

FINDINGS OF FACT and FINAL ORDER TYPE I TEMPORARY STRUCTURE PERMIT

DATE:	October 20, 2023
FILE NO.:	23-038 TEMP – Fred Meyer Temporary Job Site Trailer
APPLICANT:	Marty Gleeson – Mackenzie Inc.
OWNER:	Fred Myer Stores, Inc.
LOCATION:	16625 362nd Avenue
TAX LOT:	Assessor’s Map 24E15A Tax Lots 100,190 & 204
ZONING:	C-2 (General Commercial)/I-1 (Industrial Park) and FSH

EXHIBITS:

Applicant’s Submission

- A. Land Use Application
- B. Site Plan/Floor Plan Package

FINDINGS OF FACT

1. Fred Meyer Stores, Inc. has submitted plans for an interior remodel. The planned work is set to last a minimum of 120 days or four months. The store will stay open during the renovation.
2. The renovations are planned to take place entirely inside the building. However, to economize space inside, the applicant has requested to create two temporary storage areas outside their building in their parking lot. These two separate areas (Exhibit B) will stock multiple large storage containers housing the materials they will need to complete the renovation. The applicant is also proposing to install a job site trailer and temporary restrooms.
3. Fred Meyer Stores, Inc. are the owners, Mackenzie Inc. are the architects, and the renovations will be completed by a general contractor not identified.
4. The Fred Meyer site is comprised of three separate parcels. The main building containing the grocery store and general retail is zoned C-2 (General Commercial). The parking area west of the main building and the gas station are zoned I-1 (Industrial Park).
5. There is a small area along the north property line where the FSH overlay intersects these properties. However, none of the activity associated with this renovation and the temporary trailer permit will be in or close to the overlay.
6. The applicant submitted a site plan (Exhibit B) showing the trailer and storage container locations and approximate layout. All containers and fencing have been indicated to not impede any clear vision along parking area routes.
7. Each storage area will be enclosed by security fencing with fabric lining which is going to be fastened to the asphalt or securely weighted by sandbags, anchors, or a combination of both as needed to avoid any movement of the fence during the temporary occupation of the areas.
8. The applicant has provided a vehicle circulation map which indicates the existing fuel truck maneuvering routes throughout the site. **All truck routes through the site shall remain existing**

and unaltered by the temporary site enclosures. The fuel truck access shall remain unimpeded along with the coordinated access to the on-site vehicle electric charging stations for Tesla and Electrify America.

9. The storage areas and trailers meet all the setback requirements of the C-2 (General Commercial) zone.
10. All construction workers participating in the renovation will park in the existing parking lot area surrounding the main Fred Meyer building.
11. The Sandy Development Code does not permit overnight accommodation (i.e., sleeping) in a temporary structure. **Therefore, no one shall sleep in the job site trailer.**
12. Fred Meyer and the general contractor have agreed upon onsite restrooms to be located close to the building where the work is taking place and under the overhang. **The temporary restrooms shall conform with ADA requirements.**
13. The applicant has stated that this project does not necessitate a temporary service meter from PGE.
14. According to Section 17.74.60(B), temporary structures in connection with construction may be permitted, for a period not to exceed 1 year. Renewal of a temporary use permit shall be processed under the Type II procedure and may require a public hearing. **The applicant shall apply for a building permit and install all improvements as required by the Sandy Building Official including adhering to all ADA standards. The applicant shall remove the temporary job site trailer, storage containers, temporary restrooms, and fencing by October 22, 2024, unless an application extending this timeline has been applied for and approved prior to this date.**
15. Signage shall not be allowed without first obtaining a sign permit. **The applicant is responsible for complying with Chapter 15.32 for all signage.**

DECISION

For the reasons described above, the request by Fred Meyer Stores, Inc., to locate a temporary job site trailer, storage containers, temporary restrooms, and fencing in the parking lot of 16625 362nd Avenue, beginning on October 23, 2023, through October 22, 2024, is hereby **approved** as modified by the conditions listed below. This permit may be revoked by the City if conditions of approval are not met.

CONDITIONS OF APPROVAL

1. No other structures or alternate locations outside what was submitted with this application are allowed without approval from the City.
2. All truck routes through the site shall remain existing and unaltered by the temporary site enclosures. The fuel truck access shall remain unimpeded along with the coordinated access to the on-site vehicle electric charging stations for Tesla and Electrify America.
3. The temporary restrooms shall conform with ADA requirements.

4. The temporary job site trailer, storage containers, temporary restrooms, and fencing shall be removed by the applicant by October 22, 2024, unless an application extending this timeline has been applied for and approved prior to this date.
5. No overnight stays are permitted in the job site trailer.
6. All signage requires a separate sign permit per Chapter 15.32.
7. The applicant shall apply for a building permit and install all improvements as required by the Sandy Building Official including adhering to all ADA standards.



Patrick Depa
Senior 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 twelve (12) days of notice of the decision. The notice of 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 Section 17.28.50;
5. *Payment of required filing fees.* Payment of required filing fees is jurisdictional and must accompany an appeal at the time it is filed;
6. The name and mailing address of the person or entity appealing the decision; and
7. List and two sets of mailing labels for property owners within 300 feet of the subject property (for appeal of a Type I decision), 500 feet of the subject property for appeal of a Type II, III, or IV decision, or 1,000 feet for appeal of an annexation request. The property owner list and labels shall be obtained from a Title Company no more than seven days prior to submitting the appeal.