

FINDINGS OF FACT and FINAL ORDER MINOR MODIFICATION FOR TYPE I DECISION

DATE:	September 11, 2025
FILE NO.:	25-047 MOD - MHAC Front Awning & Pickle Ball Court
APPLICATION:	Type I – Design Review
APPLICANT:	Mt. Hood Athletic Club (MHAC)
PROJECT NAME:	MHAC – Façade Improvement/Minor Modification
OWNER:	Paul Reed
ZONING:	C-2 (General Commercial)
MAP AND TAX LOT:	4E14BA, Tax Lot 1100
STAFF CONTACT:	Patrick Depa, Senior Planner

PROPOSAL AND BACKGROUND

The owner of Mt. Hood Athletic Club submitted an application in 2023 to bring the building closer in compliance with the "Sandy Style" design requirements. File No. 23-048 DR - MHAC Entry was approved on December 7, 2023, and some of the approved construction has already been completed. This application is for a minor modification to the originally approved pedestrian shelter over the main entrance and for a newly proposed pickle ball court in the northeast corner of the property.

The proposed new design consists of a new wood-framed and metal panel awning, two new bases of adhered masonry veneer, new sconces at the main entrance, and new lights under the canopy. The previous approval included the partial demolition of the trellis.

The proposed modifications to the building are subject to a Type I review because they are considered exterior alterations other than general maintenance as defined in Section 17.90.40(A)(1) Type of Review and do not exceed certain thresholds that would require a Type II review. The following exhibits, findings of fact, and conditions explain the minor modification and the conditions of approval.

EXHIBITS

Applicants' Submittals:

- a. Land Use Application
- b. Project Narrative
- c. Façade Rendering
- d. Site Plan and Pickle Court Details

COMMENTS

General Public – None

Clackamas Fire Marshall – None

SandyNet had no comments – None

Building Division Comments

- a. The metal roofing over the tongue and groove ceiling shall be structurally designed to support a 30 lb. roof snow load.
- b. All electrical permits shall be approved prior to installation of the new light fixtures.
- c. All engineering stamps shall be in compliance with structural plan requirements.

Public Works Department Comments

Stormwater detention is required for the proposed pickleball court. A smaller sized detention facility is being proposed to be constructed behind the court and drain directly into a storm manhole. It needs to be sized according to the Portland Stormwater Management Manual.

GENERAL FINDINGS OF FACT

- Finding 1:** These findings are based on the applicant's submittal received on September 3, 2025, and were deemed complete upon receipt.
- Finding 2:** The original application that this modification impacts is File No. 23-048 DR - MHAC Entry that was approved on December 7, 2023.
- Finding 3:** The subject site is approximately 4.78 acres and shares an access drive with four other parcels. The subject lot is Lot 3 of the Twin Cedars Subdivision plat recorded in 2005.
- Finding 4:** The site is located on the north side of Hwy 26 between Kate Schmitz Avenue and 362nd Avenue.
- Finding 5:** The property is zoned C-2 (General Commercial).
- Finding 6:** Chapter 17.44 – General Commercial - Section 17.44.10.(B)(2)(a) states that an athletic club is a permitted outright use in the C-2 (General Commercial) zoning designation.
- Finding 7:** The adjacent property is zoned C-2 to the north, south, and west. The property to the east is zoned R-2 (Medium Density Residential). The R-2 property is owned by the Oregon Trail School District. It is separated by the unimproved Kate Schmitz Avenue right-of-way.
- Finding 8:** This application will not remove any additional parking spaces to accommodate the improvements. The athletic club will still meet their minimum parking space requirements outlined in Chapter 17.98. All other parking requirements have been met.
- Finding 9:** No new landscaping is being proposed or required. All existing landscaping and street tree requirements have been met.

FINDINGS APPLYING SANDY DEVELOPMENT CODE CRITERIA

Section 17.90.80. Modifying approvals.

A. *Major Modification.* A major modification to a Design Review approval shall be processed as a new application. Major Modifications include but are not limited to:

1. Changes in proposed land use;
2. Substantial change in building elevation and materials;
3. Changes in type and location of access ways and parking areas where off-site traffic would be affected;
4. Increase in the floor area proposed for nonresidential use by more than ten percent from what was previously specified;
5. Increase in the total ground area proposed to be covered by structures or parking by more than ten percent from what was previously specified;
6. Reduction of project amenities provided, such as civic space, recreational facilities, screening, and/or landscaping provisions by more than ten percent from what was previously specified, and;
7. Any other modification to a requirement established at the time of Design Review approval.

B. *Minor Modification.* Minor Modifications may include any of the changes listed above provided the change is below the quantifiable thresholds for a Major Modification, per Section 17.90.80.A. s shall be processed as a Type I or Type II decision; a Type II procedure shall be used where the modification requires interpretation of a discretionary standard.

Finding 10: There are no changes in the proposed land use. There is no substantial change in building elevation and materials. There are no changes to the parking area or circulation patterns that would alter any off-site traffic. There is no increase in floor area or site area around the structures. The proposed modifications are specific to the building façade and the addition of an outside pickleball court. The addition of the outside pickleball court does not increase the total ground area allowed to be covered by structures or parking by more than ten percent from what was previously specified. Therefore, the modification is not a major modification as defined in Section 17.90.80. (A).

CHAPTER 17.44 GENERAL COMMERCIAL (C-2)

Sec. 17.44.30. Development requirements.

A.

Type	Standard
Lot Area	No minimum
Lot Dimension	No minimum
Setbacks ¹	
Front	10 ft. minimum; 50 ft. maximum

Side	None
Rear	None
Corner	15 ft. minimum
Outside Display/Sales Lot Area	80% maximum
Lot Coverage—Impervious Area	No maximum
Landscaping	20% minimum (includes required civic space in Section 17.90.120)
Structure Height	55 ft. maximum
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.120

*Footnote:*¹ Unless abutting a more restrictive zoning district, or as required under Section 17.90.120 Design Standards for C-2.

B. Special Setbacks—Side or Rear Yard Abutting a More Restrictive District.

1. Property abutting a more restrictive zoning district shall have the same yard setback as required by the abutting district. An additional ten feet shall be added for each ten-foot increment in building height over 35 feet;

Finding 11: The adjacent zoning district to the east is more restrictive, however, all setbacks for the new pickleball court exceed the special setback requirement. The 1,800 square foot pickleball court is proposed to be located in a current landscaped area and will not affect or remove any existing or required parking spaces. The addition of the pickleball court over the existing landscape area does not put the MHAC property below the required 20 percent minimum landscaping.

No structures will be installed with the pickleball court, but fencing will be installed around the court, and a basketball backboard and hoop will also be installed. The remaining items listed in Section 17.44.30 Development Standards are in compliance.

CHAPTER 17.84 – IMPROVEMENTS REQUIRED WITH DEVELOPMENT

Section 17.84.60. Public facility extensions.

A. All development sites shall be provided with public water, sanitary sewer, broadband (fiber), and storm drainage and shall meet the following requirements:

1. The required improvements shall be installed at the expense of the developer.
2. Public water facilities shall meet the requirements of Title 13 of the Sandy Municipal Code and the 2022 City of Sandy Water System Master Plan and shall be designed in conformance with the City of Sandy Water Service Utility Standard Details.
3. Sanitary sewer facilities shall meet the requirements of Title 13 of the Sandy Municipal Code and shall be designed in conformance with the City of Sandy Sewer Service Utility Standard Details.

4. Storm drainage facilities meet the requirements of Title 13 of the Sandy Municipal Code and the City of Portland Stormwater Management Manual, as adopted by the City of Sandy, and shall be designed in conformance with the City of Sandy Stormwater Utility Standard Details.

Finding 12: Prior to the installation of the pickleball court the applicant shall confirm with the Public Works Department that the detention facility is sized according to the Portland Stormwater Management Manual at adjusted rainfall rates for Sandy. No work shall be done near the City's stormwater system or any connections made to the City system without a permit from Public Works.

CHAPTER 17.90 – DESIGN STANDARDS

Section 17.90.120. General Commercial (C-2), Industrial Park (I-1), and non-residential uses in residential zones design standards.

Section 17.90.120(B) - Building Façade, Materials, and Colors.

Section 17.90.120(B)(1) - Articulation. The Sandy Style includes asymmetrical building forms, which by definition require buildings to be articulated, varied, and provide visual interest.

Finding 13: All the modifications are being proposed on the front or south elevation. The proposed design modification does not change the exterior walls of the building. The addition of the timber-framed metal canopy over the main entranceway will be moved down from the top of the elevation to about the midpoint and help differentiate the first and second story of the façade.

Section 17.90.120(B)(2) - Pedestrian Shelters. Buildings must incorporate pedestrian shelters, as follows:

- a. Pedestrian shelters shall be provided over the building's primary entrance(s) and all pedestrian areas (i.e., sidewalks, and civic spaces) abutting the subject building, where pedestrians are likely to use these facilities.
- b. Features such as canopies, arcades, awnings, roofs overhangs, covered porches, alcoves, and/or porticoes are required to protect pedestrians from the rain and sun.
- c. Pedestrian shelters must extend at least five feet over the pedestrian area.
- d. Shelters over building entrances shall be designed with gable or shed roofs over building entrances and must comply with the roof pitch standards in Section 17.90.110.C.

Finding 14: The proposed canopy is a dominant feature over the front entrance and will project sixteen (16) feet from the building protecting pedestrians from the elements. The canopy will be held up by two new posts and two new bases of adhered masonry veneer twelve (12) feet apart. The new canopy has a roof pitch of 6:12.

Section 17.90.120(B)(3) - Building Materials. Exterior building materials shall convey an impression of strength and durability consistent with the Sandy Style.

Finding 15: The addition of a stone-textured cultured base (a.k.a. “adhered masonry veneer”) to the south façade and posts will match the existing cultured stone used elsewhere in the project (e.g., the trellis posts, and the pool area) and add a strong base to the building. The cultured stone is proposed at 36 inches in height. The submitted elevations detail exposed 6-inch wood posts supported by 2.5 foot by 2.5-foot stone bases in compliance with this section. The canopy will include exposed wood framing and metal brackets and tongue and groove panels underneath the canopy (similar to FIGURE 1). This section requires that exterior building materials shall convey an impression of durability. The improvements will use approved Sandy Style materials thus providing the visual interest required by the code.



FIGURE 1

Section 17.90.120(B)(4) – Colors. Building exteriors shall comply with the following standards:

- a. Permitted colors include warm earth tones (tans, browns, reds, grays and greens) conforming to Color Palette in Appendix C.

Finding 16: The new materials are warm earth tones such as pinecone, appaloosa, and ponderosa. The cultured stone is a combination of light to dark brown and beige colors that conform to the City’s Color Palette. The new canopy will match the existing tenant canopies with a “Dark Bronze” roof (similar to FIGURE 2).



FIGURE 2

Section 17.90.120(C). Roof Pitch, Materials, and Parapets. To provide roof forms and detailing consistent with the Sandy Style.

Finding 17: The canopy will have a 6:12 roof pitch with standing seam metal roof panels in compliance with the Development Code. The proposed development does not change the location of the building’s primary entrance, but it does enhance its prominence with the addition of the canopy. The proposed canopy will protect the main entrance from rain and include tongue and groove decking that is stained to match the ceiling of the inside lobby.

CHAPTER 15.30 – DARK SKY ORDINANCE

The applicant did not submit a lighting plan based on the modified design so this review reflects the previous submittal and conditions of approval. If there are new proposed lighting pertaining to the façade modification, the lighting cut sheets must be submitted and approved prior to installation.

Of the two proposed types of lighting, the sconce lights with cylindrical up/down sconces on both sides of the main entrance are prohibited. The applicant shall submit an alternate type or style of fixture for the entrance to the building.

The addition of three floodlights underneath the canopy to illuminate the canopy’s underside at night does not violate the intent of the “full cutoff fixture” classification. Although the lights appear to be directed at an angle slightly upward, they are directly adjacent to the under canopy of the entrance area. None of the light is expected to escape from underneath the canopy because of the flush construction of the canopy. The lights are sized and positioned so that they do not cause light pollution or illuminate outside of the owner’s property line.

Finding 18: The building is proposed to be illuminated by two light fixtures, both at the front of the building, above the entranceways. **The two proposed scone lights with cylindrical up/down sconces on both sides of the main entrance are prohibited. If all of the new lighting is located under the canopies, they meet the requirements of Chapter 15.30, Dark Sky Ordinance, except potentially the Kelvin rating. All-proposed lighting appears to be directed downward under the canopy and towards the walkway areas. The proposed lighting units emit only 1.5-foot candles directly below the light fixture and are not designed to allow light to bleed into unwanted areas or outside property lines. The color temperature for the lighting shall not exceed 4,125 Kelvins (4125K). The applicant shall submit revised photometric analysis by detailing the amount of foot candles not exceeding 0.25-foot candles of light at 10 feet beyond each property line for staff review and approval.**

DECISION

For the reasons described above, the proposed Mt. Hood Athletic Club Minor Modification for Façade Improvements and the accessory pickleball court are hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

- A. The applicant shall apply for and receive approval for all necessary building, mechanical, plumbing, and electrical permits prior to any construction. Contact the Building Division regarding submission requirements.**
1. The metal roofing over the tongue and groove ceiling shall be structurally designed to support a 30 lb. roof snow load.
 2. All electrical permits shall be approved prior to installation of the new light fixtures.
 3. All engineering stamps shall be in compliance with structural plan requirements.
- B. Prior to the installation of the pickleball court the applicant shall confirm with the Public Works Department that the detention facility is sized according to the Portland Stormwater Management Manual at adjusted rainfall rates for Sandy.**
- C. Prior to the installation of lighting the applicant shall complete the following:**
1. The two proposed scone lights with cylindrical up/down sconces on both sides of the main entrance are prohibited. Their range to shine in both an up and down direction (+/- six feet) violates the “full cutoff fixture” classification. The “full cutoff fixture” prohibits any emission of light above the horizontal plane of the light fixture. The applicant shall submit an alternate type or style of fixture at the entrance to the building for staff review and approval.

2. The color temperature for the lighting shall not exceed 4,125 Kelvins (4125K). The applicant shall submit revised photometric analysis by detailing the amount of foot candles not exceeding 0.25-foot candles of light at 10 feet beyond each property line for staff review and approval.

D. General Conditions of Approval

1. This design review 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. Comply with all other conditions or regulations imposed by Clackamas 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.
3. No work shall be done near the City's stormwater system or any connections made to the City system without a permit from Public Works.



Patrick Depa
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RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by a party with appeal standings 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 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) or 500 feet of the subject property for appeal of a Type II or Type III decision. The property owner list and labels shall be obtained from a Title Company no more than seven days prior to submitting the appeal. Note that a Type IV decision may be appealed to the Land Use Board of Appeals (LUBA) or to other tribunals in accordance with Oregon law.