NOTICE OF TYPE II DECISION
SITE DEVELOPMENT REVIEW (SDR) 2003-00010
FREEMAN OFFICE BUILDING

CITY OF TIGARD
Community Development
Shaping A Better Community

120 DAYS = 11/3/2004

SECTION I. APPLICATION SUMMARY

FILE NAME: **FREEMAN OFFICE BUILDING**
CASE NO.: **Site Development Review (SDR)** **SDR2003-00010**

PROPOSAL: The applicant is requesting Site Development Review to construct a 226 square foot addition to the existing office building, and construct a new two-story 2,900 square foot office building behind the existing building.

APPLICANT: TSE Investments, LLC
Attn: Ed Freeman
P.O. Box 1754
Lake Oswego, OR 97035

OWNER: Same

LOCATION: 9385 SW Locust Street, WCTM 1S126DC, Tax Lot 5000.

ZONE: MUE-1. Mixed Use Employment 1 The MUE-1 zoning district is designed to apply to areas where employment uses such as office, research and development and light manufacturing are concentrated. Commercial and retail support uses are allowed but are limited, and residential uses are permitted which are compatible with employment character of the area.

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.360, 18.390, 18.520, 18.630, 18.705, 18.720, 18.725, 18.745, 18.755, 18.765, 18.780, 18.790, 18.795 and 18.810.

SECTION II. DECISION

Notice is hereby given that the City of Tigard Community Development Director's designee has **APPROVED** the above request subject to certain conditions of approval. The findings and conclusions on which the decision is based are noted in Section VI.

CONDITIONS OF APPROVAL

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF SITE PERMITS:

Submit to the Planning Division (Morgan Tracy, 639-4171, ext. 2428) for review and approval:

1. Prior to site work, the applicant shall submit detailed drawings for review regarding phase II completion of the office building. These drawings shall include footprint and parking location information, in addition to square footage of the proposed building and the conceptual uses. The site plan shall show the amount of landscaped in contrast to hardscaped area, and areas reserved for bicycle parking and refuse containers, and reflect a total building floor area square footage of 15,561 for both phases.

2. Prior to site work, the applicant shall install 6 foot tall orange protective fencing on steel posts around the trees that will remain. During construction the methods outlined by the project arborist shall be employed. Namely, an arborist shall be on site to supervise any digging or trenching within 10 feet of the maple trees and six feet of the pines. The arborist's recommendations shall be printed as requirements on the landscape and construction drawings.

3. Prior to any site work, the applicant shall apply for an adjustment to the access spacing standards of TDC 18.705.030 H.3 and H.4. using the criteria found in TDC 18.370.020.C.5.

Submit to the Engineering Department (Kim McMillan, 639-4171, ext. 2642) for review and approval:

4. Prior to issuance of a site permit, a Public Facility Improvement (PFI) permit is required for this project to cover half-street improvements and any other work in the public right-of-way. Eight (8) sets of detailed public improvement plans shall be submitted for review to the Engineering Department. 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.ci.tigard.or.us).

5. Prior to issuance of a site permit, the PFI permit plan submittal shall include 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 Department will delay processing of project documents.

6. Prior to issuance of the site permit, the applicant shall submit a suite layout map to Shirley Treat, Engineering Department. If the applicant is not sure how many suites will be used, they must estimate a number. The City will then assign suite numbers and the address fee will then be calculated. The fee must be paid by the applicant prior to issuance of the site permit. (STAFF CONTACT: Shirley Treat, Engineering).

7. Prior to issuance of a site permit, additional right-of-way shall be dedicated to the Public along the frontage of Locust Street to increase the right-of-way to 43.5 feet from the centerline. The description shall be tied to the existing right-of-way centerline. The dedication document shall be on City forms. Instructions are available from the Engineering Department.

8. Prior to issuance of a site permit, the applicant shall submit construction plans to the Engineering Department as a part of the Public Facility Improvement permit, which indicates that they will construct a half-street improvement along the frontage of Locust Street. The improvements adjacent to this site shall include:

A. City standard pavement section for a Major Collector street from curb to centerline equal to 29.5 feet;
B. pavement tapers needed to tie the new improvement back into the existing edge of pavement shall be built beyond the site frontage;
C. concrete curb, or curb and gutter as needed;
D. storm drainage, including any off-site storm drainage necessary to convey surface and/or subsurface runoff;
E. 14 foot concrete sidewalk (or combination sidewalk and planter strip);
F. street trees in the planter strip spaced per TDC requirements;
G. street striping;
H. streetlight layout by applicant's engineer, to be approved by City Engineer;
I. underground utilities;
J. street signs (if applicable);
K. driveway apron (if applicable); and
L. adjustments in vertical and/or horizontal alignment to construct SW Locust Street in a safe manner, as approved by the Engineering Department.

9. Prior to issuance of a site permit, a profile of Locust Street shall be required, extending 300 feet either side of the subject site showing the existing grade and proposed future grade.

10. Prior to issuance of the site permit, the applicant shall pay $483.00 to the City for the striping of the bike lane along the frontage of Locust Street.

11. Prior to issuance of a site permit, the applicant's engineer shall provide a post-street improvement sight distance certification.

12. Prior to issuance of a site permit , the applicant shall provide an on-site water quality and detention facility as required by Clean Water Services Design and Construction Standards (adopted by Resolution and Order No. 00-7). Final plans and calculations shall be submitted to the Engineering Department (Kim McMillan) for review and approval prior to issuance of the site permit. In addition, a proposed maintenance plan shall be submitted along with the plans and calculations for review and approval.

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

Submit to the Planning Division (Morgan Tracy, 639-4171, ext. 2428) for review and approval:

13. Prior to issuance of building permits, the applicant shall submit revised landscape plans that show all trees planted will be a minimum 2½-inch caliper size.

14. Prior to issuance of building permits, the applicant shall submit revised building elevations that show that the building façade for the existing building fronts SW Locust for a minimum 47.5 lineal feet. In addition, the amount of windows shall be increased so that a minimum of 50% of the façade is windowed. A covered entry and 6 foot wide minimum width walkway from the street shall be provided for the existing building's revised façade.

15. Prior to issuance of building permits, submit a revised landscape plan that includes the revisions necessary to address the changes for the existing building façade. This plan shall also indicate two additional trees around the parking area.

16. Prior to issuance of building permits, the applicant shall ensure that any mechanical rooftop equipment will be setback from the roof edge 3 feet for each foot in the equipment's height.

17. Prior to issuance of building permits, the applicant shall submit a revised site plan that includes the following revisions:

A. The material and height of the trash enclosure shall be identified and meet the requirements of 18.745.050(E)(4);
B. The compact parking spaces shall be marked as “compact” or with a large “C”;
C. Wheel stops or curbs shall be placed three feet from the end of the parking stall. A three foot overhang over a landscaped area or walkway beyond a 6 inch tall curb is acceptable if there is a minimum of 6 feet width remaining in the walkway;
D. The parking lot aisle shall be extended to the end of the property past the last parking space to accommodate turn around movement;
E. The applicant/owner shall submit a revised site plan that shows 3 bicycle rack spaces for the proposed building. An elevation detail showing the design of the bike rack is also required;
F. Revise the van accessible ADA parking space to be 9 feet wide with an 8-foot aisle; and
G. Ensure that adequate parking is available for the total square footage of the buildings including any alterations that were required by this decision.

18. Prior to issuance of building permits, the applicant shall submit revised site/elevation plans that show light fixtures on the building and in the parking lot which will sufficiently illuminate the site.

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

Submit to the Planning Division (Morgan Tracy, 639-4171, ext. 2428) for review and approval:

19. Prior to final building inspection, the applicant shall complete the proposed improvements in substantial conformance with the final approved plans. A member of the planning division shall conduct a walkthrough the site to ensure that this condition is met.

Submit to the Engineering Department (Kim McMillan, 639-4171, ext. 2642) for review and approval:

20. Prior to a final building inspection, the applicant shall complete the required public improvements, obtain conditional acceptance from the City, and provide a one-year maintenance assurance for said improvements.

21. Prior to final building inspection, the applicant shall provide the City with as-built drawings of the public improvements as follows: 1) 3 mil mylar, 2) a diskette of the as-builts in “DWG” format, if available; otherwise “DXF” will be acceptable, and 3) the as-built drawings shall be tied to the City’s 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).

22. The applicant shall either place the existing overhead utility lines along SW Locust Street underground as a part of this project, or they shall pay the fee in-lieu of undergrounding. The fee shall be calculated by the frontage of the site that is parallel to the utility lines and will be $35.00 per lineal foot. If the fee option is chosen, the amount will be $3,330.25 and it shall be paid prior to final building inspection.

23. Prior to a final building inspection, the applicant shall demonstrate that they have entered into a maintenance agreement with Stormwater Management, or another company that demonstrates they can meet the maintenance requirements of the manufacturer, for the proposed onsite storm water treatment facility.

24. 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, 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. Staff Contact: Hap Watkins, Building Division.

THE FOLLOWING CONDITION SHALL BE CONTINUOUSLY SATISFIED:

Submit to the Planning Division (Morgan Tracy, 639-4171, ext. 2428) for review and approval:

25. To ensure that the subsequent Phase 2 is completed, no changes to the site will be permissible (including minor modifications) after completion of Phase 1 unless a completely new SDR is approved, or the proposed changes are implementing Phase 2.

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

SECTION III. BACKGROUND INFORMATION

Site History:
Staff conducted a search of City records for the subject property. An approval was granted in 1988 to demolish the single family dwelling and construct a veterinary clinic (SDR 88-11). At that time the property was zoned C-P (Professional Commercial). The site has continued to be used as a vet clinic until recently and is presently vacant.

Vicinity Information:
The subject site is located on the north side of SW Locust, east of SW Greenburg across from the Lincoln Center and is within the Washington Square Regional Center area. The site is bordered on the south and east by MUE-1 (Mixed Use Employment-1) zoning. To the north and west are R-12 zoned residential properties.

Site Information and Proposal Description:
The applicant is proposing to construct a small addition to the existing vet clinic building to bring the façade out to the street, and then construct a new two-story 2,900 square foot office building in the rear of the site.

SECTION IV. COMMENTS FROM PROPERTY OWNERS WITHIN 500 FEET

No letters were received from nearby property owners.

SECTION V. SUMMARY OF APPLICABLE REVIEW CRITERIA

The proposal's consistency with these Code Chapters is reviewed in the following sections:

A. Zoning Districts
- **18.520 Commercial Zoning Districts**

B. Applicable Development Code Standards
- **18.630 Washington Square Regional Center Design Standards**
- **18.705 Access Egress and Circulation**
- **18.725 Environmental Performance Standards**
- **18.745 Landscaping and Screening**
- **18.755 Mixed Solid Waste and Recyclable Storage**
- **18.765 Off-Street parking and loading requirements**

18.780 Signs
18.790 Tree Removal
18.795 Visual Clearance

C. Specific SDR Approval Criteria
18.360

D. Street and Utility Improvement Standards
18.810

E. Decision Making Procedures
18.390 Impact Study

SECTION VI. APPLICABLE DEVELOPMENT CODE STANDARDS

A. ZONIING DISTRICTS

Commercial Zoning District: Section 18.520.020
Lists the description of the Commercial Zoning Districts.

The site is located in the MUE-1: Mixed-Use Employment 1 zoning district. The proposed use, general office space, is outright permitted in the zone.

Development Standards:
Section 18.520.040.B States that Development standards for commercial zoning districts are contained in Table 18.520.2 below:

TABLE 18.520.2
DEVELOPMENT STANDARDS IN COMMERCIAL ZONES

STANDARD	MUE	Proposed
Minimum Lot Size **- Detached unit** **- Boarding, lodging, rooming house**	**None** **-**	16,625 sq. ft.
Minimum Lot Width	**50 ft**	95 ft.
Minimum Setbacks **- Front yard** **- Side facing street on corner & through lots** **- 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' min/ 20' max** **-** **0 ft** **-** **20 ft** **-**	8.5' - 20' & 40' 20' -
Maximum Height	**60 ft**	26.5 ft.
Maximum Site Coverage [1]	**85%**	70%
Minimum Landscape Requirement	**15%**	30%
Maximum Floor Area Ratio	**N/A**	
Minimum Floor Area Ratio	**1.25**	.42 (5,206 sf) [2]

[1] includes all buildings and impervious area

[2] Only reflects Phase I of two phase project. Lot area is exclusive of access aisle area

As demonstrated in the table above, the applicant's plans comply with the dimensional standards of the MUE-1 zone. This is dependent upon completion of a second phase, which the applicant has proposed to initiate within two years. After deducting areas for access, the lot area is 12,449, for a total FAR requirement of 15,561 s.f. The total square footage of Phase I will be 5,206 square feet. An additional 10,355 square feet will need to be constructed in Phase II.

FINDING: Based on the analysis above, the underlying zone's development criteria have been satisfied provided Phase II is constructed.

CONDITION: The applicant shall submit a detailed plan illustrating how Phase II will be constructed, including provisions for parking, landscape requirements, and a total building floor area square footage of 15,561 for both phases.

B. APPLICABLE DEVELOPMENT CODE STANDARDS

Washington Square Regional Center Design Standards (18.630)

Design standards for public street improvements and for new development and renovation projects have been prepared for the Washington Square Regional Center. These design standards address several important guiding principals adopted for the Washington Square Regional Center, including creating a high-quality mixed use area, providing a convenient pedestrian and bikeway system, and utilizing streetscape to create a high quality image for the area.

All new developments, including remodeling and renovation projects resulting in new non single family residential uses are expected to contribute to the character and quality of the area. In addition to meeting the design standards described below and other development standards required by the Development and Building Codes, developments will be required to dedicate and improve public streets, connect to public facilities such as sanitary sewer, water and storm drainage, and participate in funding future transportation and public improvement projects necessary within the Washington Square Regional Center.

The following design standards apply to all development located within the Washington Square Regional Center within the MUC, MUE and MUR zones. If a standard found in this section conflicts with another standard in the Development Code, standards in this section shall govern.

Phasing of Development Standards: Projects may use the Site Development Review process (Chapter 18.360) to develop a site by phasing compliance with the development standards established in this Chapter. Such projects must demonstrate how future development of the site, to the minimum development standards established in this Chapter or greater, can be achieved at ultimate build out of the site. The Planning Director may waive or modify the approval period (Section 18.360.030.C) and phased development time schedule (Section 18.360.030.E.1) for projects approved under this section. If a time period greater than that specified in Section 18.360.030.C is necessary, it must be requested at the time of original application with a detailed time line for completion.

The application proposes a 2-phase completion of the proposed improvements, as described further in the Site Development Review Standards. The first phase will include a small addition to the existing building to bring the façade out to the street, and the construction of a new 2,900 square foot office building behind the existing building. The applicant has indicated in his narrative that a second phase will be completed to satisfy the minimum Floor Area Requirement; however, insufficient detail is provided to establish whether such a plan is feasible or what timeline will be followed to implement this phase. The applicant states that such second phase would begin within 2 years of completing phase 1. To ensure that the subsequent phase is completed, no changes to the site will be permissible after completion of Phase 1 unless a completely new SDR is proposed, or the proposed changes are implementing Phase 2.

Pre-Existing Uses and Developments:

Chapter 18.630.030 states that notwithstanding the provisions of Section 18.760.040, uses prohibited and structures that would be nonconforming in any of the Regional Center Mixed Use zoning districts that were lawfully in existence at the time of adoption of the Regional Center Mixed Use districts are considered to be approved uses and structures. However, future additions, expansions, or enlargements to such uses or structures, shall be limited to the property area and use lawfully in existence at the time of adoption of this ordinance, February 22, 2002. An addition, expansion, or enlargement of such lawfully preexisting uses and structures up to twenty (20%) of the gross floor area lawfully in existence at the time of adoption of this ordinance will be allowed provided the applicant of such proposed addition, expansion or enlargement demonstrates substantial compliance with all appropriate development standards in this code, or that the applicant demonstrates that the purposes of applicable development standards are addressed to the extent that the proposed addition, expansion or

enlargement allows. All additions, expansions, or enlargements of existing uses or structures that take place after using the 20 percent addition, expansion, or enlargement exception shall be in conformance with the development standards of this code. Projects may use the site development review process (Chapter 18.360) to develop a site by phasing compliance with the development standards established in this chapter per Section 18.630.020.C.

The current proposed development includes an expansion to the existing office building at the front of the property, as well as construction of a brand new building at the rear of the property. The existing building is 2,306 square feet. The proposed expansion is 2,900 square feet or 126% expansion. A future phase is also proposed that will add 10,355 square feet of office space. Therefore, this project is required to meet all the relevant standards of the Washington Square Regional Center Design Criteria.

Section 18.630.040 requires a way for creating continuity and connectivity within the Washington Square Regional Center (WSRC). The primary objective is to create a balanced, connected transportation system that distributes trips within the WSRC on a variety of streets. The connectivity standards may be satisfied by either of two options:

1. **Design Option.**
   a. **Local street spacing shall provide public street connections at intervals of no more than 530 feet.**
   b. **Bike and pedestrian connections on public easements or right-of-way shall be provided at intervals of no more that 330 feet.**
2. **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 major building entrance 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 major building entrance to a collector or greater facility is no more than one and one-half the straight-line distance.**

The proposal meets the Performance Option because between SW Greenburg Road and SW 77th (5,021 feet) there are 12 intersections. The straight-line distance from the subject property to the closest major collector (SW Locust) is 0 feet. Similarly, the shortest vehicle and pedestrian trip from the subject property to SW Locust is also 0 feet. Therefore, the performance option has been met.

Section 18.630.050 specifies the site design standards applicable to developments in the Washington Square Regional Center.

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.

The proposed expansion is along a major collector frontage. The site has 95 feet of frontage and the building occupies 38 feet (40%). There is a 20 foot side yard setback on the east side due to the abutting residential zoning designation. Also, a shared access with the parcel to the west occupies 12 feet, and the parking aisle encompasses 24 feet. The building would need to be 10 feet wider to meet this standard. While there are constraints in place on this site, the applicant has not requested an adjustment. The applicant notes that the new building will be 50 feet wide to satisfy this standard, but two issues make this statement problematic: the building is not placed along the street frontage (it is 117 feet from the right of way), and second only the second floor of the building will be 50 feet wide, with a 19 foot wide cantilever over the ground floor parking area. As such, the ground floor is only 31.5 feet wide. This standard is not met.

Building setback. The minimum and maximum building setback from public street rights-of-way shall be in accordance with Table 18.520.2.

Table 18.520.2 specifies that the minimum setback is 0 feet and the maximum setback is 20 feet along the front yard, and requires that a minimum of 20 feet shall be provided when the site abuts a residential zone. As specified the building respects the 20 foot minimum setback from the residential zone (to the east). The applicant's plan also calls for a small addition to the front of the existing building to bring it to 8.5 feet from the front property line in compliance with these standards. Right of way dedication of 7.5 feet will be required, bringing the building 1 foot from the property line, still in compliance with these standards.

Front yard setback design. For setbacks greater than 0 feet, 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 18.520.040.B and Table 18.520.2.

Treatments of the type described will be provided between the small building expansion and SW Locust Street. The plan shows that the three existing 11 inch caliper maple trees will be retained and supplemented with additional Kinnikinnick groundcover.

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 adjacent to a public street intersection are required. These areas shall contribute to the minimum landscaping requirement per Section 18.520.040.B and Table 18.520.2.

There is a sidewalk from the public street to the existing building. This walkway is only 4 feet wide where it is constricted by an existing planter wall. A new 6 foot wide walkway is proposed between SW Locust and the new building. This walkway also serves as access to the existing building at the rear entrance.

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. When buildings or phases are adjacent to more than one public street, primary street(s) shall be identified by the City where this requirement applies. In general, streets with higher functional classification will be identified as primary streets unless specific design or access factors favor another street. If located on the side, parking is limited to 50% of the primary 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 five 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.

The only street that fronts this project is SW Locust. The proposed parking is accommodated along the side of the newly constructed building. This standard is met.

Section 18.630.060 specifies the building design standards to control the vertical elements of new development within the Washington Square Regional Center.

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 the entire requirement is located at a building corner.

The proposed addition to the existing building will add 19.5 lineal feet of windows in the 24 lineal feet of frontage (81%) within the building setback area. This satisfies the standard.

Building facades. Facades that face a public street shall extend no more than 50 feet without providing at least one of the following features: (1) a variation in building materials; (2) a building off-set of at least 1-foot; (3) a wall area that is entirely separated from other wall areas by a projection, such as an arcade; or (4) by another 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.

The building façade that faces the public street is only 24 feet wide; therefore this standard does not apply. A previous finding noted that the building did not meet the 50% frontage requirement. A building meeting this requirement would only need to be 47.5 feet wide, and thus this standard could still be satisfied.

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.

A recessed covered entry is provided on the southwest corner of the proposed new building to provide protection from the elements.

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.

The building will be faced with brick. The existing building will consist of brick and vertical wood siding in compliance with this standard.

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.

The proposed building expansion will utilize a flat roof system. No false roofs will be utilized.

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 has indicated that mechanical equipment will be screened from view. No other information has been provided regarding rooftop equipment. However, to address any subsequent need to place equipment on the roof (as may be determined through the building permit review process), should any equipment be placed on the roof, the applicant shall ensure that the mechanical rooftop equipment will be setback from the roof edge 3 feet for each foot in the equipment's height.

Section 18.630.070 specifies additional requirements as related to signs. In general for commercial developments in the MUC zone, the requirements for signs in commercial zones as described in 18.780 shall be used. Height limits for freestanding signs shall be 10 feet. Wall signs are not permitted to extend above the roofline of the wall on which the sign is located. No height increases will be permitted.

The applicant is proposing no new freestanding signs. Any subsequent sign will require application through a separate permit process. Therefore, this standard has been satisfied.

Section 18.630.090 describes the landscaping and screening requirements applicable within the Washington Square Regional Center. For general landscaping of landscaped and screened areas within parking lots and along local collectors and local streets, planting standards of Chapter 18.745 Landscaping and Screening, shall apply. In addition the L-1 standard applies to setbacks on major and minor arterials, and where parking lots abut public streets. Where the setback is a minimum of 5 feet between the parking lot and a street, trees shall be planted at 3½ inch caliper, at a maximum of 28 feet on center. 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. For general landscaping of landscaped and screened areas within parking lots, and along local collectors and local streets, planting standards of Chapter 18.745, Landscaping and Screening, shall apply. In addition, trees shall be provided at a minimum 2½ inch caliper, at a maximum spacing of 28 feet. Shrubs shall be of a size and quality to achieve the required landscaping or screening effect within two years.

The landscaping requirements will be addressed under Chapter 18.780. However, since the applicant has specified 2 inch caliper trees, the applicant will be conditioned to ensure that parking lot and street trees along the private street are a minimum of 2½-inch diameter.

FINDING: The Washington Square Regional Center Design Standards have not been met.

CONDITIONS:

- Prepare and submit detailed drawings for review regarding phase II completion of the office building. These drawings shall include footprint and parking location information, in addition to square footage of the proposed building and the conceptual uses. The site plan shall show the amount of landscaped in contrast to hardscaped area, and areas reserved for bicycle parking and refuse containers, and reflect a total building floor area square footage of 15,561 for both phases.

- To ensure that the subsequent phase 2 is completed, no changes to the site will be permissible (including minor modifications) after completion of Phase 1 unless a completely new SDR is approved, or the proposed changes are implementing Phase 2.

- Prior to issuance of building permits for the shell building, the applicant shall submit revised landscape plans that show all trees planted will be a minimum 2½-inch caliper size.

- Prior to issuance of building permits for the shell building, the applicant shall submit revised building elevations that show that the building façade for the existing building fronts SW Locust for a minimum 47.5 lineal feet. In addition, the amount of windows shall be increased so that a minimum of 50% of the façade is windowed. A covered entry and 6 foot wide minimum width walkway from the street shall be provided for the existing building's revised façade.

- Prior to issuance of building permits for the shell building, the applicant shall ensure that any mechanical rooftop equipment will be setback from the roof edge 3 feet for each foot in the equipment's height.

ADDITIONAL APPLICABLE DEVELOPMENT CODE STANDARDS

The Site development Review approval standards require that a development proposal be found to be consistent with the various standards of the Community Development Code. The applicable criteria in this case are Chapters 18.360, 18.390, 18.520, 18.705, 18.745, 18.755, 18.765, 18.775, 18.780, 18.790, 18.795, and 18.810. The proposal's consistency with these Code Chapters is reviewed in the following sections.

Access, Egress and Circulation (18.705):

Walkways:
18.705.030(F) requires that on-site pedestrian walkways comply with the following standards: 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;

On site pedestrian walkways are present between the proposed building entrance and the street that provides access and egress as well as to the parking lot. As conditioned previously in this decision, the existing building will be required to provide a revised walkway to its entry. This standard is met.

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 6-inch vertical separation (curbed) or a minimum 3-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;

No walkways have been proposed to cross the access drive or parking lot. This standard is therefore met.

Required walkways shall be paved with hard surfaced materials such as concrete, asphalt, stone, brick, etc. 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.

The plan depicts concrete sidewalks, which meets the standard.

Access Management:
Section 18.705.030.H.1 states that 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.

The applicant did not address this section. The applicant's engineer shall submit a preliminary sight distance certification with the PFI permit application. The preliminary certification shall provide a list of mitigation items, if necessary, to meet the standard.

Section 18.705.030.H.2 states that 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 be150 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 proposed driveway location is not within the influence area of an intersection, therefore this criterion is met.

Section 18.705.030.H.3 and 4 states that 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. The minimum spacing of local streets along a local street shall be 125 feet.

The applicant did not address this standard. The driveway placement does not meet the standard, therefore an adjustment to the standard is required.

Minimum Access Requirements for Commercial and Industrial Use:
Section 18.705.030.I provides the minimum access requirements for commercial and industrial uses: Table 18.705.3 indicates that the required access width for developments with 0-99 parking spaces is one 30-foot accesses with 24 feet of pavement. Vehicular access shall be provided to commercial or industrial uses, and shall be located to within 50 feet of the primary ground floor entrances; additional requirements for truck traffic may be placed as conditions of site development review.

The development has one shared point of access into the parking lot that provides 24 feet of pavement and is 30 feet wide. Therefore, this standard is met.

FINDING: The access requirements have not been met.

CONDITION: Prior to any site work, the applicant shall apply for an adjustment to the access spacing standards of TDC 18.705.030 H.3 and H.4. using the criteria found in TDC 18.370.020.C.5.

Landscaping and Screening (18.745):
A previous condition already required that the trees be planted at 2.5 inch caliper size. The area around the existing building façade will need to be modified to comply with an earlier condition as well. This area will require other plants be provided, as the site is altered to account for the building revisions.

Street Trees:
Section 18.745.040 states that all development projects fronting on a public street or a private drive more than 100 feet in length shall be required to plant street trees in accordance with Section 18.745.040.C Section 18.745.040.C requires that street trees be spaced between 20 and 40 feet apart depending on the size classification of the tree at maturity (small, medium or large).

The applicant has provided a landscape plan that shows four 2" caliper Japanese maple trees, 30-one gallon kinnikinnick plants, and 6 rhododendrons in addition to the variety of plant materials already on site. Three 11" maples exist along the street frontage that were planted as street trees with original site plan approval in 1988. These trees are mature, healthy, and will satisfy the current requirement for street trees.

Buffering and Screening:
Section 18.745.080 states that no buffer is required between abutting uses that are of a different type when the uses are separated by a street. No buffer is required between a proposed office use and existing office use. Buffering and/or screening are required for dissimilar uses.

The properties to the east and north are zoned residential (R-12). Therefore a buffer level of C is required (6 to 10 feet in width). The site contains a mix of trees and shrubs along the perimeter and the 20 foot required setback provides the required buffer distance. This standard is met. Moreover, an existing chainlink fence with wood slats is present on the northern property line to screen the parking area.

Screening:
Special Provisions:
Section 18.745.050.E requires the screening of parking and loading areas. Landscaped parking areas shall include special design features which effectively screen the parking lot areas from view. Planting materials to be installed should achieve a relative balance between low lying and vertical shrubbery and trees. Trees shall be planted in

landscaped islands in all parking areas, and shall be equally distributed on the basis of one (1) tree for each seven (7) parking spaces in order to provide a canopy effect. The minimum dimension on the landscape islands shall be three (3) feet wide and the landscaping shall be protected from vehicular damage by some form of wheel guard or curb.

The parking lot does not provide the required one tree per seven parking spaces. The landscape plan shall be revised so that two trees are added that will add canopy to cover the parking area. These trees are required to be a minimum of 2.5 inches in caliper size.

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;

The site plan submitted shows a location for the trash cans, and the applicant has included a sign off letter from Waste Management regarding the trash and recycling method. However, the plan does not clearly indicate what type and how tall the enclosure will be. A solid wood fence or masonry wall between five and eight feet in height is required. The applicant's revised plan will need to identify the material and height of the enclosure.

Screening Of Refuse Containers.
Except for one- and two-family dwellings, any refuse container or refuse collection area which would be visible from a public street, parking lot, residential or commercial area, or any public facility such as a school or park shall be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge. All refuse shall be contained within the screened area.

The prior finding and subsequent condition addresses this requirement.

FINDING: Based on the analysis above, the landscaping and screening standards have not been fully met. If the applicant complies with the conditions listed below, the standards will be met.

CONDITIONS:

- Submit a revised site plan that identifies the material and height of the trash enclosure that meets the requirements of 18.745.050(E)(4).
- Submit a revised landscape plan that includes the revisions necessary to address the changes for the existing building façade. This plan shall also indicate two additional trees around the parking area.

Mixed Solid Waste and Recyclables Storage (18.755):

Chapter 18.755 requires that new construction incorporates functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated Recyclables prior to pick-up and removal by haulers.

The applicant must choose one (1) of the following four (4) methods to demonstrate compliance: Minimum Standard, Waste Assessment, Comprehensive Recycling Plan, or Franchised Hauler Review and Sign-Off. The applicant will have to submit evidence or a plan which indicates compliance with this section. Regardless of which method chosen, the applicant will have to submit a written sign-off from the franchise hauler regarding the facility location and compatibility.

The applicant has submitted written sign off from the waste hauler (Waste Management). This standard is met.

Location Standards.
To encourage its use, the storage area for source-separated recyclables shall be co-located with the storage area for residual mixed solid waste; Indoor and outdoor storage areas shall comply with Uniform Building and Fire Code requirements; Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations; Exterior storage areas can be located within interior side yard or rear yard areas. Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street; Exterior storage areas shall be located in central and visible locations on a site to enhance security for users; Exterior storage areas can be located in a parking area, if the proposed use provides at least the minimum number of parking spaces required for the use after deducting the area used for storage. Storage areas shall be appropriately screened according to the provisions in 18.755.050 C, design standards; The storage area shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle traffic movement on the site or on public streets adjacent to the site.

The refuse containers are accessed from the rear of the existing building, and are centrally located between the existing and the proposed new building and is visible from the proposed new building in order to enhance security for users. The proposed refuse container will not occupy any required parking stalls and screening has been conditioned to conform to Tigard standards previously in this decision.

Design Standards.
The dimensions of the storage area shall accommodate containers consistent with current methods of local collection; Storage containers shall meet Uniform Fire Code standards and be made and covered with waterproof materials or situated in a covered area; Exterior storage areas shall be enclosed by a sight-obscuring fence wall, or hedge at least six feet in height. Gate openings which allow access to users and haulers shall be provided. Gate openings for haulers shall be a minimum of 10 feet wide and shall be capable of being secured in a closed and open position; Storage area(s) and containers shall be clearly labeled to indicate the type of materials accepted.

The applicant has not submitted a detail of the trash enclosure or refuse container. This information was already required by a previous condition of approval.

FINDING: The Mixed Solid Waste and Recyclables Storage design standards will be met with the imposition of previous conditions of approval.

Off-Street Parking and Loading (18.765):

Location of vehicle parking:
Off-street parking spaces for single-family and duplex dwellings and single-family attached dwellings shall be located on the same lot with the dwellings. Off-street parking lots for uses not listed above shall be located not further than 200 feet from the building or use that they are required to serve, measured in a straight line from the building with the following exceptions: a) commercial and industrial uses which require more than 40 parking spaces may provide for the spaces in excess of the required first 40 spaces up to a distance of 300 feet from the primary site; The 40 parking spaces which remain on the primary site must be available for users in the following order of priority: 1) Disabled-accessible spaces; 2) Short-term spaces; 3) Long-term preferential carpool and vanpool spaces; 4) Long-term spaces.

The parking lot associated with this project is directly adjacent to the proposed building, in compliance with this standard.

Joint Parking:
Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the peak hours of operation do not overlay, subject to the following: 1) The size of the joint parking facility shall be at least as large as the number of vehicle parking spaces required by the larger(est) use per Section 18.765.070; 2) Satisfactory legal evidence shall be presented to the Director in the form

of deeds, leases or contracts to establish the joint use; 3) If a joint use arrangement is subsequently terminated, or if the uses change, the requirements of this title thereafter apply to each separately.

Joint parking is not proposed with this application; therefore this standard is not applicable.

Parking in Mixed-Use Projects:
In mixed-use projects, the required minimum vehicle parking shall be determined using the following formula. 1) Primary use, i.e., that with the largest proportion of total floor area within the development, at 100% of the minimum vehicle parking required for that use in Section 18.765.060; 2) Secondary use, i.e., that with the second largest percentage of total floor area within the development, at 90% of the vehicle parking required for that use in Section 18.765.060; 3) Subsequent use or uses, at 80% of the vehicle parking required for that use(s) in Section 18.765.060; 4) The maximum parking allowance shall be 150% of the total minimum parking as calculated in D.1.-3. above.

This proposal is not considered a mixed-use project as it will contain solely office space; therefore this standard is not applicable.

Visitor Parking in Multi-Family Residential Developments:
Multi-dwelling units with more than 10 required parking spaces shall provide an additional 15% of vehicle parking spaces above the minimum required for the use of guests of residents of the complex. These spaces shall be centrally located or distributed throughout the development. Required bicycle parking facilities shall also be centrally located within or evenly distributed throughout the development.

This project does not involve a residential use. Therefore, this standard does not apply.

Preferential Long-Term Carpool/Vanpool Parking:
Parking lots providing in excess of 20 long-term parking spaces shall provide preferential long-term carpool and vanpool parking for employees, students and other regular visitors to the site. At least 5% of total long-term parking spaces shall be reserved for carpool/vanpool use. Preferential parking for carpools/vanpools shall be closer to the main entrances of the building than any other employee or student parking except parking spaces designated for use by the disabled. Preferential carpool/vanpool spaces shall be full-sized per requirements in Section 18.765.040N and shall be clearly designated for use only by carpools and vanpools between 7:00 AM and 5:30 PM Monday through Friday.

The proposed parking lot associated with the office building development has a total of 14 parking spaces. Therefore, the applicant will not be required to reserve any of the proposed parking for carpool/vanpool parking.

Disabled-Accessible Parking:
All parking areas shall be provided with the required number of parking spaces for disabled persons as specified by the State of Oregon Uniform Building Code and federal standards. Such parking spaces shall be sized, signed and marked as required by these regulations.

The applicant is providing 14 parking spaces, therefore, one (1) van accessible (9 feet wide with an 8-foot aisle) ADA handicap space is required. The applicant's plans show one (1) ADA space that will be in compliance with the ADA requirements.

Access Drives:
With regard to access to public streets from off-street parking: access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site; the number and size of access drives shall be in accordance with the requirements of Chapter, 18.705, Access, Egress and Circulation; access drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives; access drives shall have

a minimum vision clearance in accordance with Chapter 18.795, Visual Clearance; access drives shall be improved with an asphalt or concrete surface; and excluding single-family and duplex residences, except as provided by Subsection 18.810.030.P, groups of two or more parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way will be required.

The access drive has been addressed previously in this decision.

Pedestrian Access:
Pedestrian access through parking lots shall be provided in accordance with Section 18.705.030.F. Where a parking area or other vehicle area has a drop-off grade separation, the property owner shall install a wall, railing, or other barrier which will prevent a slow-moving vehicle or driverless vehicle from escaping such area and which will prevent pedestrians from walking over drop-off edges.

Pedestrian access has been discussed previously in this decision and there are no drop off edges that require barriers.

Parking Lot Striping:
Except for single-family and duplex residences, any area intended to be used to meet the off-street parking requirements as contained in this Chapter shall have all parking spaces clearly marked; and all interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.

The plans submitted show the parking spaces will be clearly marked with striping. The compact spaces will need to be marked clearly marked as such.

Wheel Stops:
Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located three feet back from the front of the parking stall. The front three feet of the parking stall may be concrete, asphalt or low lying landscape material that does not exceed the height of the wheel stop. This area cannot be calculated to meet landscaping or sidewalk requirements.

The applicant shows wheel stops in front of some of the spaces, but not for others. Wheel stops will need to be shown on the final construction plans.

Space and Aisle Dimensions:
Section 18.765.040.N states that: "except as modified for angled parking in Figures 18.765.1 and 18.765.2 the minimum dimensions for parking spaces are: 8.5 feet x 18.5 feet for a standard space and 7.5 feet x 16.5 feet for a compact space"; aisles accommodating two direction traffic, or allowing access from both ends, shall be 24 feet in width. No more than 50% of the required spaces may be compact spaces. Excluding single-family and duplex residences, except as provided by Subsection 18.810.030P, groups of two or more parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way will be required.

The applicant's plans indicate that the standard parking spaces will be 8.5 feet by 18 feet and 7.5 feet by 16.5 feet for compact spaces. The access aisle will be 24 feet wide. The applicant proposes that of the 14 parking spaces, 4 will be compact. Therefore, these standards have been satisfied. The parking aisle terminates at the northern edge of the property, with no area provided for the last parking space to turn around. This will need to be corrected on the final construction plans.

Bicycle Parking Location and Access:
Section 18.765.050 states bicycle parking areas shall be provided at locations within 50 feet of primary entrances to structures; bicycle parking areas shall not be located within parking aisles, landscape areas or pedestrian ways; outdoor bicycle parking shall be visible from on-site buildings and/or the street. When the bicycle parking area

is not visible from the street, directional signs shall be used to located the parking area; and bicycle parking may be located inside a building on a floor which has an outdoor entrance open for use and floor location which does not require the bicyclist to use stairs to gain access to the space. Exceptions may be made to the latter requirement for parking on upper stories within a multi-story residential building.

The site plan shows an area for bicycle racks. According to Table 18.765.2 of the Tigard Development Code, the minimum bicycle-parking requirement for an office use is 0.5 spaces per 1,000 square feet. Therefore, the proposed development is required to provide 3 bicycle rack spaces. The applicant has provided a detail of the bicycle rack that shows three parking spaces.

Bicycle Parking Design Requirements:
Section 18.765.050.C. The following design requirements apply to the installation of bicycle racks: The racks required for required bicycle parking spaces shall ensure that bicycles may be securely locked to them without undue inconvenience. Provision of bicycle lockers for long-term (employee) parking is encouraged but not required; bicycle racks must be securely anchored to the ground, wall or other structure; bicycle parking spaces shall be at least 2½ feet by six feet long, and, when covered, with a vertical clearance of seven feet. An access aisle of at least five feet wide shall be provided and maintained beside or between each row of bicycle parking; each required bicycle parking space must be accessible without moving another bicycle; required bicycle parking spaces may not be rented or leased except where required motor vehicle parking is rented or leased. At-cost or deposit fees for bicycle parking are exempt from this requirement; and areas set aside for required bicycle parking must be clearly reserved for bicycle parking only. Outdoor bicycle parking facilities shall be surfaced with a hard surfaced material, i.e., pavers, asphalt, concrete or similar material. This surface must be designed to remain well drained.

The applicant's bicycle rack design and location as shown on the site plan meet this standard.

Minimum Bicycle Parking Requirements:
The total number of required bicycle parking spaces for each use is specified in Table 18.765.2 in Section 18.765.070.H. In no case shall there be less than two bicycle parking spaces.

As discussed above, according to Table 18.765.2 of the Tigard Development Code, the minimum bicycle-parking requirement for an office use is 0.5 spaces per 1,000 square feet. Therefore, the proposed buildings will be required to provide a 3-stall bicycle rack.

Minimum Off-Street Parking:
Section 18.765.070.H states that the minimum and maximum parking shall be as required in Table 18.765.2.

Table 18.765.2 states that the minimum parking for General Office Uses is 2.7 spaces per 1,000 square feet. The applicant's proposal is for the building expansion and new building totaling 5,206 square feet. This will require 14 stalls. The site plan shows 14 stalls for this project. Staff had imposed a condition previously (regarding the amount of building frontage) that could increase the square footage of the existing building beyond the applicant's proposal, and consequently could increase the amount of required parking. Alternatively, if the applicant proposes to construct a wall structure to occupy the minimum frontage, the minimum parking will not be affected. This will need to be evaluated with the future revisions.

Off-Street Loading Spaces:
Commercial, industrial and institutional buildings or structures to be built or altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space as follows: A minimum of one loading space is required for buildings with 10,000 gross square feet or more; A minimum of two loading spaces for buildings with 40,000 gross square feet or more.

The sum area of both buildings is not greater than 10,000 square feet, therefore, the applicant is not required to provide a loading space.

FINDING: Based on the analysis above, the off-street parking and loading standards have not been fully satisfied, however, if the applicant complies with the conditions listed below, the standards will be met.

CONDITIONS:

- The compact parking spaces shall be marked as “compact” or with a large “C”.
- Wheel stops or curbs are required three feet from the end of the parking stall. A three foot overhang over a landscaped area or walkway beyond a 6 inch tall curb is acceptable if there is a minimum of 6 feet width remaining in the walkway.
- The parking lot aisle shall be extended to the end of the property past the last parking space to accommodate turn around movement.
- The applicant/owner shall submit a revised site plan that shows 3 bicycle rack spaces for the proposed building. An elevation detail showing the design of the bike rack is also required.
- Revise the van accessible ADA parking space to be 9 feet wide with an 8-foot aisle.
- Ensure that adequate parking is available for the total square footage of the buildings including any alterations that were required by this decision.

Signs (18.780):

Chapter 18.780.130.D lists the type of allowable signs and sign area permitted in the MUE Zoning District.

No signs have been formally proposed. Signs are reviewed through a separate permit process administered by the Development Services Technicians.

FINDING: Because signs will be reviewed and approved as part of a separate permit process, this standard has been satisfied.

Tree Removal (18.790):

Section 18.790.030 requires that a tree plan for the planting, removal and protection of trees prepared by a certified arborist shall be provided with a site development review application. The tree plan shall include identification of all existing trees, identification of a program to save existing trees or mitigate tree removal over 12 inches in caliper, which trees are to be removed, protection program defining standards and methods that will be used by the applicant to protect trees during and after construction.

The applicant has provided an arborist report addressing the trees on the property. There are 19 trees over 6 inches in diameter. There are only 3 trees greater than 12 inches in diameter. All three of these trees will be retained along the street as street trees. As such, no mitigation is required. The arborist’s tree plan included recommendations for tree protection that will need to be implemented prior to and during construction. Of greatest importance is the protection of the 12 inch trees along the street.

FINDING: The applicant’s tree plan meets the requirements of this chapter. The applicant’s arborist recommended protection measures that should be implemented to protect the trees on site.

CONDITION: Prior to site work, the applicant shall install 6 foot tall orange protective fencing on steel posts around the trees that will remain. During construction the methods outlined by the project arborist shall be employed. Namely, an arborist shall be on site to supervise any digging or trenching within 10 feet of the maple trees and six feet of the pines. The arborist’s recommendations shall be printed as requirements on the landscape and construction drawings.

Visual Clearance Areas (18.795):

Chapter 18.795 requires that a clear vision area shall be maintained on the corners of all property adjacent to intersecting right-of-ways or the intersection of a public street and a private driveway. A clear vision area shall contain no vehicle, hedge, planting, fence, wall structure, or temporary or permanent obstruction exceeding three (3) feet in height. The code provides that obstructions that may be located in this area shall be visually clear between three (3) and eight (8) feet in height (8) (trees may be placed within this area provided that all branches below eight (8) feet are removed). A visual clearance area is the triangular area formed by measuring a 30-foot distance along the street right-of-way and the driveway, and then connecting these two (2), 30-foot distance points with a straight line.

The applicant's site plan indicates that a clear vision area will be maintained between 3 and 8 feet in height at the vehicular access of the property.

FINDING: Based on the analysis above, the vision clearance standards have been met.

C. SPECIFIC SITE DEVELOPMENT REVIEW APPROVAL STANDARDS

Section 18.360.090(A)(2) through 18.360.090(A)(15) provides additional Site Development Review approval standards not necessarily covered by the provisions of the previously listed sections. These additional standards are addressed immediately below with the following exceptions:

The proposal contains no elements related to the provisions of the following and are, therefore, found to be inapplicable as approval standards:

18.360.090.3 (Exterior Elevations); 18.360.090.5 (Privacy and Noise: Multi-family or Group Living Uses); 18.360.090.6 (Private Outdoor Areas: Multi-family Use); 18.360.090.7 (Shared Outdoor Recreation Areas: Multi-family Use); 18.360.090.8 (100-year floodplain); and 18.360.090.9 (Demarcation of Spaces).

The following sections were discussed previously in this decision and, therefore, will not be addressed in this section:

18.360.090.4 (Buffering, Screening and Compatibility Between Adjoining Uses; 18.360.090.13 (Parking); 18.360.090.14 (Landscaping); 18.360.090.15 (Drainage); and 18.360.090.14 (Provision for the Disabled).

Relationship to the Natural and Physical Environment:
Buildings shall be: located to preserve existing trees, topography and natural drainage where possible based upon existing site conditions; located in areas not subject to ground slumping or sliding; located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire-fighting; and oriented with consideration for sun and wind. Trees shall be preserved to the extent possible. Replacement of trees is subject to the requirements of Chapter 18.790, Tree Removal.

The building is located on the site in accordance with the Washington Square Regional Center Design Standards. The site is not in an area identified as prone to sliding. The building has a 20-foot buffer from the nearest adjoining residential property, thus, providing adequate light and air circulation. The Building Division will require adequate fire protection per the Uniform Building Code. All the trees greater than 12 inches in diameter will be preserved.

FINDING: Based on the analysis above, this standard has been satisfied.

Crime Prevention and Safety:

A. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;
B. Interior laundry and service areas shall be located in a way that they can be

observed by others;

C. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;

D. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and

E. 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.

Windows are oriented towards the parking lot and the street. There are no laundry or service areas. Mail will be delivered to the suite occupants directly. No lighting plan was submitted to demonstrate compliance with the remainder of this standard.

FINDING: Based on the analysis above, this standard has not been met.

CONDITION: The applicant shall submit revised site/elevation plans that show light fixtures on the building and in the parking lot which will sufficiently illuminate the site.

Public Transit:
Provisions within the plan shall be included for providing for transit if the development proposal is adjacent to an existing or proposed transit route; the requirements for transit facilities shall be based on: the location of other transit facilities in the area; and the size and type of the proposal. The following facilities may be required after City and Tri-Met review: bus stop shelters; turnouts for buses; and connecting paths to the shelters.

The site has frontage on SW Locust Street, which is not on a Tri-met transit route, therefore, this standard does not apply.

FINDING: Based on the analysis above, this standard is satisfied.

Street And Utility Improvements Standards (Section 18.810):
Chapter 18.810 provides construction standards for the implementation of public and private facilities and utilities such as streets, sewers, and drainage. The applicable standards are addressed below:

Streets:

Improvements:
Section 18.810.030.A.1 states that streets within a development and streets adjacent shall be improved in accordance with the TDC standards.

Section 18.810.030.A.2 states that any new street or additional street width planned as a portion of an existing street shall be dedicated and improved in accordance with the TDC.

Minimum Rights-of-Way and Street Widths: Section 18.620.080.A, Tigard Triangle Street and Accessway Standards, requires a local street to have a 60-foot right-of-way width and a 36-foot paved section. Other improvements required may include on-street parking, sidewalks and bikeways, underground utilities, street lighting, storm drainage, and street trees.

This site lies adjacent to SW Locust Street, which is classified as a Major Collector in the City of Tigard Regional Center Plan for Washington Square. At present, there is approximately 40 feet of ROW on the north side of centerline, according to the most recent tax assessor's map. The applicant should dedicate the additional ROW to provide for 43.5 feet from centerline for a total of 87 feet of right of way width.

SW Locust is currently partially improved. In order to mitigate the impact from this development, the applicant should construct half-street improvements that meet the standards for a Major Collector.

Grades and Curves: Section 18.810.030.N states that grades shall not exceed ten percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet). Centerline radii of curves shall be as determined by the City Engineer.

The existing grades on Locust are much less than 12% and the half-street improvements will not change the vertical grades, therefore this criterion is met.

Sidewalks: Section 18.810.070.A requires that sidewalks be constructed to meet City design standards and be located on both sides of arterial, collector and local residential streets.

A 5-foot-wide curb-tight concrete sidewalk already exists along the frontage. The Washington Square Regional Center Standards require a 14 foot wide combination sidewalk/planter strip. The applicant will be required to reconstruct this sidewalk to meet this standard. The existing trees may be retained, if proper care is taken during the construction. If the trees are adversely impacted, then new street trees will be required.

Sanitary Sewers:

Sewers Required: Section 18.810.090.A requires that sanitary sewer 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.

Over-sizing: Section 18.810.090.C states that proposed sewer systems shall include consideration of additional development within the area as projected by the Comprehensive Plan.

The applicant has indicated the existing 4-inch sewer lateral will be adequate to serve the existing and proposed buildings.

Storm Drainage:

General Provisions: Section 18.810.100.A states requires developers to make adequate provisions for storm water and flood water runoff.

Accommodation of Upstream Drainage: Section 18.810.100.C states that 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. 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 2000 and including any future revisions or amendments).

There are no upstream drainage ways that impact this site.

Effect on Downstream Drainage: Section 18.810.100.D states that 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 2000 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 applicant's plans indicate that they will be providing on-site detention. The applicant's engineer will need to provide calculations with the PFI permit submittal for review and approval.

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.

Locust Street is a designated as a bicycle facility.

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.

There is no existing bike lane, and to provide one for such limited frontage would not contribute to the overall bicycle system capacity. The cost of the bike lane will be assessed for future installation as part of a larger LID project. By paying funds to the City for these improvements, the applicant will meet this criterion.

The amount of the striping would be as follows:

♦ 80 feet of 8-inch white stripe, at $2.50/lf	$200.00
♦ 2 Mono-directional reflective markers @ $4.00/ea	$ 8.00
♦ 1 Bike lane legends @ $175/ea	$175.00
♦ 1 Directional mini-arrows @ $100/ea	$100.00
	$483.00

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.

The Washington Square standard is for a 5 foot bicycle lane on a Major Collector street.

Utilities:

Section 18.810.120 states that all utility lines, 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:

- **The developer shall make all necessary arrangements with the serving utility to provide the underground services;**
- **The City reserves the right to approve location of all surface mounted facilities;**
- **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**
- **Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.**

Exception to Under-Grounding Requirement: Section 18.810.120.C states that a developer shall pay a fee in-lieu of under-grounding 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 under-grounding 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 under-grounding would result in the placement of additional poles, rather than the removal of above-ground utilities facilities. 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 a fee in-lieu of under-grounding.

There are existing overhead utility lines along the frontage of SW Locust Street. If the fee in-lieu is proposed, it is equal to $35.00 per lineal foot of street frontage that contains the overhead lines. The frontage along this site is 95.15 lineal feet; therefore the fee would be $3,330.25.

D. ADDITIONAL CITY AND/OR AGENCY CONCERNS WITH STREET AND UTILITY IMPROVEMENT STANDARDS:

Public Water System:

The Tualatin Valley Water District provides service in this area. The applicant has indicated that the proposed building will be served by the existing meter.

Storm Water Quality:
The City has agreed to enforce Surface Water Management (SWM) regulations established by the Unified Sewerage Agency (USA) Design and Construction Standards (adopted by Resolution and Order No. 00-7) 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 construction, the applicant shall submit 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.

The proposed unit from Stormwater Management is acceptable, provided the property owner agrees to hire the manufacturer (or approved equal) to provide the required maintenance of the unit. Prior to a final building inspection, the applicant shall demonstrate that they have entered into a maintenance agreement with Stormwater Management, or another company that demonstrates they can meet the maintenance requirements of the manufacturer.

Grading and Erosion Control:
USA 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 USA regulations, the applicant is required to submit an erosion control plan for City review and approval prior to issuance of City permits.

The Building Division, as a part of the site permit review, will review a grading/erosion control plan. An NPDES permit is not required.

Address Assignments:
The City of Tigard is responsible for assigning addresses for parcels within the City of Tigard and within the Urban Service Boundary (USB). 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 the site permit.

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. Prior to issuance of the site permit, 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.

E. IMPACT STUDY (18.390)

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

Section 18.390.040 states that the applicant shall provide an impact study to quantify the effect of development on public facilities and services. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standard, and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users.

In situations where the Community Development Code requires the dedication of real property interests, the applicant shall either specifically concur with a requirement for public right-of-way dedication, or provide evidence that supports that the real property dedication is not roughly proportional to the projected impacts of the development. Section 18.390.040 states that when a condition of approval requires the transfer to the public of an interest in real property, the approval authority shall adopt findings which support the conclusion that the interest in real property to be transferred is roughly proportional to the impact the proposed development will have on the public.

The applicant has provided an impact study addressing the project's impacts on public systems. The Washington County Traffic Impact Fee (TIF) is a mitigation measure that is required at the time of development. Based on a transportation impact study prepared by Mr. David Larson for the A-Boy Expansion/Dolan II/Resolution 95-61, TIF's are expected to recapture 32 percent of the traffic impact of new development on the Collector and Arterial Street system. The applicant will be required to pay TIF's of approximately $11,609 based on the use proposed.

Based on the estimate that total TIF fees cover 32 percent of the impact on major street improvements citywide, a fee that would cover 100 percent of this projects traffic impact is $36,278 ($11,609 divided by .32). The difference between the TIF paid, and the full impact, is considered the unmitigated impact on the street system. The unmitigated impact of this project on the transportation system is $24,669.

The applicant is required to dedicate 3.5 feet of additional right of way, across 95 feet of street frontage (332.5 square feet). The value of this dedication is approximately $4,987 (332.5 x $15/s.f.) In addition, the applicant shall reconstruct the street section to current standard at an approximate cost of $19,000 ($200 x 95 l.f.). The applicant is also required to contribute funds towards bike lane improvements in the amount of $483. As the value of the right of way, ½ street improvement and bike lane improvements is $24,470, less than the remaining unmitigated impact, it is clearly proportionate to exact these improvements

SECTION VII. OTHER STAFF COMMENTS

The City of Tigard Building Department has reviewed the proposal and has no objections.

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

The City of Tigard Urban Forester has reviewed the proposal and comments that the wire baskets shall be removed from the new plantings.

SECTION VIII. AGENCY COMMENTS

Clean Water Services has reviewed the proposal and has no additional comments.

Tualatin Valley Fire and Rescue has reviewed the proposal and offered the following comments:

1) Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (UFC Sec. 902.2.1)

2) Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams of approved turnarounds are available from the fire district. (UFC Sec. 902.2.2.4)

3) When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the Chief. (UFC Sec. 902.2.1 Exception 1)

4) Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (15 feet for one or two dwelling units and out buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. (UFC Sec. 902.2.2.1)

5) Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 50,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. Documentation from a registered engineer that the finished construction is in accordance with the approved plans or the requirements of the Fire Code may be requested. (Design criteria on back) (UFC Sec. 902.2.2)

6) The inside turning radius and outside turning radius shall be not less than 25 feet and 45 feet respectively, measured from the same center point. (UFC Sec. 902.2.2.3) – (See diagrams on back)

7) Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, “No Parking” signs shall be installed on one or both sides of the roadway and in turnarounds as needed. (UFC Sec. 902.2.4) Signs shall read “NO PARKING - FIRE LANE - TOW AWAY ZONE, ORS 98.810 - 98.812” and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have black or red letters and border on a white background. (UFC Sec. 901.4.5.1)

8) Where required, fire apparatus access roadway curbs shall be painted yellow and marked “NO PARKING FIRE LANE” at each 25 feet. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red or black on yellow background. (UFC Sec. 901.4.5.2)

9) The required fire flow for the building shall not exceed 3,000 gallons per minute (GPM) or the available GPM in the water delivery system at 20 psi, whichever is less. A worksheet for calculating the required fire flow is available from the Fire Marshal’s Office. (UFC Sec. 903.3)

10) No portion of the exterior of a commercial building shall be located more than 250 feet from a fire hydrant when measured in an approved manner around the outside of the building and along an approved fire apparatus access roadway. Any hydrants that are left over from the minimum number of hydrant calculations may be full filled by hydrants that are up to 500 feet from any point of the building. The fire Prevention Ordinance has further requirements that need to be used for acceptance and placement of fire hydrants. (UFC Sec. 903.4.2.1)

11) The minimum number of fire hydrants for a building shall be based on the required fire flow prior to giving credit for fire protection systems divided by 1500. If the answer is equal to or greater than x.5 the next whole number of hydrants shall be used. There shall not be less than 2 hydrants per building. (UFC Sec. 903.4.2.1)

Considerations for placing fire hydrants shall be as follows:

- Existing hydrants in the area may be used to meet the required number of hydrants; however, hydrants that are over 500 feet away from the nearest point of the subject building shall not contribute to the required number of hydrants.
- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants.
- Hydrants that are separated from the subject building by divided highway, freeway, or heavily traveled collector streets shall not contribute to the required number of hydrants.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Chief.
- Private hydrants or public hydrants that are on adjacent private property shall not contribute to the required number of hydrants for the subject building.

  Exception: The use of hydrants located on other private property may be considered if their locations and access are encumbered in a legal document (such as deed restriction) by the owners of the involved parcels of property. The encumbrance may be lifted only after approvals by the Chief on behalf of the fire department and any other governmental agencies that may require approval.
- When evaluating the placement of hydrants at apartment or industrial complexes the first hydrant(s) to be placed shall be at the primary access and any secondary access to the site. After these hydrants have been placed other hydrants shall be sited to meet the above requirements for spacing and minimum number of hydrants. (UFC Sec. 903.4.2.1.1)

12) Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway. (UFC Sec. 903.4.2.4)

13) Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (UFC Sec. 901.4.3)

14) A fire hydrant shall be located within 70 feet of a fire department connection (FDC). Fire hydrants and FDC's shall be located on the same side of the fire apparatus access roadway. (UFC Sec. 903.4.2.5) FDC locations shall be approved by the Chief. (1996 Oregon Structural Specialty Code, Sec. 904.1.1)

15) Approved fire apparatus access roadways and fire fighting water supplies shall be installed and operational prior to any other construction on the site or subdivision. (UFC Sec. 8704)

16) A building survey and plans, in accordance with TVF&R Ordinance 99-01, Appendix III-F, shall be submitted. A copy of Appendix III-F, the building survey form and the instructions are available on the Fire District web site at www.tvfr.com. (UFC Appendix III-F)

Please contact Eric McMullen at (503) 612-7010 with any additional questions.

SECTION IX. PROCEDURE AND APPEAL INFORMATION

Notice:

Notice was posted at City Hall and mailed to:
X The applicant and owners
X Owner of record within the required distance
X Affected government agencies

Final Decision:

THIS DECISION IS FINAL ON SEPTEMBER 9, 2004 AND BECOMES EFFECTIVE ON SEPTEMBER 24, 2004 UNLESS AN APPEAL IS FILED.

Appeal:
The decision of the Director (Type II Procedure) or Review Authority (Type II Administrative Appeal or Type III Procedure) is final for purposes of appeal on the date that it is mailed. Any party with standing as provided in Section 18.390.040.G.1. may appeal this decision in accordance with Section 18.390.040.G.2. of the Tigard Community Development Code which provides that a written appeal together with the required fee shall be filed with the Director within ten (10) business days of the date the notice of the decision was mailed. The appeal fee schedule and forms are available from the Planning Division of Tigard City Hall, 13125 SW Hall Boulevard, Tigard, Oregon 97223.

Unless the applicant is the appellant, the hearing on an appeal from the Director's Decision shall be confined to the specific issues identified in the written comments submitted by the parties during the comment period. Additional evidence concerning issues properly raised in the Notice of Appeal may be submitted by any party during the appeal hearing, subject to any additional rules of procedure that may be adopted from time to time by the appellate body.

THE DEADLINE FOR FILING AN APPEAL IS AT 5:00 PM ON SEPTEMBER 23, 2004.

Questions:
If you have any questions, please call the City of Tigard Planning Division, Tigard City Hall, 13125 SW Hall Boulevard, Tigard, Oregon at (503) 639-4171.

PREPARED BY: Morgan Tracy
Associate Planner
September 9, 2004
DATE

APPROVED BY: Richard H. Bewersdorff
Planning Manager
September 9, 2004
DATE

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