



FILE NUMBER / NAME LU-0007-2024 Checkmat Portland

APPLICATION TYPE	Type III Conditional Use		
PROJECT APPLICANT	Antonio Roberto Crivelari Junior	PROPERTY OWNER	Austell Columbia Gorge Equities
PROJECT LOCATION	450 NW 257th Way, Suite 354	TAX MAP / TAX LOT #	1N3E25BC -00100
COMPREHENSIVE PLAN DESIGNATION	Commercial (C)	LAND USE ACTIVITY	Brazilian Jiu Jitsu Academy
ZONING DISTRICT	General Commercial (GC)	OVERLAY DISTRICT	Town Center

### PROPOSAL

The Applicant is seeking **Conditional Use** approval for a Brazilian Jiu Jitsu Academy at the subject property. No significant improvements to the subject property are a part of this review, nor apart of the applicant's proposal.

### PROCEDURE

This application will undergo a Type III quasi-judicial procedure. [TDC 2.060] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. The Planning Commission is the decision-making entity for this application and may approve, approved with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

### APPLICABLE CRITERIA

Listed below are governing standards that shall apply:

- *Troutdale Development Code (TDC): Ch. 1* Introductory Provisions; **Ch. 2** Procedures for Decision Making; **Sec. 3.312** General Commercial (GC); **Sec. 6.300** Conditional Use; **Ch. 9** Off Street Parking & Loading; **Ch. 17** General Provisions;
- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes

### FINDINGS OF FACT

- Planning Commission received public testimony from Staff, the Applicant, and members of the public at the March 13, 2024 hearing.
- The Findings of Fact contained herein are derived from the specific decision criteria outlined in Section 6.300 of the Troutdale Development Code and are hereby adopted as the Findings of Fact in this matter.
- The Final Order has been reached and **approved** of the application **with conditions** is hereby issued.

**FINDINGS OF FACT–CONDITIONAL USE [TDC 6.320]**

- 6.320** The Planning Commission may approve an application, approve with modifications, or deny an application for a conditional use. The applicant must submit evidence substantiating that all requirements of this Code relative to the proposed use are satisfied and demonstrate that the proposed use also satisfies the following criteria:

**A. The use is listed as a conditional use in the underlying district, or approved by the Planning Commission as similar to conditional uses listed in the underlying district.**

**FINDING:** The proposed use at the subject site is a jiu jitsu studio. Per the Troutdale Development Code (TDC) general definitions TDC 1.020, a Jiu Jitsu studio most closely falls under the ‘recreation facility (active)’. TDC defines active recreation as:

*A place or use that contains facilities or features that includes recreational components beyond those of a typical passive park. These amenities include but are not limited to sports fields, sports courts, skateboard facilities, **indoor recreation facilities**, larger scaled playgrounds, water-play features, dog parks, or other similar amenities where utilization may lead to traffic, lighting, or noise impacts to surrounding areas.*

Due to the TDC not having a “gym” or similar use, the jiu jitsu studio most closely resembles an indoor recreation facility and is within the recreation facility (active) use.

The subject property is zoned GC (general commercial). Under the Troutdale Development Code Land Use Table for Commercial Zoning Districts TDC 3.320 lists recreation facility (active) as a conditionally approved use.

This site is within the town center overlay (TDC 4.600). The Town Center Overlay provides guidance on dimensional standards, design standards, opportunity sites, off street parking design, and streetscape design. No new development, construction, or ground disturbance is occurring that triggers any of the criteria that the Town Center Overlay provides guidance on. Therefore, the elements of the town center overlay are not applicable to this proposed use and review. **As such, this criterion is met.**

**B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.**

**FINDING:** the proposed location of the jiu jitsu studio is at 450 NW 257<sup>th</sup> way, suite 354 at the Columbia Gorge Outlets. This site already exists and is approximately 2763 square feet in size which is a more than adequate size and shape to accommodate the use. The majority of the space will be used for mats, and there will be a front desk and waiting area, seating adjacent to the mats, small storage areas for items related to the use, and a restroom. The existing improvements adequately serve the proposed site plan.

Based on the most recent parking study for the subject property (LU-0015-2019 EV charging installation), 450 NW 257<sup>th</sup> way provides 840 vehicle parking spaces. At the time of that review, the minimum required parking for 450 NW 257<sup>th</sup> way is 671 vehicle parking spaces (TDC 9.015). The provided parking well exceeds the minimum required parking by 169 spaces. Despite no trip generation report submittal, the anticipated trip generation of Checkmat Portland is not anticipated to exceed the outlets current parking capacity.

According to the applicant, the location was strategically chosen by the applicant to allow for easy access from I-84, as its anticipated some students and families will travel to the subject site from nearby cities.

There are no concerns related to the topography or natural features of the site that would impact the proposed use. **As such, this criterion is met.**

**C. All transportation systems, public facilities, and public services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.**



## CITY OF TROUTDALE | Findings of Fact & Final Order

**FINDING:** 450 NW 257<sup>th</sup> way suite 354 is accessed via NW Graham Rd, an arterial road maintained by Multnomah County, and NW 257<sup>th</sup> way, a local road maintained by the City of Troutdale. The applicant has not provided a trip generation estimate report. Checkmat Portland's trip generation is anticipated to have a negligible impact on NW Graham Rd, however Multnomah County has required a trip generation memorandum to be submitted as a condition of approval to confirm the existing transportation systems can accommodate the proposed use.

As for NW 257<sup>th</sup> Way, this local road was designed and engineered with the Columbia Gorge Outlets in mind. This local road has the capacity to accommodate the traffic generation of a fully occupied outlet mall. Currently, the outlet mall has a number of vacancies. Considering that NW 257<sup>th</sup> Way can accommodate the traffic of a fully occupied Columbia Gorge Outlet center, and that the outlets are only partially occupied, the trip generation of Checkmat Portland is anticipated to not have a significant impact on NW 257<sup>th</sup>'s AADT (annual average daily traffic).

In addition to the above accesses, the outlets of 450 NW 257<sup>th</sup> Way can be accessed via TriMet bus route 77 and 81 who have stops along the intersection of NW Graham Rd and NW 257<sup>th</sup> Way.

As for the conditional use's potential impact on public facilities and services, the City of Troutdale Public Works Department was asked to provide comments and conditions for the conditional use. Public Works Director Travis Hultin has provided comments stating there are no comments, conditions, or requirements of this use. Based on this comment we can conclude the existing public systems and facilities are more than adequate to accommodate the proposed conditional use. **As such, this criterion is met.**

- D. The proposed use will provide adequate open space, landscaping, and aesthetic design to mitigate any possible adverse effect on surrounding properties and uses.**

**FINDING:** The proposed use has no open space standards per the TDC, and no open space areas are going to be installed. Therefore, open space, or lack thereof, is creating no adverse effects the surrounding properties or uses.

Landscaping is triggered during construction of new development or modification of parking areas (TDC 9.015, TDC 9.045). No changes are occurring to the footprint or exterior of the suite, nor parking area, therefore landscaping is not applicable to this review.

The aesthetic design of suite 354 is consistent with the aesthetic design of Columbia Gorge Outlets and imposes no adverse effects. **As such, this criterion is met.**

- E. The proposed use, as conditioned, will not cause or result in the creation of a public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other impacts that may be injurious to public health, safety, and welfare.**

**FINDING:** No nuisances are anticipated as a result of the proposed use. Per the applicant's narrative, "The use will comply with all applicable regulations and guidelines, including those related to noise, air quality, and waste disposal. Past operations at other locations demonstrate a track record of compliance and respect for the community. Therefore, we are confident that our proposed use of suite 354 at CGO [Columbia Gorge Outlets] will not cause any negative impacts on the community or the surrounding properties." **As such, this criterion is met.**

- F. The proposal satisfies the applicable provisions of this Code.**

**FINDING:** This proposal satisfies the applicable provisions of the Code. **As such, this criterion is met.**

## FINAL ORDER & DECISION

### FINAL ORDER

Based upon the foregoing Findings of Fact, the Troutdale Planning Commission approves the Conditional Use for Case File No. LU-0007-2024 Checkmat Portland on the count of all decision criteria being met, subject to the conditions of approval as stated herein.

### DECISION

The Planning Commission hereby adopts these Findings of Fact as stated and has voted to approve the Application as described in the Final Order above and subject to the conditions of approval as stated herein.

This decision shall expire two (2) years from the date of this Final Order.

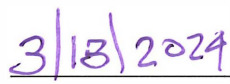
**YEAS: 7 (Leamy, Prickett, Wilcox, Allen, Andrews, Minkoff, Staffenson)**

**NAYS:**

**ABSTAINED:**

**ABSENT:**

  
\_\_\_\_\_  
Tanney Staffenson, Planning Commission Chair

  
\_\_\_\_\_  
Date

## CONDITIONS OF APPROVAL

### City of Troutdale Planning Division

1. Applicant shall be required to satisfy the comments made by review entities included in the corresponding staff report or shall work with Staff to reach an agreement between the parties.
2. The approval of case file LU-0007-2024 shall expire automatically two (2) years from the effective date of the decision unless the approval is enacted either through construction, establishment of use, or recordation of plat or survey within the specified time period. The effective date of the decision shall be the date of the Notice of Decision, unless such decision is appealed.

### Gresham Fire & Emergency Services

1. A permanent address will be required on the building; the suite number must be indicated on the main entrance and the secondary access for identification. Address must be minimum 6" in height and in color contrasting from its background per Gresham Fire Addressing Policy **OFC 505**.
2. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch **Storz** adapter with National Standard Threads installed on the 4 ½ -inch fire hydrant outlet. The adapter shall be constructed of high strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.
3. Proposed mats will need to meet flame spread requirements of chapter 8 in the OSSC/OFC.

### Multnomah County Transportation Division

1. Submit a trip generation memorandum or a traffic impact study, prepared by a professional engineer registered in the State of Oregon, to estimate the transportation impact from the proposed development.