

## PLANNING COMMISSION STAFF REPORT TYPE III LAND USE PROPOSAL

This proposal was reviewed concurrently as a Type III design review and conditional use permit with four variances, a flood and slope hazard overlay review, and tree removal permit. The following exhibits, findings of fact, and conditions (bold text) explain the proposal and the proposed conditions of approval.

**DATE OF PUBLICATION:** September 15, 2023

**FILE NO.:** 23-020 DR/CUP/VAR/FSH/TREE

**PROJECT NAME:** Sandy Community Campus Park

**APPLICANT:** Lango Hansen

**OWNER:** City of Sandy

**PHYSICAL ADDRESS:** 17165 Meinig Avenue / 17225 Smith Avenue

**TAX MAP/LOTS:** portions of 24E13BD 00101 and 24E13BA 00200 and 00300

**ZONING DISTRICT DESIGNATIONS:** Medium Density Residential (R-2) and Parks and Open Space (POS)

**COMPREHENSIVE PLAN DESIGNATION:** Medium Density Residential and Parks and Open Space

**TABLE OF CONTENTS:**

<b>EXHIBITS .....</b>	<b>3</b>
<b>FINDINGS OF FACT.....</b>	<b>4</b>
<i>GENERAL FINDINGS .....</i>	<i>4</i>
<i>ZONING STANDARDS – Chapters 17.32, 17.38, and 17.80 .....</i>	<i>6</i>
<i>CONDITIONAL USES – Chapter 17.86 .....</i>	<i>8</i>
<i>DESIGN REVIEW – Chapter 17.90 .....</i>	<i>13</i>
<i>VARIANCES – Chapter 17.66.....</i>	<i>17</i>
<i>TRANSPORTATION – Chapter 17.84 .....</i>	<i>22</i>
<i>PARKING, LOADING, AND ACCESS REQUIREMENTS – Chapter 17.98.....</i>	<i>25</i>
<i>UTILITIES – Chapters 17.84 and 17.100.....</i>	<i>28</i>

*FLOOD AND SLOPE HAZARD OVERLAY DISTRICT – Chapter 17.66* ..... 30  
*URBAN FORESTRY – Chapter 17.102*..... 32  
*LANDSCAPING AND SCREENING – Chapter 17.92* ..... 34  
*EROSION CONTROL, NUISANCES, DARK SKIES, AND ACCESSORY  
DEVELOPMENT – Chapters 15.44, 15.30, and 17.74* ..... 36  
**RECOMMENDATION** ..... **38**  
**RECOMMENDED CONDITIONS OF APPROVAL**..... **39**

# EXHIBITS

## **Applicant's Submittals:**

Exhibit A. Land Use Application

Exhibit B. Project Narrative

Exhibit C. Civil Plan Set

- Sheet C1.00 – Demo and Erosion Control Plan
- Sheet C2.00 – Layout and Paving Plan
- Sheet C3.00 – Utility Plan
- Sheet C4.00 – Civil Details
- Sheet C4.01 – Civil Details

Exhibit D. Landscape Plans

Exhibit E. Lighting Plans

Exhibit F. Restroom Structure Plans

Exhibit G. Materials Cutsheets

Exhibit H. Stormwater Report and Geotech Report

Exhibit I. Traffic Impact Study

## **Agency Comments:**

Exhibit J. DKS Associates (received August 18, 2023)

Exhibit K. Sandy Area Metro Director (received August 23, 2023)

Exhibit L. Clackamas Fire District #1 (received August 23, 2023)

Exhibit M. Public Works Department (received August 23, 2023)

Exhibit N. SandyNet Director (received August 23, 2023)

## **Public Comments:**

Exhibit O. Janet Nelson (received September 6, 2023)

# FINDINGS OF FACT

## GENERAL FINDINGS

1. These findings are based on the applicant's submittal items received on June 22, 2023, with additional items received on July 21, 2023. The application was deemed complete on July 24, 2023. The 120-day deadline is November 21, 2023.
2. This report is based upon the exhibits listed in this document, including the applicant's submittals, agency comments, and public testimony.
3. This application is not subject to the moratorium on development adopted by City Council because the proposed restrooms are exempt per Section 4. m. of Resolution No. 2023-27.
4. The property has a Comprehensive Plan Map designation of Medium Density Residential and Parks and Open Space and a Zoning Map designation of Medium Density Residential (R-2) and Parks and Open Space (POS).
5. The proposal includes portions of three lots (24E13BD 00101 and 24E13BA 00200 and 00300) owned by the City of Sandy. The applicant states that the development area is approximately 10 acres in size. Staff did not calculate gross acreage or net acreage as there is no housing proposed and therefore no applicable density provisions.
6. The applicant, Lango Hansen, submitted a land use application on behalf of the property owner, the City of Sandy Parks and Recreation Department, to construct an approximately 10-acre area known as The Community Campus Park. This park is proposed on the land formerly owned by the Oregon Trail School District that provided athletic fields for the former location of Cedar Ridge Middle School.

The proposed park improvements include a new skate park, a large pump track for bicycles, an inclusive play area, extensive walking paths, restrooms, two picnic shelters, and grass fields. The park will also include new onsite parking and a direct trail connection to the adjacent Sandy River Park. The City of Sandy is also proposing to enhance Meinig Avenue and complete paving and pedestrian improvements to Scenic Street. The proposed park development is a direct response to the previous planning work and public outreach efforts that were conducted, including an extensive site planning exercise conducted in 2018. Using that planning work as a foundation, the 2022 Amended Parks and Trails Master Plan Update generated specific recommendations for the development of the Community Campus site.

The applicant is also requesting a conditional use permit for a park to be developed on the property zoned as Medium Density Residential (R-2) in accordance with Section 17.38.20 (B)(1) of the Sandy Development Code. The conditional use permit will be reviewed with the criteria and compatibility factors in Section 17.68.20.

The applicant is also requesting the following four variances:

- a. Type III Special Variance to Section 17.84.30 to not provide a sidewalk along the west side of the right-of-way of Meinig Avenue and instead construct a pathway in the proposed park to provide similar pedestrian access and connection to Scenic Street.
  - b. Type III Special Variance to Section 17.84.30 to include a curb-tight sidewalk and to not provide a sidewalk along the south side of the right-of-way of Scenic Street from the eastern terminus of the right-of-way to a point 77 feet to the east, and instead connecting the sidewalk to a pathway in the proposed park.
  - c. Type III Special Variance to Section 17.90.120 (A)(3) to locate the proposed parking lot in front of the proposed picnic shelter and restrooms, instead of to the rear or side of the proposed buildings.
  - d. Type III Special Variance to Section 17.90.120 (C)(4) to not include secondary roof forms on the two proposed shelters.
7. The City of Sandy completed the following notices:
- a. A transmittal was sent to agencies asking for comment on August 8, 2023.
  - b. Notification of the proposed application was mailed to affected property owners within 500 feet of the subject property on August 8, 2023.
  - c. A legal notice was published in the Sandy Post on September 6, 2023.
  - d. A Facebook post about the public hearing is scheduled for September 20, 2023.
8. Agency comments were received from DKS Associates (City Transportation Engineer), Sandy Area Metro, Clackamas Fire District #1, the Public Works Department, and SandyNet.
9. At publication of this staff report, one written public comment (Exhibit O) had been received. The primary concern in the letter is regarding park amenity and improvement needs, such as providing a recreation area for soccer, baseball, volleyball, football, and walking.

## **ZONING STANDARDS – Chapters 17.32, 17.38, and 17.80**

### **17.32 – Parks and Open Space (POS)**

10. A portion of the subject property is zoned Parks and Open Space (POS). Resolution 2018-35 annexed 38.05 acres and zoned it as POS. While this land is still located outside the Sandy UGB, it is located inside the city limits and therefore review of the proposed park is processed by the Sandy Planning Division. As stated in Resolution 2018-35, the applicable parkland is an expansion of the Sandy River Park. Section 17.32.40 states, “that development of the Sandy River Park is guided by and limited to the uses identified in the Sandy River Park Master Plan dated June 3, 2010, and any future Sandy River Park Master Plan amendments adopted by the City Council. The primary uses specified in the plan include hiking, nature study, habitat restoration, and the construction of a trail system to facilitate these uses. Accessory structures identified in the plan include installation of interpretative signage, benches, picnic tables, restroom facilities, and limited parking.” These park development limitations are due to the parkland in this situation being located outside the Sandy UGB. The proposed amenities in the area located outside the UGB are limited to pathways for people and bicycles (pump track), benches, picnic tables, and landscaping. All of the proposed amenities on the land zoned as POS and located outside the Sandy UGB meet the restrictions as imposed by Section 17.32.40. In October 2022, the City asked the County Planning Division for comments, and the County Planning Director stated they had no comments as the property is annexed into Sandy.
11. There are no proposed structures in the land zoned as Parks and Open Space (POS) so there is no evaluation needed for setbacks or building height.

### **17.38 – Medium Density Residential (R-2)**

12. The subject site has approximately 10.5 acres of Medium Density Residential (R-2), but a portion of that area has structures for the former Cedar Ridge Middle School and Olin Y. Bignall Aquatic Center, and is being redeveloped as a separate project, not subject to this review. The proposal is for the development of a park known as the Sandy Community Campus Park. Parks are a community service per the definition for community service in Chapter 17.10 of the Sandy Development Code. Since parks are a community service use, the park must receive approval through a conditional use permit.
13. The density range for the R-2 zoning district is a minimum of eight units and a maximum of 14 units per net acre. This land use application does not contain any residential development, so the density standards are not applicable.
14. The setbacks for the R-2 zoning district are listed in Section 17.38.30 as 10 feet for the front yard, 15 feet for the rear yard, 5 feet for the interior side yard, and 10 feet for the exterior side yard (corner lot). As explained in a later section review in this document, Chapter 17.80 requires all structures to be setback at least 20 feet on collector and arterial streets. The applicant is proposing at least 120 feet to the closest lot line in compliance with the Sandy Development Code.

15. The maximum building height in the R-2 zoning district is 35 feet to the mid-point of the gable. The maximum proposed height of the structures to the peak of the roof is 14 feet (Exhibit F), which is far below the maximum height of 35 feet.

**17.80 – Setbacks on Arterial and Collector Streets**

16. Chapter 17.80 requires all structures to be setback at least 20 feet on collector and arterial streets. Meinig Avenue is classified as a collector street. Scenic Street is classified as a local street. The Plan Set (Exhibit C, Sheet C2.00) details the structures further away than 20 feet from Meinig Avenue in conformance with Chapter 17.80.

## **CONDITIONAL USES – Chapter 17.86**

17. The applicant has requested a Type III Conditional Use Permit to construct “community services” on land zoned Medium Density Residential (R-2) per Section 17.38.20 (B)(1). The specific community service is a park. To approve the conditional use permit the application shall meet the review criteria A. through F. in Section 17.68.20. The Planning Commission may approve an application, approve with modifications, approve with conditions, or deny an application for a conditional use permit after a public hearing. The applicant must submit evidence substantiating that all requirements of this code relative to the proposed use are satisfied and consistent with the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.
18. Section 17.68.20(A) requires the use to be listed as a conditional use in the underlying zoning district or be interpreted to be similar in use to other listed conditional uses. A portion of the subject property is zoned Medium Density Residential (R-2). The proposal is for the development of a park known as the Sandy Community Campus Park. Parks are a community service per the definition for community service in Chapter 17.10 of the Sandy Development Code. **Criterion A is met.**
19. Section 17.68.20(B) requires the characteristics of the site to be suitable for the proposed use considering the size, shape, location, topography, and natural features. The portion of the site that is zoned as Medium Density Residential is immediately adjacent to property zoned as POS as well as adjacent to the Sandy River Park and the Sandy River. Being surrounded by a forest of mature Douglas fir and big leaf maple trees, the proposed site is ideally situated for parkland development. The site will soon have direct trail connections down to the Sandy River, creating a pedestrian connection from downtown Sandy to the Sandy River. Additionally, due to the existing topography of the site a majority of the site is below the grade of the adjacent residential properties to the east and south. **Criterion B is met.**
20. Section 17.68.20(C) requires the use to be timely considering the adequacy of the transportation systems, public facilities and services existing or planned for the area affected by the use. The site is currently accessed from Meinig Avenue. The development of the park will include upgrades and improvements to the surrounding streets, including Meinig Avenue and Scenic Street. Streetlights are proposed for installation on both streets to bring the illumination levels up to current City standards. The existing storm line and sanitary line have sufficient capacity to serve the proposed improvements at the park. This application is not subject to the moratorium on development adopted by City Council because the proposed restrooms are exempt per Section 4. m. of Resolution No. 2023-27. Water and electrical connections will be provided from existing services located in the Scenic Street right-of-way. **Criterion C is met.**
21. Section 17.68.20(D) specifies the proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of surrounding properties for the primary uses listed in the underlying zoning district. The



proposed improvements at the park will greatly enhance the surrounding area and will not limit, preclude, or impair the use of the surrounding properties for the primary uses listed in the underlying zoning districts. The surrounding lots to east of the park have been developed largely as residential with the exception of one institutional facility, the Community Church of Sandy. Additionally, this park will help fulfill a neighborhood park need in this area of Sandy that was identified in the 2022 Parks and Trails Master Plan Update. This park will function as both a community park and as the first neighborhood park in the northeast quadrant of Sandy. Finally, while the future of the adjacent Cedar Ridge Middle School facility located to the south is still being determined, the development of the park will directly serve future development of that area. **Criterion D is met.**

22. Section 17.68.20(E) specifies the proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other considerations which may be injurious to the public health, safety, and welfare. The proposed development will not create public nuisance, but instead will be a great asset for the neighborhood and the city. The existing skate park will be replaced with a modern facility that meets the needs of today's users. The park includes an accessible trail network, active and passive recreation opportunities, an inclusive play area, a picnic shelter, and many more amenities. Each of these park improvements directly contribute to the park's ability to meet the goals of the Oregon Parks and Recreation District Statewide Comprehensive Outdoor Recreation Plan and provide safe opportunities for the public to be active and experience the natural environment. Additionally, the development only involves the removal of seven (7) trees for development of Scenic Street and to install walkways and other site amenities. The surrounding forest will be kept completely intact. **Criterion E is met.**
23. Section 17.68.20(F) requires the proposed use to be reasonably compatible with existing or planned neighboring uses based on review of 10 factors as listed below in F.1 through F.10.
24. Section 17.68.20(F.1) Basic site design (organization of uses on the site) - The proposed park will blend the existing residential neighborhood with the larger natural spaces that surround the park property. The park will serve as a neighborhood destination to recreate and experience nature as well as a gateway to the Sandy River Park. The more active uses including the parking lot, picnic shelter, and restrooms have been located closer to the street and away from the existing forest. The project process to design the park included significant public outreach, including three public open houses, focused open houses for members of Sandy Vista and for seniors, two public surveys, and a series of targeted outreach meetings focusing on the design of the skate park, pump track, and jump line. **Criterion F.1 is met.**
25. Section 17.68.20(F.2) Visual elements (scale, structural design and form, materials, and so forth) - The materials and colors of the site structures, site amenities, playground elements, and skate park features will blend seamlessly with the natural environment, with priority given to natural colors. The colors selected for the board and batten siding and for the metal

roof will conform with those outlined in Appendix C and Appendix D, Color Palettes.

**Criterion F.2 is met.**

26. Section 17.68.20(F.3) Noise - The proposed use is compatible with that of adjacent properties therefore it is reasonable to conclude any noise generated from the use will be compatible with existing neighboring development. Noise from the park will be largely buffered by the grade separation between many of the main park features and the surrounding neighborhood. **Criterion F.3 is met.**
27. Section 17.68.20(F.4) Noxious odors - The proposed use is similar to that of adjacent properties therefore it is reasonable to conclude any noxious odors generated from the use will be compatible with existing neighboring development. **Criterion F.4 is met.**
28. Section 17.68.20(F.5) Lighting - The applicant's Street Photometric (Exhibit E, Sheet 2.1) details street lighting photometrics for two new light poles. One of the new light poles is proposed on Scenic Street to the northwest of the proposed driveway and the second new light pole is located on Meinig Avenue to the east of the parking lot. **The applicant shall submit street lighting details with the construction plans for City staff review and approval. Street lighting shall not use a central photo sensor in the power pedestal and each light shall be installed with Uvicell controllers to match City's lighting system.** Chapter 15.30 requires that on-site lighting is full cut-off, does not exceed 4,125 Kelvins, and does not exceed 0.25-foot candles at 10 feet beyond the property lines. The applicant submitted Lighting Plan (Exhibit E) details several different lighting fixture types. The applicant submitted a Park Electrical and Photometric (Exhibit E, Sheet E1.1) that details foot candles. The on-site foot candles do not exceed 0.05-foot candles at 10 feet beyond the property line along Meinig Avenue, however, the foot candle imagery is not complete along the property line along Scenic Street. **The applicant shall submit a revised Photometric Plan (Exhibit L, Sheet E1.2) detailing foot candles 10 feet beyond the property boundary along Scenic Street, not exceeding 0.25-foot candles. The applicant shall also submit lighting fixture cut sheets detailing all on-site lighting as full cut-off and not exceeding 4,125 Kelvins.** The conditions related to lighting are critical to adhere to in order for the proposal to be in compliance with the City of Sandy lighting standards. **Criterion F.5 is met so long as the recommended conditions of approval are included with the decision.**
29. Section 17.68.20(F.6) Signage – Signage is not reviewed with the land use application but is instead reviewed with a sign permit through a separate procedure. **The applicant shall obtain a permit for any proposed signage.** The proposal can comply with signage regulations. **Criterion F.6 is met**
30. Section 17.68.20(F.7) Landscaping for buffering and screening - The landscaping in the park will consist largely of native plants and trees that will help integrate the park into the existing wooded setting. Large patches of existing blackberries will be removed and replanted with native and climate adapted grasses and shrubs. The submitted Landscape Plans (Exhibit D) details trees at an appropriate spacing per the development code, except an additional tree needs to be planted to the southwest of Scenic Street and two trees

planted to the south of the driveway on Meinig Avenue. Staff also recommends that four additional street trees are planted along Meinig Avenue alternating the five proposed Homestead elms. **The applicant shall revise the Landscape Plan (Exhibit D) to detail six additional street trees along Meinig Avenue and one additional street tree along Scenic Street.** The applicant is proposing three different shrub and groundcover varieties at one gallon, two gallon, and five gallon in compliance with Section 17.92.50. However, the submitted landscape plans do not detail the locations of different shrubs and grasses, and instead uses blanket variety indicators. **The applicant shall submit revised Landscape Plans (Exhibit D) detailing the locations of the different shrubs and grasses on the property, instead of the blanket variety indicators.** Having appropriate shrubs and bushes around the park, especially by property lines is important for creating buffers/screening to residential areas adjacent to the park. **Criterion F.7 is met so long as the recommended conditions of approval are included with the decision.**

31. Section 17.68.20(F.8) Traffic - The proposed park would result in 17 PM peak hour vehicle trips, 40 Saturday peak hour trips, and 50 Saturday peak hour trips when an event is occurring at the park. According to the City Transportation Engineer (Exhibit J) all study intersections will operate at an acceptable v/c ratio and level of service during the 2025 weekday PM peak hour, Saturday peak hour, and Saturday event peak hour under future conditions even with the development of the park. Left-turn lane warrants for both of the proposed driveways and the intersection of Meinig Avenue and Pleasant Street are not projected to be met under buildout year 2025 so no left-turn lanes are necessary or recommended. Traffic signal warrants were examined to determine whether the installation of a new traffic signal will be warranted, but no signalization of the unsignalized study intersections is necessary or recommended. Approximately 75 percent of vehicles traveling to the park are projected to use the Meinig Avenue driveway and 25 percent of vehicles traveling to the park are projected to use the Scenic Street driveway. **Criterion F.8 is met.**
32. Section 17.68.20(F.9) Effects on off-street parking - Section 17.98.20 contains off-street parking requirements; however, the Sandy Development Code does not contain any required off-street parking for park development. Staff asked the applicant and the applicant's traffic consultant to complete off-street parking analysis. The Traffic Impact Study from Lancaster Mobley (Exhibit I) states that the proposed park will include 40 on-site parking spaces, but the site plan details 43 parking spaces. To estimate the parking demand that could be generated by the proposed development, parking generation rates from the *ITE Parking Generation Manual* 5th Edition were used. The City Transportation Engineer (Exhibit J) states that based on the analysis from the applicant there are adequate parking spaces available to accommodate the anticipated parking demand. **Criterion F.9 is met.**
33. Section 17.68.20(F.10) Effects on air quality and water quality - The proposed improvements will not adversely affect air and water quality. The applicant's narrative (Exhibit B) states, "Currently, the site does not have any stormwater facilities to treat stormwater runoff from impervious surfaces. The runoff from the existing track, for example, is sent untreated directly to the adjacent creek. The proposed park will treat and detain all stormwater runoff from impervious surfaces before being released into the

adjacent stream.” The project will comply with all applicable state and federal environmental standards. **Criterion F.10 is met.**

## **DESIGN REVIEW – Chapter 17.90**

34. The proposal is subject to all the requirements for Design Review as stated in Section 17.90.00. Section 17.90.120 includes design standard requirements in the General Commercial (C-2) and Industrial Park (I-1) zoning districts, and in non-residential uses in residential zones. In addition, Section 17.32.60 states that park improvements shall comply with Chapter 17.90 design standards.
35. Section 17.90.70 specifies that **design review approval shall be void after two (2) years from the date of the Final Order unless the applicant has submitted plans for building permit approval.**
36. Section 17.90.120(A) contains site layout and vehicle access standards intended to provide for compact, walkable development, and to design and manage vehicle access and circulation in a manner that supports pedestrian safety, comfort, and convenience. The proposed layout provides a compact and walkable development site.
37. Section 17.90.120(A)(3) requires that off-street parking shall be located to the rear or side of buildings with no portion located within 10 feet of the public right-of-way. The applicant is not proposing a building between the parking lot and the public right-of-way. This is reviewed as a special variance in the variance section of this document.
38. Section 17.90.120(A)(5) and (8) require raised or painted pedestrian crossings in parking lots. **The applicant shall revise the plan set to detail a driveway apron or other delineated pedestrian crossing at the driveway on Meinig Avenue that connects the sidewalks on each side of the driveway.**
39. Section 17.90.120(A)(11) requires free standing buildings on a site to connect to one another with a seamless pedestrian network to building entrances and civic spaces. The applicant's Plan Set (Exhibit C) details a well-connected pedestrian environment with walkways between the two buildings, along a portion of the parking lot, and to the public sidewalks on Meinig Avenue and Scenic Street.
40. Section 17.90.120(B) contains standards regarding building facades, materials, and colors intended to be consistent with the Sandy Style. Section 17.90.110(B)(1) requires that buildings be articulated, varied, provide visual interest, and divided into distinct planes of no more than 40 lineal feet. The proposed restroom structure (Exhibit F) only includes walls around the restrooms, but the remainder of the structure is open to the outside air with only support posts. The total wall plane is 16 feet 8 inches by 16 feet 8 inches for a total of 278 square feet. The second structure is for covered seating and does not include walls. No walls exceed 40 feet in length and therefore the proposal meets the code for articulation. Variations include stone base, heavy timbers with brackets, and board and batten siding.
41. Section 17.90.120(B)(2) requires that buildings incorporate pedestrian shelters over primary building entrances. Pedestrian shelters shall extend at least five feet over the pedestrian area. The proposal includes a covered area approximately 7 feet 6 inches over

the entrance to the two restrooms in compliance with the code for pedestrian shelters over entrances.

42. Section 17.90.120(B)(3) specifies approved building materials. Section 17.90.110(B)(3)(b) requires buildings to include strong base materials such as natural stone, split-faced rusticated concrete block, or brick on all sides of a building visible from an abutting public street. A building's base must extend at least 36 inches but not more than 60 inches above the adjacent finished grade and be included on those sides of the building visible from the abutting public street. The proposed restroom structure (Exhibit F) details a 36-inch-high stone base on all four elevations of the restroom structure. The applicant is not proposing a stone base at the individual support columns for either of the buildings. The stone base appears to be a ledgerstone finish. **The applicant shall revise the elevations to detail the stone base at the base of all support columns for both of the structures and shall choose a dressed fieldstone finish for consistency with other City property.**
43. Section 17.90.120(B)(3)(d) contains approved siding. The applicant is proposing board and batten siding around the restrooms. Where board and batten are used, the battens shall be a minimum of two inches wide by one-inch deep and spaced 24-inches apart or closer. The applicant detailed the battens as one-inch deep by three-inches wide and spaced 16-inches on-center.
44. Section 17.90.120(B)(3)(e) requires that building elevations facing a public street incorporate at least three architectural features from the list in Section 17.90.110(B)(3)(e). The gabled ends of the structures include stone base, heavy timbers with brackets, and covered areas for pedestrians. **The applicant shall submit additional details for the second building without the restroom, mimicking the design elements on the building in Exhibit F.**
45. Section 17.90.120(B)(4) specifies approved colors. The applicant stated that the siding colors will conform to the Sandy Style. **The applicant shall submit revised Elevations (Exhibit F) detailing colors in compliance with Appendix C of the Sandy Development Code for staff review and approval.**
46. Section 17.90.120(C) requires gable roofs on new buildings with a primary roof form slope of at least 6:12 and a secondary roof form slope of at least 4:12. Both proposed buildings will have gabled roofs with a primary roof slope of 6:12 in compliance with Section 17.90.110(C)(1).
47. Section 17.90.120(C)(4) requires secondary roof forms based on roof length. The applicant is not proposing any secondary roof forms. This is reviewed as a special variance in the variance section of this document.
48. Section 17.90.120(C)(5) requires visible roof materials to be wood shingle or architectural grade composition shingle, slate, or concrete tile. The applicant is proposing metal roofing. **The applicant shall revise the Elevations (Exhibit F) detailing the roof color in**

**compliance with Appendix D of the Sandy Development Code for staff review and approval.**

49. Section 17.90.120(D) contains standards regarding building orientation and entrances intended to maintain and enhance downtown and village commercial streetscapes as public spaces by emphasizing a pedestrian scale and character consistent with the Sandy Style; and to provide for a continuous pedestrian network that promotes pedestrian safety, comfort and convenience, and provides materials and detailing consistent with the Sandy Style. The site development is for a park and is not located in the downtown nor a village commercial area.
50. Section 17.90.120(D)(1) requires at least 50 percent of the subject site's street frontage to be comprised of building(s) placed within 20 feet of the sidewalk or an approved civic space. The applicant is not proposing any buildings within 20 feet of any sidewalk. This is reviewed as a special variance in the variance section of this document.
51. Section 17.90.120(D)(6) specifies that buildings shall provide at least one elevation where the pedestrian environment is "activated." An elevation is "activated" when it meets the window transparency requirements in Subsection 17.90.120(E) and contains a customer entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway, or civic space. The proposed restroom structure (Exhibit F) only includes walls around the restrooms, but the remainder of the structure is open to the outside air with only support posts. The second structure is for covered seating and does not include walls. Because of these uses, windows are not proposed in the buildings. However, staff finds the intent of Section 17.90.120(D)(6) is met as the gabled ends of the structures include stone base, heavy timbers with brackets, and covered areas for pedestrians.
52. Section 17.90.120(D)(7) specifies primary entries shall face a public street or a civic space and shall be spaced not more than 30 feet apart on average. There is no primary entrance to anything other than restrooms, therefore this standard is not applicable to this development.
53. Section 17.90.120(E) contains standards for construction and placement of windows. The intent of windows is to promote business vitality, public safety, and aesthetics through effective window placement and design. Section 17.90.110(E)(2) states that the ground floor elevation of all new buildings shall contain display areas, windows, and doorways along street frontages and where the building abuts a civic space. The proposed restroom structure (Exhibit F) only includes walls around the restrooms, but the remainder of the structure is open to the outside air with only support posts. The second structure is for covered seating and does not include walls. Because of these uses, windows are not proposed in the buildings.
54. Section 17.90.120(G) contains standards for civic spaces on development sites. The site development is a park that includes a large seating area, play area, skate park, pump track, and walking trails. Since the entire site acts as one large civic space, staff did not analyze civic space.

55. Section 17.90.120(H) contains standards regarding lighting. **The applicant shall follow all Dark Sky Ordinance requirements as outlined in Chapter 15.30 of this document.**
56. Section 17.90.120(I)(3) requires street address numbers. **The applicant shall provide street address numbers measuring a minimum of six (6) inches high and of contrasting color, which clearly locate the park for patrons and emergency services. The applicant shall verify the location of the address with the Building Official and emergency service providers.**
57. Section 17.90.120(J) contains standards regarding external storage and screening intended to promote land use compatibility and aesthetics, particularly where development abuts public spaces. The park will have trash and recycling cans for park users to deposit items into, but no garbage or recycle enclosure will be located at the site as parks maintenance staff will complete routine trash and recycling collection.
58. The submitted plans do not detail mechanical, electrical, or communications equipment. The narrative (Exhibit C) states the following: “Mechanical, electrical, communications equipment including meters and transformers, and service and delivery entrances and garbage storage areas will be screened from view from public rights-of-way and civic spaces.” Per Section 17.90.110(J.3), mechanical, electrical, communications equipment including meters and transformers, and service and delivery entrances and garbage storage areas shall be screened from view from public rights-of-way and civic spaces. **The applicant shall revise the plan set to detail the location of mechanical, electrical, and communications equipment and the proposed screening method for staff review and approval.**



## **VARIANCES – Chapter 17.66**

59. All four variances are being reviewed as special variances in accordance with Section 17.66.80. The applicant requested the following four (4) variances:
- A. Type III Special Variance to Section 17.84.30 to not provide a sidewalk along the west side of the right-of-way of Meinig Avenue and instead construct a pathway in the proposed park to provide similar pedestrian access and connection to Scenic Street.
  - B. Type III Special Variance to Section 17.84.30 to include a curb-tight sidewalk and to not provide a sidewalk along the south side of the right-of-way of Scenic Street from the eastern terminus of the right-of-way to a point 77 feet to the east, and instead connecting the sidewalk to a pathway in the proposed park.
  - C. Type III Special Variance to Section 17.90.120 (A)(3) to locate the proposed parking lot in front of the proposed picnic shelter and restrooms, instead of to the rear or side of the proposed buildings.
  - D. Type III Special Variance to Section 17.90.120 (C)(4) to not include secondary roof forms on the two proposed shelters.
60. To be granted a Type III Special Variance, the applicant must meet one of the following criteria in Section 17.66.80:
- A. The unique nature of the proposed development is such that:
    - 1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
    - 2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
  - B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
  - C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

### **Variance A: Not provide a sidewalk in the Meinig Avenue right-of-way**

61. The applicant requested a Type III Special Variance to Section 17.84.30(B) to not provide a sidewalk in the Meinig Avenue right-of-way.
62. Staff believes the requested variance to Section 17.84.30(B) to not provide a sidewalk on the west side of Meinig Avenue meets Criterion A of Section 17.66.80. There is a

continuous existing sidewalk on the east side of Meinig Avenue that provides a continuous pedestrian connection from Idleman Street to Scenic Street. A typical street improvement with development of a site, such as the proposed park site, would require the installation of sidewalk along the west side of Meinig Avenue. Due to the existing steep slopes on the west side of Meinig Avenue, extensive regrading and retaining walls would be required to locate a new sidewalk in the public right-of-way. Grading and installation of the retaining wall would require complete removal of all existing trees and create no physical separation between Meinig Avenue and the park site. Instead of requiring a six-foot wide sidewalk along the west side of Meinig Avenue, the applicant is proposing an eight-foot-wide paved pedestrian walkway that connects from the intersection of Meinig Avenue and Idleman Street directly with the central pedestrian plaza in the park. This proposed walkway continues north and makes a direct connection to the proposed sidewalk on Scenic Street. This alternative walkway meets the intent and purpose of the regulations to provide sidewalk connectivity. The location of the walkway in the park provides more direct access to site amenities and provides a more pedestrian friendly experience by creating a greater separation between the pedestrian environment and the vehicular traffic on Meinig Avenue. Not installing the sidewalk on the west side of Meinig Avenue also allows for the preservation of several large existing trees. The one downside to not requiring the sidewalk is that motorists using the on-street parking on the west side of Meinig Avenue will have no sidewalk to accommodate them as pedestrians after they park their vehicle. However, staff finds that tree retention and maintaining the existing buffer between the park property and Meinig Avenue has a greater benefit than installation of the sidewalk. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.

63. For the reasons discussed, **City staff recommends that the Planning Commission approve the requested special variance to not require a sidewalk in the Meinig Avenue right-of-way.**

Variance B: Not provide a planter strip between the sidewalk and curb in the Scenic Street right-of-way and not provide a sidewalk along a portion of the south side of the right-of-way of Scenic Street

64. The applicant requested a Type III Special Variance to Section 17.84.30(A) to not provide a sidewalk separated from the curb with a planter strip and to not provide a sidewalk along the south side of the right-of-way of Scenic Street from the eastern terminus of the right-of-way to a point 77 feet to the east.
65. Staff believes the requested variance to Section 17.84.30(A) to not provide a sidewalk separated from the curb with a planter strip and to not provide a sidewalk along the south side of the right-of-way of Scenic Street from the eastern terminus of the right-of-way to a point 77 feet to the east meets Criterion A of Section 17.66.80. The proposed public sidewalk on the south side of Scenic Street is not proposed to extend to the west terminus of the right-of-way, and the applicant is not proposing any pedestrian or vehicular connections from the west end of Scenic Street into the park. Instead of extending the

sidewalk for the entire length of Scenic Street, the applicant proposes connecting the sidewalk to an eight-foot pedestrian walkway in the park. The lack of connection from the street right-of-way to the park amenities concerns staff as most pedestrians and bicyclists choose the shortest path from their point of origin to their destination. If no walkway or sidewalk is extended from the west terminus of Scenic Street, then staff believes there is a high likelihood that pedestrians and bicyclists will create their own path through proposed landscaping. In order to minimize user made paths that destroy landscaping, staff recommends that additional trees and shrubs are planted around Scenic Street to the west of where the sidewalk is proposed to terminate. **The applicant shall submit revised Landscape Plans (Exhibit D) detailing the locations of additional trees and shrubs around Scenic Street to the west of where the sidewalk is proposed to terminate to reduce the opportunity for user made paths to the park.**

In addition, the required five-foot wide planter strip along Scenic Street is not being proposed and the applicant is instead proposing a curb tight sidewalk. The removal of the planter strip is being proposed by the applicant for several reasons. First, locating the planter strip at the back of curb would push the sidewalk further south. The existing grades would require a significant regrading effort to construct the sidewalk in this location. This regrading would lead to the loss of additional onsite trees that are currently proposed for preservation. Second, planting the street trees at the back of sidewalk contiguous with the larger park planting area will allow for a more diverse selection of trees, shrubs, and ground cover plants to be used in this area. Third, the traffic volumes on Scenic Street will be very low and as such the applicant believes that pedestrian and vehicular conflicts will be minimal. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.

66. For the reasons discussed, **City staff recommends that the Planning Commission approve the requested special variance to not provide a sidewalk separated from the curb with a planter strip and to not provide a sidewalk along the south side of the right-of-way of Scenic Street from the eastern terminus of the right-of-way to a point 77 feet to the east, with the condition to require additional trees and shrubs around Scenic Street to the west of where the sidewalk is proposed to terminate to reduce the opportunity for user made paths to the park.**

Variance C: Locate the proposed parking lot in front of the proposed picnic shelter and restrooms

67. The applicant requested a Type III Special Variance to Section 17.90.120(D) to not provide 50 percent of the subject's site frontage with buildings and to exceed 20 percent of the subject site's off-street parking in-between the proposed buildings and the adjacent streets.
68. Staff believes the requested variance to Section 17.90.120(D) to not provide 50 percent of the subject's site frontage with buildings and to exceed 20 percent of the subject site's off-street parking in-between the proposed buildings and the adjacent streets meets Criterion A of Section 17.66.80. The applicant states that there are several key reasons that the parking lot was located between the proposed shelter with the restroom and the right-of-way. The

applicant stated the following, “By locating the parking lot in this way, much less of the site is dedicated to the parking lot, drive aisles and the driveways. More of the site is able to be developed as parkland and provide additional amenities for the public. Additionally, this location eliminates pedestrian and vehicular conflicts because the pedestrian path does not have to cross through the parking lot or the driveways. Pedestrians are able to access the entire site without crossing the parking lot or a driveway. Finally, the current site layout allows for the picnic shelter and restroom facility to be more centrally located and provides greater usability for the entire park.” The proposed use is not residential, commercial, or industrial in nature, but primarily for outdoor recreation. The proposed site improvements do not include a large structure for indoor recreation and therefore it is impossible to meet the code provision to provide 50 percent of the subject’s site frontage with buildings. The intent of locating a building along the street frontage is to provide building massing along the right-of-way instead of parking surface, which is especially important in commercial areas and residential areas where pedestrians are commonly accessing the site from the sidewalk. The proposed park site is entirely being constructed for pedestrian use. If the applicant located the parking lot further west on the site it would encroach further into the FSH Overlay and as the applicant correctly states would bisect the park amenities and create more conflicts between park users and vehicles. Staff finds that the proposed location of the parking lot and two small buildings are appropriate on the site. Also, a large portion of the parking lot will be at a lower elevation than Meinig Avenue.

Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.

69. For the reasons discussed, **City staff recommends that the Planning Commission approve the requested special variance to not provide 50 percent of the subject’s site frontage with buildings and to exceed 20 percent of the subject site’s off-street parking in-between the proposed buildings and the adjacent streets.**

Variance D: Not include secondary roof forms on the two proposed shelters

70. The applicant requested a Type III Special Variance to Section 17.90.120(C)(4) to not provide secondary roof forms on the two proposed shelters.
71. Staff believes the requested variance to Section 17.90.120(C)(4) to not provide secondary roof forms on the two proposed shelters meets Criterion A of Section 17.66.80. The shelter with the restroom is 49 feet 6 inches in length along the roof line which in accordance with Section 17.90.120(C)(4) requires a minimum of two secondary roof forms. The applicant states that each of the walls of the restroom facility measures approximately 16 feet 8 inches. Due to the limited amount of wall surface on the elevation and the amount of enclosed building, the applicant states that the secondary roof forms would be contrary to the scale and proportions of the building form. Based on the restroom and shelter design, staff agrees that installing two secondary roof forms could be odd looking; however, staff finds that installing one secondary roof form centered on the restroom would provide an additional architectural feature that would be highly visible from the parking lot and the

surrounding streets. For a more balanced appearance, staff finds that installing one secondary roof form centered on the restroom on both the east and west sides of the shelter would look even better. **Staff recommends the applicant submit revised Restroom Structure Plans (Exhibit F) with one secondary roof form, such as a windowless dormer, on both the east and west sides of the shelter centered on the restroom.**

The applicant is proposing a second picnic shelter measuring approximately 25 feet in length, with no walls. The slope and materials of the roof will match the picnic shelter with restroom facility. The applicant believes that due to the open-air nature of the picnic shelter, secondary roof forms would be contrary to the scale and proportions of the building form for the second picnic shelter. Staff finds that the second picnic shelter is less than 30 feet in length and therefore doesn't require secondary roof forms in accordance with Section 17.90.120(C)(4).

Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.

72. For the reasons discussed, **City staff recommends that the Planning Commission approve the requested special variance to not provide secondary roof forms on the two proposed shelters with the exception of providing one secondary roof form, such as a windowless dormer, on both the east and west sides of the larger shelter centered on the restroom.**

## **TRANSPORTATION – Chapter 17.84**

73. Section 17.84.30(A)(1) requires that all proposed sidewalks on local streets shall be a minimum of five feet wide and separated from curbs by a tree planting area that is a minimum of five feet in width. The applicant is required to install a three-quarter street section with sidewalks on the side of the street of the park property. The applicant is proposing 5-foot curb tight sidewalks along the south side of Scenic Street but is proposing to not install sidewalks for the west most 77 feet of Scenic Street and is instead requesting a special variance. No planter strips are proposed along Scenic Street.
74. As required by Section 17.84.30(A)(2) requires that all proposed sidewalks on arterial and collector streets shall be a minimum of six feet wide and separated from curbs by a tree planting area that is a minimum of five feet in width. **The applicant shall revise the Plan Set (Exhibit C) to detail all sidewalks on Meinig Avenue at least six feet in width.** The applicant is not proposing a sidewalk along Meinig Avenue north of the new driveway and is instead requesting a special variance to not install the required sidewalk.
75. Traffic Study. Section 17.84.50 outlines the requirements for providing a traffic study. The applicant included a Traffic Impact Study from Lancaster Mobley with the application (Exhibit I). According to the traffic study, the assumptions were based on a park with a pump track/skatepark, trails, playgrounds, and other amenities. The ITE Trip Generation Codes were 411 Public Park and 488 Soccer Complex. These uses would result in 17 PM peak hour vehicle trips, 40 Saturday peak hour trips, and 50 Saturday peak hour trips when an event is occurring at the park. According to the City Transportation Engineer (Exhibit J) all study intersections will operate at an acceptable v/c ratio and level of service during the 2025 weekday PM peak hour, Saturday peak hour, and Saturday event peak hour under future conditions even with the development of the park. Left-turn lane warrants for both of the proposed driveways and the intersection of Meinig Avenue and Pleasant Street are not projected to be met under buildout year 2025 so no left-turn lanes are necessary or recommended. Traffic signal warrants were examined to determine whether the installation of a new traffic signal will be warranted, but no signalization of the unsignalized study intersections is necessary or recommended. Approximately 75 percent of vehicles traveling to the park are projected to use the Meinig Avenue driveway and 25 percent of vehicles traveling to the park are projected to use the Scenic Street driveway. The City Transportation Engineer, DKS Associates, reviewed the Traffic Impact Study (Exhibit J) and recommends the following:
- a. **The development shall contribute Transportation System Development Charges toward citywide impacts.**
  - b. **Frontage improvements shall be constructed at Collector standards along the site frontage on Meinig Avenue.**
  - c. **Frontage improvements shall be constructed at Local Street standard along the site frontage on Scenic Street. A minimum pavement width of 20 feet shall be provided to adequately accommodate two-way vehicle traffic.**
  - d. **Minimum AASHTO sight distance requirements shall be met at all site driveways. Sight distances should be verified in the final engineering/construction stages of development.**

76. Scenic Street. This street is defined as a local street. Local streets shall be 50 feet in width or up to 56 feet in width if swales are on both sides of the right-of-way. The applicant is required to install a three-quarter street section with sidewalks on the side of the street of the park property. The proposal is for 28 feet of asphalt in a 40-foot-wide existing right-of-way. The applicant is proposing 5-foot curb tight sidewalks along the south side of Scenic Street but is proposing to not install sidewalks for the west most 77 feet of Scenic Street and is instead requesting a special variance. No planter strips are proposed along Scenic Street. The submitted plan set does not detail a monumentation strip at the back of the sidewalk. **The applicant shall revise the Plan Set (Exhibit C) to detail a six-inch monumentation strip at the back of sidewalk on Scenic Street. To accommodate the required monumentation strip it may require six inches of right-of-way dedication.** The Assistant Public Works Director (Exhibit M) analyzed the proposed park development for street improvements. **The applicant shall submit additional details on relocation of the utility poles on Scenic Street.** The Assistant Public Works Director asked the applicant to confirm if on-street parking on Scenic Street is intended, but a 28-foot-wide asphalt section on a local street, such as Scenic Street, accommodates on-street parking.
77. Meinig Avenue. The only improvements that the applicant is proposing on Meinig Avenue is the installation of a curb, a driveway at the intersection with Idleman Street, some sidewalks and curb ramps around the new driveway, and approximately four feet of asphalt poured back to the new curb. The applicant is proposing a curb tight sidewalk along Meinig Avenue to the south of the proposed driveway for a proposed distance of approximately 44 feet. There is no reason that the transition cannot occur at the south property line and then be setback with a planter strip for approximately 40 feet. **The applicant shall revise the Plan Set (Exhibit C) to detail a transition of the Meinig Avenue sidewalk at the south property line to a setback sidewalk with a planter strip at least five feet in width with two street trees in the planter strip.** The applicant is proposing substandard five-foot-wide sidewalks along Meinig Avenue. **The applicant shall revise the Plan Set (Exhibit C) to detail all sidewalks on Meinig Avenue at least six feet in width.** The applicant is not proposing a sidewalk along Meinig Avenue north of the new driveway and is instead requesting a special variance to not install the required sidewalk. **The applicant shall submit additional Geotech documentation that no further subgrade improvements are required for the widening of Meinig Avenue for staff review and approval.**
78. Average Daily Traffic. While this proposal will undoubtedly increase traffic on Scenic Street there were no Average Daily Traffic (ADT) concerns on local streets raised by the City Transportation Engineer. Approximately 75 percent of vehicles traveling to the park are projected to use the Meinig Avenue driveway and 25 percent of vehicles traveling to the park are projected to use the Scenic Street driveway.
79. Tangent Alignment. The alignment of Scenic Street appears to provide the minimum 50 feet of tangent alignment as required by Section 17.84.50(J)(5)(b) of the Sandy Municipal Code (SMC). There were no comments from the Assistant Public Works Director on tangent alignment.

80. Future Street Plan. Section 17.84.50(E) requires that public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property. This project is improving existing streets and is not proposing any street extensions.
81. Street Naming. The proposed development includes improvements to existing streets. No new streets are being created and therefore no new street names are necessary.
82. Transit. Section 17.84.40(A) requires that the developer construct adequate public transit facilities. The Sandy Area Metro Transit Director submitted a memo (Exhibit K) stating the following: “The proposed development will require a bus stop sign near the entry plaza with overlook and the picnic shelter with restroom indicated with a blue dot in the attached document.” **The applicant shall revise the Plan Set (Exhibit C) to detail the location of a bus stop sign per the specifications of Sandy Area Metro. The applicant shall coordinate the exact location of the sign with the Transit Director.**
83. The Sandy Development Code has a list of other considerations in the right-of-way that were evaluated as follows:
  - a. Lighting. A lighting plan will be coordinated with PGE and the City as part of the construction plan process and prior to installation of any fixtures as required by Section 17.100.210. The applicant’s submission includes details on the proposed public lighting system which is reviewed in the Dark Sky section of this document.
  - b. Planter Strips. Planter strips shall be provided along all frontages as required in Section 17.100.290. The applicant is not proposing to install any new planter strips.
  - c. Mail Facilities. Section 17.84.100 outlines the requirements for mail delivery facilities. The applicant is not proposing mail delivery to the Sandy Community Campus Park.



## **PARKING, LOADING, AND ACCESS REQUIREMENTS – Chapter 17.98**

84. Section 17.98.20 contains off-street parking requirements; however, the Sandy Development Code does not contain any required off-street parking for park development. Staff asked the applicant and the applicant's traffic consultant to complete off-street parking analysis. The Traffic Impact Study from Lancaster Mobley (Exhibit I) states that the proposed park will include 40 on-site parking spaces, but the site plan details 43 parking spaces. To estimate the parking demand that could be generated by the proposed development, parking generation rates from the *ITE Parking Generation Manual* 5th Edition were used. The City Transportation Engineer (Exhibit J) states that based on the analysis from the applicant there are adequate parking spaces available to accommodate the anticipated parking demand.
85. Section 17.98.160 contains requirements related to bicycle parking facilities; however, the Sandy Development Code does not contain any required bicycle parking for park development. The proposed Plan Set (Exhibit C) details 10 bicycle racks, however, there is no detail on the bicycle racks. Per Section 17.98.160(B) each required bicycle parking space shall be at least two and one-half feet by six feet; vertical or upright bicycle storage structures are exempt from the parking space length. An access aisle of at least five feet wide shall be provided and maintained beside or between each row of bicycle parking. **The applicant shall submit a standard detail for the proposed bicycle racks meeting the space and security requirements in Section 17.98.160 for staff review and approval.**
86. Section 17.98.60 includes standards on parking lot design, size, and access. The Plan Set (Exhibit C) details 41 standard parking spaces and two (2) ADA parking spaces. The total number of parking spaces proposed requires that at two ADA parking spaces are provided. The two ADA parking spaces have a shared 9-foot by 18-foot parking access aisle in compliance with the code and ORS 447.233. **Signage associated with the ADA parking spaces shall meet the head clearance distance requirement in the Building Code. All approved parking spaces shall be clearly delineated with painted lines and the entrance and exit driveways shall be signed or marked with paint.**
87. Section 17.98.60(B.5) states that no more than 40 percent of the parking stalls shall be compact spaces. The proposal does not contain any proposed compact parking spaces.
88. Section 17.98.60(C) contains standards on parking lot aisle width. All proposed parking lot maneuvering aisles are two-way. Most of the parking lot only has parking spaces on one side of the maneuvering aisle, however, the ADA parking spaces have double sided parking on the maneuvering aisle. All maneuvering aisles are proposed at 22 feet in width, but the area through the double-sided parking has to be 25 feet in width according to the municipal code. **The applicant shall revise the plan set to detail the maneuvering aisle at 25 feet in width through the double-sided parking area in compliance with the code.**
89. Section 17.98.80(A) requires access from a lower functional order street where practical. The applicant is proposing one driveway/access point to Meinig Avenue aligned with

Idleman Street and one driveway/access point to Scenic Street. Staff finds that providing two driveways will allow for better access to and through the parking lot. Providing a driveway on Meinig Avenue will alleviate the traffic that would use Scenic Street if only one driveway was installed on Scenic Street. The applicant states that a second driveway is being proposed to allow for ease of access and movement of emergency vehicles. Approximately 75 percent of vehicles traveling to the park are projected to use the Meinig Avenue driveway and 25 percent of vehicles traveling to the park are projected to use the Scenic Street driveway.

90. Section 17.98.100 contains driveway standards. Both driveways are proposed at 22 feet in width. The driveways are sloped between two and three percent. The slope of both driveways is directed back toward the site, routing stormwater back onsite and not across the public sidewalk. **The applicant shall modify the Plan Set (Exhibit C) to detail driveways for all the residential properties to the north of Scenic Street, not to exceed 24 feet in width, with aprons at least 20 feet in depth in accordance with Section 17.98.100 (A).** Installing driveway aprons are essential for reducing gravel and other debris from entering the Scenic Street asphalt section. The submitted plan set does not detail a realigned driveway connection for the SandyNet Building (informally referred to as the Bunker Building). Sheet C2.00 (Exhibit C) states, “Final configuration of temporary access to 17175 SE Meinig Ave building to be determined.” **The applicant shall modify the Plan Set (Exhibit C) to detail the realigned access to the SandyNet Building. Access to the SandyNet Building shall be maintained throughout construction and any temporary closures shall be coordinated with the SandyNet Director. If the SandyNet Building access is removed in the future, the access area shall be landscaped.**
91. Section 17.98.120 contains landscaping and screening provisions for parking areas. Section 17.98.120(A) requires screening of parking areas containing 4 or more spaces. The Landscape Plans (Exhibit D) details boundary plantings between the parking areas and adjacent properties, between parking areas and street rights-of-way, as well as plantings between parking bays and vehicle maneuvering areas. However, the submitted landscape plans do not detail the locations of different shrubs and grasses, and instead uses blanket variety indicators. **The applicant shall submit revised Landscape Plans (Exhibit D) detailing the locations of the different shrubs and grasses on the property, instead of the blanket variety indicators.**
92. Section 17.98.120(B) requires parking in a commercial district that adjoins a residential district to include a site-obscuring screen that is at least 80 percent opaque when viewed horizontally from between 2 and 8 feet above the average ground level. This is not applicable as the development is a park.
93. Section 17.98.120(C) requires parking facilities to include at least 10 percent landscaping. The submitted plans detail landscaping and walkways around all parking areas. The applicant states that the parking lot consists of both interior parking islands and surrounding perimeter landscape beds that provide approximately 6,600 square feet of landscaping or 28 percent of the overall parking lot area.

94. Section 17.98.120(D) restricts parking bays to no more than 20 parking spaces and requires landscape planters at the ends of each parking bay that have a minimum width of five feet and a minimum length of 17 feet for a single depth bay and 34 feet for a double bay. There is no parking bay which exceeds 20 parking spaces without a landscape planted breaking the number of continuous parking space. Each planter shall contain one major structural tree and ground cover. The Landscape Plans (Exhibit D) details planter bays at the ends of all the parking bays with dimensions at least as large as required by the Sandy Development Code. All of the proposed planter bays have structural trees, such as Village Green zelkova and Sterling Silver linden.
95. Section 17.98.120(E) states that parking area setbacks shall be landscaped with major trees, shrubs, and ground cover. Section 17.92.80 requires parking area buffers to contain a balance of low-lying ground cover and shrubs, and vertical shrubs and trees. The applicant states that the parking lot will be buffered from Scenic Street and from Meinig Avenue by a mix of evergreen and deciduous trees and shrubs.
96. Section 17.98.120(F) requires wheel stops or other methods to protect landscaped areas and pedestrian walkways. The plan set (Exhibit C, Sheet C2.00) details three wheel stops along the ADA parking spaces at the location of a flush curb. The remainder of the parking spaces are internal to the parking lot and do not warrant a wheel stop.
97. Section 17.98.130 requires that all parking and vehicular maneuvering areas shall be paved with asphalt or concrete. As required by Section 17.98.130, **all parking, driveway, and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.**
98. Section 17.98.140 requires parking areas, aisles, and turnarounds to provide adequate provisions for on-site collection of stormwater to eliminate sheet flow onto sidewalks, public rights-of-way, and abutting private property. **The applicant shall comply with the requirements of Section 13.18 of the Sandy Municipal Code.**
99. Section 17.98.150 requires lighting to be provided in all required off-street parking areas. The applicant submitted a lighting fixture schedule for new site lighting, and a photometric plan. These submittals are reviewed in Chapter 15.30 of this document.

## **UTILITIES – Chapters 17.84 and 17.100**

100. Section 17.84.20(A)(1) requires that all improvements shall be installed concurrently with development or be financially guaranteed.
101. Clackamas Fire District #1 (Exhibit L) reviewed the proposal and provided general comments. This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant shall comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. **The applicant shall adhere to all Fire Marshal requirements in Exhibit L, including but not limited to the following:**
- a. **Ensure parking lot turning radius are 28 feet inside and 48 feet outside radius.**
  - b. **Provide no parking restrictions on both sides of the parking lot along the curb lines.**
  - c. **Comply with all applicable Oregon Fire Code (OFC) requirements.**
102. Fire Hydrants. If any new fire hydrants are installed, they shall follow the following specifications: **Each new fire hydrant installed shall be ordered in an OSHA safety red finish and have a 4-inch non-threaded metal faced hydrant connection with cap installed on the steamer port (4 ½-inch NST x 4-inch Storz Adaptor). If a new building, structure, or dwelling is already served by an existing hydrant, the existing hydrant shall also be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.**
103. Water. The applicant is proposing to use the existing water meter in Scenic Street. The Assistant Public Works Director (Exhibit M) analyzed the proposed park development for water utility requirements. Water main extension are not required as part of this development. **The applicant shall relocate the existing water meters along Scenic Street to locations as specified by the Public Works Department. The applicant shall revise the Plan Set (Exhibit C) to detail new locations for the water meters along Scenic Street and detail backflow prevention devices for the irrigation system. The development shall contribute Water System Development Charges toward citywide impacts.**
104. Sanitary Sewer. This application is not subject to the moratorium on development adopted by City Council because the proposed restrooms are exempt per Section 4. m. of Resolution No. 2023-27. The Assistant Public Works Director (Exhibit M) analyzed the proposed park development for sanitary sewer utility requirements. The Assistant Public Works Director stated that connections to the public sewer main shall be approved by the Public Works Department to verify geometry, materials, and cleanout cover details. **The**

**development shall contribute Sanitary Sewer System Development Charges toward citywide impacts.**

105. Stormwater. Section 17.100.250(A) details requirements for stormwater detention and treatment. The applicant submitted a Preliminary Stormwater Report (Exhibit H) completed by Humber Design Group, Inc. The submitted stormwater report did not include the second covered structure as part of the new impervious area. The applicant proposes using a 96-inch detention tank with a water quality filter. All new infrastructure installed shall conform with City standards. The Assistant Public Works Director (Exhibit M) analyzed the proposed park development for stormwater requirements. The Assistant Public Works Director stated that the connection to the existing storm main shall be approved by the Public Works Department to verify pipe materials, pipe diameters, and details regarding that all manholes and cleanouts shall be accessible at grade. **The applicant shall submit a detailed final stormwater report, including the second structure, stamped by a licensed professional engineer for review. The calculations shall meet the water quality/quantity criteria as stated in the City of Sandy Development Code (SDC) Chapter 13.18 Standards and the City of Portland Stormwater Management Manual (SWMM) Standards that were adopted by reference into the Sandy Development Code.** Portions of the onsite walkways will require access for Public Works to maintain the stormwater facilities and must have the capacity to accommodate a vactor truck. **The applicant shall submit details regarding the onsite walkways, including vehicle weight capacity for the vactor truck, turning radius at the stormwater detention system for the vactor truck, and all associated path widths for staff review and approval.**
  
106. SandyNet. Broadband vault/conduit infrastructure are required for all new developments. The SandyNet Director (Exhibit N) submitted a letter into the record with requirements. **The applicant shall extend broadband infrastructure from the southwest corner of 39175 Scenic Street, near terminal 165, across Scenic Street. The applicant shall also install conduit along any proposed paths with electrical service.** The IT Director will work with the Parks and Recreation Director to identify ideal paths to provide future broadband services to the park. **When the electrical plan has been developed for the park, the applicant shall send plans to the SandyNet Department. Plans for SandyNet design shall be sent to Greg Brewster at [gbrewster@ci.sandy.or.us](mailto:gbrewster@ci.sandy.or.us) (503-953-4604).**

## **FLOOD AND SLOPE HAZARD OVERLAY DISTRICT – Chapter 17.66**

107. Section 17.60.40 lists the review procedures for development within the Flood and Slope Hazard (FSH) Overlay. In accordance with Section 17.60.40 (B)(1), construction or expansion of major public facilities identified in sanitary, storm, water or street or parks master plans or of minor public facilities necessary to support development, where no other practical alternative exists, are processed as a Type II FSH review. The subject proposal is a park improvement in accordance with the 2022 Amended Parks and Trails Master Plan Update.
108. Section 17.60.60 includes approval standards and conditions for the Flood and Slope Hazard (FSH) Overlay. The City may approve, approve with conditions, or deny an application based on the provisions of Chapter 17.60. The City may require conditions necessary to comply with the intent and provisions of this chapter.
109. Section 17.60.60 (A)(1) states that the cumulative impacts of development within the FSH overlay district, including planned vegetation removal, grading, construction, utilities, roads and the proposed use(s) of the site will not measurably decrease water quantity or quality in affected streams or wetlands below conditions existing at the time the development application was submitted. Currently, there are no onsite stormwater facilities to treat stormwater runoff from impervious surfaces. The applicant is proposing to treat and detain all stormwater from impervious areas in the Sandy Community Campus Park. These stormwater treatments will improve existing conditions and benefit nearby streams and the Sandy River Basin.
110. Section 17.60.60 (A)(2) states that impervious surface area within restricted development areas shall be the minimum necessary to achieve development objectives consistent with the purposes of this chapter. Impervious areas within the FSH zone have intentionally been kept to a minimum. A large majority of the parking lot is located outside of the FSH zone with only a small portion of a single parking stall located within the FSH. Also, the play area surfacing that was selected is pervious. All impervious surfaces in the park will be treated in a stormwater facility.
111. Section 17.60.60 (A)(3) states that all construction materials and methods shall be consistent with the recommendations of special reports, or third-party review of special reports. The proposed construction methods follow the recommendations of the landscape architect and the civil engineer, Humber Design Group Inc., and follow best management practices for development in areas of slopes.
112. Section 17.60.60 (A)(4) states that all cuts and fills shall be the minimum necessary to ensure slope stability, consistent with the recommendations of special reports, or third-party review of special reports. Applicant Response: The cut and fill that occurs within the FSH zone has been kept to a minimum. The existing contours of the site were studied in depth and site features have been strategically located to reduce site disturbance. The earthwork taking place in the FSH zone is required to provide the accessible park path network and the accessible play area. In all cases, the angle of the slopes in the proposed

development are less steep than the existing slope conditions. The applicant submitted a Geotechnical Report (Exhibit H) completed by Pali Consulting. Pali Consulting's scope of work included reviewing background information, completing drilled borings at locations identified by Lango Hansen, conducting infiltration testing, and completing laboratory tests on select samples. The site is adjacent to a mapped deep-seated landslide which is considered pre-historic. Pali Consulting states that the stability of the landslide was not determined so development of the park should consider the risk of future movement of this landform. **The applicant shall minimize fills on the west field area of the site and shall direct stormwater away from the mapped landslide.**

113. Section 17.60.60 (A)(5) and (6) state that development on the site shall maintain the quantity and quality of surface and groundwater flows to locally significant wetlands or streams regulated by the FSH Overlay District and that development on the site shall minimize the loss of native vegetation. Where such vegetation is lost as a result of development within restricted development areas, it shall be replaced on-site at a 2:1 ratio. Two native trees of at least one and one-half-inch caliper shall replace each tree removed. Disturbed understory and groundcover shall be replaced by native understory and groundcover species that effectively covers the disturbed area. The proposed development does not impact any wetlands or streams. Additionally, the development of the park will only result in the removal of two native trees within the FSH zone. These trees will be replaced onsite at a 2:1 ratio, resulting in four new native trees being planted onsite. There are currently several large patches of invasive blackberries onsite that will be removed and replaced with native grasses and shrubs. **The applicant shall submit revised Landscape Plans (Exhibit D) detailing the locations of the different shrubs and grasses on the property, instead of the blanket variety indicators, including the FSH Overlay area.**

## **URBAN FORESTRY – Chapter 17.102**

114. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. The applicant's narrative (Exhibit B) states the following: "The following trees are being removed in order to construct the required  $\frac{3}{4}$  street improvements of Scenic Street: (1) 8", (1) 10", (2) 12" and (1) 18" *Pseudotsuga menziesii* – Douglas fir and (1) 8" *Acer macrophyllum* – big leaf maple. (1) 6" *Alnus rubra* – red alder is being removed to install site pathways. A total of (7) trees are proposed to be removed, all in good condition. All trees proposed for removal will be replaced at a two-one ratio. A minimum of 14 native trees will be replanted onsite to mitigate for the trees that are being removed." The six trees being removed for the construction of Scenic Street are exempt from retention per Section 17.102.20 (B)(1) and also does not meet the retention standard of 11-inches DBH or greater. The 6-inch red alder has to be removed for demolition of existing walkways and installation of a new walkway and also does not meet the retention standard of 11-inches DBH or greater. Since no trees are proposed to be removed from the site that are 11-inches DBH or greater, other than for street construction purposes, the Director did not require an arborist report.
115. In accordance with Section 17.102.50, at least three (3) trees 11-inches DBH or greater shall be retained for every one-acre of contiguously owned land. The subject site is approximately 48.55 acres requiring retention of at least 146 trees, 11 inches and greater DBH ( $48.55 \times 3 = 145.65$ ). The applicant is proposing to remove three (3) trees from the subject site that meet the minimum retention standard for tree size. However, the site has hundreds of trees, if not thousands of trees on the hillside sloping towards the Sandy River. Also, the applicant is proposing to mitigate the removal of the seven (7) trees by planting 14 native mitigation trees.
116. In addition to the above conditions the applicant shall complete additional conditions prior to grading to make sure that retention trees are adequately protected. The applicant shall complete the following prior to grading:
- a. Install tree protection fencing at the critical root zone of 1 foot per 1-inch DBH to protect all of the trees proposed to remain on the site. Tree protection fencing shall be 6-foot-tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) every 100 feet to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated.**
  - b. Request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site. The tree protection fence inspection shall be approved by City staff prior to any grading activity.**
117. **No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of**



**1 foot per 1-inch DBH may be able to be impacted without compromising the tree, provided the work is monitored by a qualified arborist.**

118. To make sure that tree protection measures are being adequately conducted the applicant shall also consult with an arborist to monitor construction activity by retention trees. **The applicant shall retain an arborist on site to monitor any construction activity within the critical root protection zones of the retention trees or trees on adjacent properties that have critical root protection zones that would be impacted by development activity on the subject property. The applicant shall submit a post-construction report prepared by a TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.**
119. The applicant did not provide specific information regarding how the trees proposed for removal with this application would be felled. **The applicant shall have the trees felled such that it does not negatively impact other retention trees, any adjacent property, or the right-of-way.**
120. The applicant did not indicate if there are nests in the trees proposed for removal. **If the trees are removed during prime nesting season (February 1- July 31), the applicant shall check for nests prior to tree removal. If nests are discovered, the applicant shall delay tree removal until after the nesting season or shall hire a professional to relocate the nests to an appropriate nearby location, provided the species using the nest is not invasive.**

## **LANDSCAPING AND SCREENING – Chapter 17.92**

121. Section 17.92.10 contains general provisions for landscaping. As required by Section 17.92.10(C), trees over 25-inches circumference measured at a height of 4.5 feet above grade are considered significant and should be preserved to the greatest extent practicable and integrated into the design of a development. A 25-inch circumference tree measured at 4.5 feet above grade has roughly an eight-inch diameter at breast height (DBH). Tree protection fencing and tree retention is discussed in more detail under Chapter 17.102 in this document. **Per Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing. Per Section 17.92.10(D), planter and boundary areas used for required plantings shall have a minimum diameter of five feet (two and one-half foot radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of seven and one-half feet.**
122. Per Section 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.** Landscaping will be maintained or otherwise enforced by Code Enforcement.
123. Section 17.92.20 contains minimum landscaping area requirements. The Medium Density Residential (R-2) zoning district and the Parks and Open Space (POS) zoning district do not contain minimum landscaping area requirements. That said, the majority of the site will be landscaped as the proposal is for the development of a park.
124. Section 17.92.30 specifies that street trees shall be chosen from the City-approved list. As required by Section 17.92.30, the development of the streets requires medium trees spaced 30 feet on center along all street frontages. The submitted Landscape Plans (Exhibit D) details trees at an appropriate spacing per the development code, except an additional tree needs to be planted to the southwest of Scenic Street and two trees planted to the south of the driveway on Meinig Avenue. Staff also recommends that four additional street trees are planted along Meinig Avenue alternating the five proposed Homestead elms. **The applicant shall revise the Landscape Plan (Exhibit D) to detail six additional street trees along Meinig Avenue and one additional street tree along Scenic Street.** Due to concerns with Asian Longhorn Beetle and Emerald Ash Borer as well as an interest in increasing species diversity, staff would prefer that the applicant proposes fewer maples and no ashes as street trees at this time.
125. Mass grading on the site will remove topsoil and heavily compact the existing clay soils. In order to maximize the success of the required trees and other landscaping, **the applicant shall aerate and amend the soil within the planting areas of trees to a depth of 3 feet prior to planting trees. The applicant shall submit a letter from the project landscaper confirming that the soil has been aerated and amended prior to planting trees.**

126. Section 17.92.40 requires that all landscaping shall be irrigated, either with a manual or automatic system. The applicant states that landscaping installed at the park will be irrigated with a combination of an automatic system as well as supplemental manual watering as needed to sustain viable plant life. **As required by Section 17.92.140, the developer and lot owners shall be required to maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.**
127. Section 17.92.50 specifies the types and sizes of plant materials that are required when planting new landscaping. Trees are typically required to be a minimum caliper of 1.5-inches measured 6 inches from grade if deciduous, or 5 feet in height if coniferous. Shrubs are required to be a minimum of one gallon in size or two feet in height when measured immediately after planting. The applicant has identified Bigleaf maple, Starlight dogwood, Tulip tree, Doug fir, Sawtooth oak, Oregon White oak, Sterling Silver linden, Homestead elm, and Village Green zelkova. The deciduous trees are proposed at 3-inches caliper and the evergreens are proposed at 8 feet in height, both in compliance with Section 17.92.50. The applicant is proposing three different shrub and groundcover varieties at one gallon, two gallon, and five gallon in compliance with Section 17.92.50. However, the submitted landscape plans do not detail the locations of different shrubs and grasses, and instead uses blanket variety indicators. **The applicant shall submit revised Landscape Plans (Exhibit D) detailing the locations of the different shrubs and grasses on the property, instead of the blanket variety indicators.** Having appropriate shrubs and bushes around the park, especially by property lines is important for creating buffers/screening to residential areas adjacent to the park
128. Section 17.92.60 requires revegetation in all areas that are not landscaped or remain as natural areas. The applicant did not submit any plans for re-vegetation of areas damaged through grading/construction, although most of the areas affected by grading will be improved. **Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control.**
129. Section 17.92.90 has details on screening of unsightly views or visual conflicts. The applicant states that the parking lot will be screened from the public rights-of-way by planting areas that are a minimum of five feet in depth. These planting areas will consist of native and climate adaptive shrubs and ground cover. However, the submitted landscape plans do not detail the locations of different shrubs and grasses, and instead uses blanket variety indicators. Additionally, the parking lot sits considerably lower than the adjacent streets. **On-grade and above-grade electrical and mechanical equipment such as transformers, heat pumps, etc. shall be screened with sight obscuring fences, walls, or landscaping.**

## **EROSION CONTROL, NUISANCES, DARK SKIES, AND ACCESSORY DEVELOPMENT – Chapters 15.44, 15.30, and 17.74**

130. In accordance with the requirements of Chapter 15.44, Erosion Control, the applicant submitted a Geotechnical Report (Exhibit H) completed by Pali Consulting. Pali Consulting's scope of work included reviewing background information, completing drilled borings at locations identified by Lango Hansen, conducting infiltration testing, and completing laboratory tests on select samples. The site is adjacent to a mapped deep-seated landslide which is considered pre-historic. Pali Consulting states that the stability of the landslide was not determined so development of the park should consider the risk of future movement of this landform. **The applicant shall minimize fills on the west field area of the site and shall direct stormwater away from the mapped landslide.** Soils on the site have very low permeability across the site which makes on-site stormwater infiltration unlikely. Soils at the site are generally medium stiff or better. Pali Consulting states that such soils should be capable of supporting anticipated structures and infrastructure, although areas of fill have the potential to include areas of soft or unsuitable soils which are difficult to predict. Construction records confirming compaction of the fill were not located, but based on the uniform material type, soil consistency, and lack of deleterious materials, the fill appears to have been placed as structural fill in areas of Pali Consulting's explorations. The on-site fill is expected to be able to support the improvements suitably but should be further evaluated during construction.
131. **All the work within the public right-of-way and within the paved area should comply with American Public Works Association (APWA) and City requirements as amended. The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite.** The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. **All erosion control and grading shall comply with Section 15.44 of the Municipal Code. The proposed development is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.**
132. Section 15.44.50 contains requirements for maintenance of a site including re-vegetation of all graded areas. **The applicant's Grading and Erosion Control Plan shall be designed in accordance with the standards of Section 15.44.50.** Grass seeding shall be completed as required by Section 17.100.300. **A Grading and Erosion Control Permit will be required prior to any site grading. The applicant shall request an inspection of erosion control measures and tree protection measures as specified in Section 17.102.50(C) prior to construction activities or grading.**
133. Other development with demolition of mass grading have sparked unintended rodent issues in surrounding neighborhoods. Prior to development of the site, **the applicant shall have a licensed pest control agent evaluate the site to determine if pest eradication, particularly rats, is needed.**

134. Section 17.74.40 specifies, among other things, retaining wall and fence height in front, side, and rear yards. The applicant did not specify the installation of any retaining walls or fences. **The applicant shall submit additional details for any proposed retaining walls or fences, including heights meeting code requirements and architectural finishes, for staff review and approval.**
  
135. Street Lighting. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined necessary at a minimum of 150 feet apart and following the standard detail for street lighting, including Ubiqvia control nodes. The applicant's Street Photometric (Exhibit E, Sheet 2.1) details street lighting photometrics for two new light poles. One of the new light poles is proposed on Scenic Street to the northwest of the proposed driveway and the second new light pole is located on Meinig Avenue to the east of the parking lot. **The applicant shall submit street lighting details with the construction plans for City staff review and approval. Street lighting shall not use a central photo sensor in the power pedestal and each light shall be installed with Ubicell controllers to match City's lighting system.**
  
136. On-Site Lighting. Chapter 15.30 requires that on-site lighting is full cut-off, does not exceed 4,125 Kelvins, and does not exceed 0.25-foot candles at 10 feet beyond the property lines. The applicant submitted Lighting Plan (Exhibit E) details several different lighting fixture types. The applicant submitted a Park Electrical and Photometric (Exhibit E, Sheet E1.1) that details foot candles. The on-site foot candles do not exceed 0.05-foot candles at 10 feet beyond the property line along Meinig Avenue, however, the foot candle imagery is not complete along the property line along Scenic Street. **The applicant shall submit a revised Photometric Plan (Exhibit L, Sheet E1.2) detailing foot candles 10 feet beyond the property boundary along Scenic Street, not exceeding 0.25-foot candles. The applicant shall also submit lighting fixture cut sheets detailing all on-site lighting as full cut-off and not exceeding 4,125 Kelvins.**

## **RECOMMENDATION**

The Development Services Director recommends the Planning Commission **approve** the Type III design review, conditional use permit, tree removal, and four variances associated with the proposed Sandy Community Campus Park subject to the conditions of approval below. This proposal meets the applicable approval criteria in the Sandy Municipal Code and achieves a major goal to develop a park in north Sandy in an area currently underserved with park amenities.

## RECOMMENDED CONDITIONS OF APPROVAL

### A. Submit the following with the trade permits and prior to any grading or tree removal:

1. Revise the plan set with the following:
  - a. Detail a driveway apron or other delineated pedestrian crossing at the driveway on Meinig Avenue that connects the sidewalks on each side of the driveway.
  - b. Detail driveways for all the residential properties to the north of Scenic Street, not to exceed 24 feet in width, with aprons at least 20 feet in depth in accordance with Section 17.98.100 (A).
  - c. Detail a six-inch monumentation strip at the back of sidewalk on Scenic Street. To accommodate the required monumentation strip it may require six inches of right-of-way dedication.
  - d. Detail a transition of the Meinig Avenue sidewalk at the south property line to a setback sidewalk with a planter strip at least five feet in width with two street trees in the planter strip.
  - e. Detail all sidewalks on Meinig Avenue at least six feet in width.
  - f. Detail the location of mechanical, electrical, and communications equipment and the proposed screening method for staff review and approval.
  - g. Detail all planter bays at least five feet in width (interior dimensions) by 17 feet in length or five feet in width and 34 feet in length for a double bay.
  - h. Detail the location of a bus stop sign per the specifications of Sandy Area Metro. The applicant shall coordinate the exact location of the sign with the Transit Director.
  - i. Detail the maneuvering aisle at 25 feet in width through the double-sided parking area in compliance with the code.
  - j. Detail all parking lot turning radius are 28 feet inside and 48 feet outside radius.
  - k. Detail 'no parking' restrictions on both sides of the parking lot along the curb lines.
  - l. Detail broadband infrastructure from the southwest corner of 39175 Scenic Street, near terminal 165, across Scenic Street.
  - m. Detail new locations for the water meters along Scenic Street and detail backflow prevention devices for the irrigation system.
  - n. Detail the relocation of the utility poles on Scenic Street.
  - o. Detail the realigned access to the SandyNet Building.
2. Revise the elevations with the following:
  - a. Detail the stone base at the base of all support columns for both of the structures and shall choose a dressed fieldstone finish for consistency with other City property.
  - b. Detail the second building without the restroom, mimicking the design elements on the building in Exhibit F.
  - c. Detail siding colors in compliance with Appendix C of the Sandy Development Code.
  - d. Detail metal roofing colors in compliance with Appendix D of the Sandy Development Code.
  - e. Detail one secondary roof form, such as a windowless dormer, on both the east and west sides of the larger shelter centered on the restroom.

3. Revise the landscape plan with the following:
  - a. Detail the locations of the different shrubs and grasses on the property, instead of the blanket variety indicators, including the FSH Overlay area.
  - b. Detail six additional street trees along Meinig Avenue and one additional street tree along Scenic Street.
  - c. Detail the locations of additional trees and shrubs around Scenic Street to the west of where the sidewalk is proposed to terminate to reduce the opportunity for user made paths to the park.
4. Submit details regarding the onsite walkways, including vehicle weight capacity for the vector truck, turning radius at the stormwater detention system for the vector truck, and all associated path widths, for staff review and approval.
5. Submit additional Geotech documentation that no further subgrade improvements are required for the widening of Meinig Avenue, for staff review and approval.
6. Submit a standard detail for the proposed bicycle racks meeting the space and security requirements in Section 17.98.160, for staff review and approval.
7. Submit additional details for any proposed retaining walls or fences, including heights meeting code requirements and architectural finishes, for staff review and approval.
8. Submit a revised Photometric Plan (Exhibit L, Sheet E1.2) detailing foot candles 10 feet beyond the property boundary along Scenic Street, not exceeding 0.25-foot candles. Also submit lighting fixture cut sheets detailing all on-site lighting as full cut-off and not exceeding 4,125 Kelvins, for staff review and approval.
9. Submit street lighting details with the construction plans for staff review and approval. Street lighting shall not use a central photo sensor in the power pedestal and each light shall be installed with Ubicell controllers to match City's lighting system.

**B. Prior to tree removal, earthwork, grading, or excavation, the applicant shall complete the following and receive necessary approvals as described:**

1. Apply for a grading and erosion control permit in conformance with Chapter 15.44. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision.
2. Submit proof of receipt of a Department of Environmental Quality 1200-C permit or submit confirmation from DEQ if a 1200-C Permit will not be required.
3. Submit proof that a licensed pest control agent evaluated the site to determine if pest eradication, particularly rats, is needed.
4. Install tree protection fencing at the critical root zone of 1 foot per 1-inch DBH to protect all of the trees proposed to remain on the site. Tree protection fencing shall be 6-foot-tall



chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) every 100 feet to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated.

5. Request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site. The tree protection fence inspection shall be approved by City staff prior to any grading activity.
6. If the trees are removed during prime nesting season (February 1- July 31), the applicant shall check for nests prior to tree removal. If nests are discovered, the applicant shall delay tree removal until after the nesting season or shall hire a professional to relocate the nests to an appropriate nearby location, provided the species using the nest is not invasive.

**C. Prior to issuance of building permits, the applicant shall complete the following:**

1. Pay the Transportation System Development Charges related to this project.
2. Pay the Sanitary Sewer System Development Charges related to this project.
3. Pay the Water System Development Charges related to this project.

**D. Prior to all construction activities, except grading and/or excavation, the applicant shall submit the following additional information as part of the construction plans and complete items during construction as identified below:**

1. Pay plan review, inspection, and permit fees as determined by the Public Works Director or their designee.
2. Submit written confirmation from the Sandy Fire District regarding the number and location of required fire hydrants.
3. Submit a detailed final stormwater report, including the second structure, stamped by a licensed professional engineer for review. The calculations shall meet the water quality/quantity criteria as stated in the City of Sandy Development Code (SDC) Chapter 13.18 Standards and the City of Portland Stormwater Management Manual (SWMM) Standards that were adopted by reference into the Sandy Development Code.
4. When the electrical plan has been developed for the park, the applicant shall send plans to the SandyNet Department. Plans for SandyNet design shall be sent to Greg Brewster at [gbrewster@ci.sandy.or.us](mailto:gbrewster@ci.sandy.or.us), (503-953-4604).

**E. Prior to receiving a Certificate of Occupancy (C of O), the applicant shall complete the following:**

1. Complete all public improvements per the approved construction plans.

2. Install all required fire hydrants. Each new fire hydrant installed shall be ordered in an OSHA safety red finish and have a 4-inch non-threaded metal faced hydrant connection with cap installed on the steamer port (4 ½-inch NST x 4-inch Storz Adaptor). If a new building, structure, or dwelling is already served by an existing hydrant, the existing hydrant shall also be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.
3. Submit a post-construction report prepared by a TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.
4. Plant all approved landscaping, including street trees. Submit documentation from the project landscaper stating that the soil has been amended and aerated to a depth of 3 feet prior to planting trees.
5. Install all proposed park improvements, including but not limited to the play area, skate park, pump track, walkways, and other park amenities.
6. Install screening for all electrical, mechanical, and communication equipment. On-grade and above-grade electrical and mechanical equipment such as transformers, heat pumps, and central air conditioner units shall be screened with sight obscuring fences, walls, or landscaping.
7. Install all parking and maneuvering areas. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material. Signage associated with the ADA parking spaces shall meet the head clearance distance requirement in the Building Code. All approved parking spaces shall be clearly delineated with painted lines and the entrance and exit driveways shall be signed or marked with paint.
8. Install all building improvements that are included on the approved building plans and as addressed in the findings and conditions in this document.
9. Provide street address numbers measuring a minimum of six (6) inches high and of contrasting color, which clearly locate the park for patrons and emergency services. The applicant shall verify the location of the address with the Building Official and emergency service providers.

**F. General Conditions of Approval:**

1. Design review approval shall be void after two (2) years from the date of the Final Order unless the applicant has submitted plans for building permit approval.
2. Public plans are subject to a separate review and approval process. Preliminary Plat approval does not connote approval of public improvement construction plans, which will be reviewed and approved separately upon submittal of public improvement construction plans.

3. All on-site earthwork activities including any retaining wall construction should follow the requirements of the City of Sandy Development Code and the current edition of the Oregon Structural Specialty Code (OSSC).
4. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of 1 foot per 1-inch DBH may be able to be impacted without compromising the tree, provided the work is monitored by a qualified arborist.
5. The applicant shall have the trees felled such that it does not negatively impact other retention trees, any adjacent property, or the right-of-way.
6. If park signs are desired, the applicant shall submit a detailed plan showing the location of such signage and a sign permit application.
7. All work within the public right-of-way and within the paved area shall comply with the American Public Works Association (APWA) and City requirements as amended and should be constructed to the City's structural streets standards.
8. All utilities shall be installed underground and in conformance with City standards. The applicant shall install utilities underground with individual service to each lot.
9. The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including fiber facilities. The applicant shall install conduit along any proposed paths with electrical service. The IT Director will work with the Parks and Recreation Director to identify ideal paths to provide future broadband services to the park.
10. Access to the SandyNet Building shall be maintained throughout construction and any temporary closures shall be coordinated with the SandyNet Director. If the SandyNet Building access is removed in the future, the access area shall be landscaped.
11. The applicant shall comply with all applicable Oregon Fire Code requirements. The applicant shall adhere to all Fire Marshal requirements in Exhibit L, including but not limited to the following:
  - a. Ensure parking lot turning radius are 28 feet inside and 48 feet outside radius.
  - b. Provide no parking restrictions on both sides of the parking lot along the curb lines.
  - c. Comply with all applicable Oregon Fire Code (OFC) requirements.
12. Each new fire hydrant installed shall be ordered in an OSHA safety red finish and have a 4-inch non-threaded metal faced hydrant connection with cap installed on the steamer port (4 ½-inch NST x 4-inch Storz Adaptor). If a new building, structure, or dwelling is

already served by an existing hydrant, the existing hydrant shall also be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.

13. All public utility installations shall conform to the City's facilities master plans.
14. All site runoff shall be detained such that post-development runoff does not exceed the predevelopment runoff rate for the 2, 5, 10 and 25 year storm events. Stormwater quality treatment shall be provided for all site drainage per the standards in the City of Portland Stormwater Management Manual (COP SWMM). In accordance with the Geotech study, the applicant shall minimize fills on the west field area of the site and shall direct stormwater away from the mapped landslide.
15. Lights shall not exceed 4,125 Kelvins or 591 nanometers in order to minimize negative impacts on wildlife and human health.
16. Minimum AASHTO sight distance requirements shall be met at all site driveways.
17. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade and shall be planted per the City of Sandy standard planting detail. Trees shall be planted, staked, and any planter strips shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy. Tree ties shall be loosely tied twine or other soft material and shall be removed after one growing season (or a maximum of 1 year).
18. Per Section 17.92.10(D), planter and boundary areas used for required plantings shall have a minimum diameter of five feet (two and one-half foot radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of seven and one-half feet.
19. As required by Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing. As required by Section 17.92.140, the developer shall maintain all vegetation planted in the development for two (2) years from the date of completion and shall replace any dead or dying plants during that period.
20. On-grade and above-grade electrical and mechanical equipment such as transformers, heat pumps, etc. shall be screened with sight obscuring fences, walls, or landscaping.
21. Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control.
22. Comply with all standards required by Section 17.84 of the Sandy Development Code. Public and franchise improvements shall be installed or financially guaranteed in accordance with Chapter 17 of the Sandy Municipal Code prior to temporary or final occupancy of structures. Sanitary sewer lines, water lines, and fire hydrants shall be installed in accordance with City standards.

23. Comply with all other conditions or regulations imposed by the Clackamas Fire District #1 (Exhibit L) or state and federal agencies. Compliance is made a part of this approval and any violations of these conditions and/or regulations may result in the review of this approval and/or revocation of approval.