title. In fact, by reducing the building frontage area, vegetated corridor/natural areas are being preserved and impacts to natural drainage systems are being minimized. Therefore, this criterion is met.

18.620.030.B: According to this standard, the maximum building setback shall be 10 feet. The proposed variance to allow an increased building setback between ±15 and ±35 feet will not result in adverse impacts to physical and natural systems which are greater than if the project were to be developed as specified in the title. In fact, the increased setback will ensure a safe line of sight for traffic on SW 68th Parkway. If the planned building were to be constructed within 10 feet from the right-of-way, the line of sight would be obstructed. This creates a safety concern when vehicles enter or exit SW 68th Parkway from both planned and existing driveways in the area. More specific information is provided in the Preliminary Site Distance Certification (Exhibit I). Therefore, this criterion is met.

e. The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

18.620.030.A: According to this standard, 50% building street frontage is required along arterial roads. The proposed variance to allow a 40% building street frontage is necessary to preserve existing natural features, including a natural drainageway and associated vegetated corridor. The development area extends as far as permitted by CWS, as demonstrated in the CWS Services Provider Letter and approved Conceptual Site Plan (Exhibit E). Therefore, this hardship is not self-imposed, and the variance proposed is the minimum extent to alleviate the hardship. This criterion is met.

18.620.030.B: According to this standard, the maximum building setback shall be 10 feet. The proposed variance to allow an increased building setback between ±15 and ±35 feet is necessary to prevent sight distance obstructions along an existing curve in SW 68th Parkway, which is directly adjacent to planned building. As shown in Sheet 3 of the preliminary plans (Exhibit A), a clear effort is being made to meet this standard to the maximum extent possible while still ensuring a safe vision clearance. The proposed setback will gradually increase as the building approaches the roadway curve, preventing any intrusion into the vision triangle for intersection sight distance. More specific information is provided in the Preliminary Site Distance Certification (Exhibit I). Therefore, this hardship is not self-imposed, and the variance proposed is the minimum extent to alleviate the hardship. This criterion is met.

FINDING: As shown in the analysis above, the variance criteria are met for both the maximum setback and building frontage standards. Staff recommends the hearings officer approve the requested variances.

18.620 TIGARD TRIANGLE PLAN DISTRICT

Tigard Triangle Design Standards (18.620):

18.620.020 Street Connectivity
All development must demonstrate how one of the following standard options will be met. Variance of these standards may be approved per the requirements of Chapter 18.370.010 where topography, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent street extensions and connections.

Design Option
a. Local street spacing shall provide public street connections at intervals of no more than

660 feet.

b. Bike and pedestrian connections on public easements or right-of-way shall be provided at intervals of no more that 330 feet.

Performance Option

a. Local street spacing shall occur at intervals of no less than eight street intersections per mile.

b. The shortest vehicle trip over public streets from a local origin to a collector or greater facility is no more than twice the straight-line distance.

c. The shortest pedestrian trip on public right-of-way from a local origin to a collector or greater facility is no more than one and one-half the straight-line distance.

City planning staff had previously encouraged the applicant to provide a new road connection between SW 68th Parkway and SW 71st Avenue. As discussed in the March 30, 2016 letter from AKS Engineering & Forestry (Exhibit J), the applicant finds that such a connection is not feasible because of multiple site limitations and that a connection is not warranted because the site already meets the Performance Option standards of this Subsection with the existing eight street intersections per mile along SW 68th Parkway. The street connectivity standards are met.

18.620.030 Site Design Standards

All development must meet the following site design standards. If a parcel is one acre or larger a phased development plan must be approved demonstrating how these standards for the overall parcel can be met. Variance to these standards may be granted if the criteria found in Section 18.370.010 C2, governing criteria for granting a variance, is satisfied.

The applicant is requesting two variances to standards within this section, 18.620.030.A. and 18.620.030B. Please refer to the responses to 18.370.010.C.2 for more information.

Building Placement on Major and Minor Arterials - Buildings shall occupy a minimum of 50% of all street frontages along Major and Minor Arterial Streets. Buildings shall be located at public street intersections on Major and Minor Arterial Streets. See Diagram 1 for some examples of how this standard may be met.

The planned self-storage facility will have frontage on SW 68th Parkway, which is classified as a minor arterial according to the Tigard Triangle Plan District and a collector according to the Tigard TSP. The front lot line is approximately 650 feet along SW 68th Parkway. Due to an existing drainageway and associated vegetated corridor that constrains development on the southern half of the site area, the applicant is unable to meet this standard. The planned building will have ±40% building street frontage, and therefore, the applicant proposes a variance to 18.620.030.A. Staff findings for this variance request recommend approval of the variance. This standard is met.

Building Setback - The minimum building setback from public street rights-of-way or dedicated wetlands/buffers and other environmental features shall be 0 feet; the maximum building setback shall be 10 feet.

As shown on the preliminary plans (Exhibit A), the planned location of the building will be between ±15 and ±35 from the right-of-way. This increased setback is necessary to provide adequate line of site, as demonstrated by the vision triangle included on Sheet 3 of the preliminary plans (Exhibit A). The existing roadway curves along the northeast corner of the subject property. If the planned building were to be constructed within 10 feet from the right-of-way, the line of sight would be obstructed. This creates a safety concern when vehicles enter or exit SW 68th Parkway from both planned and existing driveways in the area. In an effort to meet this standard to the maximum extent possible while still ensuring a safe vision clearance, the proposed setback will gradually increase as the building approaches the roadway curve, preventing any intrusion into the vision triangle for intersection sight distance. Therefore, the applicant is proposing a variance to 18.620.030.B. Staff's findings for this variance request recommend approval of the variance. This standard is met.

Front Yard Setback Design - Landscaping, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and a public street or accessway. If a building abuts more than one street, the required improvements shall be provided on all streets. Landscaping shall be developed to an L-1 standard on public streets and an L-2 standard on accessways. Hard-surfaced areas shall be constructed with scored concrete or modular paving materials. Benches and other street furnishings are encouraged. These areas shall contribute to the minimum landscaping requirement per Section 18.520.040B and Table 18.520.2.

As shown on Sheet 8 of the preliminary plans (Exhibit A), landscaping is provided between the structure and SW 68th Parkway. The landscaping complies with the applicable standards of this subsection and Chapter 18.745. This standard is met.

Walkway Connection to Building Entrances - A walkway connection is required between a building's entrance and a public street or accessway. This walkway must be at least six feet wide and be paved with scored concrete or modular paving materials. Building entrances at a corner near a public street intersection are encouraged. These areas shall contribute to the minimum landscaping requirement per Section 18.520.040B and Table 18.520.2.

As shown on Sheet 3 of the preliminary plans (Exhibit A), a six to 12-foot wide walkway is provided along the building's north side between the parking lot and the building. However, the sidewalk ends approximately 35 feet shy of the SW 68th Parkway connection.

Therefore, as a condition of approval, the applicant shall submit a revised site plan showing a walkway connection between the building's entrances and SW 68th Parkway.

Parking Location and Landscape Design - Parking for buildings or phases adjacent to public street rights-of-way must be located to the side or rear of newly constructed buildings. If located on the side, parking is limited to 50% of the street frontage and must be behind a landscaped area constructed to an L-1 Landscape Standard. The minimum depth of the L-1 landscaped area is eight feet or is equal to the building setback, whichever is greater. Interior side and rear yards shall be landscaped to a L-2 Landscape Standard, except where a side yard abuts a public street, where it shall be landscaped to an L-1 Landscape Standard. See Diagram 2.

As shown on Sheet 3 of the preliminary plans (Exhibit A), parking will be located on the sides of the planned storage facility, and will be limited to less than 50% of the street frontage. Specifically, approximately 110 feet of street frontage is dedicated to parking area, which accounts for ±17% of the 650 feet of total street frontage. The Preliminary Landscape Plan (Sheet 8) demonstrates that the entire setback area in front of the building and parking areas are planned to be landscaped. The landscaped areas are proposed to comply with the L-1 standard. This standard is met.

18.620.040 Building Design Standards
Non-residential buildings. All non-residential buildings shall comply with the following design standards. Variance to these standards may be granted if the criteria found in Section 18.370.010 C2, criteria for granting a variance, is satisfied.

Ground Floor Windows - All street-facing elevations within the Building Setback (0 to 10 feet) along public streets shall include a minimum of 50% of the ground floor wall area with windows, display areas or doorway openings. The ground floor wall area shall be measured from three feet above grade to nine feet above grade the entire width of the street-facing elevation. The ground floor window requirement shall be met within the ground floor wall area and for glass doorway openings to ground level. Up to 50% of the ground floor window requirement may be met on an adjoining elevation as long as all of the requirement is located at a building corner.

As shown on Sheet 6 of the preliminary plans (Exhibit A), the building is planned to be located on a slope, and will have ground-floor entrances on two levels—the daylight basement and the second floor. Windows will make up more than 50% of the street-facing façade, as shown in the preliminary

architectural elevations which are included with the 11"x17" sized set of preliminary plans (Exhibit A). This standard is met.

Building Facades - Facades that face a public street shall extend no more than 50 feet without providing at least one of the following features: (a) a variation in building materials; (b) a building off-set of at least 1 foot; (c) a wall area that is entirely separated from other wall areas by a projection, such as an arcade; or (d) by other design features that reflect the building's structural system. No building facade shall extend for more than 300 feet without a pedestrian connection between or through the building.

As shown in the preliminary architectural elevations, which are included with the 11"x17" sized set of preliminary plans (Exhibit A), the building façade that faces SW 68th Parkway will feature a variation of building materials. These materials include stucco, a stucco accent band, synthetic stone, a stone cap, aluminum, glass, a spandrel panel, and a steel roof frame. The façade also steps back five feet between each of five planes. The façade is 140 feet in length. This standard is met.

Weather Protection - Weather protection for pedestrians, such as awnings, canopies, and arcades, shall be provided at building entrances. Weather protection is encouraged along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or accessway. Awnings and canopies shall not be back lit.

As shown in the preliminary architectural elevations, which are included with the 11"x17" sized set of preliminary plans (Exhibit A), the building will feature steel awnings over both entrances. Due to concerns with vision clearance, it is necessary to increase the setback of the building beyond the 10-foot standard. Therefore, it is not feasible to provide weather protection between the building and the public sidewalk. The awnings at the entrances will not be back lit. This standard is met.

Building Materials - Plain concrete block, plain concrete, corrugated metal, plywood, sheet press board or vinyl siding may not be used as exterior finish materials. Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than 2 feet.

As shown in the preliminary architectural elevations included in the 11'x17" sized set of preliminary plans (Exhibit A), building materials will not include any of the materials prohibited by this section. This standard is met.

Roofs and Roof Lines - Except in the case of a building entrance feature, roofs shall be designed as an extension of the primary materials used for the building and should respect the building's structural system and architectural style. False fronts and false roofs are not permitted.

As shown in the preliminary exterior elevation plans, the building will feature two pitched roof awnings over entrances, and a flat roof for the primary building. The building will feature a stucco accent band and spandrel panel at the top of the façade to provide additional architectural detail. This standard is met.

Roof-Mounted Equipment - All roof-mounted equipment must be screened from view from adjacent public streets. Satellite dishes and other communication equipment must be set back or positioned on a roof so that exposure from adjacent public streets is minimized. Solar heating panels are exempt from this standard.

The applicant states that "roof-mounted equipment will not be visible from SW 68th Parkway. Should roof-mounted equipment be installed, it will be screened or set back to minimize exposure. This criterion can be met." If roof mounted equipment is included in the final building plans, then it must be screened from view from adjacent public streets.

Therefore, as a condition of approval, the applicant shall submit revised elevations and a site analysis

exhibit to ensure all roof-mounted equipment is screened from vies from SW 68th Parkway.

18.620.050 Signs

A. Sign standards. In addition to the requirements of Chapter 18.780 of the Development Code the following standards shall be met:

Zoning district regulations - Residential only developments within the C-G and MUE zones shall meet the sign requirements for the R-25 zone 18.780.130B; non-residential developments within the C-G zone shall meet the sign requirements for the commercial zones, 18.780.130C; and non-residential development within the MUE zone shall meet the sign requirements of the C-P zone, 18.780.130D.

Sign area limits - The maximum sign area limits found in 18.780.130 shall not be exceeded. No area limit increases will be permitted within the Tigard Triangle.

Height limits - The maximum height limit for all signs except wall signs shall be 10 feet. Wall signs shall not extend above the roof line of the wall on which the sign is located. No height increases will be permitted within the Tigard Triangle.

Sign location - Freestanding signs within the Tigard Triangle shall not be permitted within required L-1 landscape areas.

The applicant states that the design and placement of signs will be determined prior to sign placement and building permit approval. These standards need not apply at this time.

18.620.060 Entry Portals

Required locations. Entry portals shall be required at the primary access points into the Tigard Triangle.

Location - Entry portals shall be located at the intersections of 99W and Dartmouth; 99W and 72nd; I-5 and Dartmouth; Hwy. 217 and 72nd; and at the Hwy. 217 Over-crossing and Dartmouth.

Design - The overall design of entry portals shall relate in scale and detail to both the automobile and the pedestrian. A triangle motif shall be incorporated into the design of entry portals.

The subject property is not located adjacent to a primary entrance point into the Tigard Triangle. This standard does not apply.

18.620.070 Landscaping and Screening

A. Applicable levels. Two levels of landscaping and screening standards are applicable to the Tigard Triangle. The locations where the landscaping or screening is required and the depth of the landscaping or screening are defined in other sub-sections of this section. These standards are minimum requirements. Higher standards may be substituted as long as all height limitations are met.

1. L-1 Parking Lot Screen - The L-1 standard applies to setbacks on public streets. The L-1 standard is in addition to other standards in other chapters of this title. The setback shall be a minimum of 8-feet between the parking lot and public street. L-1 trees shall be considered parking lot trees and spaced between 30 and 40-feet on center within the setback. All L-1 trees shall be a minimum of 3 ½ inch caliper at the time of planting. Shrubs shall be of a variety that will provide a 3 foot high screen and a 90% opacity within one year. Groundcover plants must fully cover the remainder of landscape area within two years.

As shown on the Preliminary Landscape Plan (Sheet 8) the setback area in front of the parking areas are planned to be landscaped. Trees are shown to be planted between 30 and 40 feet between the parking

areas and the street frontage. Trees are currently planted along the existing parking lot on the north side of the property. Sheet 8 shows a new tree and shrubs will be planted to screen the planned parking area to the south. However, Sheet 8 also shows that the existing trees are two inches DBH, less than the 3 ½ inch requirement. In addition, it is unclear that a single row of Luykens Laurel spaced at 36" will meet the 90% opacity within one year standard. A deeper and staggered landscaping pattern using the minimum eight foot depth required would ensure the standards is met.

Therefore, the decision will be conditioned to submit a revised landscape plan to ensure the L-1 standard is met between parking lots and SW 68th Parkway.

2. L-2 General Landscaping – The L-2 standard applies to all other trees and shrubs required by this chapter and Chapter 18.745 (except those required for L-1 Parking Lot Screen). For trees and shrubs required by Chapter 18.745, the L-2 standard is an additional standard. L-2 trees that are also street trees, median trees, and trees required to frame entry portals shall be selected in conformance with Table 18.620.1 below. If conformance with Table 18.620.1 is precluded by physical contraints caused by public utilities or required public improvements, the Director may approve alternative selections. All L-2 trees shall be a minimum of 2-½ inch caliper at the time of planting. Shrubs shall be of a size and quality to achieve the required landscaping or screening effect within two years.

As demonstrated in the Urban Forestry Plan (Exhibit G) and Sheet 8 of the preliminary plans (Exhibit A), new trees are at least 2-1/2 inch caliper at time of planting. This criterion is met.

FINDING: As shown in the analysis above, the Tigard Triangle Design standards have not all been met. However, with the following conditions of approval, these standards can be met.

CONDITIONS:

- Prior to sit work, the applicant shall submit a revised Site Plan demonstrating that walkway connections between a building's entrance and the public street are at least six feet wide and paved with scored concrete or modular paving materials.
- Prior to site work, the applicant shall submit a revised landscape plan to ensure the L-1 standard is met between parking lots and SW 68th Parkway.
- Prior to issuance of building permits, the applicant shall submit an exhibit demonstrating that any roof mounted equipment will be screened from view from SW 68th Parkway.

18.705 ACCESS, EGRESS, AND CIRCULATION

18.705.030 General Provisions

B. Requires site plans be presented for approval showing how access requirements are to be fulfilled in accordance with this chapter.

The application includes a site and utility plan for a proposed self-storage facility, with details regarding pedestrian and vehicular access to the site. This provision is met.

D. Public street access. All vehicular access and egress as required in 18.705.030.H and I shall connect directly with a public or private street approved by the city for public use and shall be maintained at the required standards on a continuous basis.

As shown on the preliminary plans (Exhibit A), vehicular access connects directly onto SW 68th Parkway via a planned driveway. Therefore, this provision is met.

F. Required walkway location. On-site pedestrian walkways shall comply with the following standards:

1. **Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multi-building commercial, institutional, and industrial complexes. Unless impractical, walkways shall be constructed between new and existing developments and neighboring developments.**
2. **Within all attached housing (except two-family dwellings) and multifamily developments, each residential dwelling shall be connected by walkway to the vehicular parking area, and common open space and recreation facilities.**
3. **Wherever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six-inch vertical separation (curbed) or a minimum three-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than 36 feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign posts, and shall be in compliance with ADA standards.**
4. **Required walkways shall be paved with hard surfaced materials such as concrete, asphalt, stone, brick, other pervious paving surfaces, etc. Any pervious paving surface must be designed and maintained to remain well-drained. Walkways may be required to be lighted and/or signed as needed for safety purposes. Soft-surfaced public use pathways may be provided only if such pathways are provided in addition to required pathways.**

As shown on Sheet 3 of the preliminary plans (Exhibit A), a six to 12-foot wide walkway is provided along the building's north side between the parking lot and the building. However, the sidewalk ends approximately 35 feet shy of the SW 68th Parkway connection. Therefore, the applicant has been conditioned to submit a revised site plan showing a walkway connection between the building's entrances and SW 68th Parkway. As conditioned, this provision is met.

H. <u>Access management.</u>

1. An access report shall be submitted with all new development proposals which verifies design of driveways and streets are safe by meeting adequate stacking needs, sight distance and deceleration standards as set by ODOT, Washington County, the city and AASHTO (depending on jurisdiction of facility).

Site access will be provided by a proposed driveway connecting directly to SW 68th Parkway. A preliminary site distance certification with a site map showing that the proposed building is sufficiently set back from SW 68th Parkway to provide the required sight distance to the north has been provided. The certification notes that minor vegetation removal is required.

A final sight distance certification will be required prior to occupancy.

The existing parking provides access between the proposed development and the existing development to the north. As conditioned, this provision is met.

2. Driveways shall not be permitted to be placed in the influence area of collector or arterial street intersections. Influence area of intersections is that area where queues of traffic commonly form on approach to an intersection. The minimum driveway setback from a collector or arterial street intersection shall be 150 feet, measured from the right-of-way line of the intersecting street to the throat of the proposed driveway. The setback may be greater depending upon the influence area, as determined from city engineer review of a traffic impact report submitted by the applicant's traffic engineer. In a case where a project has less than 150 feet of street frontage, the applicant must explore any option for

shared access with the adjacent parcel. If shared access is not possible or practical, the driveway shall be placed as far from the intersection as possible.

The nearest intersection to the proposed driveway, SW Pacific Highway, is spaced at more than 700 feet and is not within the influence area of the intersection. This provision is met.

3. The minimum spacing of driveways and streets along a collector shall be 200 feet. The minimum spacing of driveways and streets along an arterial shall be 600 feet.
4. The minimum spacing of local streets along a local street shall be 125 feet.

There is a driveway about 120 feet south of the proposed driveway, on the east side of SW 68th Parkway, a collector. This requirement is not met. The applicant shall submit a safety review of turning movements for the two driveways in question prior to issuance of permits. As conditioned, this provision is met.

Section 18.705.030.J, TABLE 18.705.3 sets the minimum access requirements for commercial use based on required parking spaces.

Section 18.765.070 would require the site to have 200 parking spaces. However, the applicant is requesting that the minimum required parking spaces be reduced, as provided by Section 18.360.080.B, to 42 parking spaces requiring one 30-foot wide driveway with a 24-foot paved width and curbs as shown on the site plan. If the request is approved, this requirement is met. If the request is not approved, the applicant's plans shall be revised to provide an additional driveway or a wider driveway, as shown in Table 18.705.3.

FINDING: Based on the analysis above, the Access, Egress and Circulation provisions are met.

18.745 LANDSCAPING AND SCREENING

18.745.040 Street Trees

A. Street trees shall be required as part of the approval process for Conditional Use (Type III), Downtown Design Review (Type II and III), Minor Land Partition (Type II), Planned Development (Type III), Site Development Review (Type II) and Subdivision (Type II and III) permits.
B. The minimum number of required street trees shall be determined by dividing the linear amount of street frontage within or adjacent to the site (in feet) by 40 feet. When the result is a fraction, the minimum number of required street trees shall be determined by rounding to the nearest whole number.
C. Street trees required by this section shall be planted according to the Street Tree Planting Standards in the Urban Forestry Manual.
D. Street trees required by this section shall be provided adequate soil volumes according to the Street Tree Soil Volume Standards in the Urban Forestry Manual.
E. Street trees required by this section shall be planted within the right of way whenever practicable according to the Street Tree Planting Standards in the Urban Forestry Manual. Street trees may be planted no more than 6 feet from the right of way according to the Street Tree Planting Standards in the Urban Forestry Manual when planting within the right of way is not practicable.
F. An existing tree may be used to meet the street tree standards provided that:
    1. The largest percentage of the tree trunk immediately above the trunk flare or root buttresses is either within the subject site or within the right of way immediately adjacent to the subject site;
    2. The tree would be permitted as a street tree according to the Street Tree Planting and Soil Volume Standards in the Urban Forestry Manual if it were newly planted; and
    3. The tree is shown as preserved in the Tree Preservation and Removal site plan (per 18.790.030.A.2), Tree Canopy Cover site plan (per 18.790.030.A.3) and Supplemental Report (per 18.790.030.A.4) of a concurrent urban forestry plan and is eligible for credit towards the effective tree canopy cover of the site.

G. In cases where it is not practicable to provide the minimum number of required street trees, the Director may allow the applicant to remit payment into the Urban Forestry Fund for tree planting and early establishment in an amount equivalent to the City's cost to plant and maintain a street tree for three (3) years (per the Street Tree Planting Standards in the Urban Forestry Manual) for each tree below the minimum required.

According to the applicant's narrative and site plan, there is a total of 675 linear feet of street frontage requiring 17 street trees at 40-foot spacing. As shown on the Preliminary Landscape Plan (Sheet 8), there are three existing street trees and 18 street trees planned to be planted along the frontage of the subject property. This standard is met.

18.745.050 Buffering and Screening

A. General provisions.

1. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

2. Buffering and screening is required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrices in this chapter (Tables 18.745.1 and 18.745.2). The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening. When different uses would be abutting one another except for separation by a right-of-way, buffering, but not screening, shall be required as specified in the matrix.

3. In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the director's approval as an alternative to the buffer area landscaping and screening standards, provided it affords the same degree of buffering and screening as required by this code.

B. Buffering and screening requirements.

1. A buffer consists of an area within a required setback adjacent to a property line and having a depth equal to the amount specified in the buffering and screening matrix and containing a length equal to the length of the property line of the abutting use or uses.

The Buffer Matrix in Table 18.745.1 does not apply to the subject property surrounded by the same C-G zone as the subject property.

E. Screening: special provisions.

1. Screening and landscaping of parking and loading areas:

a. Screening of parking and loading areas is required. In no cases shall nonconforming screening of parking and loading areas (i.e., nonconforming situation) be permitted to become any less conforming. Nonconforming screening of parking and loading areas shall be brought into conformance with the provisions of this chapter as part of the approval process for conditional use (Type III), downtown design review (Type II and III), planned development (Type III), and site development review (Type II) permits only. The specifications for this screening are as follows:

i. Landscaped parking areas shall include special design features which effectively screen the parking lot areas from view. These design features may include the use of landscaped berms, decorative walls and raised planters;

ii. Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way;

iii. Materials to be installed should achieve a balance between low lying and vertical shrubbery and trees;

As shown in the Preliminary Landscape Plan (Sheet 8), Luykens Laurel hedges and Paperbark Maple trees are proposed to the north and to the east to provide screening of parking lots. This standard is met.

iv. All parking areas, including parking spaces and aisles, shall be required to achieve at least 30% tree canopy cover at maturity directly above the parking area in accordance with the parking lot tree canopy standards in the Urban Forestry Manual.

As shown on the Preliminary Canopy Plan (Sheet 7), the proposed landscaping provides 106 percent site canopy and 31 percent parking lot canopy cover. This standard is met.

2. Screening of service facilities. Except for one-family and two-family dwellings, any refuse container or disposal area and service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened from view by placement of a solid wood fence or masonry wall between five and eight feet in height. All refuse materials shall be contained within the screened area.

As shown on the Preliminary Site Plan (Sheet 3), the refuse area will be enclosed and screened with a CMU wall. The applicant states that "any other service facilities or equipment will be appropriately screened if visible from the public right-of-way." To ensure this criterion is met for any other facilities, the applicant shall submit a revised site plan and exhibits that demonstrate all service facilities are screened from view from SW 68th Parkway.

FINDING: Based on the analysis above, not all of the Landscaping and Screening standards are met. With the following condition of approval, these standards can be met.

CONDITIONS:

The applicant shall submit a revised site plan and exhibits that demonstrate all service facilities are screened from view from SW 68th Parkway.

18.755 MIXED SOLID WASTE AND RECYCLABLE STORAGE

18.755.040 Methods of Demonstrating Compliance

A. Alternative methods of compliance. An applicant shall choose one of the following four methods to demonstrate compliance:

1. Minimum standards;
2. Waste assessment;
3. Comprehensive recycling plan; or
4. Franchised hauler review and sign-off.

The applicant states they intend to use both the minimum standards and waste assessment methods of demonstrating compliance.

B. Provisions. The following provisions apply to all four methods of demonstrating compliance:
1. Section 18.755.050, Location, Design and Access Standards,

The application did not include a service provider letter from the local waste hauler, Pride Disposal to verify serviceability of the proposed waste facility. Therefore, as a condition of approval, the applicant shall submit a service provider letter from Pride Disposal verifying the proposed 10 x 20 foot waste enclosure is adequate and accessible.

FINDING: As shown in the analysis above, not all of the applicable standards have been met, but can be met with the following condition of approval.

CONDITION

The applicant shall submit a service provider letter from Pride Disposal verifying the proposed 10 x 20 foot waste enclosure is adequate and accessible.

18.765 OFF-STREET PARKING AND LOADING REQUIREMENTS

18.765.070 Minimum and Maximum Off-Street Parking Requirements

H. Specific requirements. See Table 18.765.2.

FINDING: The applicant has requested an exception to reduce the minimum required vehicle and bicycle parking. This request has been addressed as part of the Site Development Review under the findings for 18.360.080.B elsewhere in this report. Staff recommends the Hearing's Officer approve the exception request as found consistent with those review criteria.

18.790 URBAN FORESTRY PLAN

18.790.030 Urban Forestry Plan Requirements

A. Urban forestry plan requirements. An urban forestry plan shall:

1. Be coordinated and approved by a landscape architect (the project landscape architect) or a person that is both a certified arborist and tree risk assessor (the project arborist), except for minor land partitions that can demonstrate compliance with effective tree canopy cover and soil volume requirements by planting street trees in open soil volumes only;

An Urban Forestry Plan prepared/approved by a Certified Arborist/ Tree Risk Assessor has been provided. This requirement is met.

2. Meet the tree preservation and removal site plan standards in the Urban Forestry Manual (UFM);

A tree preservation and removal plan was submitted identifying all trees proposed for preservation and for removal. Three trees planted with the construction of the non-accessory parking lot are planned to be removed. The plan meets the tree preservation and removal standards; this requirement is met.

3. Meet the tree canopy site plan standards in the Urban Forestry Manual; and

According to the supplemental report, no concerns regarding soil conditions were identified. The project arborist has signed the Urban Forestry site plan and attested that the plan meets the tree canopy site plan standards. This requirement is met.

4. Meet the supplemental report standards in the Urban Forestry Manual.

A supplemental report was prepared by the project arborist, Bruce Baldwin. The report includes the required inventory data for the existing open grown trees (UFM Section 10, Part 3, and Subsection D).

As submitted, the project meets the effective tree canopy in accordance with UFM Section 10, Part 3. This requirement is met.

B. Tree canopy fee. If the supplemental report demonstrates that the applicable standard percent effective tree canopy cover will not be provided through any combination of tree planting or preservation for the overall development site (excluding streets) or that the 15% effective tree canopy cover will not be provided through any combination of tree planting or preservation for any individual lot or tract in the R-1, R-2, R-3.5, R-4.5 and R-7 districts (when the overall development site meets or exceeds the standard percent effective tree canopy cover), then the applicant shall provide the city a tree canopy fee according to the

methodology outlined in the tree canopy fee calculation requirements in the Urban Forestry Manual.

The site meets the canopy requirements; therefore, this standard does not apply.

FINDING: Based on the analysis above, the urban forestry plan requirements are met.

18.790.060 Urban Forestry Plan Implementation

C. Tree Establishment. The establishment of all trees shown to be planted in the tree canopy site plan (per 18.790.030 A.3) and supplemental report (per 18.790.030.A.4) of the previously approved urban forestry plan shall be guaranteed and required according to the tree establishment requirements in Section 11, part 2 of the Urban Forestry Manual.

The applicant's proposal does not address tree establishment. Therefore, a condition of approval is added for the applicant to provide a tree establishment bond that meets the requirements of the Urban Forestry Manual Section 11, Part 2.

D. D. Urban forest inventory. Spatial and species specific data shall be collected according to the urban forestry inventory requirements in the Urban Forestry Manual for each open grown tree and area of stand grown trees in the tree canopy site plan (per Section 18.790.030.A.3) and supplemental report (per Section 18.790.030.A.4) of a previously approved urban forestry plan.

Section 11, Part 3 of the Urban Forestry Manual states that prior to any ground disturbance work, the applicant shall provide a fee to cover the city's cost of collecting and processing the inventory data for the entire urban forestry plan. This can be met through a condition of approval.

FINDING: Based on the analysis above, the applicable urban forestry plan implementation provisions have not been fully met, but can be met with the following conditions of approval.

CONDITIONS:

- Prior to site work, the project arborist shall perform a site inspection for tree protection measures, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection.

- The project arborist shall perform twice monthly site inspections for tree protection measures during periods of active site development and construction, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection.

- Prior to site work, the applicant shall provide a **fee** in the amount of $1,646 for the city's cost of collecting and processing the inventory data for the entire urban forestry plan of 24 existing retained trees, 23 planted trees, and 1 stand of trees: $154 first tree + $1,288 ($28 each additional x 46) + $204 = $1,646.

- Prior to site work, the applicant shall provide a tree establishment **bond** in the amount of $10,580 (23 planted trees x $460/tree).

- Prior to final inspection, the project arborist shall perform a final site inspection to document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection. The report will be used to mark the beginning of the tree establishment bond period.

18.795 VISUAL CLEARANCE

18.795.030 Visual Clearance Requirements

A. At corners. Except within the CBD zoning district a visual clearance area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing access to a public or private street.

B. Obstructions prohibited. A clear vision area shall contain no vehicle, hedge, planting, fence, wall structure or temporary or permanent obstruction (except for an occasional utility pole or tree), exceeding three feet in height, measured from the top of the curb, or where no curb exists, from the street center line grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed.

FINDING: The proposed access to SW 68th Parkway has been designed to accommodate the visual clearance areas as shown on the Preliminary Site Plan (Sheet 3). A preliminary sight distance certification dated June 23, 2016 from John Christiansen, registered Engineer from AKS Engineering & Forestry is included in the application. This requirement is met.

18.810 STREET AND UTILITY IMPROVEMENT STANDARDS

18.810.030 Streets

A. Improvements.

1. No development shall occur unless the development has frontage or approved access to a public street

2. No development shall occur unless streets within the development meet the standards of this chapter

3. No development shall occur unless the streets adjacent to the development meet the standards of this chapter, provided, however, that a development may be approved if the adjacent street does not meet the standards but half-street improvements meeting the standards of this title are constructed adjacent to the development.

The site is adjacent to SW 68th Parkway, which is improved to a 3 lane city collector street with bike lanes, curbs, 2-foot wide planter and 5-foot wide sidewalks. This does not meet current standards.

A 5-foot right-of-way dedication is required. Section 18.810.030.A.4 requires "any new street or additional street width planned as a portion of an existing street shall meet the standards of this chapter". The applicant shall provide a 12-foot sidewalk and planter strip along the site frontage. This can be a combination of the existing planter strip, new tree wells, the existing sidewalk and additional sidewalk width, comprising the full 12 feet. As conditioned, these requirements are met.

Minimum Rights-of-Way and Street Widths: The SW 68th Parkway frontage is within the Tigard Triangle Plan District. Section 18.620.090 sets standards for SW 68th Parkway including a 70-foot wide right-of-way.

The existing right-of-way from centerline appears to have a width of 30 feet. Increasing the width to 35 feet from centerline will be required along the full length of the parcel including along the existing parking lot approved by SDR 2013-00005. As conditioned, this requirement is met.

F. Future street plan and extension of streets.

1. A future street plan shall:

a. Be filed by the applicant in conjunction with an application for a subdivision or partition. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within 530 feet surrounding and adjacent to the proposed land division. At the applicant's request,

the city may prepare a future streets proposal. Costs of the city preparing a future streets proposal shall be reimbursed for the time involved. A street proposal may be modified when subsequent subdivision proposals are submitted.

b. Identify existing or proposed bus routes, pullouts or other transit facilities, bicycle routes and pedestrian facilities on or within 530 feet of the site.

2. **Where necessary to give access or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary lines of the tract to be developed, and**

   a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sac since they are intended to continue as through streets at such time as the adjoining property is developed.

   b. A barricade shall be constructed at the end of the street by the property owners which shall not be removed until authorized by the city engineer, the cost of which shall be included in the street construction cost.

   c. Temporary hammerhead turnouts or temporary cul-de-sac bulbs shall be constructed for stub street in excess of 150 feet in length.

No land division of the site or adjoining land is proposed. This requirement does not apply.

Street Alignment and Connections:

Section 18.810.030.H.1 states that full street connections with spacing of no more than 530 feet between connections is required except where prevented by barriers such as topography, railroads, freeways, pre-existing developments, lease provisions, easements, covenants or other restrictions existing prior to May 1, 1995 which preclude street connections. A full street connection may also be exempted due to a regulated water feature if regulations would not permit construction.

Section 18.810.030.H.2 states that all local, neighborhood routes and collector streets which abut a development site shall be extended within the site to provide through circulation when not precluded by environmental or topographical constraints, existing development patterns or strict adherence to other standards in this code. A street connection or extension is precluded when it is not possible to redesign, or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the constraint precludes some reasonable street connection.

Tigard Triangle Plan District street alignment and connection standards are set out at Section 18.620.020. The applicant has prepared a Public Roadway Feasibility study, dated March 30, 2016, to determine the feasibility of complying with the standards by connecting SW 71st Avenue at Pacific to 68th Parkway. The proposed alignment was not found to be feasible because of:

- the extent of grading caused by excessive slopes along the proposed alignment,
- the value of four properties would be severely diminished, and
- little improvement to traffic circulation.

In a February 23, 2016 letter, ODOT commented that while it would not object to a proposed connection to SW Pacific Highway, additional studies were likely to show that the connection should be restricted to right in and right out only.

The study also found that the requirement of 18.620.B.1, local street spacing along SW Pacific Highway and SW 68th Parkway of eight intersections per mile, is currently met.

The study proposed two alternatives to provide an additional connection. The first is to provide vehicle and pedestrian connection between tax lot 700 and the existing parking at the north end of the site. Any required agreements and facilities to accomplish this will be required to be shown on the PFI permit submittal. Extending a public bicycle and pedestrian path through the natural resource area of the

southern end of the site is also proposed. Since the alignment of the path is not currently known, a public bicycle and pedestrian path easement over the entire area will be required. Once the alignment is determined, extinguishment of the remaining easement may be considered. As conditioned, this requirement is met.

Block Designs - Section 18.810.040.A states that the length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control and safety of street traffic and recognition of limitations and opportunities of topography.

Block Sizes: Section 18.810.040.B.1 states that the perimeter of blocks formed by streets shall not exceed 1,800 feet measured along the right-of-way line except:

- **Where street location is precluded by natural topography, wetlands or other bodies of water or, pre-existing development or;**
- **For blocks adjacent to arterial streets, limited access highways, major collectors or railroads.**
- **For non-residential blocks in which internal public circulation provides equivalent access.**

As found above, the topographic and environmental limitations of the site preclude new street on the subject site. Therefore, the block size standard does not apply.

Section 18.810.040.B.2 also states that bicycle and pedestrian connections on public easements or right-of-ways shall be provided when full street connection is not possible. Spacing between connections shall be no more than 330 feet, except where precluded by environmental or topographical constraints, existing development patterns, or strict adherence to other standards in the code.

The applicant proposes extending a public bicycle and pedestrian path through the natural resource area of the southern end of the site. Since the alignment of the path is not currently known, a public bicycle and pedestrian path easement over the entire area will be required. Once the alignment is determined, extinguishment of the remaining easement may be considered. As conditioned, this requirement is met.

18.810.070 Sidewalks

A. Sidewalks. All industrial streets and private streets shall have sidewalks meeting city standards along at least one side of the street. All other streets shall have sidewalks meeting city standards along both sides of the street. A development may be approved if an adjoining street has sidewalks on the side adjoining the development, even if no sidewalk exists on the other side of the street.

B. Requirement of developers.

2. If there is an existing sidewalk on the same side of the street as the development within 300 feet of a development site in either direction, the sidewalk shall be extended from the site to meet the existing sidewalk, subject to rough proportionality (even if the sidewalk does not serve a neighborhood activity center).

Both sides of SW 68th Parkway are currently improved with five-foot wide sidewalks and two-foot wide planters. The sidewalk and planter width along the site frontage shall be increased by five feet, bringing the section up to current standards. As conditioned, this requirement is met.

18.810.090 Sanitary Sewers

A. Sewers required. Sanitary sewers shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in Design and Construction Standards for Sanitary and Surface Water Management (as adopted by the Unified Sewerage Agency in 1996 and including any future revisions or amendments) and the adopted policies of the comprehensive plan.

B. Sewer plan approval. The city engineer shall approve all sanitary sewer plans and proposed systems prior to issuance of development permits involving sewer service.

C. Over-sizing. Proposed sewer systems shall include consideration of additional development within the area as projected by the comprehensive plan.

Service will be provided by connecting to an existing public line crossing the site. Connection details will be required as part of the PFI permit application. No extension of a public line is required. This requirement is met.

18.810.100 Storm Drainage

A. General provisions. The director and city engineer shall issue a development permit only where adequate provisions for stormwater and floodwater runoff have been made, and:

1. The storm water drainage system shall be separate and independent of any sanitary sewerage system;

2. Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street; and

3. Surface water drainage patterns shall be shown on every development proposal plan.

C. Accommodation of upstream drainage. A culvert or other drainage facility shall be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development, and the city engineer shall approve the necessary size of the facility, based on the provisions of Design and Construction Standards for Sanitary and Surface Water Management (as adopted by the Unified Sewerage Agency in 1996 and including any future revisions or amendments).

Drainage for most of the Phase 1 existing parking has been extended through the site. The small portion of Phase 1 that continues to drain towards Phase 2 will be collected and conveyed by proposed Phase 2 drainage improvements. There is no other significant upstream runoff directed to the site.

D. Effect on downstream drainage. Where it is anticipated by the city engineer that the additional runoff resulting from the development will overload an existing drainage facility, the director and engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with the Design and Construction Standards for Sanitary and Surface Water Management (as adopted by the Unified Sewerage Agency in 1996 and including any future revisions or amendments).

In 1997, Clean Water Services (CWS) completed a basin study of Fanno Creek and adopted the Fanno Creek Watershed Management Plan. Section V of that plan includes a recommendation that local governments institute a stormwater detention/effective impervious area reduction program resulting in no net increase in storm peak flows up to the 25-year event. The City will require that all new developments resulting in an increase of impervious surfaces provide onsite detention facilities, unless the development is located adjacent to Fanno Creek. For those developments adjacent to Fanno Creek, the storm water runoff will be permitted to discharge without detention.

The site drains to Red Rock Creek, a tributary of Fanno Creek, requiring onsite detention. Design calculations have been submitted for a private underground detention facility of three 105-foot, 36-inch diameter horizontal cylinders under the proposed parking lot south of the proposed building. The facility has been sized to provide detention for the phase 2 improvements and the undetained offsite runoff from the north. This requirement is met.

Bikeways and Pedestrian Pathways:

Bikeway Extension: Section 18.810.110.A states that developments adjoining proposed bikeways identified on the City's adopted pedestrian/bikeway plan shall include provisions for the future extension of such bikeways through the dedication of easements or right-of-way.

SW 68th Parkway is a collector street intended to provide for bicycle traffic.

Cost of Construction: Section 18.810.110.B states that development permits issued for planned unit developments, conditional use permits, subdivisions, and other developments which will principally benefit from such bikeways shall be conditioned to include the cost or construction of bikeway improvements.

Minimum Width: Section 18.810.110.C states that the minimum width for bikeways within the roadway is five feet per bicycle travel lane. Minimum width for two-way bikeways separated from the road is eight feet.

As noted above, to comply with the Tigard Triangle Plan District street and connection standards, an easement for a future bike and pedestrian path over the entirety of the natural resource area on the southern portion of the site is being required. As conditioned, this requirement is met.

18.810.120 Utilities

A. Underground utilities. All utility lines including, but not limited to those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and:

1. **The developer shall make all necessary arrangements with the serving utility to provide the underground services;**
2. **The city reserves the right to approve location of all surface mounted facilities;**
3. **All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and**
4. **Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.**

C. Exception to undergrounding requirement.

1. **The developer shall pay a fee in-lieu of undergrounding costs when the development is proposed to take place on a street where existing utilities which are not underground will serve the development and the approval authority determines that the cost and technical difficulty of under-grounding the utilities outweighs the benefit of undergrounding in conjunction with the development. The determination shall be on a case-by-case basis. The most common, but not the only, such situation is a short frontage development for which undergrounding would result in the placement of additional poles, rather than the removal of above-ground utilities facilities.**
2. **An applicant for a development which is served by utilities which are not underground and which are located across a public right-of-way from the applicant's property shall pay the fee in-lieu of undergrounding.**

There are no existing overhead utility lines along the frontage of SW 68th Parkway. All new utilities are proposed to be placed underground. This requirement is met.

ADDITIONAL CITY AND/OR AGENCY COMMENTS WITH STREET AND UTILITY IMPROVEMENT STANDARDS:

Traffic Study Findings:

Based on a submitted traffic count study of similar facilities, less than 100 vehicle trips per day is anticipated. A traffic study is not required by this traffic volume. No mitigation measures are recommended.

Fire and Life Safety:

Provide written approval from Tualatin Valley Fire and Rescue for fire flows, hydrant placement, turnarounds or sprinklers, and access before beginning any site work.

Public Water System:

The site will be served by the Tualatin Valley Water District from an existing line in SW 68th Parkway. Work within the street will be required to be included in the PFI permit.

Storm Water Quality:
The City has agreed to enforce Surface Water Management (SWM) regulations established by Clean Water Services (CWS) Design and Construction Standards (adopted by Resolution and Order No. 07-20) which require the construction of on-site water quality facilities. The facilities shall be designed to remove 65 percent of the phosphorus contained in 100 percent of the storm water runoff generated from newly created impervious surfaces. In addition, a maintenance plan shall be submitted indicating the frequency and method to be used in keeping the facility maintained through the year.

Prior to approval of the Public Facilities Improvement permit, the applicant shall submit final plans and calculations for a water quality facility that will meet the intent of the CWS Design Standards. In addition, the applicant shall submit a maintenance plan for the facility that must be reviewed and approved by the City prior to construction.

To ensure compliance with Clean Water Services design and construction standards, the applicant shall employ the design engineer responsible for the design and specifications of the private water quality facility to perform construction and visual observation of the water quality facility for compliance with the design and specifications. These inspections shall be made at significant stages throughout the project and at completion of the construction. Prior to final building inspection, the design engineer shall provide the City of Tigard (Inspection Supervisor) with written confirmation that the water quality facility is in compliance with the design and specifications.

Stormwater quality treatment for the Phase 2 improvements will be provided by an existing vegetated swale constructed as part of Phase 1. Any work required to bring the facility into compliance with current standards will be required. Maintenance responsibilities for a new facility will be required. The swale is of sufficient capacity to serve both phases.

Grading and Erosion Control:
CWS Design and Construction Standards also regulate erosion control to reduce the amount of sediment and other pollutants reaching the public storm and surface water system resulting from development, construction, grading, excavating, clearing, and any other activity which accelerates erosion. Per CWS regulations, the applicant is required to submit an erosion control plan for City review and approval prior to issuance of City permits.

The Federal Clean Water Act requires that a National Pollutant Discharge Elimination System (NPDES) erosion control permit be issued for any development that will disturb one or more acre of land. Since the site disturbance is greater than one acre, but less than two acres, the developer will not be required to obtain an NPDES permit.

A 1200-CN permit is required prior to issuance of permits.

Site Permit Required:
The applicant is required to obtain a Site Permit from the Building Division to cover all on-site private utility installations (water, sewer, storm, etc.) and driveway construction. This permit shall be obtained prior any site work.

Address Assignments:

The City of Tigard is responsible for assigning addresses for parcels within the City of Tigard. An addressing fee in the amount of $50.00 per address shall be assessed. This fee shall be paid to the City prior to issuance of building permits.

For multi-tenant buildings, one address number is assigned to the building and then all tenant spaces are given suite numbers. The City is responsible for assigning the main address and suite numbers. This information is needed so that building permits for tenant improvements can be adequately tracked in the City's permit tracking system. Based upon the information provided by the applicant, this building will be a multi-tenant building. The applicant shall provide a suite layout map so suite numbers can be assigned. The addressing fee will then be calculated based upon the number of suites that must be addressed. In multi-level structures, ground level suites shall have numbers preceded by a "1", second level suites shall have numbers preceded by a "2", etc.

Only a single address, requiring a $50 fee, is currently proposed.

SECTION VII. OTHER STAFF COMMENTS

The City of Tigard Police Department reviewed the proposal and has no objections to it.

The City of Tigard Development Engineering Division has reviewed the proposal and provided findings in a Memorandum dated October 3, 2016 which are incorporated in this report and attached. Recommended conditions are included in the conditions of approval.

The City of Tigard Public Works Department reviewed the proposal and had not objections to it.

SECTION VIII. AGENCY COMMENTS

Tualatin Valley Fire and Rescue (John Wolfe, 503-259-1504) has reviewed the proposal and offered comments in an October 4, 2016 letter regarding requirements for fire access, water supply, fire hydrants, and building access and fire service features. The letter also states that hydrants need to be provided based on the fire flow. Therefore, the applicant has been conditioned to provide approval from TVFR.

Clean Water Services has reviewed this proposal and issued a Service Provider Letter (SPL #16-000737) dated March 2, 2016 stating that the proposed development is not likely to impact existing sensitive area on the site. A memorandum dated September 13, 2016 was also received from Jackie Sue Humphreys including conditions required prior to any site work.

Attachments
A. Preliminary Site Plan
B. The City of Tigard Development Review Engineer Memo, dated October 3, 2016
C. Tualatin Valley Fire and Rescue letter dated October 4, 2016
D. Memorandum from Clean Water Services, dated September 13, 2016

PREPARED BY: Gary Pagenstecher
Associate Planner

October 17, 2016
DATE

REVIEWED BY: Tom McGuire
Assistant Community Development Director

October 17, 2016
DATE