

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

DATE: February 24, 2021

FILE NO.: 20-048 DR

PROJECT NAME: Les Schwab Façade DR

APPLICANT/OWNER: Les Schwab Tire Center

LEGAL DESCRIPTION: T2S R4E Section 14, Tax Lots 1600 and 1700

ADDRESS: 37895 Highway 26

DECISION: Approved subject to conditions of approval

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

EXHIBITS:

Applicant's Submittals

- A. Land Use Application Form
- B. Plan Set
 - Sheet A0: Cover Sheet
 - Sheet A1: Building Elevation
 - Sheet S0: Specs and Inspections
 - Sheet S1: Canopy Plan
- C. Façade Rendering

FINDINGS OF FACT

General

1. These findings are based on the applicant's original submittal received on November 19, 2020. The application was deemed complete on December 12, 2020. This final order is based upon the exhibits listed above.
2. The subject property is located at 37895 Highway 26. The subject property has a comprehensive plan designation of Commercial and a zoning district designation of C-2, General Commercial.

3. The subject site consists of one parcel with a total area of approximately 1.02 acres. A Les Schwab business currently sits on the subject site. The applicant proposes updating the building façade and modifying the parking area directly in front of the showroom and service building. These updates include a new canopy, stone wainscot along the front section, and new exterior paint.
4. Note 1 on the south building elevation (Exhibit B, Sheet A1) indicates the applicant is proposing a new exterior sign. **The applicant shall obtain a separate permit for any proposed signage.**

17.44 – General Commercial (C-2)

5. Les Schwab is a retail business, which is a permitted outright use in this zoning district.
6. The proposed façade updates do not change the setbacks or building footprint, thus maintaining the building’s cohesion with the requirements of this chapter.

17.90 – Design Standards

7. The proposal is subject to all the requirements for Design Review as specified in Section 17.90.00.
8. Section 17.90.70 specifies that **design review approval shall be void after two (2) years from the date of the Final Order.**
9. Because this project constitutes exterior alterations, it qualifies as a Type I Administrative Design Review application.
10. Section 17.90.120 contains requirements for buildings in the C-2 zoning district.
11. Section 17.90.120(B)(2) relates to pedestrian shelters and is relevant for the proposed canopy. This canopy is required per the development code. Section 17.90.120(B.2.c) states that pedestrian shelters must extend at least five (5) feet over the pedestrian area. The submitted canopy detail (Exhibit B, Sheet S1) details a four (4) foot canopy extension. **The applicant shall update the site plan and canopy detail to detail a minimum canopy extension of at least 5 feet over the pedestrian area.** Section 17.90.120(B.2.d) states “Shelters designed with gables (e.g., over building entrances) are preferred over flat shelters, and must comply with the roof pitch standards in Section 17.90.120(C).” The preliminary elevation plans (Exhibit B, Sheet A1) show a flat roof, which is discouraged but not prohibited under Sandy Style guidelines. The applicant shall alter the canopy design in one of the following ways:
 - **Change the canopy roof form to a gabled roof with a 4:12 pitch; OR**
 - **Update the canopy elevation to detail wooden beams and stone base.**
12. Section 17.90.120(B)(3) relates to building materials and requires that exterior building materials shall convey an impression of strength and durability consistent with the Sandy Style.

13. Section 17.90.120(B)(3)(b) states that 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 an abutting public street. Per Section 17.90.120(B.3.f), materials required on elevations visible from an abutting public street must turn the building corner and incorporate appropriate transitions onto elevations not requiring these materials for a distance of not less than four (4) feet. The applicant is proposing borl cultured stone pro-fit Alpine ledgestone in Black Mountain extending 48 inches above the adjacent finished grade on the building face abutting Highway 26 (i.e., the south elevation). **The applicant shall update the elevations to detail the stone base wrapping around the east elevation for a distance of four (4) feet (or to the existing windows if the existing windows on the east elevation are within 4 feet of the corner).**
14. Building elevations facing a public street shall incorporate at least three features found in 17.90.120(B)(3)(e). The proposed façade updates are utilizing the following three features from this section:
- Stacked cultured stone on the south (public street facing) elevation;
 - Metal canopy over the pedestrian entrance; and
 - Exposed natural wood-colored beams.
15. Section 17.90.120(B)(4) outlines colors allowed by Sandy Style requirements. These colors include earth tones in tans, browns, reds, grays, and greens conforming to the Color Palette in Appendix C of the Development Code. The applicant is proposing to use the colors named Shaker Red, Plymouth Beige, Polished Pewter, and Chocolate in the updated façade, all of which are approved colors on Sandy's approved Color Palette in Appendix C.
16. Section 17.90.120(C.6) states that all roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from view from all adjacent public rights-of-way and civic spaces by parapets, walls or by other approved means. The existing rooftop equipment screen does not fully screen the mechanical unit. **The rooftop screen shall be replaced with a new screen that completely blocks views of the rooftop equipment from public rights-of-way and civic spaces; the screen shall adhere to the Sandy Development Code standards for material and color.**
17. The applicant is additionally proposing to replace the glass in the existing storefront window frames. Section 17.90.120(E)(4) states that darkly tinted windows, mirrored windows, and similar windows are prohibited adjacent to street sidewalks, civic spaces and walkways. **The applicant shall not use any of the prohibited window types identified in Section 17.90.120(E.4).**
18. Section 17.90.120(G) details requirements for civic space in C-2 zoning districts. No less than three percent of the building area of every development shall be improved as civic space. All civic spaces shall have dimensions of not less than eight feet across and have a surface area of not less than 64 square feet.

19. It appears that an existing picnic table, which counts as civic space, is being removed as part of the façade upgrade. **The applicant shall propose civic space according to the standards of Section 17.90.120(G). Alternatively, if the applicant does not want to modify or analyze civic space as part of this application the existing picnic table area shall be preserved for civic space.**

17.98 – Parking, Loading & Access Requirements

20. As part of this application, the applicant is proposing relocating the required ADA-compliant parking space. According to the Sandy development code and ORS 477.233, an ADA compliant space must be at least 9 feet in width and 18 feet in length with an adjacent 8-foot wide access aisle to accommodate for loading and unloading wheelchairs. The proposed ADA compliant space meets these requirements.

DECISION

For the reasons described above the request by Les Schwab to construct an updated façade is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

A. Prior to building permit submittal the applicant shall submit the following. (Submit to planning@ci.sandy.or.us)

1. Update the site plan and canopy detail to detail a minimum canopy extension of at least 5 feet over the pedestrian area.
2. Alter the canopy design in one of the following ways:
 - a. Change the canopy roof form to a gabled roof with a 4:12 pitch; OR
 - b. Update the canopy elevation to detail wooden beams and stone base.
3. Update the elevation to detail stone base at the two front (south) corners of the warehouse and alignment center building.
4. Replace the rooftop screen with a new screen that completely blocks views of the rooftop equipment from public rights-of-way and civic spaces; the screen shall adhere to the Sandy Development Code standards for material and color.
5. The applicant shall propose civic space according to the standards of Section 17.90.120(G). Alternatively, if the applicant does not want to modify or analyze civic space as part of this application the existing picnic table area shall be preserved for civic space.

B. 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. The applicant shall obtain a separate permit for any proposed signage.
3. The applicant shall not use any of the prohibited window types identified in Section 17.90.120(E.4).
4. Future changes to the structure or development of the site shall require separate land use approval, including potentially a pre-application conference, and shall comply with the design standards in Chapter 17.90.
5. Any areas disturbed during modification of the existing site shall be re-vegetated to pre-project condition.
6. The applicant shall confer with the Sandy Fire District to ensure compliance with the requirements of the Sandy Fire Marshal. The applicant shall comply with all applicable Oregon Fire Code Requirements.
7. Successors-in-interest of the applicant shall comply with site development requirements.
8. Land use approval does not connote approval of utility or public improvement plans submitted with the land use application. Plan details will be reviewed during the construction plan submittal phase by the City Engineer and Public Works Director.
9. Comply with all other conditions or regulations imposed by the Sandy Fire District 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.

Shelley Denison

Shelley Denison
Associate Planner

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within 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.