



Facade File #

Name of Project:	21-016 FAC Wippersnappers CS <i>Covered Structure</i>
Location or Address:	16542 SE 362nd Drive, Sandy, OR 97055

Map & Tax Lot #	T:	R:	Section:	Tax Lot (s): 24E14 01116
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Request: This project is to build a covered structure for outdoor dining at Wippersnappers Kids Play Place. The structure will be 19' x 46.5', T-shaped and tied back to the building facade. Structural elements will include a 6:12 pitched metal roof, heavy timber construction with metal bracketing, stone wrapping at the base of the supports, at least one light fixture and multiple electrical outlets. A parking analysis and setback information are attached

I am the (check one) owner lessee of the property listed above, and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

Applicant (if different than owner) Wippersnappers Kid's Play Place	Owner Michael Maiden LLC
Address 16542 SE 362nd Drive	Address 16600 SE 362nd Drive
City/State/Zip Sandy, OR 97055	City/State/Zip Sandy, OR 97055
Email hans@wippersnappers.com	Email michaelmaidenllc@aol.com
Phone (503) 668-7221	Phone (503) 349-05635
Signature X <i>[Signature]</i>	Signature <i>MICHAEL MAIDEN</i>

Staff Use Only

File #:	Date: 8/1/2022	Fee\$: DR = \$ 750 ADN = \$ 400 TOTAL = \$ 1150	Planner: n/a - Cov Str project	
Type of review:	Type I <input checked="" type="checkbox"/>	Type II <input type="checkbox"/>	Type III <input type="checkbox"/>	Type IV <input type="checkbox"/>
Has applicant attended a pre-app? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, date of pre-app meeting:				

21-016 FAC Wippersnappers CS
Parking analysis and setback info for CS project

Data sources:

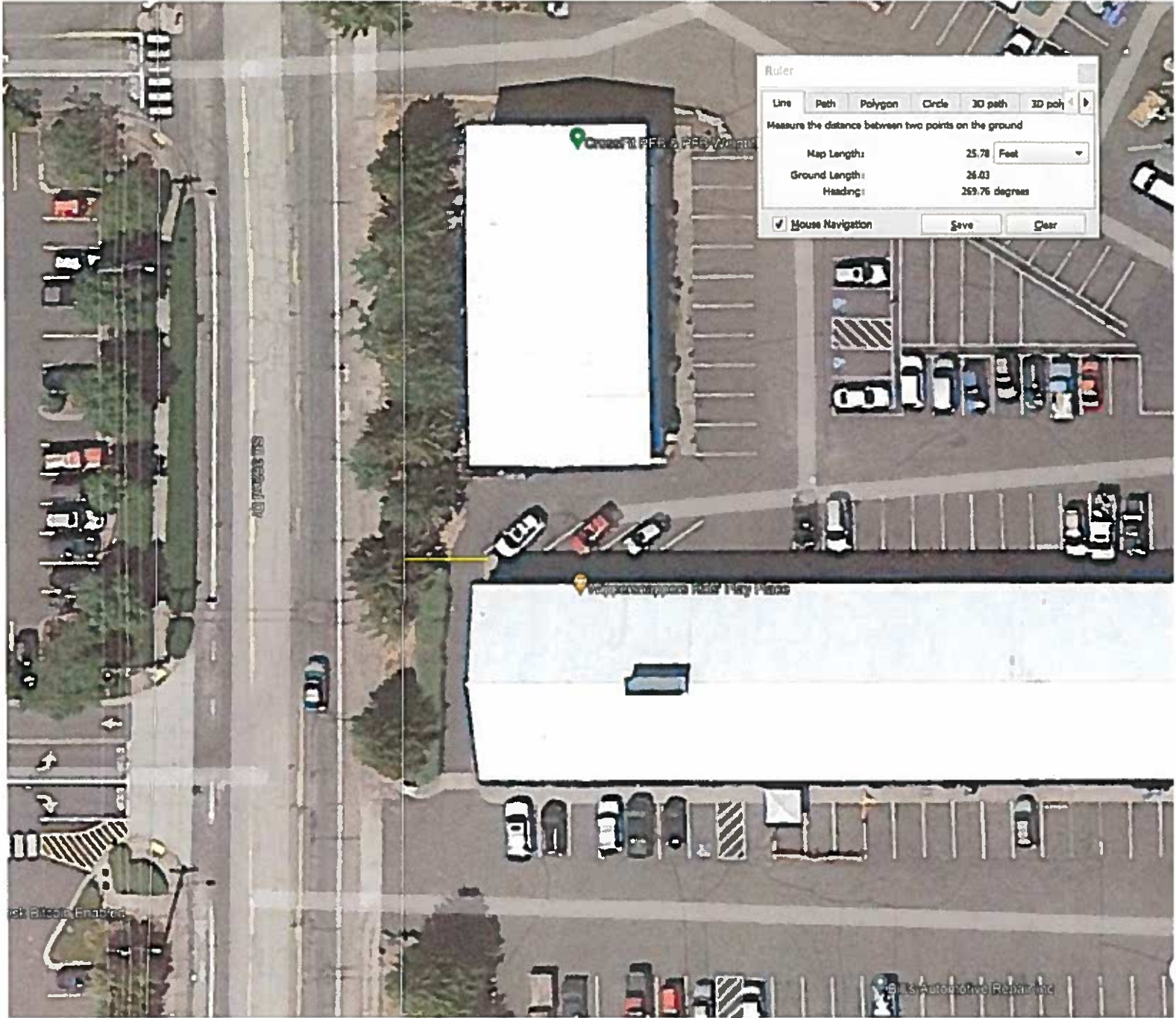
- Setback distance : Google Earth measurement (attached)
- Parking analysis: Final order 16-007 DR (Eagle Park Façade Improvements) – Finding of Fact #61

Off-street parking analysis:

- Final order for I-2 to I-1 zone change for this property (16-007 DR) states that an incorrect number of parking spaces was reported by the applicant. Actual number of parking spaces was not indicated in this final order.
- Physical inventory of parking completed on 8/2/2022 by DCS. There are 144 regular parking spaces and 5 ADA parking spaces on site.
- Covered structure project will eliminate the three existing angle-in non-ADA parking spaces currently in front of Wippersnappers. These spaces are used by the business owner and staff only.
- This parking lot is to be restriped as part of the site upgrades currently being made to the complex as part of 16-007 DR and to comply with building code requirements for future zoning designation (currently I-2, transitioning to I-1).
- Owner has verbally agreed to remove additional indicated angle-in parking stalls directly to the east of the business entry and replace with head-in parking stalls when restriping the lot, which will add an additional 3 parking stalls to the complex.
 - If the owner *does not* follow through with the restriping, the resultant number of parking spaces will be reduced by three regular spaces to 141 regular + 5 ADA = 146 total spaces.
 - If the owner *does* follow through with the restriping of the lot, the resultant number of parking spaces will remain unchanged from current totals.

Setback information:

- Prior to construction, the setback distance from the west facade of the Wippersnappers building to the edge of the lot is currently **26 feet**.
- The westernmost edge of the proposed structure will not extend past the west facade of the adjacent building.
- After construction of the proposed structure, the setback distance from the west facade of the structure to the edge of the lot will remain unchanged at **26 feet**.



Ruler

Line Path Polygon Circle 3D path 3D poly

Measure the distance between two points on the ground

Map Length:	25.78	Feet
Ground Length:	26.03	
Heading:	269.76	degrees

Mouse Navigation

Sun Street Dr

CrossFit

Wagner's Auto Repair

Wagner's Automotive Repair Inc

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

DATE: June 18, 2019

FILE NO.: 19-009 MOD

PROJECT NAME: Eagle Park Façade Modification

APPLICANT: Robert W. Reed - Architect

OWNER: Mike and Vicky Maiden

LEGAL DESCRIPTION: T2S R4E Section 14 Tax Lot 1116 (Lots 2-5 of Block 1 of Sandy Industrial Park)

SITUS ADDRESS: 16500 thru 16652 362nd Drive

DECISION: Approved subject to conditions of approval

The above-referenced proposal was reviewed as a Type II design review modification and the following Findings of Fact are adopted supporting approval of the tentative plan in accordance with Chapter 17 of the Sandy Municipal Code.

EXHIBITS:

Applicant's Submittals

A. Land Use Application

B. Project Narrative

C. Plan Set

- Sheet SITE – Site Plan
- Sheet C – Color Palette
- Sheet 4.1 – Maiden Foundry Annex (2016 submittal – no changes proposed)
- Sheet 4.2 – Platt Building Upgrade
- Sheet 4.2 – Platt Building (2016 submittal)
- Sheet 4.3 – Paleo Building Upgrade
- Sheet 4.3 – Paleo Building (2016 submittal)
- Sheet 4.4 – Wippersnapper Building Upgrade
- Sheet 4.4A – Wippersnapper Building North Façade (2016 submittal)
- Sheet 4.4B – Wippersnapper Building South Façade (2016 submittal)
- Sheet 4.4C – Wippersnapper Building East and West Façade (2016 submittal)
- Sheet 4.5 – Stephenson Automotive Building Upgrade
- Sheet 4.5 – Stephenson Automotive Building (2016 submittal)

Additional Document Submitted by Staff

D. Plat 2329 – Sandy Industrial Park

E. Permit No. 7269

FINDINGS OF FACT

General

1. These findings are based on the applicant's original submittal received on March 20, 2019 and additional items received on May 8, 2019. The application was deemed complete on May 14, 2019 and the 120-day deadline is September 11, 2019.
2. The subject site consists of one parcel with a total area of 3.99 acres. The site is located south of Highway 26, north of Industrial Way, and east of 362nd Drive.
3. The parcel has an existing Plan Map designation of Industrial and a Zoning Map designation of I-2, Light Industrial.
4. The Sandy Industrial Park subdivision was created in June 1973 and further subdivided in June 1978. The subject property with the buildings that are being proposed for façade modifications are legally described as Lots 2-5 of Block 1 of Sandy Industrial Park.
5. The applicant applied to change the zoning designation for the subject property from Light Industrial (I-2) to Industrial Park (I-1) in 2014 (14-028 ZC). The zone change request was reviewed by the Planning Commission at a public hearing on March 23, 2015 and forwarded for City Council approval at a public hearing on May 4, 2015. On June 1, 2015 the City Council adopted a first reading of Ordinance No. 2015-03 and a second reading was adopted on June 15, 2015.
6. In Ordinance No. 2015-03 the City Council conditioned the applicant to sign a contract specifying the terms and timelines associated with the zone change and established a trip cap for the property. A Non-Statutory Development Agreement was recorded between the City of Sandy and Michael Maiden on August 5, 2016 that includes a timeline for the remaining steps.
 - a. Applicant to apply for pre-application conference no later than October 1, 2015. *The applicant applied for a pre-application conference and the conference was held on October 22, 2015.*
 - b. Applicant to submit design review request no later than February 1, 2016. *The applicant submitted a design review application on February 1, 2016; however, this application was deemed incomplete by staff on February 26, 2016. The applicant then submitted additional information and the application was deemed complete on April 18, 2016.*
 - c. Applicant to complete all building upgrades within three (3) years from the date of design review approval. *The Planning Director granted the applicant an extension until July 29, 2019. Prior to July 29, 2019, the applicant shall apply for another extension by submitting a letter request and paying the fee.*
 - d. Following completion of building upgrades the I-1 zoning and the trip cap would become effective. The applicant will be required to submit a detailed table showing trip generation (ADT and PM peak hour) for the existing uses.

7. The applicant submitted an application for façade improvements in February of 2016 to meet step b from Finding 6, above (File No. 16-007 DR). The original Planning Commission public hearing date was scheduled for May 23, 2016. The public hearing was continued to June 27, 2016, and then continued again to July 25, 2016. With the initial 2016 application, the applicant proposed to construct the building enhancements in two phases. Phase I was proposed to include the Platt and Maiden Foundry Buildings and Phase II was proposed to include the Paleo, Wippersnapper, and Stephenson Automotive Buildings. The applicant proposed to re-roof all buildings using metal roofing in the color 'Evergreen' in compliance with the approved color palette. All buildings except portions of the north elevation of the Maiden Foundry Building and portions of the east elevation of the Wippersnapper Building were proposed to be re-sided using a combination of horizontal lap siding with a 10 inch exposure on the lower 20 feet and board and batten siding on the upper portion of each elevation. All existing and new windows will include the installation of trim boards. Below is a summary of the proposed Phase I and Phase II improvements from 2016.

Phase I

- a. **Platt Building** – The Platt Building contains approximately 9,200 square feet.
- South Elevation** (facing parking lot) – New roofed timber frame structures with stone base at each access (three doors). Diagonal lap siding above roll-up doors. New covered pedestrian shelters wrapping the corners of the east and west portions of this elevation. Two new windows east of the eastern door.
- North Elevation** (facing Highway 26) – Two new roofed timber frame structures with stone base and at each access (two doors). New upper floor windows west of the western access door. Pedestrian shelter wraps corner from west elevation.
- West Elevation** (facing 362nd Dr.) – Four lower level and two upper level windows and hardishingle siding and knee braces in the gable end. The lower level windows will be accented by a combination of board and batten and horizontal lap siding with a six-inch exposure painted a contrasting color.
- East Elevation** (facing Maiden Foundry Building) – Hardishingle siding and knee braces in the gable end and pedestrian shelters near the north and south corners of this elevation.
- b. **Maiden Foundry Building** – The Maiden Foundry Building contains approximately 7,500 square feet.
- South Elevation** (facing parking lot) – Pedestrian shelter and stone accent at the westerly access door. New shed roof over equipment and stone accent at the southwest corner.
- North Elevation** (facing Highway 26) – No improvements are proposed to this elevation.
- West Elevation** (facing Platt Building) – Stone accents at the corners and a combination of siding materials.
- East Elevation** (facing adjacent property) – Stone accent at the southeast corner and new siding materials.

Phase II

- c. **Paleo Building** – The Paleo Building contains approximately 5,000 square feet.

East Elevation (facing parking lot) – New roofed timber frame structures with stone base and at each roll-up door (two doors). New covered pedestrian shelters over the two access doors. Two new windows between the roll-up doors.

West Elevation (facing 362nd Dr.) – Two new roofed timber frame structures with stone base at each access (two doors). Pedestrian shelter extends north from northern door to connect with wrap-around shelter along north elevation.

North Elevation (facing Platt Building) – Continuous pedestrian shelter supported by heavy posts. Knee braces in gable end.

South Elevation (facing Wippersnapper Building) – Hardie-shingle siding and knee braces in the gable end, two types of lap siding on the lower elevation, and pedestrian shelters near the north and south corners of this elevation. The plan for this elevation also includes a concrete jersey barrier assumedly to protect this building from backing cars.

- d. **Wippersnapper Building** – The Wippersnapper Building contains approximately 11,000 square feet.

North Elevation (facing parking lot) – Four new roofed timber frame structures with stone base and at seven of the access doors. New covered pedestrian shelters on either side of the easterly roofed structure and over the westerly door on this elevation. Five new windows spread along this elevation. Diagonal lap siding above the majority of roll-up doors (four doors).

South Elevation (facing parking lot) – Two new roofed timber frame structures with stone base over two of the access doors. Diagonal lap siding above all the roll-up doors.

West Elevation (facing 362nd Dr.) – Two new windows and knee braces in gable end.

East Elevation (facing property to east) – Minimal treatment at the corners using horizontal lap siding and board and batten. The majority of the metal siding would not be changed and only painted.

- e. **Stephenson Automotive Building** – The Stephenson Automotive Building contains approximately 8,000 square feet.

North Elevation (facing parking lot) – Two new roofed timber frame structures with stone base at four access doors. New covered pedestrian shelters on either side of the easterly roofed structure. Five new windows spread along this elevation. Diagonal lap siding above the roll-up doors (four doors).

South Elevation (facing Industrial Way) – Four new roofed timber frame structures with stone base over the four access doors.

West Elevation (facing 362nd Ave.) – New siding and knee braces in gable end.

East Elevation (facing property to east) – New siding and knee braces in gable end.

8. With this application (File No. 19-009 MOD), the applicant is requesting to modify the approved facades from 2016 for four (4) of the five (5) buildings. In addition, the applicant is requesting to relocate the proposed garbage/recycling locations and to waive the requirement to provide wheel stops in the parking lot. The submitted narrative (Exhibit B) indicates that all other conditions from 2016 will be met. **All conditions from Final Order 16-007 DR shall be met unless specifically modified by this Final Order.**

9. Notification of the proposal was mailed to property owners within 300 feet of the subject property and to affected agencies on May 15, 2019. No public comments were received.

17.48 – I-1 Industrial Park Zoning District

10. For the purposes of this design review the subject property was reviewed under the Industrial Park (I-1) zoning district and applicable design standards contained in Chapter 17.90.
11. Section 17.48.10 lists all permitted uses in the I-1 zoning district. All existing uses at the site at the time of the zone change from Light Industrial (I-2) to Industrial Park (I-1) will be allowed to remain without further consideration. Future uses at the subject site will need to comply with the permitted uses in the I-1 zoning district or the conditional uses as listed in Section 17.48.20.
12. Section 17.48.30 contains development requirements, such as setbacks, building height, etc. for properties in the I-1 zoning district. The buildings on the subject site are existing and are not proposed to be moved. Only some site improvements and the building facades are being modified, including additional building footprints to accommodate entry features and pedestrian shelters; however, the buildings are not proposed to encroach closer than 10 feet on the front setback to 362nd Drive or the corner setbacks at Highway 26 or Industrial Way. The height of the buildings are not proposed to be modified.

17.84 – Improvements Required with Development

13. Section 17.84.20 states that all improvements shall be installed concurrently with development. **The applicant shall install or financially guarantee all required improvements prior to the zone change being effective.**
14. Section 17.84.50 contains standards for street improvements and traffic evaluations. The applicant was not required to submit a traffic impact analysis with this application. Requirements/conditions associated with Section 17.84.50 were discussed in File No. 14-028 ZC.

17.90 – Design Standards

15. The proposal is subject to all the requirements for Design Review as stated in Section 17.90.00.
16. 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.** As a condition of the 2016 application, the applicant was required to complete all building upgrades within three (3) years from the date of design review approval. With this requirement in mind, the Planning Commission extended the design review deadline to cover the timeline. The Planning Director granted the applicant an extension until July 29, 2019. **Prior to July 29, 2019, the applicant shall apply for another extension by submitting a letter request and paying the fee.**
17. As noted above, the applicant has received tentative approval to change the zoning designation on the subject property from I-2 to I-1. A condition of approval of the zone change request is prior to the zone change being finalized the applicant shall complete façade modifications to the buildings in compliance with the standards for buildings in the I-1 zone. Because the applicant is proposing changing the zoning for the property from I-2 to I-1, which contains a more strict set

of design standards, the Planning Commission evaluated the buildings proposed as part of the 2016 façade improvement application as if they were being constructed new. The review evaluated the requirements as they apply to each building separately, as applicable.

18. Section 17.90.120 contains design standards for the I-I zone. Only the sections that include proposed changes since the 2016 approval are included in this design modification order.
19. Section 17.90.120(B) contains provisions specifying building facades, construction materials, and colors. Each building has been reviewed separately to determine compliance with applicable code sections.
20. 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 2016 building elevations detailed new gable roof features at all entry/exit locations, as well as continuous covers (arcades) in several location but not in all locations where pedestrians are likely to walk. In 2016, the entry features were proposed at approximately three (3) feet in depth which is less than the five foot depth required; the proposed canopies varied in depth from seven to 10 feet. In 2016, the **Planning Commission determined the proposed three foot deep gabled entry features comply with the intent of this section and approved a deviation to this standard; this approval stands.** With this application, the applicant is proposing to remove some of the gabled roof entryways. The remaining gabled entryways are proposed to be three feet in depth as approved by the Planning Commission in 2016.
21. Section 17.90.120(B)(3)b. requires that at least 36 inches of a buildings base contains stone on the sides of the building visible from the public street. The proposed building entries feature a stone base measuring four feet above grade. The 2019 submission reduces the amount of stone to the base of the piers of the gabled entry. The applicant did not specify the proposed stone type in 2016 but specified Dressed Fieldstone with this application as recommended by the Planning Commission.
22. Section 17.90.120(B)(3)(e) requires that building elevations facing a public street incorporate at least three architectural features. As defined in Chapter 17.10, a "Facing, Building Elevation" is one that is typically parallel and adjacent to a public street. The following building elevations are facing a public street and require compliance with this standard:

Platt Building (north and west elevations) – Both of these elevations feature at least three features. Compared to the 2016 submittal, the north elevation has lower gabled entries, lacks heavy metal brackets on the gabled entries, lacks window pane divisions on the windows on the west side of the north elevation, has less stone by the entries, and does not have a metal roof over the sidewalk on the west side of the north elevation. **The applicant shall update the north elevation of the Platt Building to detail heavy metal bracketing for the two gabled areas and at least four (4) dormers on the roof.** The submitted site plan is not drawn to scale; however, based on the elevations (Exhibit C, Sheet 4.2) the roof of the Platt Building is 116 feet long, which would require four (4) secondary roof features (e.g. dormers) per Section 17.90.120(C)(4).

Maiden Building (north elevation) – The applicant is not proposing any changes to the Maiden Building with this application. Since the 2016 submission, the applicant received building permit

approval (Permit No. 7269) for some upgrades to the Maiden Building; however, the upgrades have not occurred as of the date of this order.

Paleo Building (west elevation) – This elevation features heavy timbers, wood shingles, and stone. The 2016 submittal included heavy metal brackets but they are not included in the 2019 submittal. The 2016 submittal also included a second gabled roof entryway that has been removed with the 2019 submittal. The amount of proposed stone by the building entrances has also been decreased since the 2016 proposal.

Wippersnapper Building (west elevation) – The west elevation of this building is relatively plain compared to other street facing elevations. The 2016 submittal featured decorative knee braces, window trim, and changes in siding materials. After some discussion the Planning Commission found this elevation should more closely resemble the proposed west elevation of the Stephenson Automotive Building. In 2016, the Planning Commission required the applicant to modify the Elevations to detail additional building details, such as shingles, on the west elevation of the Wippersnapper Building. The 2019 submittal details Hardie shingle siding rather than horizontal board and batt under the roof in compliance with the Planning Commission requirement. However, the two new windows proposed in 2016 have been removed with the 2019 submittal. **The applicant shall update the elevation to include the two windows on the west elevation of the Wippersnapper building as detailed in the 2016 submittal.**

Stephenson Automotive Building (west elevation) – The west elevation of this building includes knee braces, shingle siding, and window trim.

23. 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 applicant submitted paint colors in conformance with the approved color palette. The applicant is not proposing any high-intensity primary colors or metallic colors. The 2019 proposed color palette includes four shades of beige/tan, one grey, and red trim with a green roof. The overall effect is a Christmas-y gingerbread house. While all the colors comply with the approved color palette, staff recommends the applicant consider an alternative roof color such as Colonial Red or Dark Bronze. **The applicant shall work with staff on an alternative color scheme for the buildings and roofs.**
24. Section 17.90.120(C)(3) states that when practicable buildings shall be oriented so the gable end of the roof faces the abutting street. Three of the buildings (Platt, Wippersnapper, and Stephenson Automotive) feature the gable end facing 362nd Drive. The Maiden Foundry Building is generally hidden from view by a thick row of trees. Only the Paleo Building does not have the gable end facing 362nd Drive. **The applicant shall update the west elevation of the Paleo Building to detail at least two dormers on the roof.** Based on the elevations (Exhibit C, Sheet 4.3), the west roof of the Paleo Building is 67 feet long, which requires two (2) secondary roof features per Section 17.90.120(C)(4).
25. Section 17.90.120(C)(4) contains requirements for secondary roof forms. Because of the gentle roof slope on these buildings, the applicant does not propose any dormers. Instead the applicant proposes including entry features along the long access of these buildings visible from the abutting public street. Compared to the 2016 submittal, the gabled entries on the 2019 submittal

are lower and do not extend into the roof plane. In addition, the applicant is proposing fewer gabled entryways. **The applicant shall update the north elevation of the Platt Building to detail at least four (4) dormers and the west elevation of the Paleo Building to detail at least two (2) dormers per Section 17.90.120(C)(4).**

26. Section 17.90.120(C)(5) states that visible roof materials must 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. The applicant proposes replacing the existing metal roof on the subject buildings with a new standing seam metal roof. The submitted plans indicate the roof will be painted “Evergreen” in compliance with the Sandy Style metal roof color palette. **The applicant shall work with staff on an alternative color scheme for the buildings and roofs.**
27. Section 17.90.120(D) contains standards related to building orientation and entrances. Section 17.90.120(D)(1) states that buildings shall be oriented to a public street or civic space. The buildings are all existing and there are no proposed changes to the building footprints.
28. Section 17.90.120(D)(7) requires that buildings shall provide at least one (1) elevation where the pedestrian environment is “activated.” All buildings contain less than 10,000 square feet requiring 30 percent window transparency. Because the applicant did not provide calculations, compliance with this section was difficult to determine. None of the buildings appear to fully comply with this standard. **In 2016, the Planning Commission approved a code deviation to not require activated elevations in compliance with Section 17.90.120(D)(7). However, the 2016 submittal did include some windows on the west elevation of the Wippersnapper building, which is adjacent to 362nd Drive. However, the two new windows proposed in 2016 on the west elevation of the Wippersnapper Building have been removed with the 2019 submittal. The applicant shall update the elevation to include the two windows on the west elevation of the Wippersnapper building as detailed in the 2016 submittal.**
29. Section 17.90.120(D)(8) states that primary entrances must be architecturally emphasized and visible from the public right-of-way and shall be sheltered with a canopy, overhang, or portico with a depth of at least five (5) feet. The primary entrances for the buildings are emphasized with a gable entry feature. The entrance modifications are required as part of the buildings transformation to appear more in line with Sandy Style. As noted above, the new entry features are proposed to be approximately three feet in depth which does not meet the required depth of at least five feet. **In 2016, the Planning Commission approved a code deviation to allow the gabled entry features to only be three (3) feet in depth due to existing site constraints; this approval stands.** With this application, the applicant is proposing to remove some of the gabled roof entryways. The remaining gabled entryways are proposed to be three feet in depth as approved by the Planning Commission in 2016.
30. 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. The buildings include a consistent window style throughout the complex.

31. Section 17.90.120(E)(2) specifies that the activated frontage shall contain a minimum of 25-30 percent of the building elevation in windows, depending on the square footage of the building, and that lots with multiple street frontages are required to meet this standard on two frontages. The subject buildings are not 'new' but since the request is to change the property zoning and bring the building into conformance with applicable standards, compliance with this section could be required. The applicant is proposing new windows on facades facing street right-of-ways, varying siding materials, and pedestrian walkway arcades. The modified facades will make the existing buildings more prominent from the street right-of-way and give the elevations activated frontages resembling the Sandy Style, albeit not meeting the Sandy Style. However, the two new windows proposed in 2016 on the west elevation of the Wippersnapper Building have been removed with the 2019 submittal. **The applicant shall update the elevation to include the two windows on the west elevation of the Wippersnapper Building as detailed in the 2016 submittal. In 2016, the Planning Commission required the applicant to specify on the Elevations detailing that all windows will contain clear glass; this condition stands.** In 2016, most of the windows on the existing buildings complied with dimensional standards; however, one window on the north side of the Platt Building exceeded the dimensional maximum of six feet. The Planning Commission required the applicant to modify the Elevations detailing the one window on the north elevation of the Platt Building exceeding the size requirements be replaced with a window containing smaller panes. The 2019 submittal details pane divisions in the one window on the north side of the Platt Building that exceeded the six foot maximum in compliance with the Planning Commission's requirement. Based on the applicant's submittal, the proposed design details window trim at approximately six inches in width which exceeds the trim width requirement.
32. All service and storage areas must be screened from view from all adjacent rights-of-ways. The 2016 submittal did not include the location of the garbage and recycling area. As a condition of the 2016 submittal, the Planning Commission required the applicant to modify the Site Plan to include information on the garbage/recycling area on tax map 24E14 tax lot 1120. However, since then, tax lot 1120 was sold and is no longer owned by the applicant. As part of the 2019 modification request, the applicant is proposing five (5) garbage and recycling enclosures located throughout the property. The submitted site plan is not scalable so staff cannot properly measure the proposed enclosure locations; however, it appears that three (3) of the enclosures are proposed to be located in the 30 foot tree buffer along the north and west edges of the property. Additionally, the two proposed enclosures along the west edge of the property are located between the building and the public right-of-way and are therefore highly visible. **The applicant shall update the site plan to detail the garbage/recycling enclosures outside of the 30 foot tree buffer area and in locations less visible from the public right-of-way.** The fourth enclosure area is located to the east of the Wippersnapper Building adjacent to a walkway and does not appear to be accessible to a collection vehicle. **The applicant shall relocate the garbage/recycling enclosure east of the Wippersnapper Building such that it is adjacent to the parking area so that it can be accessed by a collector vehicle.** The fifth enclosure area is located east of the Stephenson Automotive Building.
33. Section 17.90.120(G) contains standards for civic spaces within developments. The intent of civic space is to connect buildings to the public realm and create comfortable and attractive gathering places and outdoor seating areas for customers and the public. The code requires 3

percent of the building area be developed as civic space and in no instance have an area less than 64 square feet. The 2016 submittal did not identify the required civic space so the Planning Commission required the applicant to submit a revised Site Plan identifying a civic space as approved by the Planning Director. The 2019 submittal details a 1,364 square foot civic space located at the southwest corner of the Platt Building. The proposed civic space is within the 30 foot tree buffer along the west edge of the property. **The applicant shall update the landscape plan to detail additional vegetation in the civic space including a mix of both trees and shrubs. Plants shall be native or acclimatized to the Pacific Northwest.**

34. Section 17.90.120(H) contains standards regarding lighting. **The applicant shall follow all Dark Sky Ordinance requirements as outlined in Chapter 15.30 and summarized within this Order.**
35. Section 17.90.120(I) contains standards to promote natural surveillance of public spaces. Windows located on the front, sides, and rear of the building will allow employees to watch the parking area and other property locations. The buildings are designed to allow viewing of all parking areas. The proposal includes additional windows facing parking areas which will increase the amount of natural surveillance. The two new windows proposed in 2016 on the west elevation of the Wippersnapper Building have been removed with the 2019 submittal. **The applicant shall update the elevation to include the two windows on the west elevation of the Wippersnapper Building as detailed in the 2016 submittal. As conditioned in 2016, the applicant shall install appropriately sized building address numbers prior to occupancy.**
36. Section 17.90.120(J) contains standards to promote land use compatibility and aesthetics, particularly where development abuts public spaces. No exterior storage is proposed. In 2016, there was existing exterior storage at the Maiden Foundry Building, but the applicant stated that existing vegetation screens the area from Highway 26 view. The 2016 narrative stated that utility boxes, meters, and transformer cases for the existing buildings are very expensive to relocate, but the applicant would be willing to paint and screen the equipment. The building permit for the Maiden Foundry Building (Permit No. 7269) indicates that all rooftop equipment and equipment on the north side will be removed. **The applicant shall remove the equipment per Permit No. 7269.** The 2019 proposal contains two trash/recycling enclosures along 362nd Drive. The applicant did not submit details on the trash/recycling enclosures. **The applicant shall submit details on the trash/recycling enclosures and shall relocate the proposed enclosures so they are not highly visible from the public right-of-way.**

17.98 – Parking, Loading and Access Requirements

37. Section 17.98.120(F) specifies that wheel stops, bumper guards, or other methods are required to protect landscaped areas; parking may project over an internal sidewalk, but a minimum of 5 feet for safe pedestrian circulation is required. As a condition of the 2016 submittal, the Planning Commission required the applicant to submit a modified Site Plan detailing all parking spaces adjacent to buildings or landscape areas containing a wheel stop or bumper guard, except for parking spaces in front of overhead doors. After some discussion the Planning Commission found that parking spaces not adjacent to buildings or landscape areas are not required to include wheel stops or bumper guards. With the 2019 application, the applicant is requesting that they not be required to install wheel stops in any of the parking spaces due to potential damage to snow

removal equipment. The wheel stops are intended to protect pedestrians and landscaping. **The applicant shall install wheel stops in all parking spaces adjacent to walkways and landscaping.**

38. Section 17.98.160 contains requirements for bicycle parking facilities. The 2016 submitted drawings did not indicate the location of existing bicycle parking or proposed bicycle parking facilities. The requirement is to install bicycle parking spaces at a rate of five (5) percent the number of vehicular parking spaces. The 2019 submittal details 4 bicycle parking spaces located in a drive aisle west of the Wippersnapper Building and 4 bicycle parking spaces located in a planter bay near the northeast corner of the Wippersnapper Building. Section 17.98.160(B) specifies that bicycle parking spaces shall be at least 2 ½ feet by 6 feet with a 5 foot access aisle beside or between each row of bicycle parking. **The applicant shall update the site plan to detail the bicycle racks located on an appropriately sized concrete pad and shall provide additional information demonstrating there is sufficient space for the bicycle parking pad in both locations (i.e. sufficient space for a vehicle to turn and sufficient space for groundcover and a structural tree to be planted). If there is not sufficient space for both a bicycle parking pad and the required turning template or planter bay vegetation, the applicant shall propose alternate locations.**

15.30 – Dark Sky

39. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant did not submit lighting cut sheet or a Photometric Analysis with this application. Section 15.30.60(D) requires all new lighting to be designed so that the area 10 feet beyond the property line receives no more than 0.25 (one quarter) of a foot-candle of light from the premises lighting system. **In 2016, the Planning Commission required the applicant to submit a photometric analysis to include locations of light fixtures and lighting levels in compliance with code standards; this condition stands. In addition, the Planning Commission required the applicant to submit information determining if freestanding parking lot lighting is needed to produce desired illumination; this condition stands. The applicant shall submit lighting cut sheets. All proposed exterior lighting shall be full-cutoff and not exceed 3,000 Kelvins or 591 nanometers.**

DECISION

The Eagle Park Façade Improvements Design Review request is hereby approved as modified by the conditions of approval listed below. The following approvals from the Planning Commission decision in 2016 were discussed in this document and stand:

- Sections 17.90.120(B)(2) and 17.90.120(D)(8) to allow gabled entry features to be less than the required five (5) feet in depth.
- Section 17.90.120(D)(4) to not require corner building entrances at street intersections for the Platt and Stephenson Automotive Buildings.
- Section 17.90.120(D)(7) to not require activated elevations on all buildings.

CONDITIONS OF APPROVAL

- A. All conditions from Final Order 16-007 DR shall be met unless specifically modified by this Final Order.**
- B. Prior to July 29, 2019, the applicant shall apply for another extension by submitting a letter request and paying the fee.**
- C. Prior to construction or issuance of a building permit, the applicant shall:**
 - a. Submit a revised site plan with the following:**
 - a. Detail the garbage/recycling enclosures outside of the 30 foot tree buffer area and in locations less visible from the public right-of-way.**
 - b. Relocate the garbage/recycling enclosure east of the Wippersnapper Building such that it is adjacent to the parking area so that it can be accessed by a collector vehicle.**
 - c. Detail the bicycle racks located on an appropriately sized concrete pad and shall provide additional information demonstrating there is sufficient space for the bicycle parking pad in both locations (i.e. sufficient space for a vehicle to turn and sufficient space for groundcover and a structural tree to be planted). If there is not sufficient space for both a bicycle parking pad and the required turning template or planter bay vegetation, the applicant shall propose alternate locations.**
 - 2. Submit revised elevations with the following:**
 - a. Detail the two windows on the west elevation of the Wippersnapper Building as detailed in the 2016 submittal.**
 - b. Detail heavy metal bracketing for the two gabled areas of the north elevation of the Platt Building and at least four (4) dormers on the roof.**
 - c. Detail at least two (2) dormers on the roof of the west elevation of the Paleo Building.**
 - 3. Submit a revised landscape plan with the following:**
 - a. Detail additional vegetation in the civic space including a mix of both trees and shrubs. Plants shall be native or acclimatized to the Pacific Northwest.**
 - 4. Submit details on the trash/recycling enclosures.**
 - 5. Submit lighting cut sheets. All proposed exterior lighting shall be full-cutoff and not exceed 3,000 Kelvins or 591 nanometers.**
 - 6. Work with staff on an alternative color scheme for the buildings and roofs.**
- D. Prior to building final the applicant shall complete the following or provide assurance for their completion:**
 - 1. Install wheel stops in all parking spaces adjacent to walkways and landscaping.**
 - 2. Remove the equipment per Permit No. 7269.**

E. General Conditions

1. All required improvements shall be installed or financially guaranteed prior to the zone change being effective.
2. 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.
3. All lighting shall comply with the requirements of Chapter 15.30, Dark Skies.
4. 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.
5. All franchise utilities shall be installed underground and in conformance with City standards.
6. 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.
7. Successors-in-interest of the applicant shall comply with site development requirements prior to the issuance of building permits.
8. All improvements listed in Section 17.100.300 shall be provided by the applicant including drainage facilities, monumentation, mail facilities, sanitary sewers, storm sewer, sidewalks, street lights, street signs, street trees, streets, traffic signs, underground communication lines including telephone and cable, underground power lines, water lines and fire hydrants.
9. 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.
10. 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. Water lines and fire hydrants shall be installed in accordance with City standards. All sanitary sewer lines shall be installed in accordance with City standards.
11. 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.


Emily Meharg
Associate Planner

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.