



MEMORANDUM

TO: City Council
FROM: Jana Fox, Current Planning Manager
DATE: July 9, 2019
SUBJECT: APP2019-0002 Appeal of Life Time Fitness Beaverton (DR2018-0128)

PURPOSE:

Staff provides this memorandum in response to the appellant's assertions and makes a recommendation to the City Council on whether the Appeal of Life Time Fitness Beaverton (APP2019-0002) should be approved or denied. Staff also provides at the end of the memo additional materials received since Staff's memorandum dated July 3, 2019.

SUMMARY OF APPELLANT ASSERTIONS:

The appellant makes seven (7) assertions in their appeal letter (Exhibit APP1.1) which are summarized below.

Assertion 1: The Planning Commission erred in concluding that Life Time's TIA is appropriate and does not underestimate the traffic impacts and required transportation mitigation measures.

The appellant's specific arguments can be summarized as follows:

- The applicant's Traffic Impact Analysis (TIA) relies upon outdated numbers from a 2007 Life Time Fitness traffic study that analyzed trip generation specifically from a number of Life Time Fitness facilities.
- The Commission should not have concluded that the applicant's 2007 numbers, which produce a higher number of trips than standard Institute of Traffic Engineers (ITE) analysis, could be relied upon, as Life Time is unique among fitness/recreation facilities.
- Other jurisdictions have made the applicant perform traffic studies based on more recent trip generation data and comparable clubs.
- The Commission erred in disregarding the information provided by the appellant's hired traffic engineering firm, Kittelson & Associates, which provided memoranda highlighting flaws and deficiencies with the applicant's TIA. The appellant states that the transportation agencies (ODOT, City of Beaverton, and Washington County) as well as the applicant's traffic engineer (Josh Anderson, David Evans and Associates) did not refute the Kittelson memoranda.
- The Commission erred in not requiring additional analysis of the proposed Life Time Work space, instead of relying on the standard "office" ITE numbers; appellant asserts that, per a

newspaper article, these types of co-working facilities produce more than double the traffic of a traditional office use.

- The area around the proposed development is already congested and the proposed development will add significant additional traffic to the already congested area. The applicant should be required to provide additional mitigation improvements per the Kittelson memos.
- In summary, the Appellant alleges that the Planning Commission erred both legally and factually in concluding that the project adequately addresses the transportation-related requirements and not imposing additional transportation mitigation measures.

Staff Findings:

Testimony provided by Mr. Connors during the application review period includes memoranda from Kittelson and Associates identifying issues raised by the applicant's Traffic Impact Analysis (TIA). The first of those issues is related to the use of a study by Life Time Fitness in 2007 of a number of Life Time Fitness facilities and their trip generation numbers. The letter contends that the 2007 data undercounts the trips associated with these facilities for the following reasons: relied on lower than average member data, failed to account for seasonality of traffic counts, studied dissimilar clubs, failed to account for outdoor uses and contained calculation errors. Staff notes that the applicant's traffic consultant provided a response to these comments in the additional submittal material provided on May 29, 2019 as part of Exhibit 3.3 and refers the Commission to that memo. The applicant has provided an additional memorandum, from Josh Anders, PE, David Evans and Associates (DEA), dated July 8, 2019 which specifically addresses these assertions (Exhibit APP 2.2).

This assertion also overlooks the key piece of information about how the TIA was conducted. The Beaverton Development Code (BDC) 60.55.20.4.D specifies that a TIA shall include trip generation calculations from the latest published edition of the Institute for Transportation Engineers (ITE) manual. The same section allows the use of an alternative basis for trip generation if there is a rationale for using the alternative. It does not require the use of alternative data, even if it is available. Josh Anderson, PE, PTOE, of David Evans and Associates (DEA) provided the ITE traffic counts in the TIA submitted for the project and chose to include the 2007 study numbers in addition. The 2007 study numbers show a higher trip generation than the ITE. The applicant is not required to provide the 2007 numbers, nor to rely on the higher trip generating numbers; they are only required to utilize the ITE. However, in an effort to better project the real impacts of development the applicant utilized the most conservative (highest trip count) numbers. City, Washington County, and ODOT staff all concur with the methodology used in the applicant's TIA as meeting their agency requirements for transportation assessments, and none have objected to the TIA methodology and outcomes. Staff notes that ODOT provided a letter (Exhibit APP 4.1) specifically stating their concurrence with the methodology, data, and conclusions of the applicant's TIA. Jabra Khasho, PE, City of Beaverton Transportation Engineer, stated at the June 12, 2019 public hearing that the applicant's TIA was in compliance with City of Beaverton standards, and has provided a memo to the record to this effect (Exhibit APP 4.2). The May 29, 2019 and June 5, 2019 memoranda from DEA respond to the specific questions raised about the accuracy of the 2007 data. City planning and transportation staff have reviewed DEA's May 29, 2019, June 5, 2019, and July 8, 2019 memoranda and concurs with their conclusions.

The appellant notes that other jurisdictions have required Life Time to perform different types of traffic analysis in relation to their development proposals. Staff notes that the City can only require the applicant to meet the requirements for a Traffic Impact Analysis described in Section 60.5.20 of the BDC (Transportation Facilities: Traffic Impact Analysis), with which the applicant has complied, as noted above.

In addition to the memo from Kittelson and Associates, members of the public raised general concerns about traffic impacts from the proposed development and wanted Life Time Fitness to mitigate the

traffic impacts of the new facility. As noted in the TIA, Facilities Review Report, and Conditions of Approval, the applicant is proposing, and is required, to construct a large number of traffic mitigation measures to increase capacity and safety in the area and provide relief to existing congested traffic systems. The applicant has conducted a TIA in accordance with the City of Beaverton, Washington County, and ODOT standards and has proposed traffic mitigation measures accordingly.

The Kittelson and Associates memoranda raise an issue with queue lengths at a number of intersections. DEA has addressed these concerns in its May 29, 2019 and July 8, 2019 memoranda, explaining the way that the City and Washington County review intersections using either volume to capacity ratios (v/c ratios) at intersections or lane groups, depending on the agency. DEA further explains that Washington County and the City do not have specific standards for queuing deficiencies but can review for safety. ODOT does have queuing standards for ODOT facilities, and the applicant has addressed queuing length for ODOT facilities to meet ODOT standards. The City, Washington County, and ODOT have provided conditions of approval for the City to include in its decision. None of these conditions included requests for additional capacity at these intersections at this time. Future development within the Sunset Station and Barnes Road PUD area will likely require those improvements; however the agencies determined that they are not required at this time. As the facilities are owned and maintained by the three respective agencies it is within their jurisdiction to determine what improvements are requested or required for their facilities by a proposed development. Staff notes that for the majority of the intersections identified by Kittelson, the queuing deficiencies already exist or are associated with background trips and are not created by the proposed development. It is not the responsibility of the applicant to mitigate existing conditions. The City cannot condition a development approval to solve a problem when there is no nexus between the condition and the impacts of the proposed development.

Mr. Connors in his May 29, 2019 testimony contends that Life Time erred in utilizing the trip generation rate of 'office' to apply to the Life Time Work co-working facility. DEA responds to this assertion in its June 5, 2019 memorandum. Mr. Connors relies on a newspaper article about WeWork facilities (a co-working space provider), which states that it has more workers than typical office space. Staff notes that a newspaper article about cramped offices is not persuasive evidence that can be used to support a traffic analysis. Currently the ITE does not include a separate category for co-working spaces; given that, the office category is the most relevant. The applicant was correct in applying the ITE's office trip generation numbers to the proposed use.

Staff finds that the Commission did not err in fact or law in accepting the applicant's TIA and associated required mitigation measures.

Assertion 2: The Planning Commission erred in concluding that outdoor swimming pools are allowed under BDC 20.10.40.

The appellant's specific arguments can be summarized as follows:

- BDC requires all uses and activities to be "conducted wholly within an enclosed structure" except for a specific list of exemptions; therefore, per a plain language reading, the swimming pool must be wholly within an enclosed structure.
- The Commission erred in concluding that BDC 20.10.40 allows recreational facilities to have outdoor activities, and the provision is intended to limit only outdoor storage and sales activities.
- The Commission erred in concluding that the proposed outdoor swimming pools were within an enclosed structure, as the Commission relied on a definition of "structure" and "enclosed" but ignored the term "wholly."

- The Commission erred in ignoring the plain language of BDC 20.10.40 and in basing its interpretation on legislative history.

Staff Findings:

BDC 20.10.40. (Other CC Zoning Requirements) reads:

Uses shall be subject to the following (excludes food cart pods, parks, and playgrounds):

1. *Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities, transit centers, and as allowed in items 2 and 3 below.*
2. *Accessory open air sales / display / storage shall be Permitted for horticultural and food merchandise only and shall constitute no more than 5% of the gross building floor area of any individual establishment.*

The appellant asserts that the proposed outdoor pool area does not qualify for any of the listed exemptions. In response the applicant makes two primary arguments. The first is that Section 20.10.40 is not intended to limit outdoor uses that are to be anticipated in connection with allowed uses, such as recreational facilities (pools, golf courses, skate parks, etc). Rather, it is intended to limit outdoor storage and sales activities. The second argument is that per the City's definition of structure which was in place at the time of this provision, the pool is wholly enclosed.

Staff notes the applicability of Section 10.20.6 of the BDC, particularly subsection C, which reads:

This code shall be interpreted reasonably, reading questioned regulations in relation to other sections such that an interpretation most fully effectuates the intent and purpose of the regulations.

This provision is particularly relevant in that two provisions of the BDC appear to be in tension, the permission in the CC zone of Recreational Facilities as a Permitted use and the wholly enclosed provision of Section 20.10.40 (Other CC Zoning Requirements). The definition of Recreational Facilities in the BDC Chapter 90, states:

Facilities that are intended to provide amusement to the user, with limited allowance for spectators. This use includes, but is not limited to: theaters, health clubs, golf courses, non-motorized bicycle tracks, skateboard parks, swimming clubs or pools, tennis or handball or racquet clubs, bowling alleys, dance halls, skating rinks, indoor soccer fields, laser tag, paintball, or other similar uses.

The definition of Recreational Facilities includes a number of uses that can reasonably be expected to be developed outdoors, including golf courses, non-motorized bicycle tracks, skateboard parks, swimming pools, tennis/handball/racquet clubs, and paintball uses. While some of these uses may be developed indoors, they are generally understood to be outdoor uses. The applicant argues that if the intent was to require that all of these uses be performed indoors, the BDC would have said so, as it does in the case of "indoor soccer fields." The failure to specify "indoor" in association with swimming pools and many other listed activities indicates an intent to allow these types of facilities outdoors. Staff agrees with the applicant. If all the listed uses had been intended to be allowed only indoors, that would have been specified, as it is with soccer fields.

This provision is in tension with the plain reading of the wholly enclosed provision of BDC section 20.10.40, which requires uses to be wholly enclosed. Staff examines the intent of the wholly enclosed provision of BDC section 20.10.40 below.

Staff has reviewed the comments provided by both parties as well as the legislative history of this code provision and language of the current code. The CC zoning district is a relatively new zoning district

within the City of Beaverton. However, earlier versions of commercial zoning districts have contained this “wholly enclosed” provision in some form or another. The CS and NS zoning districts have nearly identical provisions. Staff looked at the history of this provision in the commercial zoning districts overall, since it has appeared consistently over time even though the titles and specific provisions of the commercial zoning districts have changed.

Staff finds the “wholly enclosed” provision in a 1983 text amendment where, at some point in the intervening five years, the code was amended to condense the list of uses and apply the following use restriction to numerous commercial zones:

2. *Uses shall be subject to the following conditions:*
 - 2.1 *Activity is conducted wholly within an enclosed structure, except as allowed in Section 2.3 below*

The 1983 Amendment added the exclusion for parks and playgrounds, as well as outdoor play areas for day care and school facilities:

2. *Uses shall be subject to the following conditions (exclude parks and playgrounds):*
 - 2.1 *Activity is conducted wholly within an enclosed structure, except for outside play areas for day care and school facilities and as allowed in Section 2.3 below*

The reasoning for the modification to the text given by staff in the 1983 text amendment staff report was to clarify the ordinance intent of the wholly enclosed provision to differentiate other types of outdoor uses, such as parks and playgrounds, from other uses/activities allowed in commercial districts that may have outdoor display and storage uses. The provision has remained relatively unchanged in the intervening 36 years, while other provisions of the BDC have evolved significantly. Staff believes the legislative intent in excluding parks/playgrounds/outdoor play areas was to differentiate between uses that include outdoors sales/display/storage/service from those that do not.

In addition the applicant asserts that according to a strict reading of the BDC the pools proposed by Life Time are located within a “wholly enclosed structure.” The applicant points to the Webster’s Third New International dictionary definition of “enclose” which is:

To close in: surround: to fence off or in (common land) in order to appropriate to individual use.

Chapter 90 of the BDC has two definitions of “structure.” Only one definition was in place in the 1983 BDC when the “wholly enclosed” provision was already in force. It is therefore the definition that applies to the proposed development in relation to the question of what is considered a ‘wholly enclosed structure’. The applicable definition of structure is:

Anything which is constructed, erected, or built and located on or under the ground, or attached to something fixed to the ground.

The appellant asserts that the definition of “wholly” was not adequately addressed in the Commission’s decision. Staff provides the following definition of “wholly” from the Webster’s Third New International dictionary, which is:

To the full or entire extent

The definition of “wholly” is complementary to the definition of “enclose.” Both require surrounding the object or area. Using these definitions of “wholly,” “enclosed,” and “structure,” a fenced or walled-in area would be considered to be a wholly enclosed structure. In the case of the proposal the pool

facilities are completely surrounded by retaining walls, exterior building walls, and fences which qualify as structures and wholly enclose the pools, thereby meeting the use restriction.

Staff notes that by the appellant's logic, a golf course or driving range, which clearly is intended as a permitted use in the CC zone per the definition of "Recreational Facility," would be required to construct a roof over the entirety of the golf course, an impossibility, given the size of a golf course and the air space required, that would violate height restrictions and other limitations in the CC zoning district. Per BDC 10.20.6, the Development Code is to be interpreted reasonably in relation to other sections such that an interpretation must fully effectuate the intent and purpose of the regulations. As described above, the purpose and intent are clear that the "wholly enclosed" provision is intended to apply to outdoor sales and storage uses. Certain present Commissioners that were also on the Planning Commission at the time this provision was applied to the CC zoning district, specifically commented during their deliberations that staff had correctly interpreted the intent of the provision as not being to limit outdoor uses such as pools and recreational facilities, but rather to limit outdoor sales and storage.

Staff finds that the Commission did not err in fact or law in concluding that the outdoor swimming pools are permitted in the CC zoning district.

Assertion 3: The Planning Commission erred in concluding that the parking structure building is not subject to the 35-foot height limit set forth in BDC 20.10.15, footnote 6 even though it is within 100 feet of residentially zoned property.

The appellant's specific arguments can be summarized as follows:

- The Commission erred in concluding that 'residentially zoned property' does not include right-of-way.

Staff Findings:

The appellant asserts that the maximum height in the zoning district was not properly determined and that the appropriate height limit of the parking structure/office building is 35 feet per BDC Section 20.10.15 n. 6, which states,

Maximum building height of any building within 100 feet of a residentially zoned property is 35 feet.

The City has consistently interpreted this provision with a focus on "residentially zoned property" (emphasis added), as opposed to residentially zoned property plus adjacent right-of-way. Staff notes that when a Zoning Map Amendment is processed there is no need to include a change to the zoning of land within the public right-of-way adjacent to real property. It is automatically adjusted to the centerline of the road as part of the remapping of the rezoned property. Section 10.35.1 of the BDC states:

When bordering a public right-of-way, all zoning district boundaries shall extend to the centerline of the right-of-way...

This provision, in contrast to Section 20.10.15 n. 6, focuses on zoning district boundaries rather than on property boundaries. While the district boundary is at the centerline of the right-of-way, the property boundary is located at the interface between the property and the right-of-way.

BDC 40.97.10 (Applicability for Zoning Map Amendments) states that the provisions of the section pertaining to Zoning Map Amendments "apply to a change of the zoning designation for parcels of land within the City" (emphasis added). To the same point, the threshold for quasi-judicial Zoning Map Amendments in BDC 40.97.15.1 refers to changes for "a specific property or limited number of specific properties." There is no mention of rights-of-way in either section.

The intent of BDC 40.97.10 and 40.97.15 is to ensure that residentially zoned property is buffered from the impacts of taller commercial development. The 100 feet of required separation stated in BDC Section 20.10.15 n. 6 is an absolute standard. It should not be expanded depending on the width of the right-of-way, because the standard is not related to the right-of-way. The City has consistently interpreted the term “zoned property” to apply to an actual lot or parcel bordering a right-of-way, not including the right-of-way itself.

Staff finds that the Commission did not err in fact or law in concluding that the parking structure building is greater than 100 feet from residentially zoned property and therefore the height is not limited to 35 feet.

Assertion 4: The Planning Commission erred in concluding that the development proposal is consistent with the pedestrian orientation Design Guidelines set forth in BDC 60.05.35.6.

The appellant’s specific arguments can be summarized as follows:

- The Design Guideline require buildings and primary entrances to be oriented toward and connected to public streets, especially major pedestrian routes (MPRs). SW Cedar Hills Boulevard and SW Barnes Road are MPRs.
- Life Time proposed roof top swimming pools in other locations. It could provide roof top pools here and modify the site design, precluding the need to put the pools in a location with southern exposure.

Staff Findings:

In response to this assertion, Staff cites the findings in the Revised Staff Report dated June 7, 2019, particularly the findings starting on page DR-9 in response to BDC 60.05.35.6A-D, which review the proposal for compliance with the Design Guidelines. As noted in response to BDC 60.05.35.A, which requires buildings to be oriented toward and located within close proximity to public streets and public street intersections, the applicant has arranged the site so the primary street corner of SW Barnes Road and SW Cedar Hills Boulevard has a three story office/parking building located at the street frontage. This includes the primary access into that building, which is located on a pedestrian plaza. The second building, the athletic facility, is located within close proximity to SW Cedar Hills Boulevard until the on-ramp begins to curve onto the freeway, making it impossible for the building to be directly on the MPR. Staff also notes that the MPR along SW Cedar Hills Boulevard is a Class 2 MPR, a lower classification than the MPR on Barnes Road and the MPR designation extends only to the beginning of the high-speed on-ramp to Highway 26, which is approximately where the south wall of the fitness building is located.

Staff notes, in response to BDC 60.05.35.6.B and C, that the only Class 1 Major Pedestrian Route is SW Barnes Road. The applicant has located the office/parking building within close proximity, to zero setback in some cases, of the Class 1 MPR, SW Barnes Road; and the primary entrance to the building is at the corner of the intersection with SW Barnes Road and SW Cedar Hills Boulevard. Additional pedestrian connections into the site are located along SW Barnes Road.

BDC 60.05.35.6.D states that primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections and that property size, shape and topographical conditions should also be considered. The applicant has provided buildings within close proximity to SW Barnes Road and SW Cedar Hills Boulevard in the areas designated as Class 1 and Class 2 MPRs. The triangular shape of the parcel limits the ability to locate the buildings, which require large footprints to reasonably accommodate the proposed uses, anywhere on the site. The applicant has focused on providing a strong corner and street presence at the major street intersections, as required by the Design

Guidelines. Putting the fitness building's primary entrance on Cedar Hills Boulevard would put the entrance on a high-speed on-ramp which currently has poor pedestrian connectivity to the south. In lieu of an entrance on SW Cedar Hills Boulevard, the applicant has provided strong pedestrian connections into the site.

The appellant states that since Life Time has provided roof top pools at other locations, it should be required to do the same here. There is simply no basis in the BDC for such a requirement, which allows applicants flexibility in their site design so long as they meet the Design Standards and Guidelines, as indeed the applicant has.

Staff finds that the Commission did not err in fact or law in concluding that the proposal complies with BDC 60.05.35.6.

Assertion 5: The Planning Commission erred in concluding that the massive size and scale of the project is consistent with the Design Guidelines set forth in BDC 60.05.35.

The appellant's arguments can be summarized as follows:

- Life Time is still proposing a facility which is too large for the property and area.
- This proposal is larger than other Life Time proposals.
- The proposal does not promote and enhance a comfortable pedestrian scale (per BDC 60.05.35.1.D and 60.05.35.7).
- Other jurisdictions got Life Time to propose smaller facilities.
- Visual studies that show impact to surrounding views and pedestrian areas should be required.

Staff Findings:

Staff cites the findings in the Revised Staff Report, dated June 7, 2019 in response to this assertion, particularly the findings starting on page DR-5 in response to BDC 60.05.35.1.D and 60.05.35.7 which evaluate the proposal for compliance with the Design Guidelines. The findings in response to BDC 60.05.35.1.D describe the overall pedestrian orientation and features provided by the applicant, including weather protection, visual interest, glazing, changes in materials, plant matter, etc. BDC 60.05.35.7 discourages single story buildings and encourages architecture to frame the street, create a sense of enclosure, and limit buildings without step backs to 60 feet in height. Staff notes that the applicant proposes no single story buildings, provides architecture at the street to frame the pedestrian experience and create a sense of enclosure. In addition the building does not exceed 60 feet, meeting the height limitation stated in BDC 60.05.35.7.

Staff acknowledges that the requirements of other jurisdictions may differ with respect to size or scale of facilities. Regardless, Beaverton officials must apply the standards in the BDC to any specific development project. The fact that other facilities are smaller or that other jurisdictions have required smaller developments are not relevant to the approval criteria in BDC 60.05.35.

The applicant has provided renderings of its proposed development that show what the building will look like when constructed. There is no requirement in the BDC that the applicant provide additional visual impact studies. As discussed in the Revised Staff Report dated June 7, 2019, there are no protected view corridors or special view overlays that apply to this property. The proposed development is well within the size and height of what is allowed in the zoning district.

Staff finds that the Commission did not err in fact or law in concluding that the size and scale of the proposal complies with BDC 60.05.35.

Assertion 6: The Planning Commission erred in concluding that Life Time is not required to contribute toward the 20% open space requirement under the Peterkort PUD approval.

The appellant's specific arguments can be summarized as follows:

- The proposal, per Condition No. 43 of the Peterkort (Sunset Station & Barnes Road) PUD, should contribute to the open space requirements of BDC 60.35.15, which apply to the PUD, or it will place a burden on other phases of PUD development.
- The Commission should require Life Time to show how the PUD open space requirements can be met on other PUD properties.

Staff Findings:

The appellant states that the Commission erred in not requiring the Life Time Fitness proposal to provide open space to fulfill a portion of Condition of Approval no. 43 of the Sunset Station & Barnes Road PUD, of which the site is a part. The full condition language is:

43. To accommodate the open space requirements of Section 60.35.15 of the Development code, at the time of development of residential uses, the applicant must provide the required open space in conformance with Section 60.35.15 of the Development Code. Future open space must meet the specified width, length, size, and accessibility requirements of Chapter 60. (Planning/JF)

The applicant correctly states in its May 29, 2019 submittal that COA 43 requires open space at the time of development of residential uses. The applicant is not proposing residential uses on the site and, therefore, this development is not subject to COA 43 of the Sunset Station and Barnes Road PUD. The statement that the City should require the applicant to provide open space toward the PUD total is not relevant as the condition clearly requires open space contributions for residential development.

Staff notes that the applicant did provide a map showing potential open space areas which included areas outside of the boundaries of the Sunset Station and Barnes Road PUD. While there is no specific requirement that the open space requirement within a PUD be met within the PUD boundaries, staff is not reviewing the open space for the entire PUD as part of this application as no open space per PUD condition 43 is required. When residential development triggers the open space requirements in the Sunset Station & Barnes Road PUD, they will be applied. The entire PUD is over 90 acres in size, and there is more than adequate space in the remaining parcels to satisfy the open space requirement. Staff also cites the findings provided in response to Facilities Review approval criterion B. Additionally staff notes that the applicant is complying with the Design Guidelines related to landscaping and is proposing a pedestrian plaza at the intersection of SW Barnes Road and SW Cedar Hills Boulevard.

Staff finds that the Commission did not err in fact or law in concluding that per the Sunset Station & Barnes Road PUD Condition of Approval 43 the proposal is not required to provide open space toward the PUD open space obligation.

Assertion 7: The Planning Commission erred in concluding that Life Time satisfied the tree removal criteria and adequately justified the removal a substantial number of trees on the Life Time and adjacent properties.

Staff Findings:

Staff finds that the Tree Plan Two (TP2018-0009) approval was not appealed. Consequently, the Tree Plan Two standards do not arise in connection with this appeal of the Design Review Three approval DR2018-0128. Assertion 7 is not applicable and must be disregarded.

PUBLIC TESTIMONY SUMMARY

Staff notes that since the appeal was received on June 24, 2019 through end of day Tuesday July 9, 2019, 31 pieces of public testimony have been filed. Public comment provided as Exhibits APP3.01 – APP3.28 were provided to the Council in the July 3, 2019 Staff Memorandum. The remaining public comment received is included as exhibits herein.

Additional public testimony themes which are not already addressed in the appeal assertions and the responses thereto above are related to: community involvement, compliance with the City's sustainability goals, suitability of plant species proposed in landscaping, request for an environmental impact analysis, environmental health concerns, water usage, Life Time Fitness's lack of sustainability plan, liquefaction hazard areas, and competition with and saturation of local existing athletic facilities. These items are addressed below.

Community Involvement:

The public testimony included comments for and against the proposal, with a large number being in the form of an email generated by a petition on MoveOn.org. Staff notes that the petition itself has not been submitted into the public record to date. Per Exhibit APP 3.28, email from Kyler Speich, the petition states that:

"As is, Life Time Fitness does not meet community members' needs. Without significant community involvement, and massive sustainability changes, Life Time Fitness should not be allowed to develop on the corner of Cedar Hills Blvd and Barnes Rd."

In addition, Exhibit APP 3.29 discusses disclosure requirements that pertain to City operations, not proposed development projects, specifically relying on Global Reporting Initiative (GRI) standard by which the City gauges their own operations. There is no requirement that proposed development comply with GRI standards in the BDC. Exhibit APP 3.29 notes that the City's Equity and Inclusion office was not contacted about the proposal. There is no BDC requirement to contact the City's Equity and Inclusion office as part of the land use process.

The broad assertion that the proposed development does not meet community members' needs is not specific to any approval criterion related to the Design Review Three application under appeal. The applicant has held the required neighborhood meeting, two public hearings have been held on the proposal to date, public comment has been accepted and provided to decision makers, and an appeal is now under consideration. The applicant has fulfilled its obligations under the BDC to provide for notice and comment on the development proposal.

Sustainability Concerns:

Exhibit APP 3.29 states that the applicant failed to comply with Global Reporting Initiative (GRI) standards. Staff notes that the City does report on GRI standards as part of its sustainability efforts, however development applications and companies or persons applying for development approvals are not required by the BDC to comply with GRI best practices or standards. The GRI is used by the City to measure and report on the sustainability of City operations, not private development proposals. The proposal for Life Time Fitness can only be evaluated on the specific approval criteria listed in the BDC as relevant to the Design Review Three proposal. There are no specific sustainability or GRI requirements associated with those approval criteria; as such the city cannot require additional sustainability measures as part of a land use proceeding.

Suitability of Plant Species Proposed:

Exhibit APP 3.29 states that the applicant does not comply with BDC 60.05.10.4 which relates to landscape criteria. Staff notes that BDC 60.05.10.4 is a policy statement and the relevant implementing guideline is found in BDC 60.05.45.3.C. The applicant has provided an email (Exhibit APP 2.2) stating that they are currently updating their landscape plan to provide more native species as well as update their narrative response to better address BDC 60.05.45.3.C. Staff will, as appropriate, provide additional comments in response to the revised proposal.

Request for Environmental Impact Analysis:

Exhibit APP 3.29 requests that additional environmental impact assessments be done beyond the adopted Goal 5 inventories and request application of CWS and Audubon Society standards and methodologies to the proposal. Specifically the commenters are concerned with light pollution impacts to wildlife on adjacent properties, including impacts from street lights. Street lights are a safety requirement for public streets and are governed by the design manuals of the agency having jurisdiction over the street, in this case Washington County. The area directly north of SW Barnes Road, that the letter identifies as the area of concern for wildlife impacts, is zoned Urban High Density (R1) and the area of impact from the street lights would be contained within the portions of the R1 parcel which are not identified as natural resource area and are intended for high density residential development per the zoning district. Staff notes that the BDC requires compliance with the City's Technical Lighting standards for on-site lighting which the applicant is required to comply with. There is no requirement in the BDC that the applicant perform additional environmental impact assessments, therefore the City cannot require the applicant to perform additional environmental assessments as part of their Design Review Three request.

Environmental Health Concerns:

Exhibit APP 3.29 requests that the decision maker evaluate environmental health concerns from the heat island that will be created by Life Time Fitness. The subject site is located within the Urban Growth Boundary and the City of Beaverton, and the site is zoned and intended for urban development. There are no BDC standards related to the heat island effect which the City can apply to this proposed development. Staff does note that the applicant has provided a Clean Water Services (CWS) Service Provider Letter (SPL) which reviews proposals within close proximity to sensitive areas and the applicant must comply with the provisions of the CWS SPL for the proposed development as well as the City's stormwater standards, contained in the Engineering Design Manual (EDM). Stormwater impacts are assessed in detail during the Site Development Permitting process.

Water Rights Concerns:

Exhibit APP 3.29 discusses requirements related to the GRI, which as noted above are not applicable to private development proposals but intended to measure the sustainability of City operations. The appellant discusses the water sources for the City of Beaverton, staff notes that the proposed development is within Tualatin Valley Water District (TVWD) and not the City of Beaverton Water District. TVWD has planned for urban development within its district boundaries, including development of the subject site. This area has long been zoned for some of the densest urban development in Washington County, which TVWD takes into account in master planning for their water system.

Life Time's Lack of a Sustainability Plan:

Exhibit APP 3.29 states that Life Time's company sustainability plan is not sufficient. The BDC does not require sustainability plans for proposed development, as such the City cannot require a sustainability plan of Life Time Fitness as part of their proposed development application.

Liquefaction Hazard Areas:

Exhibit APP 3.29 states that the subject site is within DOGAMI's highest liquefaction potential area. The proposed development will be required to comply with all applicable Building Code provisions, which may

include a geotechnical analysis. The letter cites ORS 455.477 which is related to building codes, as such this matter is not relevant to the land use review and entitlement process, however compliance with all applicable Building Code provisions will be required prior to issuance of a building permit. Staff has reviewed the DOGAMI liquefaction hazard maps and notes that the proposed development site is in the Low category of liquefaction hazard, not the High category per the DOGAMI Hazvu online mapping tool.

Competition with other Local Athletic Facilities

A number of pieces of public testimony state concerns about the impacts of Life Time Fitness on existing athletic facilities in the area and saturation of the fitness market. Staff notes that competition with existing facilities and market saturation are not criterion within the BDC and therefore not applicable to the review of the Life Time Fitness Application.

Public testimony in support of the application generally indicates that the proposed facility would meet recreational and family needs and require less travel. Exhibit APP 3.31 discusses support of the Life Time proposal and identifies that transportation agencies and the City all agree with the applicant and that the listed persons are in support of the proposal.

RECOMMENDATION

Staff recommends that Planning Commission **affirm the Planning Director's decision to approve the Design Review Three for Life Time Fitness Beaverton (DR2018-0128)**, with conditions as stated in the Land Use Order (no. 2706), dated June 14, 2019, thereby **denying the appeal (APP2019-0002)**.

EXHIBITS:

Exhibit APP 1 – Appellant Materials:

No additional materials received since the July 3, 2019 Staff Memorandum.

Exhibit APP 2 – Applicant Materials:

- APP 2.1 Memorandum from Josh Anderson, DEA, dated July 8, 2019
- APP 2.2 Email from Hayley Siltanen, received July 9m 2019

Exhibit APP 3 – Public Comment:

- APP 3.29 Letter from Kyler Speich, Not in Our Lifetime Community Coalition, received July 5, 2019
- APP 3.30 Letter from Chuck Richards, received July 8, 2019
- APP 3.31 Letter from Scott Kveton & others, received July 9, 2019

Exhibit APP 4 – Agency Comment:

No additional agency comments received since the July 3, 2019 Staff Memorandum.



DAVID EVANS
AND ASSOCIATES INC.

Received
Planning Division
07/08/2019

MEMORANDUM

DATE: July 8, 2019

TO: City of Beaverton City Council

FROM: Josh Anderson, PE, PTOE

SUBJECT: Response to Traffic Related Comments by Kittelson & Associates, Inc.

PROJECT: LTFR 0000-0001
Life Time Fitness TIA

CC: Jinde Zhu – Washington County
Avi Tayar – ODOT

On June 12, 2019, the Planning Commission unanimously voted to approve Life Time's (LT) applications (DR 2018-0128/LD2019-0008/LO2018-0005/SDM2018-0007/TP2018-0009) to develop an athletic club and shared office space in the City of Beaverton. On June 24, 2019, E. Michael Connors filed an appeal of the Planning Commission's approval of the design review portion of LT's project, DR 2018-0128. In the appeal, Mr. Connors argued that Life Time's Traffic Impact Analysis (TIA) is deficient. Mr. Connors' argument is based on comments from Kittelson & Associates, Inc. (Kittelson) in two memoranda dated May 14, 2019 and June 5, 2019.

The TIA was carefully scoped with the City's, County's, and ODOT's technical staff. The three jurisdictions that have transportation facilities that are impacted by the project have reviewed the TIA, considered the public testimony, and technical experts in all three—the City, County and ODOT—have confirmed that the TIA is reliable, consistent with best practices and meets applicable standards. *See* Letter from Avi Tayar, ODOT, dated June 28, 2019; *see* Memorandum from Jabra Khasho, City Transportation Engineer, dated July 2, 2019.

The purpose of this memorandum is to respond to certain traffic-related comments made by Kittelson, which were reasserted in Mr. Connors' letter of appeal. We responded to many of Kittelson's comments in our memorandum dated May 29, 2019 (*May 29 DEA Memo*), which is attached as Appendix A. To the extent that those issues are reasserted in Mr. Connor's appeal, and to avoid redundancy, we will refer to our prior responses in the *May 29 DEA Memo*. Kittelson's comments can be organized into two broad categories, which this memorandum will address in turn:

- Comments related to the trip generation rates determined in a 2007 study prepared by TRC Engineers, Inc., titled *Life Time Fitness Centers: Traffic & Parking Design Characteristics (2007 Traffic Study)*;
- Comments related to queueing and mitigation measures to address the same.

2007 Traffic Study – Trip Generation

This section will respond to comments concerning trip generation determined in the 2007 Traffic Study.

1. The 2007 Traffic Study data is too old to use.



DATE: July 8, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton City Council

SUBJECT: Response to Traffic Related Comments by
Kittelson & Associates, Inc.

Kittelson suggests that traffic data from the 2007 Traffic Study is unreliable because of when it was collected. This concern is asserted, despite the fact that the evidence demonstrates that the member visits in 2007 are consistent with member visits today. Kittelson's position is also contrary to the methodology and age of data relied upon by the Institute of Transportation Engineers (ITE), which determines trip generation rates based on traffic data that dates back decades.

The City's Development Code requires trip generation to be estimated based on rates published by the ITE. ITE's *Trip Generation Manual, 10th Edition*, which was published in 2017 and contains the most current trip generation rates, is based on data from as early as the 1960s. ITE continues to use older data, unless it is determined through statistical testing that significant differences exist between older data and newer data due to changes in the use type. For example, the *Trip Generation Handbook, 3rd Edition*¹ explains that trip generation rates for the Walk-In Bank and Drive-In Bank land use categories no longer use pre-2000 data because electronic banking has significantly changed bank customer practices.

The 2007 Traffic Study considered traffic generated at five different LT athletic clubs. As discussed below and in the *May 29 DEA Memo*, no evidence suggests that traffic counts collected in 2007 are inconsistent with traffic counts today. For that reason, there is no basis to assume that the trip generation rates determined in the 2007 Traffic Study are unreliable. The "age" of the data from the 2007 Traffic Study (which is significantly "younger" than much of the data relied on by ITE) is not an independent basis for concluding that the 2007 Traffic Study is inadequate.

2. The 2007 Traffic Study underrepresents LT's trip generation potential because:
 - a. the study was performed when LT's membership was down.

Kittelson states that the 2007 Traffic Study underrepresents the amount of traffic generated by LT's clubs because the study occurred at a time when LT's membership was down.

LT's member swipe data shows that the number of average monthly member swipes in the 2007 Traffic Study is consistent with monthly member swipes measured in 2018. In fact, the number of monthly member swipes at the five clubs studied in the 2007 Traffic Study on average *decreased* from 2007 to 2018. See *May 29 DEA Memo*, p. 4.

- b. the study does not account for the seasonality of traffic counts.

Kittelson asserts that the 2007 Traffic Study fails to account for the use of outdoor pools in the summer.

The 2007 Traffic Study relied on traffic counts collected in February, March, and April. Member swipe data shows that the average number of monthly swipes during the period of the 2007 Traffic Study (February – April) represented *higher-than-average* club attendance for the five clubs studied in 2007. See *May 29 DEA Memo*, p. 4.

¹ The *Trip Generation Handbook* provides guidelines for application and interpretation of trip generation data.



DATE: July 8, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton City Council

SUBJECT: Response to Traffic Related Comments by
Kittelson & Associates, Inc.

c. the 2007 Traffic Study evaluated smaller clubs.

Kittelson states that the 2007 Traffic Study underrepresents trip generation for the proposed club in Beaverton, because the proposed club is larger than the athletic clubs evaluated in the 2007 Traffic Study.

Estimated trip generation is calculated based on a ratio that applies per 1,000 square feet of a facility's size. Because trip generation is based upon a ratio, variability in the size of facilities does not impact the reliability of the analysis. *See May 29 DEA Memo*, p. 2, 4-5.

Moreover, based on LT's business strategy, a larger facility does not necessarily equate to a larger number of trips. Diamond-level membership clubs, like proposed in Beaverton, do not reflect the overall size of the facility, but rather higher membership dues. This model results in fewer memberships at a higher price point. For example, the planned 46,000 square foot San Clemente, CA club will also be a Diamond-level facility. *See May 29 DEA Memo*, p. 5.

d. the 2007 Traffic Study contains calculation errors.

Kittelson states that the 2007 Traffic Study underrepresents LT's potential trip generation due to calculation errors in the study. Specifically, Kittelson asserts that trip generation data for the Plano, Texas athletic club should be omitted from trip generation calculations because traffic counts observed at that location were lower than average. However, the ITE does not require data outliers to be omitted from data collection and analysis. In fact, ITE trip generation rates frequently incorporate highly variable data points, and all of the data points are used to calculate the average. This is best illustrated by the data plot for ITE Land Use Code 492 – Health/Fitness Club, which is attached as [Appendix B](#).

3. LT should be required to conduct a new traffic study.

Kittelson states that LT should be required to conduct a new traffic study because the 2007 Traffic Study is over ten years old. As explained previously, there is no evidence to support the conclusion that either the 2007 Traffic Study is inaccurate, or that traffic from LT's clubs has increased, causing the 2007 Traffic Study to underestimate LT trips. There is also no regulatory basis for requiring updated data in this situation.

Beaverton's Development Code requires trip generation estimates to be based on ITE rates, except that "[t]he City Engineer may approve different trip generation rates when trip generation rates are not available in ITE's Trip Generation or different rates are justified." BDC 60.55.20(4)(D)(3)(a). In this case, the City's traffic engineer, Washington County's traffic engineer, and ODOT's development review staff each approved use of the 2007 Traffic Study. The 2007 Traffic Study trip generation rates are significantly more conservative than the ITE trip generation rates,² and the City was within its discretion to accept the 2007 Traffic Study.

² The ITE trip generation rate for the PM peak hour is 3.45 trips per 1,000 square feet, while the 2007 Traffic Study trip generation rate for the PM peak hour is 4.35 trips per 1,000 square feet.



DATE: July 8, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton City Council

SUBJECT: Response to Traffic Related Comments by Kittelson & Associates, Inc.

Kittelson argues that the ITE requires LT to conduct a new traffic study. To support this argument, Kittelson quotes from ITE's *Trip Generation Handbook, 3rd Edition*. The *Trip Generation Handbook* provides guidance for collection trip generation data. However, nothing in the *Handbook* specifies that trip generation data expires, or otherwise becomes unreliable, after a certain period of time.

Queuing Deficiencies and Mitigations

Kittelson states that queuing deficiencies exist at certain of the intersections studied in the TIA,³ and that LT is required to provide mitigation to address those queuing deficiencies. As discussed in the TIA, the queuing deficiencies identified by Kittelson are present under background conditions, meaning that they would be present with or without development of Life Time's project. For that reason, there is no nexus between Life Time's development and the associated improvement.

Table 1, below, lists the mitigation measures that Kittelson proposes to address queuing issues and summarizes the explanation given in the TIA for why LT's proposed development does not trigger the Kittelson-identified measures.

Table 1 – Response to Kittelson-Proposed Mitigation Measures		
PUD Condition	Mitigation Proposed by Kittelson	Response
2.d	Extend eastbound left-turn land and right-turn land on the US 26 eastbound off-ramp to provide 400' and 425' of storage, respectively	This improvement was recently constructed with the signalization of this intersection.
5.a	Extend northbound right-turn lane @ SW Cedar Hills Boulevard & Barnes Road to the Highway 26 westbound off-ramp	LT's traffic impacts will be mitigated through the construction of PUD Condition 5.c and portion of PUD Conditions 5.b and 5.e. These improvements will allow all of the lane groups in the SW Cedar Hills Boulevard & SW Barnes Road intersection to operate with a v/c of 0.98 or less. The completion of the 5-lane cross section of Barnes Road (to the west of this intersection) will allow northbound left-turning vehicles to more effectively turn and not have to immediately merge to one lane after navigating the intersection. These improvements also allow for a longer green light for the northbound right-turn, in turn shortening the northbound right-turn queue length when compared to the background condition.

³ Kittelson also argued that LT should provide mitigation for an existing queuing deficiency at SW Barnes Road at the St. Vincent Hospital Middle Access. The TIA evaluated eight existing intersections and one new potential access for nine total study area intersections. The SW Barnes Road at St. Vincent Hospital Middle Access was not one of the study intersections prescribed by the City.



DATE: July 8, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton City Council

SUBJECT: Response to Traffic Related Comments by
Kittelson & Associates, Inc.

10.d and 10.e	Widen the westbound approach of SW Barnes Road at OR 217 to provide two right-turn lanes, one extending to the Baltic intersection and the second with a minimum storage of 160'. Modify traffic signal at OR 217 and Barnes Road to accommodate the widening.	The TIA has shown that the addition of LT trips through this intersection are not expected to result in any measurable change in queue lengths on the ODOT controlled exit ramp. Turn lane spillback is present in the background condition and is not worsened by the addition of LT trips.
11.d and 11.f	Widen the westbound approach of SW Barnes Road at Baltic Avenue to provide two through lanes, a through/right-turn lane, and two left-turn lanes with a minimum storage of 200' and widen the southern approach to provide 2 receiving lanes or a distance of 225'. Modify the traffic signal at Barnes Road and Baltic Avenue to accommodate the widening.	The addition of the Life Time trips does not cause any of the movements in the intersection to exceed the City of Beaverton or Washington County operational standards. Queuing is present in the background condition and is not worsened by the addition of LT trips.
12.b	Widen the westbound approach of Barnes Road at the St. Vincent Hospital Middle Access to provide two through lanes and a through/right-turn lane.	This intersection was not one of the study intersections determined by the City to be included in the TIA, because the intersection is outside of LT's "area of influence," as defined by the City's Development Code.

For the reasons summarized in [Table 1](#), the improvements recommended by Kittelson are unnecessary to mitigate the impacts of Life Time's proposed development.

Attachments/Enclosures: APPENDIX A: Memorandum from DEA dated May 29, 2019

APPENDIX B: Data Plot for ITE Land Use Code 492 (Health/Fitness Club)

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**Appendix A – Memorandum from DEA, dated
May 29, 2019**



DAVID EVANS
AND ASSOCIATES INC.

MEMORANDUM

DATE: May 29, 2019

TO: City of Beaverton Planning Commission

FROM: Josh Anderson, PE, PTOE

SUBJECT: Response to Transportation Issues Raised in Testimony by May 15, 2019

PROJECT: LTFR 0000-0001
Life Time Fitness TIA

CC: Jinde Zhu – Washington County
Avi Tayar - ODOT

On May 15, 2019, the Planning Commission held a public hearing regarding Life Time's application (ADJ2018-0006/DR 2018-0128/LD2019-0008/LO2018-0005/SDM2018-0007/TP2018-0009) to develop a fitness facility with tennis courts¹ and shared office space in the City of Beaverton (the "City"). The purpose of this memorandum is to respond to submitted testimony regarding traffic impacts from Life Time's facility.

Life Time's Traffic Impact Analysis ("TIA") analyzes traffic at nine intersections in the vicinity of Life Time's proposed facility as prescribed by the City. The TIA includes three main components: (1) a study of existing traffic conditions ("Existing Conditions"); (2) a study of future traffic conditions, as they are anticipated to exist if Life Time's facility is *not* constructed ("Background Conditions"); and (3) a study of future traffic conditions as they are anticipated to exist if Life Time's facility *is* constructed ("Project Conditions"). The TIA compares Project Conditions to Existing and Background Conditions to determine which transportation improvements are necessary to mitigate the predicted traffic impacts from Life Time's proposed facility.

Much of the public testimony related to the TIA concerned trip generation. Trip generation refers to the volume of traffic, or "trips," anticipated to be generated by Life Time's proposed facility. Trip generation analysis is necessarily forward looking—it is an estimate of *future* trips, based on existing, known data. Per the City's Development Code ("Code" or "BDC"), trip generation is analyzed for peak traffic periods (i.e., morning and evening commute hours). BDC 60.55.20(4)(D)(3).

Several commenters asserted that Life Time relied on inappropriate data or assumptions to estimate the number of trips generated by Life Time's proposed facility during peak traffic periods. To respond to these comments, this memorandum will provide a short overview of the methodology used to calculate Life Time's trips. Then, this memorandum will address specific questions about Life Time's trip generation calculations.

¹ Following the public hearing, in response to comments, Life Time modified its application to eliminate the tennis use and to expand the office use. Those modifications are addressed in Addendum 5 to the TIA, which demonstrates that removal of the tennis facility and expansion of the office use results in a *decrease* in trip generation. Although Life Time proposes to eliminate the tennis use, this memorandum discusses tennis-related traffic analysis that was included in the original TIA, submitted in February 2019.



DATE: May 29, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton Planning Commission

SUBJECT: Response to Transportation Issues Raised
in Testimony by May 15, 2019

Overview of Trip Generation Analysis

The Code prescribes baseline requirements for estimating trip generation. In general, trip generation is calculated based on rates published by the Institute of Transportation Engineers ("ITE"). See BDC 60.55.20(4)(D)(3)(a). The ITE assembles data from thousands of individual traffic studies conducted throughout the United States to assign trip generation rates based on land use. Trip generation rates are then calculated on a square footage or per unit basis. For example, Health/Fitness Clubs are assumed to generate 3.45 trips per 1,000 square feet of building area. These trip generation rates are published in ITE's Trip Generation Manual.

Although the ITE rates are the default method for estimating trip generation, the Code allows different rates to be used if so justified. The Code provides:

Trip generation estimates shall be based on ITE's Trip Generation (latest published edition). The City Engineer may approve different trip generation rates when trip generation rates are not available in ITE's Trip Generation or different rates are justified.

BDC 60.55.20(4)(D)(3)(a).

In this case, Life Time compared trip generation estimates for the proposed facility based on three data sources, including the ITE Trip Generation Manual, and ultimately used the trip generation methodology that was the most conservative (i.e., estimated the greatest number of trips). The methods include:

1. Trip generation rates determined in a 2007 study prepared by TRC Engineers, Inc., titled *Life Time Fitness Centers: Traffic & Parking Design Characteristics* (the "2007 Traffic Study"), based on traffic counts that were collected at five existing Life Time facilities;
2. Trip generation rates in the ITE Trip Generation Manual; and
3. Trip generation rates assumed by Villa Sport in its 2012 application for development in the City, based on traffic counts that were collected at two existing Villa Sport facilities.

For each method, trip generation rates were applied to the size of Life Time's proposed facility. For example, the Villa Sport application assumed a trip generation rate of 3.86 peak evening hour trips per 1,000 square feet of building space. To determine Life Time's peak evening hour trips based on the Villa Sport rate, 3.86 was multiplied by the square footage of Life Time's fitness facility (140,000 square feet). In addition to calculating trips for the proposed fitness facility, trips were added to account for Life Time's proposed tennis and office space uses.

Table 1, on the following page, shows Life Time's calculated peak evening hour trips using each of the three trip generation methods. As shown in the table, the 2007 Traffic Study results in the highest, and therefore most conservative, estimated traffic volume. Based on the trip generation rates from the 2007 Traffic Study, Life Time's proposed uses (including the fitness facility, tennis courts, and office space) were estimated to generate a total of **506** trips during the peak evening hour. This is nearly 100 more peak evening hour trips than would be anticipated using the Villa Sport trip generation rate and is 132 more peak evening hour trips



DATE: May 29, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton Planning Commission

SUBJECT: Response to Transportation Issues Raised in Testimony by May 15, 2019

than would be anticipated using the ITE Trip Generation Manual rate resulting in the most conservative approach for applying trip generation rates being utilized in the TIA.

DEA prepared the Life Time TIA using the trip generation rates from the 2007 Traffic Study. Use of the trip generation rates from the 2007 Traffic Study was approved by Jabra Khasho (City of Beaverton Traffic Engineer), Jinde Zhu (Washington County Traffic Engineer), and Abraham Tayar (ODOT development review). The trip generation assumptions are also discussed in greater detail in Appendix 22b (TIA Addendum 2) of Life Time's application.

Table 1 – Comparison of Trip Generation Methods														
Land Use	Data Source	Size		Trip Generation Rates for PM Peak Hour ¹			Trips During PM Peak Hour ¹			Pass By		Trips (Without Pass-By) During PM Peak Hour ¹		
				Total	In	Out	Total	In	Out	%	Trips	Total	In	Out
Method 1: 2007 Traffic Study (SELECTED)														
Fitness Facility	2007 Study	140	1,000 sf	4.35	0.59	0.41	609	359	250	29%	177	432	255	177
Racquet/Tennis Club	ITE	10	courts	3.82	0.50	0.50	38	19	19	NA	0	38	19	19
Office	ITE	31.17	1,000 sf	1.15	0.16	0.84	36	6	30	NA	0	36	6	30
Total net new trips after pass-by reduction:												506		
Method 2: Villa Sport Traffic Study														
Fitness Facility	Villa Sport	140	1,000 sf	3.86	0.52	0.48	540	281	259	38%	205	335	174	161
Racquet/Tennis Club	ITE	10	courts	3.82	0.50	0.50	38	19	19	NA	0	38	19	19
Office	ITE	31.17	1,000 sf	1.15	0.16	0.84	36	6	30	NA	0	36	6	30
Total net new trips after pass-by reduction:												409		
Method 3: ITE Trip Generation Rates														
Health/Fitness Club	ITE	140	1,000 sf	3.45	0.57	0.43	483	275	208	38%	183	300	171	129
Racquet/Tennis Club	ITE	10	courts	3.82	0.50	0.50	38	19	19	NA	0	38	19	19
Office	ITE	31.17	1,000 sf	1.15	0.16	0.84	36	6	30	NA	0	36	6	30
Total net new trips after pass-by reduction:												374		
¹ - NOTE: The PM peak hour is shown above as it is the hour of the day with high trip generation rates and the highest level of adjacent street traffic volumes.														

Response to Comments

Having provided an overview of the methodology used to estimate the volume of Life Time's future traffic, this section will respond to specific comments concerning Life Time's TIA.



DATE: May 29, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton Planning Commission

SUBJECT: Response to Transportation Issues Raised in Testimony by May 15, 2019

1. Is the data from 2007 Traffic Study outdated?

Ultimately, Life Time chooses to continue to utilize the 2007 Traffic Study because it is the most conservative trip generation estimate that is available when there are no nearby existing Life Time facilities to study. The trip generation rates from the 2007 Traffic Study are significantly higher than the ITE Trip Generation Rates and higher than the trip generation rates relied on by a comparable local facility (Villa Sport). Further, as discussed below, the trip generation rates from the 2007 Traffic Study are substantially greater than rates from recent trip generation studies that were prepared based on a smaller number of Life Time facilities.

The five facilities that were studied in the 2007 Traffic Study are shown in Table 2, below, with their associated average monthly member swipes from 2007 compared to monthly member swipes in 2018. As you can see, the average number of monthly visits to these facilities has slightly decreased, further representing the accuracy of relying on the data from 2007.

Club	Club Membership Level	2007 Average Monthly Swipe Swipes	2018 Average Monthly Member Swipes
Bloomington, IL	Gold	72,466	66,627
Plano, TX	Platinum	75,973	67,292
Shelby, MI	Gold	66,437	67,841
Tempe, AZ	Bronze	66,526	71,653
Warrenville, IL	Gold	75,599	75,089
Total Average Monthly Swipes	N/A	71,400	69,700

2. The facilities that were evaluated in the 2007 Traffic Study are smaller than the facility that Life Time proposes to build in Beaverton. Given that size difference, are the trip counts from the 2007 Traffic Study relevant to the proposed facility?

As discussed above, estimated trip generation is calculated based on a ratio that applies per 1,000 square feet of a facility's size. Because trip generation is based upon a ratio, variability in the size of facilities does not impact the reliability of the analysis. Instead, the difference in size of the facilities studied in the 2007 Traffic Study and the proposed facility are captured by multiplying the facility's square footage by the normalized trip generation rate. Specifically, the existing clubs evaluated in the 2007 Traffic Study generated 4.35 trips per 1,000 square feet, which is the ratio that was applied to the Beaverton proposal.

Moreover, based on Life Time's business strategy, a larger facility does not necessarily equate to a larger number of trips. Life Time's business model is to provide a second-to-none experience in a resort-like environment, which includes providing a spacious, uncrowded environment. Diamond-level membership



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TO: City of Beaverton Planning Commission

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facilities, like proposed in Beaverton, do not reflect the overall size of the facility, but rather higher membership dues. For example, the planned 46,000 square foot San Clemente, CA club will also be a Diamond-level facility.

This model results in fewer memberships at a higher price point. So, rather than having 10,000-plus memberships with \$69 per month dues, Life Time's plan for a Diamond-level club in Beaverton is to have 6,000–7,000 memberships with an average of \$200 per month in dues.

3. Were the traffic counts from the 2007 Traffic Study taken during the Recession? If so, wouldn't they be higher now?

The Recession began in December 2007 and ended in June 2009.² The traffic counts from the 2007 Traffic Study were collected in February, March, and April of 2007. Therefore, trip counts from the 2007 Traffic Study would not have been impacted by the Recession. Regardless of the timing of the Recession, the data presented in Table 2 shows that member attendance in 2007 is consistent with Life Time member attendance in 2018.

4. The traffic counts from the 2007 Traffic Study were taken during the spring months. Would traffic counts be higher during summer months when people use outdoor pools?

Life Time provides both indoor and outdoor pools. In warmer months, when the outdoor pools are in use, there is minimal use of the indoor pools. Conversely, in cooler months, when the outdoor pools are closed, the indoor pools are used more heavily. Table 3, below, illustrates that the average number of swipes per month for all of 2007 (71,400 swipes/month) is lower than the average number of swipes per month for the period of the 2007 Traffic Study, which occurred in February through April 2007 (75,074 swipes/month). In other words, the period of the 2007 Traffic Study represented **higher-than-average** club attendance for 2007.

Club	Average Number of Monthly Swipes in 2007	Average Number of Monthly Swipes in 2007 Traffic Study Period (February - April 2007)
Bloomington, IL	72,466	76,103
Plano, TX	75,973	78,064
Shelby, MI	66,437	73,213
Tempe, AZ	66,526	67,347
Warrenville, IL	75,599	80,641
Total Average Monthly Swipes	71,400	75,074

² Fed. Res. Bank of N.Y., *The Great Recession* (Nov. 22, 2013), https://www.federalreservehistory.org/essays/great_recession_of_200709.



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TO: City of Beaverton Planning Commission

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5. The facilities that were evaluated in the 2007 Traffic Study are in different locations than Beaverton. Given the geographical and demographic differences, are the trip counts from the 2007 Traffic Study relevant to the proposed facility?

The 2007 Traffic Study considered traffic at five different Life Time clubs, representing a range of geographies and communities. At present, there is no Life Time facility in the Beaverton area, or elsewhere in Oregon. Life Time considered the trip generation analysis that was completed for a comparable local facility (Villa Sport). However, Life Time elected to use the trip generation data from the 2007 Traffic Study, because the 2007 Traffic Study produced more conservative (i.e., higher volume) trip rates than the trip generation rates relied on by the local facility.

6. Why are the traffic counts from the 2007 Traffic Study different from Life Time's 2008 10-k filing with the SEC, which stated that the average number of monthly visits per fitness facility in 2007 was 68,000?

The SEC filing reports average total monthly visitors. By contrast, the 2007 Traffic Study measured peak hour trips; the 2007 Traffic Study did *not* measure trips that occurred outside of the peak hours. For that reason, the 2007 Traffic Study is not a measure of total daily trips. In addition, the SEC filing reports *visitors*, while the 2007 Traffic Study reports *trips*. The number of trips in any given day is likely to be substantially fewer than the number of visitors due to the number of members who visit the club with a partner, dependent, or guest. For those reasons, the number of *visitors* reported in the SEC filing is not comparable to the number of peak hour *trips* reported in the 2007 Traffic Study.

7. Life Time prepared traffic studies for a facility in Lake Zurich, Illinois in April 2018 and for a facility in Roseville, California in May 2013. Since those traffic studies are more recent than the 2007 Traffic Study, why were they not used to estimate trip generation for the proposed facility in Beaverton?

In 2013, Fehr & Peers prepared a TIA (the "2013 TIA") for a proposed Life Time facility in Roseville, California. The 2013 TIA relied on a trip generation study that was completed by Atlantic Traffic and Design Engineers, Inc. in 2012, which evaluated trip counts at two (2) Life Time facilities. Based on the study of those facilities, peak evening hour trips were estimated at 3.57 trips per 1,000 square feet of building area.

In 2018, Gewalt Hamilton Associates, Inc. prepared a TIA (the "2018 TIA") for a proposed Life Time facility in Lake Zurich, Illinois. The 2018 TIA relied on a trip generation study that was prepared based on traffic counts at one (1) Life Time facility, located in nearby Vernon Hills, Illinois. Based on the study of the Vernon Hills facility, peak evening hour trips were estimated at 3.09 trips per 1,000 square feet of building area.

The 2013 TIA and 2018 TIA estimated trip generation rates based on consideration of two (2) and one (1) Life Time facilities, respectively. By contrast, the 2007 Traffic Study that was utilized to prepare this TIA for the proposed facility is based on trip counts from five (5) Life Time facilities. In addition, the trip generation rates from the 2007 Traffic Study are significantly more conservative than the trip generation rates used in the 2013 TIA and 2018 TIA. The 2007 Traffic Study estimates 4.35 peak evening hour trips per 1,000 square feet of building area, while the 2013 TIA and 2018 TIA estimate 3.57 and 3.09 trips, respectively. As discussed in



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TO: City of Beaverton Planning Commission

SUBJECT: Response to Transportation Issues Raised in Testimony by May 15, 2019

preceding sections, Life Time chose to rely on the most conservative trip generation study, the 2007 Traffic Study.

8. Traffic has gotten much worse in the area since 2007. Why is this project relying upon a 2007 Traffic Study?

As detailed elsewhere, the 2007 Traffic Study is the basis for estimating the traffic generated by Life Time's proposed facility (plus office and tennis). The analysis of existing traffic, which is a part of the analysis of "Background Conditions," was based upon current traffic counts; **not** the 2007 Traffic Study.

9. The 2007 Traffic Study determined that 29 percent of Life Time's trips are "pass-by" trips. Is that number justified?

The 2007 Traffic Study determined pass-by rates based on interviews with Life Time members at five different existing facilities. The pass-by rate determined from the 2007 Traffic Study (29 percent) is significantly lower, and therefore more conservative, than the pass-by rate from the ITE Trip Generation Manual (38 percent) and the pass-by rate assumed in the Villa Sport application (38 percent).

In fact, the pass-by rate in Life Time's TIA is likely overconservative. Access to Life Time's coworking space includes a built-in membership to Life Time's fitness facility. Undoubtedly, persons who pay for memberships to use Life Time's coworking space do so with the intent to utilize Life Time's fitness facilities. For these Life Time members, use of the coworking space and use of the fitness facilities generally would not generate separate trips. Persons who travel to Life Time's facility to work, and who access the fitness facility before, after or during the workday, would generate only one set of trips (morning and evening). This efficiency, however, is not included in Life Time's trip generation calculations. Life Time's TIA assumes that **0 percent** of the trips to Life Time's coworking space or tennis facility are pass-by trips. In other words, Life Time's TIA assumes that trips generated by the coworking space and tennis facility are wholly independent from the trips generated by the fitness facility, and neither fitness facility nor coworking space trip estimates are reduced to reflect persons who make a single round trip to use both the coworking or tennis spaces and the fitness facility.

10. In addition to certain of the above comments, the following comments were raised by Kittelson & Associates, Inc. ("Kittelson") in a letter dated May 14, 2019:

- a. Potential calculation errors in the 2007 Traffic Study:

With respect to the 2007 Traffic Study, the Kittelson letter asserts that the rates cited for the "peak hour of the generator" may not be less than those reported for the "peak hour of adjacent street." The Beaverton TIA relied upon the values for the "peak hour of adjacent street." As such, this comment is not applicable to the Beaverton TIA.

- b. Unexplained assumptions for existing conditions:

The Kittelson letter notes that, at two of the studied intersections, the traffic counts collected in 2017 were *lower* than the traffic counts collected in 2012 for the Sunset Station and Barnes Road PUD. Although DEA staff



DATE: May 29, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton Planning Commission

SUBJECT: Response to Transportation Issues Raised in Testimony by May 15, 2019

did not participate in the traffic analysis completed in 2012, and therefore cannot speak to that data, we can confirm that the 2017 traffic counts at all intersections were collected in accordance with City standards.

c. Unreliable individual lane v/c ratio calculations:

With respect to the intersection of SW Cedar Hills Boulevard and SW Barnes Road, the Kittelson letter states that the overall intersection v/c ratio cannot be greater than each individual lane v/c ratio, because the overall ratio is the weighted average of the ratios for the individual lanes. Despite this statement, the Synchro operational results provided in [Appendix 1](#) show that the overall v/c for the intersection of SW Cedar Hills Boulevard and SW Barnes Road is 1.01, while the v/c ratio for each movement does not exceed 0.98. We have found this to be a limitation of the Synchro program when reporting HCM 2000 signalized reports (as was agreed upon with City staff in the scoping of the TIA). The City's standard for v/c ratios applies to individual movements. Therefore, the intersection meets the City and County standards as all movements have a v/c ratio at or below 0.98.

d. Unaddressed queuing deficiencies:

The City of Beaverton and Washington County operational standards are based on lane group v/c ratio and overall intersection v/c ratio, respectively. Neither agency has standards that require the mitigation of queuing deficiencies, unless such deficiencies create a safety concern. The Oregon Department of Transportation ("ODOT") is the only reviewing agency that has queuing standards. ODOT's queuing standards require that, if an interchange ramp terminal has an overall intersection v/c ratio above 0.85, then queuing must be evaluated to ensure that the queuing does not extend into the safe deceleration length of an exit ramp. This ODOT criterion has been met.

File Path: P:\LTFR00000001\0600INFO\0670Reports\KAI Review Response\Response to KAI comments.docx



DATE: May 29, 2019

FROM: Josh Anderson, PE, PTOE

TO: City of Beaverton Planning Commission

SUBJECT: Response to Transportation Issues Raised in Testimony by May 15, 2019

APPENDIX A: Example HCM 2000 Operational Summary

HCM Signalized Intersection Capacity Analysis PM Build (2021) Conditions - Mitigated
 10: SW Cedar Hills Blvd & SW Barnes Rd 01/22/2019

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	160	445	715	470	870	250	635	665	370	80	390	140
Future Volume (vph)	160	445	715	470	870	250	635	665	370	80	390	140
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	5.0	4.0	4.0		4.0	4.0	5.0	4.0	4.0	
Lane Util. Factor	1.00	0.95	0.88	0.97	0.95		0.97	1.00	1.00	1.00	*0.77	
Frt	1.00	1.00	0.85	1.00	0.97		1.00	1.00	0.85	1.00	0.96	
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	
Satd. Flow (prot)	1770	3539	2787	3433	3421		3433	1863	1583	1770	2755	
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	
Satd. Flow (perm)	1770	3539	2787	3433	3421		3433	1863	1583	1770	2755	
Peak-hour factor, PHF	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	165	459	737	485	897	258	655	686	381	82	402	144
RTOR Reduction (vph)	0	0	72	0	22	0	0	0	46	0	21	0
Lane Group Flow (vph)	165	459	665	485	1133	0	655	686	335	82	525	0
Turn Type	Prot	NA	pt+ov	Prot	NA		Prot	NA	pt+ov	Prot	NA	
Protected Phases	1	6	6 7	5	2		7	4	4 5	3	8	
Permitted Phases												
Actuated Green, G (s)	12.0	31.7	56.5	19.2	39.9		24.8	44.0	68.2	6.1	24.3	
Effective Green, g (s)	12.0	32.7	56.5	20.2	40.9		25.8	45.0	68.2	6.1	25.3	
Actuated g/C Ratio	0.10	0.27	0.47	0.17	0.34		0.22	0.38	0.57	0.05	0.21	
Clearance Time (s)	4.0	5.0		5.0	5.0		5.0	5.0		4.0	5.0	
Vehicle Extension (s)	1.5	3.1		2.0	3.1		2.0	3.1		1.5	3.1	
Lane Grp Cap (vph)	177	964	1312	577	1165		738	698	899	89	580	
v/s Ratio Prot	0.09	0.13	0.24	c0.14	c0.33		0.19	c0.37	0.21	0.05	c0.19	
v/s Ratio Perm												
v/c Ratio	0.93	0.48	0.51	0.84	0.97		0.89	0.98	0.37	0.92	0.91	
Uniform Delay, d1	53.6	36.5	22.1	48.3	39.0		45.7	37.1	14.2	56.7	46.2	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.12	1.15	1.50	1.00	1.00	
Incremental Delay, d2	47.7	1.7	0.1	10.2	20.5		9.5	25.1	0.2	68.9	17.8	
Delay (s)	101.3	38.2	22.2	58.6	59.5		60.5	67.8	21.5	125.6	64.0	
Level of Service	F	D	C	E	E		E	E	C	F	E	
Approach Delay (s)		37.2			59.2			54.8			72.0	
Approach LOS		D			E			D			E	
Intersection Summary												
HCM 2000 Control Delay			53.7					HCM 2000 Level of Service		D		
HCM 2000 Volume to Capacity ratio			1.01									
Actuated Cycle Length (s)			120.0					Sum of lost time (s)		19.0		
Intersection Capacity Utilization			93.7%					ICU Level of Service		F		
Analysis Period (min)			15									
c Critical Lane Group												

Appendix B - ITE Land Use Code 492

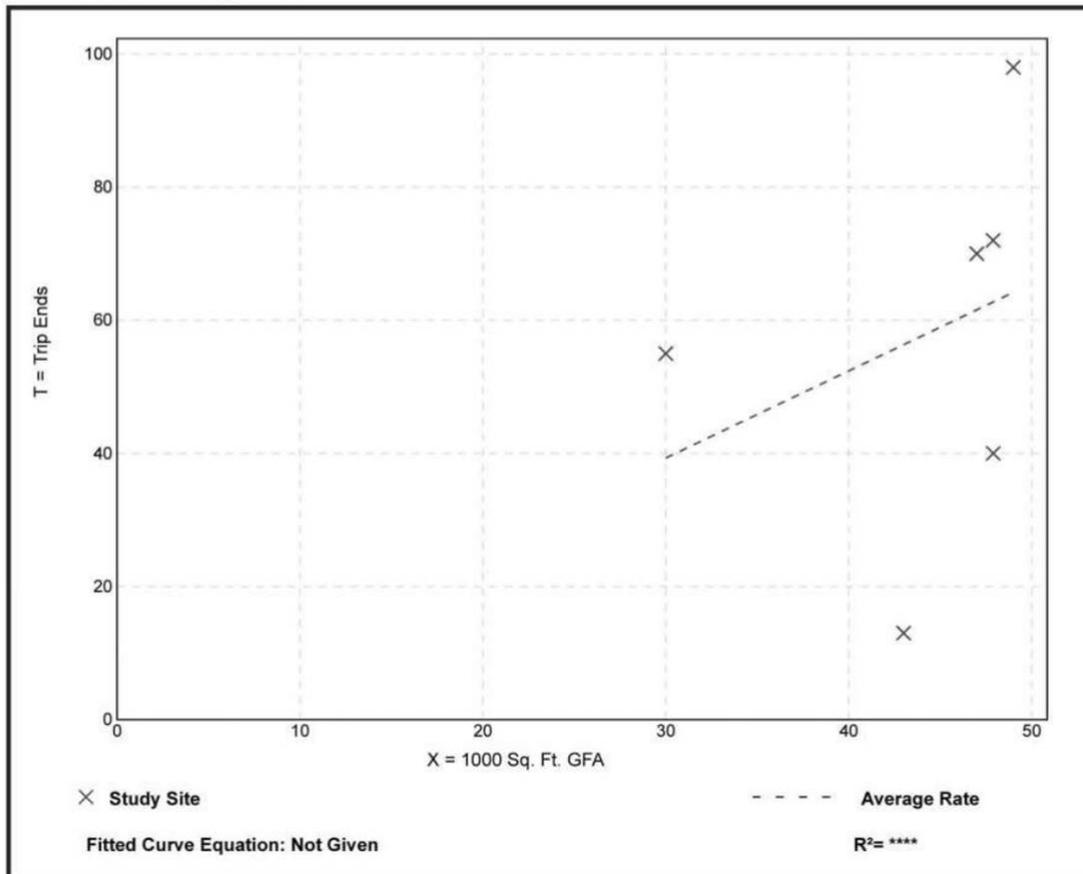
Health/Fitness Club (492)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 6
 1000 Sq. Ft. GFA: 44
 Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.31	0.30 - 2.00	0.64

Data Plot and Equation



Jana Fox

From: Siltanen, Hayley K. <hayley.siltanen@stoel.com>
Sent: Tuesday, July 9, 2019 2:40 PM
To: Jana Fox
Cc: Krawczuk, Dana L.; 'Megan Eaton'
Subject: Life Time - Native Vegetation Design Guidelines [SR-ACTIVE.FID4579164]

Hi Jana,

I'm an attorney representing Life Time in connection with the appeal of the Planning Commission's approval of their Design Review Three application (DR2018-0128).

We understand the concern brought up in public testimony regarding the use of native vegetation in landscaping. We are working on an updated landscaping plan and additional narrative to respond to these concerns and to demonstrate compliance with the Design Review Guideline that encourages use of native plant species.

Hayley

Hayley K. Siltanen | Attorney
STOEL RIVES LLP | 3 Embarcadero Center, Suite 1120 | San Francisco, CA 94110
Direct: (503) 294-9295 | Cell: (541) 805-9772 | Fax: (503) 220-2480
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Admitted to practice in California and Oregon

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any unauthorized review, use, or distribution is prohibited and may be unlawful.

Received
Planning Division
07/05/2019



June 23, 2019

City of Beaverton
Planning Commission
Jana Fox, Current Planning Manager
PO Box 4755
Beaverton, OR, 97076

Re: Lifetime Fitness Athletic Facility Peterkort PUD Property

To the Commissioners and Planning Managers,

The Not in Our Life Time Community Coalition is a community-based organization attempting to curb unsustainable development in the City of Beaverton. Community members request that the permit approvals for ADJ20108-0006, DR2018-0128, LO2018-0005, SDM2018-0007 and TP2018-0009 be redacted and that the City of Beaverton consider additional public input.

We are writing to you with supplemental evidence that the City of Beaverton's Planning Commission is not addressing or is being lenient on code violations (particularly environmental violations) because of the land use designation. Additionally, the Planning Commission is not using the City of Beaverton's Sustainability Goals as a template for approving new development.

We will outline for you the inconsistencies in which the City of Beaverton is contradicting their own sustainability model by allowing for the Life Time Fitness facility to be built without taking the proper measures to educate the community. Additionally, we will also outline the code violations found within various documents of the development.

1. The city of Beaverton has its a sustainability model and this development does not meet any of the criteria for Beaverton's short- or long-term goals.

As citizens of Beaverton we expect our local officials to comply with the guidelines provided within the sustainability literature provided to the public. This includes strict adherence to the suggestions of the GRI Environmental Impact Reports which include but are not limited to:

Guidance for Disclosure 303-1-c, which states, "Working with stakeholders is critical for an organization to steward water as a shared resource and account for the needs of other water users of the catchment."

An organization's stakeholders can include:

- Suppliers with significant water-related impacts
- Users of its products and services
- Local communities and action groups
- Employees and other workers
- Other water users in its sector or industry
- Governments, regulators, and civil society organizations
- Global initiatives, trade associations, and partnerships

The level of outreach by the City of Beaverton was appalling, and the signs on the development plot are either hidden from view or completely destroyed. The Inclusion and Diversity Council of Beaverton was never contacted as a stakeholder, nor was there any outreach for a Class 3 (highly controversial) development. Part of the GRI Guidelines also includes imparting the responsibility of the company to conduct outreach by:

- How the organization engages with its suppliers to help them improve their water management practices
- The number of suppliers engaged
- The outcomes of this engagement
- The amount of procurement that the proportion of engaged suppliers represents
- Why information is not requested from suppliers with significant water-related impacts
- Future plans and goals for working with suppliers to reduce water-related impacts.

Disclosure 303-3 of the GRI Guidelines also suggests water disclosure which would allow citizens to know where Life Time Fitness is deriving their water resources.

Beaverton's Sustainability Model asks,

- Does this action move Beaverton toward the city's Sustainability Statement?
- Is the action consistent with the Sustainability Principles (SP1, SP2, SP3, SP4)?
- Is the action a good investment (economic, social and environmental) for the city?
- Is the action a proposed step on the path toward sustainability?

The community wants Beaverton's Sustainability Model to be followed, regardless of land designation. We want the City of Beaverton to implement its Sustainability guidelines as a matter of public health, by reaching our sustainability goals as a community. It was clear that the City of Beaverton did not put effort into mitigating the environmental effects of this project to their full extent, and we will continue to voice our concerns. We request that the above questions be answered by city officials prior to any development.

2. The gardening requirements for this development are not in compliance with multiple environmental codes and Life Time Fitness is not clear with its answers.

Life Time Fitness is also disregarding Code 60.05.10 (#4) from ORD 4332, Chapter 60: The Special Requirements. The community evaluated Life Time Fitness' proposed landscaping outlines using the USDA guidelines for drought resistance and native vegetation. We found that of the 28 species that Life Time Fitness outlined in their proposal, only two are native to the Pacific Northwest. In terms of drought tolerance, only one species is considered high drought tolerance, the others are of low to medium tolerance, and the tolerance of the remainder are unknown. Life Time Fitness clearly is disregarding the *Whenever Possible* part of the code. Hence, we ask city planners to require more scrutiny in the choices of the plants put onto this land -- to not only replace the trees and shrubs they are taking out -- but to maintain Beaverton's beautiful ecosystem in order to maintain habitat for local birds and pollinators and beneficial insects. This code has no less merit than other infrastructural requirements, but it is clearly less scrutinized by the City of Beaverton.

We see that Beaverton's city planners made additional recommendations to Life Time Fitness in order to reach sustainability goals, but we feel that these were inadequate and vague recommendations.

Additionally, the community requests more specificity of the requirement for permeable pavement. Specifically, we want more information on the

pavement type as well as the dimensions of the pavement before permits are accepted. We want this information to be added into any permits or contracts, which would be provided to both to our Coalition and to the larger community. Flood mitigation is important to us in this region, as the development is less than one mile from a 100-year flood plain. We do not want this development contributing to the pre-existing flood risk.

3. Adverse effects on the plot designated as mixed use across Barnes Road will be impacted by this development and Life Time Fitness is using inadequate impact assessments.

The community requests that additional Environmental Impact Assessments are conducted beyond the Multnomah County Goal 5 Inventory. Not only is the land not in Multnomah County, but the current assessment purposefully avoids using existing community resources such as the Clean Water Service (CSW), the Audubon Society, or numerous environmental services to assess the environmental impacts.

One of the biggest concerns for species impact is the light pollution interfering with nocturnal animals who live in the adjacent properties. These animals include the short-eared owl, barred owl, night hawks and bats. Street lights are estimated to be between 18,000 to 19,000 or more lumens, which will illuminate the entire area to the north of the development and will be able to be seen for miles. We ask that there be a Species Impact Analysis to understand how street light pollution at night will affect the animals listed above and if there are alternatives to street lights that still meet safety guidelines.

To continue, we also ask to take in consideration code 60.05.10s from ORD 4332, Chapter 60: The Special Requirements. We consider open spaces and nature to be part of the natural design of the community and its aesthetic. As this plot has been here for several decades, we enjoy looking out into the West Hills from the parking lot of Si Senor and having the cool breeze flow freely throughout the area. Life Time Fitness does not make any attempt to maintain an open, natural or biologically diverse atmosphere. We are not opposed to all development, but Life Time Fitness will take away from our community aesthetic, instead of adding to it.

4. There are several environmental health concerns around this development.

We ask the planning committee to evaluate the environmental health concerns stemmed from the heat island that will be created by Life Time Fitness. Not only will it impact the vegetation to the north of the

development, it will also negatively impact the pedestrians, cyclists, and motorists around the area.

The urban heat island effect is a public health concern, as there are several other developments within five miles of the plot, which will compound the effects. The health effects of urban heat islands include:

- General discomfort
- Respiratory difficulties
- Heat cramps and exhaustion
- Non-fatal heat stroke
- Heat-related mortality

According to the Centers for Disease Control and Prevention (CDC), "Between 1979 and 2003, excessive heat exposure contributed to eight thousand pre-mature deaths. This figure exceeds the number of mortalities resulting from hurricanes, lightnings, tornados, floods, and earthquakes combined."

Additionally, the Environmental Protection Agency (EPA) says, "The heat island affect impairs water quality: Tests have shown that pavement that is 100 degrees Fahrenheit can raise rain water temperatures to over 95 degrees Fahrenheit. The runoff drains into sewers and is released into streams, rivers, and ponds." The heat island effect will impact run off into local streams and could cause algae or other contaminants in our wetlands NW of the property.

5. Beaverton has a general stand disclosure agreement, and they are not met by this development.

The General Standard Disclosure Agreement (GSDA) exist to ensure equitable and sustainable development. Standard G4-24 was not met by Life Time Fitness nor the City of Beaverton.

G4-24 states that stakeholders within the community need to be reached.

We confirmed with the Inclusion and Diversity Council of Beaverton that they were never contacted and were unaware of the development.

G4-24 monitors which stakeholders were contacted, the type of engagement, and the frequency of engagement

This outreach was critical especially to those in low-income neighborhoods and those who share resources with the development. There were many resources that could have been utilized for outreach, but they were not used by the City of Beaverton or Life Time Fitness.

As said before the only method used that was effective were the signs, and the signs showing the land use request on the plot are decrepit and hidden from view from both motorists and pedestrians.

G3-27 of the GSDA constitutes water as a high priority within our sustainability goals.

Issues regarding water accessibility affects the community disproportionately, as the City of Beaverton has not restricted water use for domestic or commercial use in the past. However, water used by both domestic and commercial use pay the same price no matter the circumstances.

The Tualatin River Watershed is projected to reach all-time lows of cubic feet per second (CFS) and water quality is expected to deteriorate under all climate models run by Portland State University.

Water prices continue to rise as water resource managers struggle to find ways to acquire water for the ever growing population. By the year 2030, the Portland Metro area is expected to reach three million.

Currently, the City of Beaverton leases water from Portland, but this contract will dry up soon, literally.

When the price of water rises, marginalized low-income communities within a mile of Life Time Fitness will be disproportionately affected, as the financial burden will limit their access to water. Meanwhile the affluent high income communities who utilize their services will not be affected, since they will be able to afford the higher prices for water and have inequitable access to vast water resources at Life Time Fitness.

6. We are concerned with the company's incompetence with sustainable infrastructure.

The company's plan for sustainability is meager and vague, only consisting of:

- Low-flow shower heads
- LED light bulbs
- "Energy Reduction"

- “Future plan to cut 15% of water”

Life Time Fitness is not on par with the current sustainable infrastructure.

Their lack of a sustainability plan clearly shows that they have little interest in the community’s environmental health, aesthetic and character despite them being a fitness hub.

Beaverton and Portland are world leaders in sustainability.

Mega corporations like Life Time Fitness placed into neighborhoods like ours put a stain on the City of Beaverton’s Sustainability Model and hurts our credibility for retaining our goals for future sustainable companies to move into our community.

7. Desired location is located on DOGAMI’s highest level of probability for liquefaction during an earthquake.

ORS 455.447(e) requires geotechnical investigations on buildings with a capacity greater than 250 individuals for every public, private or parochial school though secondary or **day care centers**. Life Time Fitness provides classes, camps and activities for children where the parents do not have to be with the child; this constitutes as a day care facility within the establishment. Due to the size of this facility and its large occupancy of children, we request that under Section 1803 that a geotechnical investigation is completed under the guidelines of 1803.5.1 though 1803.5.6 and sections 18.03.5.10 and 1803.5.12 to ensure safety of children and occupants within the facility in the event of an earthquake.

The community believes there are better options and would prefer to not have Life Time Fitness in our community. If the project persist, we ask that there be higher scrutiny on sustainability and infrastructure as well as a more comprehensive environmental impact assessment done prior to development because of its adjacency to a mixed use area. We also request that there be more outreach to the community on this development before any more action is permitted as Life Time Fitness will be utilizing a shared resource that will impact the community. We ask that the Equity and Inclusion committee of Beaverton be involved with this outreach, and we also ask that the City of Beaverton takes water resource management more seriously as they have the tools and guidelines available to ensure equitable and sustainable development is the only development we see in Beaverton.

We appreciate your consideration of these comments.

Sincerely,

Not in Our Life Time Community Coalition



Constituents against development:

Adrienne Shives
Alex Smith
Alice Bird
Alice Carey-Swanson
Angela Dunham
Ari Charny
Becky Faltyn
Bethany Umbarger
Bill Gilmore
Bradford Lee
Brenda Kleinschmidt
Brenda Schwartz
Brianna Bilton
Cathy Poetschat
Claire Ricketts
Chris Cullen
Daniel Song
Darleene Meyer
Donna Luna
Donovan Fraser
Elizabeth Bowers
Emily Felesenstein
Eric Chavez

Erica Benisch
Gabriel Tierney
Gail Merrion
Heather Buffum
Heather Johnson
Heather Klemm
Heidi Kallfelz
Heidi Moore
Jackie Fambrough
Jarod Vermeesch
Jay Freyensee
Jennifer Trom
Jill Brandt
Jimmie Moglia
Joanne Sterling
John Merrion
John Saltveit
Jola Ajibade
Jordan Fiest
Juanima Hiatt
Judith Barr
Judith Barr
Julia Fulmer

Kaileigh Bautista
Kara Campbell
Kathryn Oliver-Garnett
Katie Kammer
Kelly Ash
Kerri Hattig
Kim Kelly
Kristen Winters
Kyler Speich
Lacey Hiatt
Lane Kaiser
Larry Schwartz
Linda Chia
Lisa Beatty
Lisa Feldman
Macey Davis
Mary Beth Piccirilli
Max Roberts
Mike Bullen
Mike Hiatt
Minh Nguyen
Nancy Allen
Nancy Phelps
Valerie O'Keefe
Vicki Cotrell
Vicki Zeitner

Natasha Younkin
Olan Muller
Pat Wieber
Paula Bonallo
Priscilla Connolly
Regina Hill
Riichiro Arakaki
Robert Swan
Robin Sherwin
Russ Faltyn
Sandra Smith
Sarah Bannister
Sarah Larsen
Sherri Kulink
Sherry Kikpatrick
Sherry Kirkpatrick
Siiri Visto
Stephanie Arnold
Steven Fulmer
Thi Nguyen
Thomas Winters
Toby McElravey
Valerie Fraser
Whitney Bodine
William Gillmore
William Winters

LIFE TIME FITNESS APPEAL TESTIMONY

July 8, 2019

Appeal of the Planning Commission's decision to approve Life Time Fitness Beaverton

Case File No: APP2019-0002

RECEIVED
City of Beaverton

JUL 08 2019

Planning Division

PROVIDED TO THE BEAVERTON CITY COUNCIL BY:

CHUCK RICHARDS, BEAVERTON RESIDENT @ 940 NW 170TH DRIVE

INTRODUCTION:

I am the owner of the Sunset Athletic Club; I built the club in 1977, 42 years ago. I have read the application, traffic impact statements and the staff report. I have attended the public events that that Life Time planners have held here.

I would like to provide you with some insight into the Club business that is not necessarily covered in the application before you.

OBJECTIONS TO THE APPROVAL (these and more will be discussed below)

1. Life Time is using a 2007 traffic study as its basis for traffic generation for this site.
2. The site is too large for a club of this size.
3. Height limits in the CC District are 35 feet, limit them to that, not 60 feet.
4. Outdoor swimming complexes are not permitted per BDC 20.10.40

CLUB INDUSTRY INSIGHT

THE MARKET AND INDOOR TENNIS COURT CONSIDERATION

The Life Time Club in this proposal is immense. The largest ever built from the ground up in Oregon at one time. Well over 250,000 square ft. of indoor facilities when totaled, to include the athletic space, parking garage and office space plus a very large outdoor swimming pool area. My guesstimate of the cost is North of \$75 million. This sort of the size and cost is about that of a mid-rise tower in the Pearl District. As you will see below they are attempting to fit this facility in about the same sized space as the VillaSport property that has one-half the membership. This market area of about 3 miles from this site is served with about 15 clubs of different sizes and offerings, it is saturated. I don't see how a

/

market study would indicate a demand of this size; they will just make it very hard on the smaller existing clubs. Life Time has a half a dozen development sizes in its portfolio that they build, Bronze, Silver, Gold, etc. this is a Diamond club the most extensive and largest of their offerings, plus they have added 45,000 sq. feet of office space. They can certainly right size their club to fit the size of the property and not ask for variances and considerations to fit everything they can possibly squeeze in on to a piece of property that should fit a club of about half this size. Please refer to the attached exhibit which discusses the market in Colorado Springs. VillaSport built in 2007, followed by Life Time in 2011, only a couple of miles away and the man that was quoted as being concerned about the oversaturation was right. He closed and lost both of his clubs. Now we have this scenario playing out here. VillaSport in 2014, now Life Time a couple of miles away. I have visited both of those clubs. These decisions have consequences! They will make it very hard on the rest of us and the independent clubs. Hillsboro and Tigard only have a couple each, with rising populations and income, why not go where there is demand and need?

SUNSET ATHLETIC CLUB

We are club chain of one. I live in the area as do the majority of our employees. We are not only local, but are part of the local fabric. A few examples are listed below, but it makes me a bit uncomfortable mentioning these as we are mostly anonymous with our donations. We meet the needs because we know them and can respond quickly when asked. The Life Time is owned by a private equity group from Los Angeles and managed out of Minnesota.

EXAMPLES

- Asked by principal of Sunset High School to donate to electrify a Cross-walk, the immediate answer was yes.
- T-Hills Park and Rec. occasionally close their pools for repair, we accommodate some of the aquatic groups and keep our outdoor pool open several months past our normal closing.
- Blood drives for the Red Cross several times a year
- When high school tennis matches are getting rained on/out, we get asked if they could use our courts. We ask our members to vacate their reservations so the kids can finish playing.
- Food drives for the Oregon Food Bank which has a big location not far from us.
- Buy the majority of hanging flower baskets in Cedar Mill.

SIZE COMPARISON

This is a good comparison as VillaSport came before this Commission in 2012, provided their information and is now built. It might be noted that Life Time does not mention anywhere the number of membership they will have or membership check-ins per day for this facility, they should be asked and limited. In their Colo. Springs location, the founder and CEO indicated they could have up to 11,000 memberships at that location (attached exhibit), it is about the same size as this Beaverton location, and does not have the office space or the parking garage

	VillaSport	Life Time
Memberships	5000	10,000+
Parking spaces	400+	800
Bldgs. Sq.ft.	90,000	250,000 approx.
Visits/Day	1,700	Not shown
Acres	8-	8+

The Life Time project is about twice the size of VillaSport, plus it has a 45,000 sq. ft. office facility on top of the athletic bldg. and the tennis facility sits on top of a three level parking structure(VillaSport does not have a parking structure). More than twice the development on the same approx. amount of acreage.

PEAK HOUR TRAFFIC GENERATION

The Sunset Athletic Club is about one-half the size of VillaSport in terms of membership and parking. On 4/22(a Monday) there were 882 member check ins. Which is about one-half of what VillaSport expected when they presented their planning document in 2012. Life Time by extension would have about 3500 member check ins per day, each one would generate two auto trips (maybe 1% of that might be non-auto at the most) for about 7,000 per day, one-half of which will come during the peak four hours , two in the morning and two after work. Athletic club prime time unfortunately is the same time as rush hour on our roads. The balance of the membership during the rest of the day (clubs are generally open 16 to 18 hours per day). To verify this I did a sample of Sunset's traffic at peak PM hours on a Monday, Tues and Wed. Peak hour visits varied

between 170 and 220 per hour, so if the average was 200, that would represent 100 member check ins X 4 hours for 400 visits, which is about one-half of the 882 check ins we experienced on 4/22. It correlates. By extension Life Time will generate about 850 trips (twice the number of VillaSport) during peak hour not the 683 as shown in the TRC traffic Impact Study and this facility should generate more as it is about twice the size of the 5 facilities used as examples in the study). A pass by reduction of 29% reduced this to 506 trips. It doesn't seem that a study-TRC- done in 2007 would have current validity as this business is quite a bit different than 12 years ago in regard to facilities, programming and member's expectations.

TRAVEL DISTANCE

The TRC study shows that 60% of the membership comes from further than 5 miles away and a third of that over ten miles. Five miles from the intersection of Highway 26 and Cedar Hills Blvd. is about to the Goose Hollow neighborhood (MAC Club), Entering Tigard by Washington Square and nearing Cornelius pass Road in Hillsboro. We all know what the traffic is like on those roads during rush hour. This Life Time Club is a destination facility not a community based facility if it is going that far to draw its membership. Potential members living in the Wash. Square area of 217 are not likely to be passing by this Club as they run their day to day errands around where they live, etc., they would be making a concerted decision to drive out of the neighborhood to drive to the club. It does not seem to me with a customer profile like they have in terms of drive distance that reducing the traffic impact by 29% because they are passing by is simply not right and would be a much smaller percentage.

Life time will cast a big net for membership purposes, one reason is that they see themselves as a unique regional facility. The other reason is an issue they have been grappling with for a long time is their attrition rate (the attached exhibit shows it has varied between 35 and 42%) and to their credit they have directed an increasing amount of resources over the years to reduce this number. But say it is around 40%, that means that 4,000 memberships of the 10,000 have to be replaced each year, so this means of course they have to market far and wide. This is not about the neighborhood, they will be putting a lot of cars on the road.

MEMBERSHIPS vs MEMBERS

They are not the same. The larger, multi-sport, family oriented facilities like this have single, couple and family memberships. At Sunset there are 3.2 members per membership (or accounts or households) as a blended average. It also means that there are probably two or more cars per membership. By extension that would mean that Life Time with 10,000 memberships would have in excess of 30,000 members(a third of Beav.)... This is an enormous club and by comparison the Multnomah Athletic Club has 21,000 members, of which 4000 are non residents leaving 17,000 in the area, or about one half of Life Time's expectation.

ADDITIONAL CONSIDERATIONS

1. As mentioned above, Life Time Fitness is owned by a Private Equity company out of Los Angeles; their goal is to put large sums of capital, talent and other resources behind a brand. Boost the earning as much as possible and then in 5 to 6 years list the company on the stock exchange for a profit or sell to another company. They have now owned Life Time for 4 years and perhaps by the time this facility opens in two years they will have been sold. It is all about earnings and extracting as much as possible. Yes, I understand this is business. But it is not a "no harm no foul" situation. Hard to compete and stay relevant in the community.
2. I don't know the answer to this, but I would guess that the Walmart application for this site a few years ago did not have 800 parking spaces
3. It shows on the Site plan that the NE corner of the parking structure will be 4.9 feet from SW Barnes Road and the building about 60 feet high. I guess that is what is allowed in the CC district of the PUD, but it seems a bit striking for the area.

4. Location of this project. The three roads that frame this development (Barnes, HWY 26 and Cedar Hills Blvd) are already over the top in regard to traffic during rush hour and in addition this is a major corridor for emergency vehicles going to the hospital. Is there not a better location for this project, rather than having it at the major intersection of the Petercourt development to come? This is busy on top of busy. I don't know about the traffic mitigation being required, but the peak hour traffic has been understated and the pass by percentage too high from what I have seen of the report.
5. The TRC 2007, traffic study shows on page 39, that the design ratio of parking per 1000 sq. ft. should be 5.6 spaces per thousand for athletic facilities. The Life Time project athletic and office components add up to about 185,000 sq. ft. meaning about 1000 spaces which is probably about right for the traffic of a 10,000 membership facility.
6. West Hill Racquet and Fitness Club was opened in 1968 and was Beaverton's first club as such. A very nice facility that has indoor and outdoor tennis courts, exercise and fitness facilities, a very attractive outdoor pool complex and is located on Cedar Hills Blvd. It is just South down the road from this Life Time Club and less than one tenth their size. What happens to a facility like that?

IN SUMMARY

Just have the applicant meet the requirements of the code and district, do a current traffic analysis (a traffic study of the Beaverton villaSport at Peak hour should provide the relevant data, times two as Life time will be twice as large) and enclose or eliminate the outdoor water park.

THANK YOU,
Chuck Richards

Chuck Richards

RECEIVED
City of Beaverton

JUL 08 2019

Planning Division

2011

Exhibit/Attachment

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Life Time joins an already active fitness scene i

Google Survey FAQ (<http://ga>)

BILL RADFORD • Updated: April 22, 2011 at 12:00 am

A major new player will be muscling its way into the fitness scene on the northeast side of Colorado Springs when Life Time Fitness opens early next month.



VillaSport Athletic Club and Spa on the northeast side of the Springs has an indoor water park featuring a giant bucket of water that fills up and dumps water every two minutes.

Photo by JERILEE BENNETT, THE GAZETTE

The roughly 180,000-square-foot, \$27 million “healthy lifestyle resort” near Briargate Parkway and Powers Boulevard will be the second megagym in the area; VillaSport opened a 110,000-square-foot athletic club and spa near Powers and Woodmen Road in late 2007. (Both are even bigger when you factor in outdoor aquatics.)

+ caption

It will be the 91st club for Life Time, a publicly traded company based in Chanhassen, Minn. The Springs club was the first for VillaSport, a California-based, family-owned company; VillaSport has a second club in Texas.

Among other fitness facilities in north Colorado Springs are a Gold's Gym, a 24 Hour Fitness, the Briargate YMCA and an athletic club and spa serving the Flying Horse neighborhood. Life Time's arrival has some wondering whether the market can accommodate them all.

"I would say that right now, we're saturated," said Trevor Poling, president and CEO of the local Gold's Gym franchise. "When you add one more, it's like supersaturation."

Joe Syufy, CEO of VillaSport, also questions Life Time's move.

"I don't think it's a very good business decision," he said. "There's a full complement of athletic clubs and offerings on the north side of Colorado Springs already."

But Bahram Akradi, founder and CEO of Life Time, sees the area as fertile territory for the company. The Springs center will be the fourth in Colorado for Life Time and will help the company achieve "critical mass" in the state, he said.

Akradi, who founded Life Time in 1992, has a personal connection to the Springs; the Iranian-born Akradi moved to Colorado Springs when he was 17. He began his health club career by working in sales at a local club while attending the University of Colorado at Colorado Springs.

He said he was skeptical when the real estate head for Life Time suggested northeast Colorado Springs for a facility, until he visited and saw how the area had grown.

"It's really a good location." He added that he's not worried about having VillaSport essentially just down the road.

"It's not a factor," he said. "I think the competition is good for everyone."

VillaSport's Syufy, meanwhile, said he's not too concerned about Life Time's arrival. "I think it's going to affect the smaller clubs more than us," he said.

Poling, of Gold's Gym, doubts that, saying that VillaSport and Life Time have "very similar product" and similar costs. (Life Time is offering single memberships, minus access to tennis, starting at \$49 per month for those who buy now and at \$59 once the club opens; single memberships are \$75 at Villa.) But Poling does expect his business to take a hit.

"I'm sure all of us will take a loss," he said. Some members have already told him they're leaving to join Life Time.

Similarly, Dan Dummermuth, president and CEO of the YMCA of the Pikes Peak region, expects the Briargate Y to lose some members to Life Time.

"There are some people that will leave, we understand that," he said. "But we believe that eventually they will come back because there's something pretty special about the Y."

The YMCA is not just a fitness facility, Dummermuth said. "We're a community-based organization, a very cause-driven organization."

The Briargate Y is the largest locally in terms of membership, Dummermuth said — about 14,000 members. Poling said his Gold's Gym at 7655 N. Union Blvd. has about 6,800 members. (There's a second location at Powers and Palmer Park Boulevard.) Syufy declined to divulge VillaSport's membership numbers.

Before a club opens, Akradi says Life Time looks for 2,500 memberships or so through "pre-sales." The Springs location, he said, "is doing substantially better than that." Once a club is "fully mature" in about three years, "the typical, comfortable range would be 8,000 or 9,000 to 10,000, 11,000 memberships," he said.

Life Time has a built-in membership base: It took over Lynmar Racquet and Health Club in fall 2008 and will transition those members to the new center. Life Time declined to disclose membership numbers at Lynmar. The club will shut down after April 30, and the future of the site is "under review," a spokeswoman said.

Acquiring Lynmar was a way to create a "brand foothold" in Colorado Springs, Life Time says. Life Time originally planned to open its new center in summer 2009, but construction was put on hold when the dismal economy caused the company to slow expansion plans.

The recession also took a toll on memberships at Life Time's centers, with the annual attrition rate jumping from 34.3 percent to 42.3 percent in 2008, according to a Life Time annual report. The rate fell to 36.3 percent in 2010, the report said; it's now, Akradi said, "relatively speaking, as good as it has ever been." He attributes that "to programs that we implemented over the last two three years to connect people with the areas that they really are passionate about and really give them much better programs in the area of their passion" — intensive training programs devoted to, say, biking or a budding marathoner.

Life Time posted an 11.5 percent increase in profit in 2010, to \$80.7 million, or \$2 per share. The Springs center is one of three large centers Life Time is opening this year.

"The three combined will be nearly a half-million square feet," Akradi said. "They're large, large boxes."

VillaSport also plans to expand. "We have a number of sites under contract," Syufy said, with plans to add three or four clubs in the next two to three years.

"We're a family-oriented business, so we're not driven to growth," he said. "We just do what we think is prudent and right, and try to find good locations and build them as they come."

The Springs won't be forgotten as the company grows, Syufy assured.

"We'll be in Colorado Springs for a long, long time. We didn't choose it to be our 20th club or our 50th, we chose it to be our first, so it's very important for us to be successful here."

—
Call the writer at 636-0272.

July 8th, 2019

Dear City Council Members,

My name is Scott Kveton, and my family lives in the Beaverton area, near the proposed Life Time Fitness club. Based on public discussions with other neighbors (see below), this letter is to voice our *enthusiastic support* for the Life Time development.

We understand that Life Time's property is within the Peterkort Co. Planned Unit Development (PUD), which the City approved in 2013. The Peterkort PUD authorizes a mix of residential, office, and commercial uses in the SW Cedar Hills Boulevard and SW Barnes Road area—this mix specifically includes a fitness center.

We further understand that Planning Department staff and the Planning Commission both determined that Life Time's project complies with all applicable approval criteria, including the criteria for height after Life Time redesigned the project to make it 20 feet shorter. Although a number of people have commented on anticipated traffic from Life Time's club, we have seen that technical staff from the City, Washington County, and the Oregon Department of Transportation have approved Life Time's application and the transportation improvements proposed to be completed by Life Time to mitigate any traffic-related impacts.

Given that the experts agree that Life Time's club meets applicable criteria, and that the Peterkort PUD contemplates development of a fitness club in the area, we hope that the City Council affirms the Planning Commission's approval of this valuable neighborhood amenity.

A vocal minority have criticized Life Time's fitness club on grounds that are irrelevant to review of development projects at this site. Projects should be reviewed in accordance with established criteria. We request that the Council dismiss comments that are not relevant to established criteria, and approve this project, which Life Time has already significantly modified in response to community and Planning Commission comments.

Sincerely,

Scott & Sarah Kveton, Torreyview
John Madding, Rainmont
Del Ball, Cedar Hills
Reanna Gheresus,
Ivan Karmel, Torreyview
Boris Dubauski, Bonny Slope
Jake Nichols, West Haven – Sylvan
Jenny Yeh, Alta Hill
Skip & Sue Kveton, West Haven – Sylvan
Vicky Mark, Torreyview
Brett Schafman, Timerview
Robin Sherwin, West Haven – Sylvan