

**FINDINGS OF FACT and FINAL ORDER  
TYPE III LAND USE DECISION**

**DATE:** February 2, 2021

**FILE NO.:** 20-040 DR/VAR

**PROJECT NAME:** Sandy High School Field House

**APPLICANT:** Jones Architecture

**OWNER:** Oregon Trail School District (OTSD)

**PROPERTY ADDRESS:** 37400 Bell Street

**LEGAL DESCRIPTION:** T2S R4E Section 11 Tax Lot 4500

The above-referenced proposal was reviewed as a Type III Design Review with three Special Variances. The following exhibits, findings of fact, and conditions (bold text) explain the proposal and the proposed conditions of approval.

**EXHIBITS:**

**Applicant's Submission**

- A. Land Use Application
- B. Supplemental Land Use Application
- C. Narrative
- D. Plan Set (Dated October 6, 2020)
  - Page 1: Cover Sheet
  - Page 2: Site Analysis
  - Page 3: Site & Landscape Plan
  - Page 4: Topo and Site Demo Plan
  - Page 5: Grading & Utility Plan
  - Page 6: Floor & Roof Plans
  - Page 7: Elevations
  - Page 8: Exterior Lighting Levels
  - Page 9: Line of Sight Diagrams – Key Plan of Viewpoints
  - Page 10: Line of Sight Diagram – From Bluff Road
  - Page 11: Line of Sight Diagram – From Bell Street
  - Page 12: Materials & Colors
  - Page 13: Existing Site Survey
  - Page 14: Site Photos
  - Page 15: Concept Photos

- Page 16: Rendering – View 1
- Page 17: Rendering – View 2

### **Public Comments**

E. Susie Jenkins (January 4, 2021)

### **Additional Documents Submitted by Staff**

F. Planning Commission Staff Report (January 25, 2021)

## **FINDINGS OF FACT**

### **General**

1. These findings are based on the applicant’s original submittal received on October 7, 2020. The application was deemed complete on November 12, 2020 and the 120-day deadline is March 12, 2021.
2. The subject lot with the proposed field house facility is approximately 68.54 acres. The site is located south of Bell Street, west of Bluff Road, and north of Highway 26.
3. The lot has a Plan Map designation of Medium Density Residential and Low Density Residential, and a Zoning Map designation of Medium Density Residential, R-2, and Single Family Residential, SFR. The specific location of the proposed field house has a Plan Map Designation of Low Density Residential and a Zoning Map designation of Single Family Residential, SFR.
4. The applicant proposes to construct a new indoor athletic field house (i.e., batting cage facility) on the Sandy High School campus. The proposed building is a 50-foot by 70-foot pre-engineered steel building to be located over a portion of the existing parking area east of the soccer and baseball/softball fields. Additional site work includes conversion of existing parking spaces to landscaped areas, and construction of pedestrian paths and a crosswalk. In addition, the applicant is requesting the following:
  - Type III Special Variance to Section 17.90.120(B.3.d.4) to exceed 30 percent metal on the building’s façade.
  - Type III Special Variance to Section 17.90.110(C.1) to provide a reduced roof pitch of 4:12 instead of the required 6:12 roof pitch.
  - Type III Special Variance to Section 17.90.110(E.2) to not meet the 30 percent window requirement on the “activated” frontage of the proposed building.
5. Notice of the proposal was mailed to agencies and City departments on November 19, 2020, and to property owners within 500 feet of the site on December 29, 2020. A legal was published in the Sandy Post on January 6, 2021.
6. One written comment was received from the public. Susie Jenkins (Exhibit E) asked why the applicant feels it necessary to not meet the building codes for this project and states: “I would think that the Oregon Trail School District would wish to maintain higher standards to match the excellence of the existing high school. At all times and especially when sports

season is upon us, the area of the proposed development will be in the public view for our local citizenry, students, and for visitors who come to support their sports players from outside areas. Why not invest in a building that will meet the codes and continue the sense of pride in our community. Warehouse style buildings are most appropriate in out of the way areas, not in areas of public enjoyment.”

7. The Planning Commission reviewed the proposal at the January 25, 2021 meeting. Bryce Baillie of Sandy Pioneer Baseball and Sienna Shiga of Jones Architecture spoke on behalf of the applicant. There were two public comments in support of the proposal: Jen Mine and Michelle Allsop who both identified as being on the board of Sandy Pioneer Baseball. There was one neutral public comment; Kathleen Walker appreciates the purpose of the facility but expressed concerns about the metal pole barn design.
8. At the January 25 Planning Commission hearing, the Development Services Director informed the applicant that the proposed lettering on the west elevation would be considered a sign and would need to be processed through a separate sign permit application. **The applicant shall obtain a separate permit for any proposed signage.**

#### **Chapter 17.34 – Single-Family Residential (SFR)**

9. The use proposed is an enclosed field house facility associated with the existing ball fields. The proposed improvements are defined as ‘other development customarily incidental to the primary use’ listed as an accessory use permitted outright in Section 17.34.10(B.7).
10. Section 17.34.30 contains the development standards for the SFR zoning district. Per the submitted Grading & Utility Plan (Exhibit D, Page 5), the proposed building will be set back 7.5 feet from the property line to the north and 31.39 feet from the property line to the east. The subject proposal meets all setback requirements of Section 17.34.30(E).
11. Section 17.34.30(I) states that structure height shall not exceed 35 feet. Per the submitted elevations (Exhibit D, Page 7) the proposed building is 22-feet-8-inches in height, in conformance with Section 17.34.30(I).

#### **Chapter 17.66 – Adjustments & Variances**

12. Chapter 17.66 contains review procedures for adjustment and variance requests.
13. The applicant is requesting the following three (3) Type III Special Variances:
  - Type III Special Variance to Section 17.90.120(B.3.d.4) to exceed 30 percent metal on the building’s façade.
  - Type III Special Variance to Section 17.90.110(C.1) to provide a reduced roof pitch of 4:12 instead of the required 6:12 roof pitch.
  - Type III Special Variance to Section 17.90.110(E.2) to not meet the 30 percent window requirement on the “activated” frontage of the proposed building.
14. 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.

#### 15. METAL SIDING

Section 17.90.120(B.3.d.4) states: “Where metal siding is used, it shall be used as an accent only, comprising not more than 30 percent of the surface area of the building elevation (e.g., wainscoting or other accent paneling).”

Request: The applicant requests approval to allow metal siding on 100 percent of the surface area of the building elevations.

The intent of Section 17.90.120(B) is “to provide building facades, materials and colors consistent with the Sandy Style.” Section 17.90.120(B.3) states “exterior building materials shall convey an impression of strength and durability consistent with the Sandy Style” and then goes on to list specific requirements related to building materials, including Section 17.90.120(B.3.d.4), which limits the use of metal siding to 30 percent of the surface area of the building elevation. The intent of Section 17.90.120(B.3.d.4) is to limit the use of metal siding such that it is an accent only. The code cites wainscoting and other accent paneling as examples of how metal siding should be used. The applicant is proposing to use a pre-engineered metal building and is therefore requesting a Special Variance to allow 100 percent metal siding. The narrative (Exhibit C) states: “The use of a pre-engineered metal building is cost-effective and therefore makes the project economically viable for the school. The building is located on a portion of the campus that is not visible from the nearby streets and as a result, the use of metal siding on 100% of the building elevations will not have a detrimental effect on the surrounding neighborhood or the visual experience of passersby on the streets.” Staff concurs that the fieldhouse building will not be highly visible from the public right-of-way. However, staff also agrees with the sentiments of Susie Jenkins (Exhibit E) who notes that “the area of the proposed development will be in the public view for our local citizenry, students, and for visitors who come to support their sports players from outside areas.” Thus, while the fieldhouse might not be highly visible from the public right-of-way, it will nonetheless be visible to the public as the Sandy High School facility is frequently visited and used by locals and visitors alike. The applicant could propose a newly constructed building that is not prefabricated metal; thus, staff does not believe this request would meet Special Variance criteria B. The proposal is not a restoration or replacement project due to a natural disaster so would not meet Special Variance criteria C. To meet Special Variance criteria A, the Planning Commission would need to make a determination that the intent and purpose of the regulations and of the provisions to be waived will not be violated and that granting 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. In the staff report (Exhibit F), staff recommended the Planning Commission consider the submitted public testimony and the intent of Section 17.90.120(B) in formulating their decision. Staff recommended Planning Commission consider allowing 100 percent metal on the less visible facades (north and east) but not allowing 100 percent metal on the west and south elevations. The Planning Commission discussed the request in the context of the code requirements and variance criteria at the January 25 public hearing. **The Planning Commission approved the Special Variance request to Section 17.90.120(B.3.d.4) allowing 100 percent metal on the north and east elevations, but denied the Special Variance request to allow 100 percent metal on the south and west elevations. The applicant shall update the south and west elevations of the proposed fieldhouse to detail a maximum of 30 percent metal in compliance with Section 17.90.120(B.3.d.4).**

16. ROOF PITCH

Section 17.90.120(C.1) states: “Except as provided in subsections 17.90.120(C)(8), below, pitched (gabled or hipped) roofs are required on all new buildings with a span of 50-feet or less. Gable and hipped roof forms must achieve a pitch not less than the following:”

Zoning District	Primary Roof Forms (minimum)	Secondary Roof Forms (minimum)
C-2 and I-1	6:12	4:12

Request: The applicant requests a reduced roof pitch of 4:12.

The intent of Section 17.90.120(C) is to provide roof forms and detailing consistent with the Sandy Style. Gabled roofs are one of the primary Sandy Style design elements. The applicant’s narrative (Exhibit C) states: “The proposed building is a pre-engineered metal building with a 4:12 standing seam metal roof. The reduced pitch is significantly more cost-effective and therefore makes the project economically viable for the school. The building is located on a portion of the campus that is not visible from the nearby streets and as a result, the reduction in roof pitch will not have a detrimental effect on the surrounding neighborhood or the visual experience of passersby on the streets.” Staff concurs that the fieldhouse building will not be highly visible from the public right-of-way. However, as noted above, staff also agrees with the sentiments of Susie Jenkins (Exhibit E) who notes that “the area of the proposed development will be in the public view for our local citizenry, students, and for visitors who come to support their sports players from outside areas.” Thus, while the fieldhouse might not be highly visible from the public right-of-way, it will nonetheless be visible to the public as the Sandy High School facility is frequently visited and used by locals and visitors alike. The applicant could propose a newly constructed building that is not prefabricated and has a 6:12 roof pitch; thus, staff does not believe this request would meet Special Variance criteria B. The proposal is not a restoration or replacement project due to a natural disaster so would not meet Special Variance criteria C. To meet Special Variance criteria A, the Planning Commission would need to make a determination that the intent and purpose of the regulations and of the provisions to be waived will not be violated and that granting 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. In the staff report (Exhibit F), staff recommended the Planning Commission consider the submitted public testimony and the intent of Section 17.90.120(C) in formulating their decision. The Planning Commission discussed the request in the context of the code requirements and variance criteria at the January 25 public hearing. **The Planning Commission approved the Special Variance request to Section 17.90.120(C.1) to allow a 4:12 roof pitch instead of the required 6:12 roof pitch.**

17. WINDOWS

Section 17.90.120(E.2) states: The ground floor elevation of all new buildings shall contain ground floor display areas, windows, and doorways on the ‘activated’ frontage as follows:

Building Size	Percentage Windows Required
0 - 10,000 sq. ft.	30 percent of elevation
10,000 sq. ft. - 30,000 sq. ft.	25 percent of elevation
Greater than 30,000 sq. ft.	20 percent of elevation

Request: The applicant requests approval to not provide windows on any elevations.

The intent of Section 17.90.120(E) is to promote business vitality, public safety and aesthetics through effective window placement and design, consistent with the Sandy Style. The requirement on a building less than 10,000 square feet is to provide 30 percent windows on the activated frontage. Per Section 17.90.120(D.7), an elevation is considered “activated” when it meets the window transparency requirements in Section 17.90.120(E) and contains a public entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway or civic space. The proposed fieldhouse has a primary entrance on the west side of the building which is a gabled end and fronts on a concrete pedestrian area with a bench and is, therefore, the logical activated frontage. The applicant’s narrative (Exhibit C) states: “No windows are proposed for the building due to its use for indoor baseball practice activities. Glazing and windows are not appropriate for this use. The building is not visible from the public streets. A garage door is provided for additional activation on the South elevation.” Staff understands the building will be used for batting practice and that the addition of windows to the building design could result in broken windows due to baseballs and softballs hitting them. Staff is not sure if the applicant has looked into installing shatterproof glass windows on the west elevation to add additional visibility and security in compliance with Section 17.90.120(I). As noted previously, while the fieldhouse might not be highly visible from the public right-of-way, it will nonetheless be visible to the public as the Sandy High School facility is frequently visited and used by locals and visitors alike. The Planning Commission has previously decided that faux or false windows could count towards the required window percentage, though this would only address aesthetic concerns as faux windows would not increase visibility or safety. The applicant could propose a newly constructed building that includes windows, especially on the elevation away from where the batters will be hitting; thus, staff does not believe this request would meet Special Variance criteria B. The proposal is not a restoration or replacement project due to a natural disaster so would not meet Special Variance criteria C. To meet Special Variance criteria A, the Planning Commission would need to make a determination that the intent and purpose of the regulations and of the provisions to be waived will not be violated and that granting 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. In the staff report (Exhibit F), staff recommended the Planning Commission consider the submitted public testimony and the intent of Sections 17.90.120(E) and 17.90.120(I) in formulating their decision. Staff recommended that the Planning Commission consider requiring windows on the west elevation. The Planning Commission discussed the request in the context of the code requirements and variance criteria at the January 25 public hearing. The Planning Commission emphasized the importance of providing real (i.e., transparent) windows primarily to address concerns related to safety and security but also for aesthetic reasons and a desire to allow natural light into the building. **The Planning Commission denied the applicant's request for a Special Variance to Section 17.90.120(E.2) to not provide windows on one activated frontage. The applicant shall update the elevations to detail 30 percent ground floor windows on one activated frontage (either the west or south elevation) in compliance with Section 17.90.120(E.2). As required by Section 17.90.120(E.2), the windows shall contain clear glass to allow views to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet above the adjacent finished grade. Windows shall be square or vertically oriented and may consist of vertically stacked or horizontally banked window units. Windows located over a door or transom windows may be horizontally oriented. Windows with any dimension exceeding six (6) feet shall be divided to contain two or more smaller panes with real divided panes, vinyl inserts, or applied dividers. Windows shall have trim or moldings at least three (3) inches in width around them, or have reveals of at least three (3) inches in depth. Casings shall consist of a drip cap, head casing, side casings, and/or sills.**

18. **Approval of a variance shall be effective for a 2-year period from the date of approval, unless substantial construction has taken place.** The Planning Commission (Type III) may grant a 1-year extension if the applicant requests such an extension prior to expiration of the initial time limit.

#### **Chapter 17.74 – Accessory Development**

19. The proposed fieldhouse is accessory to the Sandy High School building. Chapter 17.74 contains provisions related to accessory buildings; however, there are no standards for non-residential accessory structures. The proposed fieldhouse is not located within any of the required setbacks nor does it contain building features that project into the required setbacks.
20. The applicant is not proposing any fences or walls, with the exception of the 4-foot tall stem wall that will be part of the building.

#### **Chapter 17.84 – Improvements Required With Development**

21. Section 17.84.20 requires that all public and franchise utility improvements be installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to temporary or final occupancy of structures.
22. Section 17.84.60 requires all development sites to be provided with public water, sanitary sewer, broadband (fiber), and storm drainage. The fieldhouse facility is proposed to be located in the existing parking lot. The submitted Grading & Utility Plan (Exhibit D, Page 5)

includes a calculation of existing and proposed impervious surface. Approximately 7,516 square feet of existing pavement will be removed. The proposed building area is 3,497 square feet and the new proposed paving is 3,981 square feet for a total new impervious area of 7,478 square feet. Thus, there will be a net decrease of 38 square feet of impervious area. The Grading & Utility Plan details that the proposed building gutters and downspouts will connect to a new storm drain line that will be sized to collect the roof water from the building.

23. Section 17.84.80 requires utilities to be placed underground. **All utilities shall be installed underground, with the exception of those listed in Section 17.84.80(E). All utilities shall be installed to City standards.**

### **Chapter 17.90 – Design Standards**

24. The proposal is subject to all the requirements for Design Review as stated in Section 17.90.00.
25. 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.**
26. Section 17.90.120 contains design standards for non-residential uses in residential zones. Section 17.90.120(A) contains standards related to site layout and access. The subject site gains access from Bluff Road and Bell Street. Parking for the fieldhouse facility is already provided to the south and west of the proposed facility. There are proposed walkways from the proposed structure to the parking area as well as a proposed painted crosswalk connecting west to the ballfields and internal walkway network.
27. Section 17.90.120(B) contains provisions specifying building façade articulation, pedestrian shelters, construction materials, and colors. Section 17.90.120(B.1) requires that buildings visible from an abutting public street are to be articulated, varied, and provide visual interest. The proposed building is 70 feet in length by 50 feet in width with no proposed wall articulation. The applicant submitted line of sight diagrams (Exhibit D, Pages 9-11) that demonstrate the building will not be visible from the public right-of-way and, therefore, building articulation not required.
28. Section 17.90.120(B.2) requires that buildings incorporate pedestrian shelters over primary building entrances. The pedestrian shelters must extend at least 5 feet over the pedestrian area. Shelters designed with gables are preferred over flat shelters and must comply with the roof pitch standards in Section 17.90.120(C). The primary building entrance is on the west side of the building with a secondary door on the south side of the building. The building is proposed to have 5 foot deep pedestrian shelters over the two entrances. The narrative (Exhibit C) states that the shelters will utilize single sloped roofs in lieu of gables, due to the very simple shape of the proposed building. Staff visited the site and noticed that most of the other accessory buildings by the ball fields have gabled roofs over the entries. The development code per Section 17.90.120(B.3.a) requires architectural unity. **The applicant shall update the south and west elevations to detail gabled roof forms over the two building entrances;**



**the gabled roofs shall be designed in compliance with Section 17.90.120(C) and shall extend at least 5 feet over the pedestrian area.**

29. Section 17.90.120(B.3.a) requires architecturally unified buildings. Architectural unity means buildings are related in architectural style and share some common elements, such as color scheme, materials, roof forms, and/or detailing. Per the submitted narrative (Exhibit C), the intention is for the proposed building to be a background building since it is accessory in its use, and not to compete with the significance of the primary high school structure's architecture. The building will incorporate a gable roof similar to the nearby toilet room structure. The roof will be standing seam metal like the other structures on campus. The building will utilize metal siding on all of the exterior walls. The color of the metal is tied to the dark colored masonry, storefront and awnings on the primary high school structure.
30. Section 17.90.120(B.3.b) requires strong base materials on those sides of the building visible from an abutting public street. Per the submitted narrative (Exhibit C) and line of sight diagrams (Exhibit D, Pages 9-11), the proposed building is not visible from the abutting streets and therefore the strong base material requirement does not apply.
31. Section 17.90.120(B.3.d) states that siding shall consist of wood, composite-wood (e.g., concrete fiberboard, panels or shingles), stone, brick, split-faced or rusticated concrete block, concrete form liner or a combination of these materials. The applicant is proposing to use metal siding on all of the exterior walls. Section 17.90.120(B.3.d.4) states: "Where metal siding is used, it shall be used as an accent only, comprising not more than 30 percent of the surface area of the building elevation (e.g., wainscoting or other accent paneling). Metal must be architectural grade and have a non-reflective (burnished or painted) finish conforming to the Color Palette in Appendix C. Metal may also be used for flashing, gutters, downspouts, brackets, lighting, and signage and similar functional elements." The applicant is requesting a Special Variance to exceed the 30 percent maximum metal allowed by Section 17.90.120(B.3.d.4), which is reviewed in Chapter 17.66 of this document.
32. Section 17.90.120(B.3.e) requires building elevations facing a public street to incorporate at least three (3) Sandy Style features. The applicant provided line of sight diagrams (Exhibit D, Pages 9-11) that demonstrate the building will not be visible from a public right-of-way and therefore this requirement does not apply.
33. Section 17.90.120(B.4) requires exterior building colors to include warm earth tones that conform to the Color Palette in Chapter 17.90, Appendix C. The submitted materials sheet (Exhibit D, Page 12) details Weathered Copper from Taylor Products for both the metal roof and metal siding color. The approved City of Sandy metal roof color palette is based on colors from Metallion Industries; however, the code states that proposed metal roof colors are required to match colors on the palette but do not need to be manufactured by Metallion Industries. Weathered Copper is an approved color on the City's color palette from Metallion Industries; however, that palette is only for roofs. **The applicant shall update the materials sheet to detail a wall color in compliance with the City's Color Palette in Chapter 17.90, Appendix C. The proposed wall color shall match or complement the other buildings on the high school site.**

34. Section 17.90.120(C.1) requires gable roofs on new buildings with a span of 50 feet or less. The proposed structure has a gabled roof with a roof span of 50 feet. The gable end is proposed to face west towards the ball fields. Section 17.90.120(C.1) also requires that pitched roofs contain a minimum roof pitch of 6:12. The applicant is proposing a 4:12 roof pitch. The applicant is requesting a Special Variance to Section 17.90.120(C.1) to provide a 4:12 roof pitch instead of the required 6:12 roof pitch. The special variance request is reviewed in Chapter 17.66 of this document.
35. Section 17.90.120(C.4) requires pitched roofs visible from an abutting public street to provide a secondary roof form. Per the submitted line of sight diagrams (Exhibit D, Pages 9-11), the proposed building is not visible from an abutting street and therefore the secondary roof form requirement does not apply.
36. Section 17.90.120(C.5) requires visible roof materials to be wood shingle or architectural grade composition shingle, slate, or concrete tile. Metal with standing or batten seam may also be used conforming to the Color Palette in Appendix D of the Development Code. The applicant is proposing to use Weathered Copper, which is an approved roof color in Appendix D.
37. Section 17.90.120(C.6) requires all roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, to be screened from view from all adjacent public rights-of-way and civic spaces by parapets, walls or by other approved means. Per the submitted elevations (Exhibit D, Page 7) and renderings (Exhibit D, Pages 16-17), the applicant is not proposing any roof or wall-mounted equipment.
38. Section 17.90.120(D) contains standards related to building orientation and entrances. The intent of providing adequate building orientation and entrances is to maintain and enhance streetscapes as public spaces, emphasizing pedestrian-scale and character. The proposed structure is oriented with the primary doors facing the ball fields. The floor plan (Exhibit D, Page 6) details a bench directly south of the primary entrance. Both entrances open onto a pedestrian walkway that connects to the existing internal walkway network on the Sandy High School site.
39. Section 17.90.120(D.7) requires buildings to provide at least one (1) 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 public entrance with a pedestrian shelter extending at least five (5) feet over an adjacent sidewalk, walkway or civic space. The proposed fieldhouse has a pedestrian entrance on the west façade and a secondary entrance on the south façade. The applicant is requesting a Special Variance to not meet the window requirements of Section 17.90.120(E), which is reviewed in Chapter 17.66 of this document.
40. Section 17.90.120(E) contains standards for construction and placement of windows. A building less than 10,000 square feet is required to provide 30 percent ground floor windows on the activated frontage. The windows shall contain clear glass to allow views to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet

above the adjacent finished grade. Windows shall be square or vertically oriented and may consist of vertically stacked or horizontally banked window units. Windows located over a door or transom windows may be horizontally oriented. Windows with any dimension exceeding six (6) feet shall be divided to contain two or more smaller panes with real divided panes, vinyl inserts, or applied dividers. Windows shall have trim or moldings at least three (3) inches in width around them, or have reveals of at least three (3) inches in depth. Casings shall consist of a drip cap, head casing, side casings, and/or sills. The applicant is not proposing any windows on the structure and is requesting a Special Variance to Section 17.90.120(E.2) to not provide windows on the activated frontage, which is reviewed in Chapter 17.66 of this document.

41. Section 17.90.120(F) contains additional landscaping and streetscape design standards for parcels along Highway 26 and all other adjacent rights-of-way. This site is not adjacent to Highway 26 or any other rights-of-way, so staff did not review this code section in respect to the proposal.
42. Section 17.90.120(G) contains requirements related to civic space. The civic space requirement was already reviewed with construction of the Sandy High School. The applicant is proposing a bench to the south of the primary entrance on the west façade.
43. Section 17.90.120(H) contains standards related to lighting. Lighting is reviewed in Chapter 15.30 of this document.
44. Section 17.90.120(I) contains standards related to safety and security and requires window placement that enables visibility between the building interior and exterior pedestrian and parking areas. The applicant is requesting a Special Variance to not provide windows, which is reviewed in Chapter 17.66 of this document.
45. Section 17.90.120(I.3) contains standards related to addressing and requires street address numbers measuring a minimum of six (6) inches high, which clearly locate buildings and their entries for patrons and emergency services. **The applicant shall request and pay for a new address assignment.**
46. Section 17.90.120(J) contains standards related to exterior storage. Per the submitted plan set (Exhibit D), the applicant is not proposing any external storage.

### **Chapter 17.92 – Landscaping And Screening**

47. Chapter 17.92 contains standards for landscaping and screening. As part of File No. 10-004 CUP, the Planning Commission found the overall Sandy High School site shall provide a minimum of 20 percent landscaping. Per the Site & Landscape Plan (Exhibit D, Page 3), the applicant is proposing to remove one existing landscape planter in the parking lot and replace it with a new landscape planter. In addition, the applicant is proposing to expand an existing landscape planter and install a new landscape planter to the north of two new parking spaces. The proposal will not result in a net loss of landscaping.
48. Section 17.92.40 requires all landscaping to be irrigated either with a manual or automatic system. **The applicant shall submit details on the proposed irrigation system as required by Section 17.92.40, and the property owner shall be responsible for**

**maintaining landscaping. As required by Section 17.92.10(L), all landscaping shall be continually maintained, including necessary water, weeding, pruning, and replacing.**

49. Section 17.92.50 specifies the types and sizes of plant materials for landscaping areas. All proposed trees shall be at least 1.5 inches in caliper and all proposed shrubs shall be a minimum of 1 gallon in size or 2 feet in height. The applicant is proposing four (4) black tupelo trees and one (1) western redbud tree. **The trees shall be planted per the City of Sandy standard planting detail. If the trees are staked, the ties shall be loose twine so as not to damage the trunk; the twine shall be removed after one growing season (or a maximum of 1 year).** The supplemental design review application (Exhibit B) includes the species, size, and quantity of the two proposed trees as well as a proposed shrub (20 Bearberry cotoneasters at 1 gallon size). The Site & Landscape Plan (Exhibit D, Page 3) indicates the applicant will be planting groundcover in the landscape planters, as required; however, neither the plan nor the supplemental design review application specify the type of groundcover. It's possible the applicant is intending to plant the cotoneaster as a groundcover; however, it is unclear how the area between plants will be covered (i.e. with sod, wood chips, mulch, etc.). **The applicant shall update the Planting Palette to include a proposed groundcover plant or shall clarify the material that will be used to cover the area between the shrubs (i.e. sod, wood chips, mulch, etc.).**
50. Section 17.92.60 requires areas disturbed by grading or construction to be replanted. The area around the proposed building will be impacted during construction, especially during the excavation of the building and pathways. **All landscaped areas impacted during construction shall be restored and replanted.**
51. Section 17.92.110 requires that any outdoor storage shall be entirely screened by a sight obscuring fence or vegetative materials. This includes trash and recycling areas. The plan does not indicate any outdoor storage or outdoor equipment areas requiring screening.
52. Section 17.92.130 details performance bond standards as they associate to required landscaping. The applicant has the option to defer the installation of landscaping for weather-related reasons. Staff recommends the applicant utilize this option rather than install trees and landscaping during the dry summer months. **If the applicant chooses to postpone landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the landscaping, assuring installation within 6 months. The cost of landscaping shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period.**

#### **Chapter 17.98 – Parking, Loading, And Access Requirements**

53. Section 17.98.20 contains off-street parking requirements. The submitted narrative (Exhibit C) includes an analysis detailing the proposed change in parking spaces. The proposal includes removal of 12 existing parking spaces and addition of 4 new parking spaces. Per Section 17.98.20(A.9), a high school requires 6 parking spaces per classroom plus 1 per employee on the largest shift. Per the narrative, there are 71 classrooms and 124 employees on the largest shift resulting in a minimum parking requirement of 550 (71 x 6 plus 124 x 1). The analysis states there are 757 existing spaces. After subtracting the 12 spaces proposed

for removal and adding the 4 spaces proposed for addition, there will be 749 parking spaces in compliance with the requirements of Section 17.98.20. The proposed development will not affect the number of ADA parking spaces or bike parking spaces. However, it is likely that students may ride bicycles to the fieldhouse. **The applicant shall update the plan set to detail one bicycle rack that accommodates two bicycles near one of the two fieldhouse entrances.**

54. Section 17.98.60 contains specifications for parking lot design and size of parking spaces. Standard parking spaces shall be at least 9 feet by 18 feet and compact spaces shall be at least 8 feet by 16 feet. The applicant proposes two new standard parking spaces to the southeast of the proposed field house that are 9 feet by 18 feet, and two compact parking spaces west of the field house that are 8 feet wide in compliance with the code.
55. Section 17.98.120(D) requires landscape planters with a structural tree and groundcover at each end of every parking bay. The minimum landscape planter size for a single bay is 5 feet by 17 feet and the minimum planter size for a double bay is 5 feet by 34 feet. The parking lot is proposed to contain black tupelo and western redbud trees, but a groundcover is not specified. **The applicant shall update the Planting Palette to include a proposed groundcover plant or shall clarify the material that will be used to cover the area between the shrubs (i.e., sod, wood chips, mulch, etc.).** The Site & Landscape Plan (Exhibit D, Page 3) details a structural tree at the ends of each parking bay with the exception of the newly proposed compact parking spaces to the west of the building. **The applicant shall update the Landscape Plan to detail one structural tree to the north of the proposed compact parking spaces to the west of the building.** The landscape planter on the west side of the middle parking aisle is less than 5 feet by 17 feet. The narrative (Exhibit C) states it is not possible to provide a 5 foot by 17 foot landscape planter in that location due to the turning radius requirements for the parking lot. Instead, the applicant is proposing to plant a smaller western redbud in that area, and an additional structural tree in the eastern half of the planter for a total of three (3) trees in the double bay planter.
56. Section 17.98.130 requires parking areas to be paved. **Parking areas shall be paved with concrete, asphalt or comparable surfacing, constructed to City standards for off-street vehicle areas.**

#### **Chapter 17.102 – Urban Forestry**

57. Chapter 17.102 contains urban forestry requirements. The subject property is 68.54 acres and is therefore subject to the provisions of Chapter 17.102. The applicant is not proposing any tree removal with this application. **If the proposed excavation is anticipated to impact existing trees on the subject property or on adjacent properties, the applicant shall consult with an ISA Certified Arborist and follow their recommendations to minimize negative impact to the trees. Any future tree removal shall require additional permit approvals and if a permit is not obtained prior to removal of a tree, this violation may be subject to a fine per occurrence as specified in Section 17.06.80.**

#### **Chapter 15.30 – Dark Sky Ordinance**

58. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant submitted exterior lighting levels (Exhibit D, Page 8) that detail the locations of two proposed exterior

lights and foot candle readings 10 feet beyond the property line. The foot candle readings 10 feet beyond the property line do not exceed 0.25 foot-candles in compliance with Chapter 15.30. The applicant also submitted specifications on the proposed Tolbod 155 wall lights (Exhibit D, Page 12). **All exterior lighting shall be in compliance with Chapter 15.30, shall be full cut-off, and shall not exceed 4,125 Kelvins.**

#### **Chapter 15.44 – Erosion Control Regulations**

59. **All erosion control and grading shall comply with Section 15.44 of the Municipal Code. All on-site earthwork activities including any retaining wall construction shall follow the requirements of the most current edition of the Oregon Structural Specialty Code (OSSC). If the proposal includes a retaining wall, the applicant shall submit additional details on the proposed retaining wall for staff review and approval. The earthwork activities shall be observed and documented under the supervision of a geotechnical engineer.**
60. **Site grading shall not in any way impede, impound, or inundate the surface drainage flow from the adjoining properties without a proper collection system. 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.**

#### **DECISION**

For the reasons described above, the Planning Commission voted 5 (in favor) to 1 (not in favor) to **approve** the request by Jones Architecture on behalf of the Oregon Trail School District to construct a fieldhouse and modify the site as modified by the conditions of approval listed below.

The Planning Commission **approves** the following requests as modified by the conditions of approval:

- Special Variance to Section 17.90.120(B.3.4.d) to allow 100 percent metal siding on the north and east elevations.
- Special Variance to Section 17.90.120(C.1) to allow a 4:12 roof pitch instead of a 6:12 roof pitch.

The Planning Commission **denies** the following requests:

- Special Variance to Section 17.90.120(B.3.4.d) to allow 100 percent metal siding on the south and west elevations.
- Special Variance to Section 17.90.120(E.2) to not provide windows on one activated elevation.

#### **CONDITIONS OF APPROVAL**

**A. Prior to any onsite grading or earthwork the applicant shall complete the following:**

1. Request and pay for a new address assignment.

2. Submit and obtain a grading and erosion control permit and request and obtain an approved inspection of installed devices prior to any onsite grading. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction. All erosion control and grading shall comply with Section 15.44 of the Municipal Code.

**B. Prior to construction or issuance of a building permit, the applicant shall complete the following and receive necessary approvals as described below.**

1. Submit all pertinent permit applications along with all required submittal documents for review and approval. Contact [building@cityofsandy.com](mailto:building@cityofsandy.com) for submittal requirements.
  - a. A utility plan detailing all proposed utility extensions.
  - b. Update the Planting Palette to include a proposed groundcover plant or clarify the material that will be used to cover the area between the shrubs (i.e. sod, wood chips, mulch, etc.).
  - c. Update the Landscape Plan to detail one structural tree to the north of the proposed compact parking spaces to the west of the building.
  - d. Update the materials sheet to detail a wall color in compliance with the City's Color Palette in Chapter 17.90, Appendix C. The proposed wall color shall match or complement the other buildings on the Sandy High School site.
  - e. Update the plan set to detail one bicycle rack that accommodates two bicycles near one of the two fieldhouse entrances.
  - f. Update the south and west elevations to detail gabled roof forms over the two building entrances; the gabled roofs shall be designed in compliance with Section 17.90.120(C) and shall extend at least 5 feet over the pedestrian area.
  - g. Update the south and west elevations of the proposed fieldhouse to detail a maximum of 30 percent metal in compliance with Section 17.90.120(B.3.d.4).
  - h. Update the elevations to detail 30 percent ground floor windows on one activated frontage (either the west or south elevation) in compliance with Section 17.90.120(E.2). As required by Section 17.90.120(E.2), the windows shall contain clear glass to allow views to interior activity or display areas. The bottom edge of windows shall be no less than three (3) feet above the adjacent finished grade. Windows shall be square or vertically oriented and may consist of vertically stacked or horizontally banked window units. Windows located over a door or transom windows may be horizontally oriented. Windows with any dimension exceeding six (6) feet shall be divided to contain two or more smaller panes with real divided panes, vinyl inserts, or applied dividers. Windows shall have trim or moldings at least three (3) inches in width around them, or have reveals of at least three (3) inches in depth. Casings shall consist of a drip cap, head casing, side casings, and/or sills.

- i. Submit details on the proposed irrigation system.

**C. Prior to occupancy (temporary or final) of the building, the applicant shall obtain final approval on all permits and the following or provide financial assurance for their completion:**

1. All public and franchise utility improvements including parking lot curbing, storm drainage, landscaping, irrigation and lighting shall be installed in compliance with City standards or financially guaranteed in accordance with the provisions of Chapter 17.84. All franchise utilities shall be installed underground with the exception of those listed in Section 17.84.80 (E).
2. Complete all site improvements including, but not limited to, the following:
  - a. Installation of new concrete walkways.
  - b. Installation of the proposed structure.
  - c. Installation of new landscaping and curbs to protect landscaping.
  - d. Restoration of landscaping impacted during construction.
  - e. Installation of lighting that meets the Dark Sky Ordinance.

**D. 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 as specified in Section 17.90.70. Approval of a variance shall be effective for a 2-year period from the date of approval, unless substantial construction has taken place.
2. The applicant shall obtain a separate permit for any proposed signage.
3. All exposed soils shall be seeded or covered with other erosion control device(s) and shall be in compliance with Section 15.44.
4. All utilities shall be installed underground, with the exception of those listed in Section 17.84.80(E). All utilities shall be installed to City standards.
5. As required by Section 17.92.140, the property owner shall be responsible for maintaining landscaping. As required by Section 17.92.10(L), all landscaping shall be continually maintained, including necessary water, weeding, pruning, and replacing.
6. The trees shall be planted per the City of Sandy standard planting detail. If the trees are staked, the ties shall be loose twine so as not to damage the trunk; the twine shall be removed after one growing season (or a maximum of 1 year).
7. If the proposed excavation is anticipated to impact existing trees on the subject property or on adjacent properties, the applicant shall consult with an ISA Certified Arborist and follow their recommendations to minimize negative impact to the trees. Any future tree removal shall require additional permit approvals and if a permit is not obtained prior to removal of a tree, this violation may be subject to a fine per occurrence as specified in Section 17.06.80.



8. If the applicant chooses to postpone landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the landscaping, assuring installation within 6 months. The cost of landscaping shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period.
9. Parking areas shall be paved with concrete, asphalt or comparable surfacing, constructed to City standards for off-street vehicle areas.
10. All exterior lighting shall be in compliance with Chapter 15.30, shall be full cut-off, and shall not exceed 4,125 Kelvins.
11. All on-site earthwork activities including any retaining wall construction shall follow the requirements of the most current edition of the Oregon Structural Specialty Code (OSSC). If the proposal includes a retaining wall, the applicant shall submit additional details on the proposed retaining wall for staff review and approval. The earthwork activities shall be observed and documented under the supervision of a geotechnical engineer.
12. Site grading shall not in any way impede, impound, or inundate the surface drainage flow from the adjoining properties without a proper collection system.
13. Successors-in-interest of the applicant shall comply with site development requirements prior to issuance of building permits.
14. Land use approval does not connote approval of public improvement plans submitted with the land use application. Plan details shall be reviewed during the construction plan submittal phase.
15. Approval of this use may be revoked if conditions of approval are not met. Approval does not grant authority for the unrestricted use of the structure or site. Any use of the site may be prohibited until such time as all required improvements are completed.
16. Any conditions or regulations required by Clackamas County, Fire District No. 72, or state or federal agencies are hereby made a part of this permit and any violation of these conditions and/or regulations or conditions of this approval will result in the review of this permit and/or revocation.



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Jerry Crosby  
Planning Commission Chair

## **RIGHT OF APPEAL**

A decision on a land use proposal or permit may be appealed to the City Council by an affected party by filing an appeal with the Director within twelve (12) calendar days of notice of the decision. Any person interested in filing an appeal should contact the city to obtain the form, "Notice of Appeal", and Chapter 17.28 of the Sandy Development Code regulating appeals. All applications for an appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and,
5. Payment of required filing fees.