

Pointer Road Neighborhood Park
Tualatin Hills Park and Recreation District

Written Statement

Design Review III, New Conditional Use, Legal Lot Determination and Replat 1 (Lot Consolidation), Parking Requirement Determination for Bicycle Parking, Tree Plan Two, and Variance Application



Tualatin Hills Park and Recreation District
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Lango Hansen Landscape Architects
Katherine Sheie, Senior Associate
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- Initial Submittal: September 20, 2023**
- Revision 1: November 8, 2023**
- Revision 2: January 31, 2024**
- Revision 3: March 6, 2024**
- Revision 4: April 30, 2024**
- Revision 5: May 24, 2024**
- Revision 6: June 28, 2024**
- Revision 7: July 30, 2024**

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I. Proposal Summary

General Information

Applicant: Tualatin Hills Park and Recreation District (THPRD)
Nicole Paulsen, Park Planner
6220 SW 112th Avenue, Suite 100
Beaverton, OR 97008
503-614-4002

Property Owner: Tualatin Hills Park and Recreation District (THPRD)
Nicole Paulsen, Park Planner
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Beaverton, OR 97008
503-614-4002

Applicant's Representative: Lango Hansen Landscape Architects (LHLA)
Katherine Sheie, ASLA
1100 NW Glisan St. #3A
Portland, OR 97209

Site Location: 7360 SW Pointer Road
Beaverton, OR 97225

Map and Tax Lots: Map 1S-1-1DC, Lots 3301 and 4001

Design Review III Lot Size: 1.96 acres (85,559 square feet)

City Land Use Classification: RMC (Residential Mixed C)

Pre-Application Conference: January 18, 2023

Neighborhood Meeting Dates: December 16, 2021; March 30, 2022; February 16, 2023; May 18, 2023; February 15, 2024

Land Use Applications Requested: Design Review III
New Conditional Use Permit
Tree Plan Two
Bike Parking Determination
Replat 1 and Legal Lot Determination
Variance Application

Project Team

Prime Consultant: Lango Hansen Landscape Architects (LHLA)
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Project Manager: Katherine Sheie, RLA
Principal in Charge: Kurt Lango, RLA

Civil Engineer: Vega Civil Engineering
1300 SE Stark St UNIT 201, Portland, OR 97214
(503) 662-1901
Project Manager: Brynne Healy, PE
Principal in Charge: Martha Williamson, PE

Electrical Engineer: Reyes Engineering
321 NE Couch St #403, Portland, OR 97232
(503) 771-1986
Project Manager: Rick Harrison
Lighting Designer: Harpeet Gurm
Principal in Charge: Flaviano Reyes

Arborist: Morgan Holen & Associates
10513 SW Barber St, Wilsonville, OR 97070
(971) 409-9354
Consulting Arborist: Morgan Holen, ISA certified arborist

Survey: Compass Engineering
4107 SE International Way #705, Milwaukie, OR 97222
(503) 653-9093
Contact: Don Devlaeminck, PLS

Geotechnical: Northwest Geotech
9120 SW Pioneer Ct, Wilsonville, OR 97070
(503) 682-1880
Contact: Alan Bean, PE, GE

Traffic: DKS
1050 SW 6th Avenue, Suite 600, Portland, OR 97204
(503) 243-3500
Contact: Garth Appanaitis, PE

Project Description

Tualatin Hills Park and Recreation District (THPRD) proposes constructing a new neighborhood park on a 85,559 square feet (1.96 acres) site located at 7360 SW Pointer Road, Beaverton, OR 97225. The site is currently made up of two separate properties (Tax Lots 1S11DC3301 and 1S11DC4001) that will be combined into a single property. The site is zoned RMC and is bounded on the east, west, and south sides by residential properties zoned RMC with single family housing. The main street frontage for the site is approximately 90' along SW Pointer Road, with Highway 26 immediately to the north. The secondary street frontage for the site is approximately 12' along SW Canyon Lane. SW Pointer Road is classified as a local street and is also part of the Sunset Highway Trail, an active transportation route, while SW Canyon Lane is classified as a neighborhood route. There is no on-street parking on either Pointer Road or Canyon Lane. Pointer Road has a curb-tight sidewalk adjacent to the project site, while Canyon Lane does not have any formal pedestrian facilities. There are no transit routes immediately adjacent to the site; the nearest bus stops are located on SW Canyon Road and can be accessed via either Pointer Road or Canyon Lane.

The site is currently served by the following existing site utilities. Water service is provided by West Slope Water District with mains on SW Pointer Road and SW Canyon Lane; the site is served an existing water meter off of SW Pointer Road. Storm sewer service is provided by Clean Water Services, with mains on both SW Pointer Road and SW Canyon Lane. Sanitary sewer service is provided by Clean Water Services, with a main on SW Canyon Lane. There are no existing storm, sanitary, or electrical connections to the site.

The property is currently a vacant lot with a variety of trees, grass, areas of invasive plants, and some areas of existing paving. The site slopes from north to south, with approximately 50' of grade change from the northeast corner to the southwest corner of the site. The south access to the property is an approximately 12' wide paved driveway between two adjacent single-family properties; this driveway provides daily vehicular access to the properties on both sides of the driveway, as well as very infrequent vehicular access to a three properties on the west and north side of the site. There are currently no buildings or structures on site; the existing house at the north end of the site was demolished in the late 2010's. Existing fencing and walls on adjacent properties encroach into the site in some locations, and the type and quality of existing fencing on adjacent properties varies from property to property.

Since 2022, THPRD has been conducting an extensive public engagement program to understand what the community values most in a neighborhood park. This public engagement included a presentation to the West Slope NAC on December 16, 2021, a virtual meeting on March 30th 2022, two in-person events on April 30th and October 13th 2022, a virtual presentation for the community on December 8, 2023 with a Spanish translated virtual meeting on December 13, 2023, as well as the West Slope NAC on February 16, 2023, and the Land Use meeting at the West Slope NAC on May 18, 2023, an additional presentation to the West Slope NAC on February 15, 2024, and three online surveys. This process has fundamentally shaped the programming and conceptual design of the park.

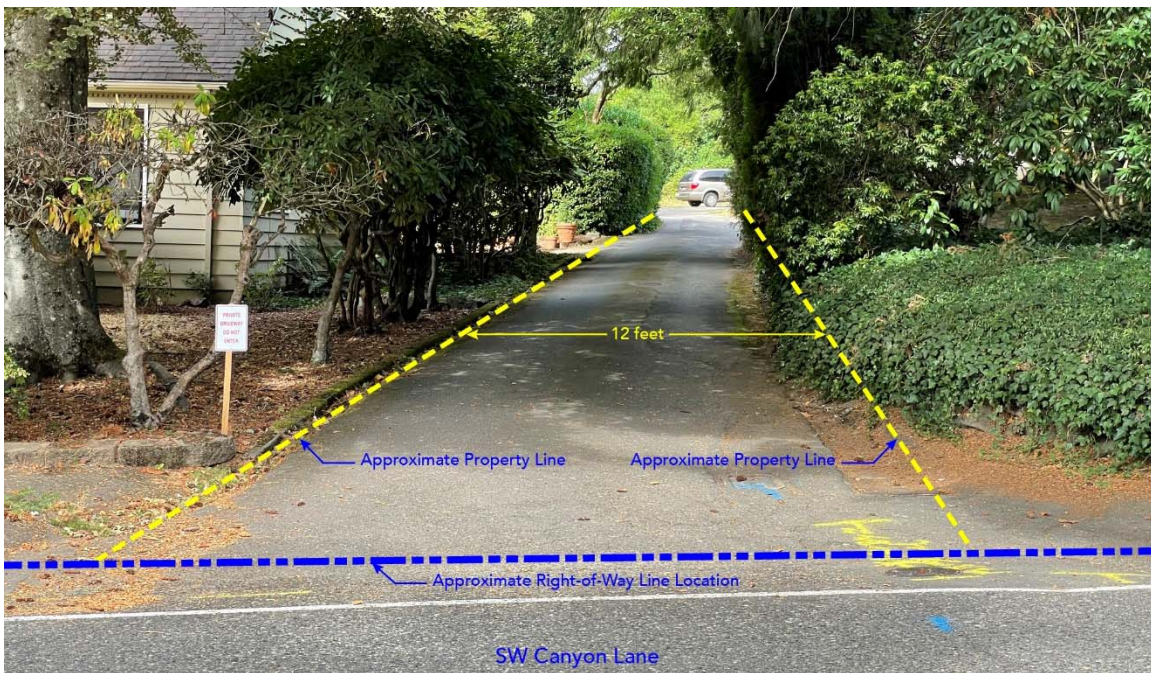
Site preparation will include demolition and removal of most of the existing paved areas on site. Invasive, damaged, and drought-sensitive trees will be removed or repurposed. Other invasive plant material and most of the existing grass areas will also be removed. A portion of the existing sidewalk and driveway apron on Pointer Road will be reconstructed, and the accessway from Canyon Lane will be rebuilt. Existing stone walls will be preserved, and existing fencing that encroaches onto the site will be evaluated on a case-by-case basis for preservation; all on-site fencing in poor condition will be removed. The site will be graded to provide an ADA-compliant pedestrian pathway and to avoid impacting existing trees or adjacent properties.

The park itself will be generally separated into three zones: a north lawn area and gleaming garden at the north end of the site; the picnic shelter and play area in the central part of the site; and a large lawn area in the western part of the site. A 6' wide paved ADA-compliant pedestrian pathway will connect these areas, connecting Pointer Road to the shared accessway and Canyon Lane. A secondary 5' wide paved loop pathway will swing around the play area and the north side of the large lawn area. Additional CWS-approved pervious soft-surface pathways will be provided in the gleaming garden and around the nature play exploration area. The paving will also include a larger paved area around the 20'x20' picnic shelter. Site furnishings will include picnic tables, benches, bike racks, and a drinking fountain. All of the gathering areas, play areas, and picnic areas are intended to be visible from Pointer Road for security reasons.

The main play area will include two types of play: a play area with play equipment, and a small chutes-and-basins water play area with a hand pump (not a splash pad). The specific style and design of the play equipment will be determined by a THPRD public engagement process that is currently underway; therefore no specific materials or colors can be provided for the play equipment at this time. The play surfacing will include subdrainage that will be connected to the park's storm drainage system. The water play will have a potable water source and will also be drained to storm in accordance with CWS standards. The park will also include informal nature play exploration areas south of the main play area and as part of an informal discovery pathway west of the main play area.

As noted above, a portion of the Pointer Road sidewalk and driveway apron will be reconstructed to provide improved access to the site. The proposed park amenities typically do not warrant on-site parking, but since there is no on-street parking adjacent to the site and because the existing grades on Pointer Road exceed ADA accessibility standards, a single handicap-accessible parking stall is proposed adjacent to Pointer Road in the public right-of-way. Because the existing grades on Pointer Road – including the sidewalk – are between 11% and 12% slope, the handicap parking stall needs to be set back from the sidewalk in order to provide a grade transition between the steep street and the parking stall. This transition has been made as short as possible to minimize the depth of the parking stall, while still maintaining a slope in the transition zone of the pedestrian pathway that is under 8% slope and less than 6" rise to avoid adding handrails. Both the handicap parking stall and the adjacent pathway that doubles as the ADA-required pedestrian aisle for the handicap parking stall are less than 2% slope.

A separate maintenance-only access from Pointer Road is proposed as the primary access point for THPRD maintenance vehicles that will typically visit the site weekly. This is located adjacent to the parking stall, separated by a raised curb and planting area. The maintenance access will have a removable bollard immediately behind the sidewalk on Pointer Road to prevent non-official vehicular access.



View of the shared accessway from Canyon Lane

The site access from Canyon Lane is a more complex issue. The property is only 12' wide in this location, and the accessway is functionally narrower because of encroachments from adjacent retaining walls and curbs on both sides of the accessway. As noted above, this serves as the driveway for the properties on both sides, as well as infrequent access for properties on the west side of the site. Since each of these property owners holds an access easement for this driveway, and because limiting access only to vehicles would severely curtail park access to neighborhood residents on the south side of the park, the accessway must be able to accommodate both pedestrian park users and neighboring vehicles. In addition, the BDC

requires this to include pedestrian access. As such, the accessway will be regraded and repaved to provide ADA-accessible access from Canyon Lane, and will continue to allow vehicular access for adjacent homeowners. At the north end of the shared accessway where the property widens, the paving will split: to the east, the pedestrian pathway will enter the main part of the park, with bollards flanking the pathway to control access; to the west, the paving will connect to the existing driveways for adjacent property owners, with a vehicle gate to control both vehicular and pedestrian access to the driveway on the west side of the park. No parking or public vehicular access will be allowed in the shared accessway. The shared accessway will include five strategically located bollard luminaires along the west side to provide safer access for pedestrians after dark; the west side location was selected because of potential conflicts with the existing stone retaining wall on the east side, shorter driveway frontage, and better existing screening from light trespass. To provide the code-required visual and tactile difference in paving materials for the pedestrian portion of the accessway, the western half of the accessway will be painted with green thermoplastic paint with a minimum 5' clear width, along with integrated graphics and language indicated pedestrian right-of-way. We acknowledge that Staff prefers two colors of concrete in this location, but THPRD believes they will be able to maintain the painted surface in better condition long-term than colored concrete paving; THPRD provides weekly maintenance at their parks, and commits to maintaining the paint in good condition for the life of the park. Because the property is so narrow in this location, it is impossible to provide complete pedestrian improvements, buffers, and stormwater required by code.



View of shared accessway from north

While lighting is required under City of Beaverton Development Code and in the City of Beaverton Engineering Design Manual, the proposed development requests a variance to exclude lighting for most of the site. There are several reasons for this approach. First, THPRD's standard operational practice is to operate their parks from dawn to dusk, with no lighting inside the parks. Excluding lighting within parks helps limit after-hours activity within and adjacent to the park, which helps to deter vandalism and other antisocial behaviors. Excluding lighting from parks also limits light trespass on adjacent neighbors; we have consistently heard from property owners adjacent to this project that they do not want lighting in the park. Excluding lighting is currently the standard for dozens of existing THPRD parks in the City of Beaverton. Therefore no lighting is proposed along pedestrian pathways within the park or in the picnic shelter.

While lighting will not be provided within most of the park property, upgraded lighting will be provided at the Canyon Lane entrance and along the shared accessway. Photometrics for the existing street lighting on Canyon Lane shows that the existing fixtures do not meet the illumination criteria of the City of Beaverton. However, to meet City code requirements, a minimum of lighting will be provided as follows: impact resistant bollards with 17W LED fixtures and Type III distribution will be used along the shared

accessway, with a new PGE streetlight installed on an existing pole immediately across from the accessway. Because the bollard luminaires will need to be located very close to the property line to maximize clear space in the accessway, the bollards will exceed the code-required light trespass limits at every single light. While it is technically possible to space the bollard lights closely enough along the west side of the accessway to provide the minimum foot candle requirements, we have proposed a wider bollard spacing as a compromise between providing some lighting for pedestrian safety, while trying to minimize the light trespass on the adjacent property as much as possible.

At Canyon Lane, Portland General Electric (PGE) have indicated that they can provide an additional streetlight on a PGE-owned pole across the street from the driveway entrance to match other PGE-owned streetlights on Canyon Lane; this will provide the code required illumination levels at the entrance. Since the other existing streetlights on Canyon Lane are PGE-owned and operated, not City-owned, this project will pursue a Design Exception request through the Transportation Engineering division to use a PGE fixture as opposed to the City standard fixture mandated in the Engineering Design Manual.

Proposed planting for the park will include new deciduous and coniferous trees, including trees required as part of the required B3 buffer. Based on a 1,457 LF measurement, 49 total trees would be required at 30' spacing. However, Beaverton code does not provide a mechanism for counting existing trees as part of the buffer, and does not recognize conflicts with existing canopies on adjacent properties. We propose counting existing trees toward the buffer tree requirements at 1 tree per each 6" DBH, similar to the City of Portland standards. Based on this calculation, existing trees within the buffer count for 19 total buffer trees, meaning that 30 new additional trees will be required in the buffer. We have provided these 30 trees, strategically located in areas where there are not already existing trees on adjacent properties as opposed to a strict 30' on center spacing; we believe this will provide a more natural feeling to planting areas in the park and will allow new trees more space to mature when not in conflict with adjacent trees.

The B3 buffer will also include 6' tall vinyl-coated chain link fencing with slats, except where existing 6' wood fencing is in good condition, as well as minimum 10' wide native and climate-adapted planting areas. The remainder of the required 20' wide buffer will generally be lawn, although pedestrian pathways encroach into the buffer in a few areas, as required to provide ADA-accessible pathways. All the play areas and picnic areas will be entirely outside of the B3 buffer zone. Where driveway access needs to be provided for adjacent property owners with access easements, the driveway will be located as close as possible to the property line, with the required fencing and vegetated buffer located on the park side of the driveway. Fencing will not be provided where adjacent neighbors have asked to opt out of the buffer requirements. At the north end of the site, a gleaming garden will be provided for public use that will include fruit trees, berry bushes, and herb plantings. A stormwater facility will be located at the southwest end of the site, and will be designed and sized according to CWS standards to handle all the runoff in the park; this be connected to the existing storm drain lines in Canyon Lane. The remainder of the site will consist of open lawn areas. All planting areas will be irrigated by a permanent below-ground automatic irrigation system that is hydrozoned for different plant types.

In accordance with THPRD policy, the hours for the park will be dawn to dusk. There will be no THPRD employees stationed at the site.

Given the delay in land use approval, the permitting, bidding, and construction schedule for this project is uncertain. The project schedule will be updated after the project has been approved by Design Review.

Requested Approvals

- New Conditional Use. Per Beaverton Development Code (BDC) 20.05.20.A.12.A, approval of public parks and related facilities are a conditional use, therefore THPRD requests approval of a conditional use permit for this project.
- Design Review III. Per BDC 40.20.10.2.A, a Design Review submittal and hearing is required for all uses listed as Conditional Uses in RMC zones; for public parks, Design Review III is required per 40.20.15.3.A.7. Therefore THPRD requests approval of a Design Review III application for this project.
- Replat One and Legal Lot Determination. Per BDC 40.47.15.1.A.1, a Legal Lot Determination is required for a project that includes two or more contiguous lots under the same ownership. In

addition, a Replat One Application is required per BDC 40.45.15.2.A.1. Therefore THPRD requests approval of both a Legal Lot Determination application and a Replat 1 application for this project.

- Bike Parking Determination. Per BDC 40.55.15.1.A, because public parks do not have a designated bicycle parking ratio, a bicycle parking determination application is required. Therefore THPRD requests approval for a Bicycle Parking Determination application for this project.
- Tree Plan Two. Per BDC 40.90.15.2.A.1, approval of a Tree Plan Two permit is required if the project proposes removing more than 10% of the Community Trees on the site, therefore THPRD requests approval of a Tree Plan Two permit for the project.
- Variance Application. Per BDC 60.95.A.3, approval of a Variance application is required if any change is requested from the numerical requirements contained in Section 60.55. (Transportation Facilities), excluding Section 60.55.30, therefore THPRD requests a Variance for the items detailed below.

II. Compliance with Beaverton Development Code

Chapter 20 – Land Uses

20.05 Residential Land Use Districts

20.05.05 This project implements the City’s applicable Comprehensive Plan Policy Goals as follows:

Chapter 2 – Community Involvement Element.

- Goal 2.1.1, Public Involvement.

Response: As a decision-making body, THPRD has presented aspects of this project to the West Slope NAC on a number of occasions, and has engaged the public through a variety of public meetings and online surveys, in an effort to involve the public with the park decision-making process.

- Goal 2.2, Public Outreach and Notification Requirements.

Response: THPRD will satisfy all the stated requirements for public outreach and notification for a Type 3 Land Use Application.

Chapter 3 – Land Use Element.

- Goal 3.1.1.a, “Emphasize pedestrian convenience and safety in all developments and transportation facilities.”

Response: This project proposes a new dedicated ADA-compliant pedestrian connection to the existing sidewalk on SW Pointer Road, and an upgraded ADA-compliant pedestrian connection with signage and safety enhancements via the shared accessway to SW Canyon Lane.

- Goal 3.1.1.c, “Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.”

Response: Pedestrian and bicycle facilities will be provided throughout the park that provide direct connections to Pointer Road and the Sunset Highway Trail at the north end of the park, Canyon Lane at the south end of the park, and all park amenities within the park itself including the handicap parking stall at Pointer Road. Pathways will generally be constructed with concrete paving for stability, durability, and ease of maintenance, and will meet or exceed ADA standards. The main pathway will be six feet wide and secondary pathways will be five feet wide; it is not feasible to provide full multi-modal pathway widths because of site constraints such as grading and tree protection requirements. Ample bicycle parking will be provided at the north end of the park, close to the Sunset River Trail. Since the shared accessway at the south end of the park must accommodate both pedestrian and vehicular traffic, the accessway will be painted and signed to emphasize pedestrian use of the accessway as well as no public vehicular access to the park, and will include lighting for safety and gates and bollards to prevent vehicle entry to the park. The proposed pathway improvements within the park comply with these goals.

- Goal 3.1.1.l, “Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.”

Response: This project proposes providing a single handicap parking stall to accommodate disabled park users, but does not propose any other vehicular parking areas.

- Goal 3.3.1.c, “Encourage and incentivize sustainable building and site design approaches that minimize environmental impacts of the built environment while creating healthy, safe places for people to live, work and play.”

Response: This project proposes integrating stormwater with the site design, providing open space and play areas for activity and health, a gleaning garden for healthy eating, and allowing for the site to adapt over time.

- Goal 3.4.1, "Provide effective and inclusive planning and development review services."

Response: THPRD has engaged the public through a number of different strategies, including outreach in a variety of different languages to reach under-represented communities.

- Goal 3.8.1.g, "Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available."

Response: This project proposes a new dedicated ADA-compliant pedestrian connection to the existing sidewalk and active transportation route on SW Pointer Road, and an upgraded ADA-compliant pedestrian connection with signage and safety enhancements via the shared accessway to SW Canyon Lane.

Chapter 4 – Housing.

- Goal 4.5.1.a, "Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources and scenic view corridors."

Response: This project upgrades an underdeveloped open space to a neighborhood park based on input from the neighborhood, replaces invasive plant material with native plants, and proposes new pedestrian and bicycle connections to the local street network.

- Goal 4.5.1.f, "Provide flexible development standards for projects that exceed the minimum requirements for natural resource protection, open space and public gathering places, and energy efficiency."

Response: As a public park that exceeds the natural resource protection, open space, and public gathering requirements for a standard RMC-zoned development, we request that the City provide flexibility on the requirements for lighting within the park.

- Goal 4.5.1.i, "Provide adequate opportunities for residents to be involved in decisions affecting their neighborhoods."

Response: As noted in the project description above, THPRD has conducted (and continues to conduct) an extensive public engagement process for this park project.

Chapter 5 – Public Services and Facilities Element.

- Goal 5.4.1.b, Stormwater Management; "On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development."

Response: This project proposes using on-site detention in conformance with CWS requirements as the primary stormwater management strategy for the site. The required CWS stormwater report is included as an appendix to this narrative.

- Goal 5.4.1.c, Stormwater Management; "All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development."

Response: This project will be connected to the stormwater drainage system. The required CWS stormwater report is included as an appendix to this narrative.

- Goal 5.5.1, "The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton."

Response: The project will be connected to the West Slope Water District system.

Chapter 6 – Transportation Element.

- Goal 6.2.2.a, "Recognize that streets are important to community identity and provide a needed service. Implement Beaverton's public street standards that recognize the multi-purpose nature of the street right-of-way for a combination of utility, pedestrian, bicycle, transit, truck, auto uses, and railroad crossings."

Response: The proposed right-of-way improvements on both SW Pointer Road and SW Canyon Lane comply with the City's public street standards.

- Goal 6.2.2.b, "Provide a seamless and coordinated transportation system that is barrier-free, provides affordable and equitable access to travel choices, and serves the needs of people and businesses."

Response: The project maintains the existing roadways on both SW Pointer Road and SW Canyon Lane, includes a handicap parking stall for disabled park users, and implements pedestrian and bicycle improvements within the site to promote alternative transportation options.

- Goal 6.2.2.c, "Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways."

Response: Pedestrian and bicycle facilities will be provided throughout the park that provide direct connections to Pointer Road at the north end of the park, Canyon Lane at the south end of the park, and all park amenities within the park itself. Pathways will generally be constructed with concrete paving for stability, durability, and ease of maintenance, and will meet or exceed ADA standards. The main pathway will be six feet wide and secondary pathways will be five feet wide; it is not feasible to provide full multi-modal pathway widths because of site constraints such as grading and tree protection requirements. Since the shared accessway at the south end of the park must accommodate both pedestrian and vehicular traffic, the accessway will be painted and signed to emphasize pedestrian use of the accessway as well as no public vehicular access to the park, and will include lighting for safety and gates and bollards to prevent vehicle entry to the park. The proposed pathway improvements within the park comply with these goals.

- Goal 6.2.2.d, "Design sidewalks and the pedestrian access systems to City standards to enhance walkability."

Response: The proposed sidewalk improvements, including both on-site and in the right-of-way, meet City standards. As noted in the project description above, the pedestrian connection from Canyon Lane cannot meet City standards, but will be improved as much as feasible to provide a safe and walkable connection to Canyon Lane.

- Goal 6.2.2.e, "Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, commercial, employment, and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs."

Response: The proposed park improvements provide pedestrian and bicycle access within and through the park. Given the physical and budgetary constraints of the park,

the internal pathways cannot be developed to full multimodal standards, but still allow access through the park for active transportation modes. This scope of this project does not extend beyond the site or adjacent street frontages, so it does not address shortcomings in the neighborhood transportation system.

- Goal 6.2.4.c, "Limit the provision of parking to meet regional and State standards."

Response: As a neighborhood park, no automobile parking is required. However, a single handicap stall is proposed to provide access to disabled park users.

Chapter 8 – Environmental Quality and Safety Element.

- Goal 8.2.1.a, "All water resource areas within the City shall be enhanced, restored or protected to the extent practicable."

Response: There are no existing wetlands or streams on site. Erosion control best practices will be used during park construction. All stormwater will be treated on site in a vegetated stormwater facility or a cartridge catch basin, in compliance with CWS standards. The required CWS stormwater report is included as an appendix to this narrative.

- Goal 8.2.1.e, "Protect investments in the City by managing stormwater runoff."

Response: All stormwater will be treated on site in a vegetated stormwater facility or a cartridge catch basin, in compliance with CWS standards. The required CWS stormwater report is included as an appendix to this narrative.

- Goal 8.2.1.f, "Encourage development in urban environments in ways that promote healthy environments and natural resources."

Response: All required vegetated buffer areas are more extensive than required by code, and will consist primarily of native plants. The stormwater for most of the site will be managed in a vegetated stormwater basin with native plants, in compliance with CWS standards.

- Goal 8.4.1.a, "Noise impacts shall be considered during development review processes."

Response: The proposed programming of the park has placed the most uses with the most potential for noise impacts, such as the play area and picnic shelter, in a location where there is more of an existing buffer to adjacent properties, while also maintaining visibility from Pointer Road for security reasons.

Chapter 10 – Community Health Element.

- Goal 10.1, "Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods."

Response: This project incorporates a gleaning garden with fruit trees, berry bushes, and herb gardens to provide healthy, fresh food to the neighborhood. Community gardens were considered during earlier phases of the design process, but were not included in the design due to site limitations and lack of interest and need from the neighborhood.

- Goal 10.2.a, "Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity."

Response: The proposed design integrates several different kinds of play areas with loop trails and open lawn areas to help promote health and social connectedness through physical activity.

- Goal 10.3.a, "Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation

(e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.”

Response: The proposed design includes amenities such as play areas and picnic areas, a greening garden for food access, and multimodal access to enhance the neighborhood.

- Goal 10.3.b, “Encourage universal design in publicly funded new construction, renovation and community planning efforts.”

Response: All pathways in the park are will be ADA-accessible, and with the exception of a portion of the shared accessway from Canyon Lane and the transition from Pointer Road, all will be less than 5% slope. The majority of the benches include a companion seating space for people using mobility devices, and the majority of the picnic tables are ADA-accessible tables. While the play areas have not been formally designed yet, the intent is to create play areas that are accessible at a minimum, and ideally inclusive for all users. As noted above, the single parking stall provided on the site is a handicap parking stall.

20.05.15 – Site Development Standards (Residential)

20.05.15 Residential Site Development Standards				
Superscript Refers to Footnotes	MR	RMA	RMB	RMC
A. Minimum Land Area ¹ (square feet)	1,000/unit	2,000/unit	N/A	N/A
B. Minimum Lot Area ^{2,3} (square feet)				
Single-Detached and Duplex	N/A	1,500	3,000	5,000
Triplex and Quadplex		3,000	4,000	5,000
Townhouse		1,100	1,300	1,500
Cottage Cluster		7,000	7,000	7,000
C. Maximum Residential Density	Refer to Sections 20.25.05. and 20.25.15.B.	N/A	N/A	N/A
D. Minimum Residential Density (units per acre) ⁴	Refer to Section 20.25.05	17	10	7
E. Minimum Lot Width ^{3,6}	14	14	20	20
F. Minimum Yard Setbacks ^{3,18}				
1. Front	10	10	10	10
2. Side	0, 3 or 5 ⁷	0, 3 or 5 ⁷	0, 3 or 5 ⁷	0, 3 or 5 ⁷
3. Rear	15	15 ⁸	15 ⁸	15 ⁸
4. Garage ⁹	5 or 18.5 ¹⁰	5 or 18.5 ¹⁰	18.5	18.5
5. Garage Door to Rear ¹¹	22	22	22	22
6. Minimum Between Buildings ¹²	6	6	6	6
G. Building Height				
1. Maximum ¹³	60	40	35 ¹⁴	35 ¹⁴
H. Maximum Floor Area Ratio (FAR) ^{3, 15, 16, 17}	Refer to Sections 20.25.10 and 20.25.15.			
1. Single-Detached Dwelling	N/A	1.40	0.80	0.60
2. Duplex	N/A	1.60	0.90	0.65
3. Triplex and Quadplex	N/A	1.60	1.20	0.90
4. Townhouse	N/A	N/A	N/A	N/A
5. Cottage Cluster	N/A	N/A	N/A	N/A

20.05.15.A-D These standards do not apply because no housing will be developed on this site.

20.05.15.E Minimum Lot Width

Response: Based on the BDC definition of lot width, the property is approximately 112' wide, therefore this standard is met.

20.05.15.F Minimum Yard Setbacks

Response: The proposed project includes the required 10' front yard setback from Pointer Road and the required 5' side yard setback requirements within the site. No structures are proposed within the setback, therefore the setback requirements are generally met. However, the one exception to the setback requirement is the 12' wide accessway from Canyon Lane: because the property width is an existing condition, and because the accessway is an existing driveway that must remain accessible to adjacent property owners who hold access easements, the setback requirement standards cannot be met in this location.

20.05.15.G Building Height

Response: The picnic structure proposed for the site is 11'-3" tall, well below the maximum allowable height of 35', therefore this standard is met.

20.05.20 – Land Uses (Residential)

Table 20.05.20.A Residential - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		MR	RMA	RMB	RMC
11. Public Buildings and Uses	A. Non-Profit Public Services in Public Buildings	P ⁷	N	N	N
	B. Public Buildings	C	C	C	C
	C. Public Sewer and Water and Utility Transmission Lines	P	P	P	P
	D. Public Sewer, Water Supply, Water Conservation and Flood Control Facilities Other than Transmission Lines	C	C	C	C
12. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	C	C	C
	B. Public Dog Parks or Dog Runs	C	C	C	C
	C. Public Recreational Facilities	C	C	C	C
	D. Community Gardens	P	P	P	P
13. Shelters	A. Domestic Violence Shelters	P	P	P	P
	B. Emergency Shelters	P ²	P ²	P ²	P ²
	C. Mass Shelters	P	P	P	P
14. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C
15. Vehicle Camping ¹⁶		P	P	P	P
16. Wireless Communications Facilities		P	P	P	P

Response: Public Parks are considered a Conditional Use in RMC residential zoning areas. A conditional use application is being submitted as part of this process.

Chapter 40 - Applications

Chapter 40.03 – Facilities Review Technical Criteria

40.03.1.A "All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion."

Response: All critical facilities and services will have capacity to serve the proposed development, as follows: 1.) the property has an existing water service from Pointer Road that will be used for the proposed project; 2.) there are existing fire hydrants adjacent to the park property on both the Pointer Road and Canyon Lane street frontages; 3.) the project proposes a new stormwater facility and new interior storm drain connections to the existing storm drainage system in Canyon Lane, designed to comply with CWS standards; 4.) no sanitary sewer connections are proposed or required for this project; and 5.) the project does not require any changes to the transportation system. Therefore these criteria are met.

40.03.1.B "Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy."

Response: The Pointer Road street frontage includes an existing curb-tight sidewalk that will be partially reconstructed as part of the project. Pointer Road is also part of the existing Sunset Highway multimodal trail. Canyon Lane currently has no existing pedestrian facilities, and no new pedestrian facilities are proposed or required for this project. All other essential facilities and services described in this section are currently provided in the project area. Therefore these criteria are met.

40.03.1.C "The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses)."

Response: As detailed above, the proposed development is consistent with all applicable provisions of Chapter 20. Therefore these criteria are met.

40.03.1.D "The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development."

Response: The proposed development is or will be consistent with all applicable provisions of Chapter 60 upon meeting the conditions of approval. Therefore these criteria are met.

40.03.1.E "Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency."

Response: THPRD will be responsible for the regular and ongoing maintenance of the property. Therefore these criteria are met.

40.03.1.F "There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development."

Response: With the exception of the shared accessway, vehicular and pedestrian circulation systems are separated throughout the site for safe and efficient access to the park. The single handicap parking stall and maintenance access provide direct vehicular access to the park from Pointer Road, while the pedestrian pathways provide direct connections to both the sidewalk in the Pointer Road right-of-way and parking areas without crossing vehicular areas. The pedestrian pathway provides a direct connection through the park from Pointer

Road to Canyon Lane. The shared accessway provides direct access to Canyon Lane; however, since the shared accessway must include both limited-access vehicular use and pedestrian access to the park, the accessway will be improved in several ways to emphasize pedestrian use and discourage public vehicular use of the accessway: first, the accessway will be repaved with concrete paving, with different scoring patterns for the 5' wide pedestrian route; second, reflective thermoplastic paint will delineate pedestrian and vehicular areas; third, bollard luminaires will be installed along the west side of the accessway to provide lighting for safety after dark; and fourth, gates and bollards will be installed to prevent vehicle entry to the park. See project description, above, and response to 60.05.40.3, below, for further discussion regarding the shared accessway. Therefore these criteria are met.

40.03.1.G "The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner."

Response: The single handicap parking stall and maintenance access provide direct vehicular access to the park from Pointer Road, while the pedestrian pathways provide direct connections to both the sidewalk in the Pointer Road right-of-way and parking areas without crossing vehicular areas. The pedestrian pathway provides a direct connection through the park from Pointer Road to Canyon Lane. The shared accessway provides direct access to Canyon Lane; however, since the shared accessway must include both limited-access vehicular use and pedestrian access to the park, the accessway will be painted and signed to emphasize pedestrian use of the accessway as well as no public vehicular access to the park, and will include lighting for safety, and gates and bollards to prevent vehicle entry to the park. See project description, above, and response to 60.05.40.3, below, for further discussion regarding the shared accessway. Therefore these criteria are met.

40.03.1.H "Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow."

Response: To the best of our knowledge, the public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection. Therefore these criteria are met.

40.03.1.I "Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development."

Response: To the best of our knowledge, facilities serving the development site are designed in accordance with adopted City codes and standards listed above. Therefore these criteria are met.

40.03.1.J "Grading and contouring of the development site is designed to accommodate the proposed use and will not have adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system."

Response: The proposed site grading accommodates the uses within the park, and is designed to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system. Therefore these criteria are met.

40.03.1.K "Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes."

Response: A handicap-accessible parking stall is proposed adjacent to Pointer Road, and all pedestrian pathways within the park will meet or exceed ADA standards for universal access. Site furnishings and play equipment will meet or exceed ADA standards for universal access. Therefore these criteria are met.

40.03.1.L "This application includes all required submittal materials as specified in Section 50.25.1. of the Development Code."

Response: All required submittal materials will be included with this application.

Chapter 40.15 – Conditional Use

40.15.15.5.C New Conditional Use Approval Criteria

Paragraph 1: "The proposal satisfies the threshold requirements for a Conditional Use application."

Response: As noted above, according to Table 20.05.20.A. subparagraph 12.A, Public Parks are considered a Type 3 Conditional Use in RMC residential zoning areas. Therefore this standard is met.

Paragraph 2: "All City application fees related to the application under consideration by the decision making authority have been submitted."

Response: All City Application Fees have been submitted. Therefore this standard is met.

Paragraph 3: "The proposal will comply with the applicable policies of the Comprehensive Plan."

Response: As detailed in the responses to 20.05.05, above, the proposed development complies with the applicable policies of the Comprehensive Plan. Therefore these standards are met.

Paragraph 4: "The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal."

Response: The size and configuration of the property is able to easily accommodate all the proposed features of the project such as pedestrian pathways, play area, picnic area, and open space, and also accommodates all code-required setbacks, buffers, and pedestrian and vehicular connections to the site. While the 12' wide shared accessway from Canyon Lane is too narrow to allow for mode separation and required buffers, it is wide enough to be able to accommodate both pedestrian and vehicular circulation with additional signage, painting, and lighting. The topography of the site allows the site to be graded to provide ADA-compliant pathways and site amenities throughout the site without requiring large retaining walls or mass removal of healthy, non-invasive trees, and is able to accommodate on-site stormwater collection and treatment. Therefore these standards are met.

Paragraph 5: "The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site."

Response: According to THPRD's 2023 Comprehensive Plan, the West Slope Neighborhood generally has a lower access to recreation than most neighborhoods in Beaverton, with the neighborhood immediately around the proposed park site particularly underserved. THPRD identified and purchased these properties with the specific intent of addressing the lack of accessible recreational areas and open space in this area. The proposed project will provide a high-quality neighborhood park for this neighborhood where none currently exist, and where there are no other alternatives for recreational and open space; as such, the proposed project is an appropriate use and development of the property. In addition, the proposed park amenities have been selected based on feedback from neighborhood residents as part of an extensive public engagement process, and are intended primarily for neighborhood use. The proposed park development is therefore not only compatible with but will be a major improvement for the livability of the neighborhood, and will positively impact the use and development of properties in the surrounding area. Therefore these standards are met.

Paragraph 6: "The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25."

Response: This project is not a residential use and is not located in the floodway fringe, therefore these criteria do not apply.

Paragraph 7: "For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code."

Response: This project is not designated Interim Washington County, therefore these criteria do not apply.

Paragraph 8: "Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence."

Response: To the best of our knowledge, all applications and documents have been submitted to the City in proper sequence.

40.20 – Design Review

40.20.10.2.A "Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following: All uses listed as Conditional Uses in the RMB and RMC zoning districts."

Response: Per 20.05.20, Public Parks are considered a Conditional Use in RMC residential zoning areas. Therefore this project meets the threshold for Design Review.

40.20.15.3.A "Threshold. An application for Design Review Three shall be required when an application is subject to applicable design standards and/or guidelines and one or more of the following thresholds describe the proposal: ... 7. New parks in Residential zoning districts."

Response: This project meets the threshold for a Design Review Three application. Therefore a Design Review Three application will be submitted for this project.

40.20.15.3.C Design Review Three Approval Criteria

Paragraph 1: "The proposal satisfies the threshold requirements for a Design Review Three application."

Response: As noted in the response to 40.20.15.3.A, above, this proposal satisfies the threshold requirements for a Design Review Three application. Therefore these criteria are met.

Paragraph 2: "All City application fees related to the application under consideration by the decision making authority have been submitted."

Response: All City Application Fees have been submitted. Therefore these criteria are met.

Paragraph 3: "For proposals meeting Design Review Three application thresholds numbers 1 through 7, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines)."

Response: This proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines), as detailed below. Therefore these criteria are met.

Paragraph 4: "For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or
- c. The location of the existing structure to be modified is more than 300 feet from a public street."

Response: This project does not propose any additions to or modifications of existing development, therefore these criteria do not apply.

Paragraph 5: "The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance."

Response: The proposed grading for this project complies with the grading standards outlined in Section 60.15.10, as detailed below. Therefore these criteria are met.

Paragraph 6: "For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP."

Response: The proposed project does not include any building construction, therefore these criteria do not apply.

Paragraph 7: "For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s)."

Response: The proposed project does not meet Design Review Three application Threshold numbers 8 or 9, therefore these criteria do not apply.

Paragraph 8: "For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines)."

Response: The proposed project does not meet Design Review Three application Threshold numbers 8 or 9, therefore these criteria do not apply.

Paragraph 9: "Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence."

Response: All applications and documents related to this project requiring further City approval will be submitted to the City in the proper sequence. Therefore this criteria is met.

40.45.15 Land Division and Reconfiguration

40.45.15.2.A "Threshold. An application for Replat One shall be required when any of the following thresholds apply: ... 1. The reconfiguration of lots, parcels, or tracts within a single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat."

Response: The proposed site consists of two contiguous properties, Tax Lots 1S11DC3301 and 1S11DC4001. Therefore the project meets the threshold for a legal lot determination.

40.45.15.2.C "Approval Criteria. In order to approve a Replat One application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:"

Paragraph 1: "The application satisfies the threshold requirements for a Replat One."

Response: The proposal will consolidate two contiguous lots in a single existing plat. Therefore these criteria are met.

Paragraph 2: "All City application fees related to the application under consideration by the decision making authority have been submitted."

Response: All City Application Fees have been submitted. Therefore these criteria are met.

Paragraph 3: "The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements."

Response: The proposed replat does not conflict with any existing City approval. Therefore these criteria are met.

Paragraph 4: "The application is consistent with applicable requirements of Chapter 20 and Chapter 60, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application."

Response: The application is consistent with applicable requirements of Chapter 20 and Chapter 60 as detailed in this Written Statement. Therefore these criteria are met.

Paragraph 5: "Oversized lots or parcels ("oversized lots") resulting from the Replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot."

Response: The proposed replat does not preclude future partitioning of the lot. However, because the existing lots have irregular shapes, the proposed lot will also be irregularly shaped. Existing streets, driveways, and utilities are sufficient to serve the proposed lot and potential future development. Existing access easements will remain in place and will not be hindered by future partitioning or subdividing. Therefore these criteria are met.

Paragraph 6: "If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops."

Response: No phasing is proposed, therefore these criteria do not apply.

Paragraph 7: "The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties."

Response: The proposal does not eliminate pedestrian, utility service, or vehicle access to the affected properties. Therefore these criteria are met.

Paragraph 8: "The proposal does not create a parcel or lot which will have more than one (1) zoning designation."

Response: The two proposed lots to be consolidated both are zoned RMC, so the proposed consolidated lot will be solely zoned RMC. Therefore these criteria are met.

Paragraph 9: "Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence."

Response: All applications and documents related to this project requiring further City approval will be submitted to the City in the proper sequence. Therefore this criteria is met.

40.47.15 Legal Lot Determination

40.47.15.1.A "Threshold. An application for Legal Lot Determination shall be required when any of the following thresholds apply: ... 1. The owner of a lot or parcel, or the owner's authorized representative or contract purchaser, has requested the Legal Lot Determination for one or more contiguous lots or parcels under the same ownership."

Response: The proposed site consists of two contiguous properties, Tax Lots 1S11DC3301 and 1S11DC4001. Therefore the project meets the threshold for a legal lot determination.

40.47.15.1.C "Approval Criteria. In determining if the subject lot or parcel is a Legal Lot, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:"

Paragraph 1: "The application satisfies the threshold requirements for a Legal Lot Determination."

Response: As noted above, the application satisfies the threshold requirements for a Legal Lot Determination. Therefore these criteria are met.

Paragraph 2: "All City application fees related to the application under consideration by the decision making authority have been submitted."

Response: All City Application Fees have been submitted. Therefore these criteria are met.

Paragraph 3: "The unit of land conforms to the lot area and dimensional standards of Chapter 20 (Land Use) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District; except where a unit of land was created by sale prior to January 1, 2007 and was not lawfully established, the Director may deem the unit of land a Legal Lot upon finding:

- a. The unit of land could have complied with the applicable criteria for creation of a lawful parcel or lot in effect when the unit of land was sold; or
- b. The City, or County prior to annexation, approved a permit as defined in ORS 215.402 or 227.160(2) for the construction or placement of a dwelling or other structure on the unit of land after the sale, and such dwelling has all of the features listed in ORS 215.755(1)(a)-(e). "

Response: The site properties conform to the lot area and dimensional standards of Chapter 20. Therefore these criteria are met.

Paragraph 4: "The application contains all applicable submittal materials as specified in Section 50.25.1. of the Development Code."

Response: All applicable submittal materials will be submitted as specified, therefore these criteria are met.

Paragraph 5: "Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence."

Response: All applications and documents related to this project requiring further City approval will be submitted to the City in the proper sequence. Therefore this criteria is met.

40.55.15 Bicycle Parking Determination

40.55.1.A "Threshold. An application for Parking Requirement Determination shall be required when the following threshold applies: 1. A request that the Director establish, in writing, an off-street vehicle or a bicycle parking ratio or requirement for a use not listed or substantially similar to a use listed in Section 60.30. (Off-Street Parking) of this Code."

Response: Bicycle parking ratios for public parks are not listed in Section 60.30, therefore a bicycle parking determination will be required for this project.

40.55.1.C "Approval Criteria. In order to approve a Parking Requirement Determination application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:"

40.55.1.C.1 "The proposal satisfies the threshold requirements for a Parking Requirement Determination application."

Response: As noted above, the proposed project satisfies the threshold requirements for a Bicycle Parking Requirement Determination application. Therefore these criteria are met.

- 40.55.1.C.2** "All City application fees related to the application under consideration by the decision making authority have been submitted."
- Response: All City Application Fees have been submitted. Therefore these criteria are met.
- 40.55.1.C.3** "The determination is consistent with Title 4 of Metro's Regional Transportation Functional Plan."
- Response: While Title 4 of Metro's Regional Transportation Functional Plan does not specifically address bicycle parking in parks, it does require municipalities to take bicycle routes and parking into consideration. Therefore we believe these criteria are met.
- 40.55.1.C.4** "The determination will not create adverse impacts, taking into account the total gross floor area, number of employees, potential customer volume, and the hours of operation of the use."
- Response: The determination for the proposed project is unlikely to create any adverse impacts, given that the site is currently a vacant lot. The proposed project does not have any gross floor area or employees. Customer (or user) volume will be relatively low, likely highest during the summer months. Hours of operation will only be during daylight hours. Therefore we believe these criteria are met.
- 40.55.1.C.5** "The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code."
- Response: The bicycle parking determination application has been submitted as part of this land use submittal package. Therefore these criteria are met.
- 40.55.1.C.6** "Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence."
- Response: All applications and documents related to the request will be submitted to the City in proper sequence.
- 40.90.15.2 Tree Plan Two**
- 40.90.15.2.A** "Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:
1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1."
- Response: None of the actions list in Section 40.90.10 apply, except for Number 7: "Removal or pruning of the following nuisance tree species anywhere in the city: Lombardy Poplar (*Populus nigra*), and birch (*Betula sp.*)." A significant proportion of the trees proposed to be removed as part of this project are European birch (*Betula pendula*) or Lombardy Poplar (*Populus nigra*). However, because more than 10% of the non-exempt Community Trees on site will be removed as part of the proposed project, the threshold for Tree Plan Two is met. Refer to the tree protection and removal plan and arborist report for additional information.
- 40.90.15.2.C** "Approval Criteria. In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:"
- Paragraph 1:** "The proposal satisfies the threshold requirements for a Tree Plan Two application."
- Response: As noted above, the proposal satisfies the threshold requirements for a Tree Plan Two application, therefore these criteria are met.

Paragraph 2: "All City application fees related to the application under consideration by the decision making authority have been submitted."

Response: All City Application Fees have been submitted. Therefore these criteria are met.

Paragraph 3: "If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject."

Response: All existing trees have been surveyed by an ISA-certified arborist. Arborist recommendations for the existing trees on the proposed project are included in the appendices. Therefore these criteria are met.

Paragraph 4: "If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists."

Response: There are currently 53 existing trees on site; 25 are categorized as Community Trees, 26 are smaller than 10" DBH, and one tree is in the right-of-way. Of the 25 Community Trees, 17 are exempt nuisance species such as European birch, or trees that have been identified by the arborist as dead or dying. All but three of the nuisance species trees are proposed for removal; the three remaining trees to be retained are mature shade trees such as Norway maple in decent condition. Of the remaining eight Community Trees, seven are proposed for removal: several of these are Scouler's willow (which are short-lived and prone to suckering and decay); two are shore pines planted in very dense groups that make them unsuitable for retention; and the remaining two trees are a dogwood in decline, and a cottonwood that needs to be removed to accommodate development. Of the 26 smaller trees, 18 are proposed for removal. Again, this is primarily because they are identified as nuisance species, are willows, or are planted too closely together.

In general, the majority of the trees identified for removal are nuisance species, trees such as willow that are not good long-term park trees, or trees that were planted too closely together. Where possible, the proposed layout of pathways, site amenities, and site grading has been done to preserve both Community Trees and smaller trees to the greatest extent possible. All trees are identified in the tree protection and removal drawings and in the arborist report. Therefore these criteria are met.

Paragraph 5: "If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites."

Response: None of the existing trees meet these criteria, therefore these criteria do not apply.

Paragraph 6: "If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety."

Response: None of the existing trees meet these criteria, therefore these criteria do not apply.

Paragraph 7: "If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles."

Response: None of the existing trees currently meet these criteria. Therefore these criteria do not apply.

Paragraph 8: "If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination."

Response: There are no SNRA's or Significant Groves on the site. Therefore these criteria do not apply.

Paragraph 9: "If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow."

Response: There are no SNRA's or Significant Groves on the site. Therefore these criteria do not apply.

Paragraph 10: "The proposal is consistent with all applicable provisions of Section 60.60. (Trees and Vegetation) and Section 60.67. (Significant Natural Resources)."

Response: The proposed project is consistent with all applicable provisions of Section 60.60 (Trees and Vegetation) and Section 60.67 (Significant Natural Resources) as detailed below.

Paragraph 11: "Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system."

Response: The proposed site grading accommodates the uses within the park, and is designed to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, the public storm drainage system, and existing trees within the site. Therefore these criteria are met.

Paragraph 12: "The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code."

Response: All applicable application submittal requirements specified in Section 50.25.1. of the Development Code are addressed in this submittal. Therefore the criteria are met.

Paragraph 13: "Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence."

Response: All applications and documents related to this project requiring further City approval will be submitted to the City in the proper sequence. Therefore this criteria is met.

40.95 Variance

40.95.15.1.A "Threshold. An application for Variance shall be required when the following threshold applies:

1. A change of more than fifty percent (50%) to the numerical standards specified in the Site Development Requirements contained in CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District. This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Sections 60.12.40.4., .5., .6. and .7.
2. Any change from the numerical requirements contained in Section 60.40. (Sign Regulations).
3. Excluding Section 60.55.30., any change from the numerical requirements contained in Section 60.55. (Transportation Facilities).
4. A change of more than fifty percent (50%) from the numerical Food Cart Pod standards specified in Section 60.11.10 and 60.11.15 of this Code."

Response: Paragraphs 1, 2, and 4 do not apply to this project. For Paragraph 3, the variance proposes changes to the following requirements stated in Section 60.55:

- A. 60.55.25.10.B.7: "On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line."

This project proposes two changes to the lighting requirements. First, in compliance with THPRD policy and precedent, no lighting will be provided for on-site walkways in the park, except for the shared accessway. THPRD's standard operational practice is to operate their parks from dawn to dusk, with no lighting inside the parks. Excluding lighting within parks helps limit after-hours activity within and adjacent to the park,

which helps to deter vandalism and other antisocial behaviors. Excluding lighting from parks also limits light trespass on adjacent neighbors; we have consistently heard from property owners adjacent to this project that they do not want lighting in the park. Finally, there is also extensive precedent for excluding lighting in THPRD parks; this is currently the standard for dozens of existing THPRD parks located in the City of Beaverton, including the following:

A.M. Kennedy Park; Hiteon Park; La Raiz Park (Baker Loop); Steeplechase Park; Pioneer Park; Ridgewood Park; Ridgewood View; Roy Dancer Park; Eichler Park; Channing Heights Park; Fir Grove Park; Sexton Mountain Park; Camille Park; Barrows Park; Greenway Park; Meadow Waye Park; Hart Meadows Park; Murrayhill Park; Burntwood Park; Tallac Terrace; Carol Woods Park; Arnold Park; Hazeldale Park; Timberland Square; Cedar Mill Park; Overlook Park; Mcmillan Park; Raleigh Scholls Park; Little People's Park; and Wonderland Park.

Second, full-cutoff pedestrian-scale bollard lights will be provided along the west side of the shared accessway, adjacent to the main pedestrian route. Because the property is so narrow and is further constrained by existing structures and other required improvements such as handrails, the proposed bollards will need to be located as close to the property line as possible so they do not impede vehicular access along the accessway. However, because the bollards will be located so close to the property line, light trespass from the bollards will exceed 3.0fc immediately behind the bollards at the property line (see bollard specification sheet, T3 optical distribution diagram), well in excess of the allowed 0.5fc maximum. Since the adjacent neighbors have requested no lighting at all, the proposed bollard spacing was selected to minimize the number of bollards along the accessway while still providing a minimum of 0.2fc lighting in the accessway for safety. Given that the only vehicles using the accessway should be the adjacent neighbors, and because the park is closed between dusk and dawn, we believe this level of lighting will be adequate for pedestrian safety and minimizes the impacts of light trespass on adjacent properties.

Given both of these proposed changes, the threshold for variance applies.

- B. 60.55.35.3.A: "Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers." While this project proposes changes to the EDM lighting requirements (Section 450 – Street Illumination) where the shared accessway meets Canyon Lane, our understanding from discussions with City Staff is that this does not require a variance application.

40.95.15.1.B "Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Variance. The decision making authority shall be the Planning Commission."

Response: This project has been submitted as a Type 3 Design Review application, therefore this standard is met.

40.95.15.1.C "Approval Criteria. In order to approve a Variance application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:"

Paragraph 1 "The proposal satisfies the threshold requirements for a Variance application."

Response: As noted above, the proposal satisfies the threshold requirements for a Variance application.

Paragraph 2 "All City application fees related to the application under consideration by the decision making authority have been submitted."

Response: All City Application Fees have been submitted. Therefore these criteria are met.

Paragraph 3 "Special conditions exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, buildings, or structures in the same zoning district."

Response: As noted above, lighting is generally required for walkways for properties zoned RMC. THPRD policy is to not provide lighting for neighborhood parks for several reasons: discouraging after-hours park use, park operations, and limiting light trespass for neighbors. City Staff and THPRD have recently discussed amending the BDC to exclude THPRD parks from this requirement, but at this time Staff have indicated that lighting is required for public parks. However, this requirement goes against extensive precedent: as detailed in our response to 40.95.15.1.A.3, above, there are dozens of existing THPRD parks in the City of Beaverton that do not provide lighting for pedestrian pathways, including the recently completed La Raiz Park (Baker Loop). Excluding lighting from the property, except for the shared accessway, is a special condition unique to parks; requiring lighting in this park, when it has not historically been a requirement in other THPRD parks in the City of Beaverton, is a significant change from previous City of Beaverton procedure and would represent a unique and special condition for this park alone.

In addition, the unique conditions along the shared accessway make it impossible to provide lighting at the levels specified in the code while also maintaining vehicular access in the accessway and satisfying the code-required light trespass limits. Because the bollard luminaires will need to be located very close to the property line to maximize clear space in the accessway, the bollards will exceed the code-required light trespass limits at every single bollard: 3.0fc, while only 0.5fc is allowed by code. The bollards cannot be located farther from the property line as they would impede use of the accessway by neighbors with driveway access easements. While it is technically possible to space the bollard lights closely enough along the west side of the accessway to provide the required 0.5 fc minimum, we have proposed a wider bollard spacing as a compromise between providing some lighting for pedestrian safety, while trying to minimize the light trespass on the adjacent property as much as possible. Given the special conditions of the shared accessway, we believe the proposed solution is a compromise between meeting the minimum lighting requirements for safety while also minimizing the amount of light trespass on the adjacent property.

Based on both these special conditions, we believe that these criteria are met.

Paragraph 4 "Strict interpretation of the provisions of this ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district under the terms of the Development Code."

Response: Unlike a standard housing development in an RMC-zoned site which can reasonably be expected to accommodate activity after dark, the proposed park will dawn-dusk operating hours in accordance with THPRD policy. Moreover, since the City has not previously required pedestrian pathway lighting in neighborhood parks as detailed above, requiring lighting in Pointer Road Park would represent a significant change from the City's own precedent. Since proposed park deviates from a typical RMC-zoned development, and since the City has not previously required lighting in neighborhood parks, we believe this requirement would deprive THPRD the right to develop and operate the property as a park in conformance with their standard operating procedures.

In addition, the strict interpretation of this code for lighting along the shared accessway would require light fixtures to be located far enough away from the property line to avoid the specified light trespass limits, but given the 12' nominal width, shifting the bollards several feet away from the property line would make it impossible for to adjacent driveway easement holders to access their driveways. Providing additional bollards would increase the light trespass levels on the adjacent property. The proposed bollard layout is a compromise between the pedestrian lighting requirements and light trespass requirements.

For both these conditions, we believe that these criteria are met.

Paragraph 5 "The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience."

Response: The variance proposes eliminating pedestrian walkway lighting within the park, except for the shared accessway. This is in accordance with THPRD district-wide standards for neighborhood parks, and is not unique to this project. As noted above in our responses to 60.05.50 and 60.55.15, THPRD's standard operating procedure is for neighborhood parks to be open dawn to dusk; excluding lighting from parks is done to discourage after-hours use of the property, limit anti-social behaviors in the park after dark, and limit light trespass on neighboring properties. This is the standard in dozens of existing THPRD parks in the City of Beaverton, including the recently completed La Raiz Park (Baker Loop). Enforcing the lighting requirement for this park would be a seismic change to how the City has historically interpreted City code with respect to neighborhood parks in general.

In addition, the unique conditions along the shared accessway make it impossible to provide lighting at the levels specified in the code while also maintaining vehicular access in the accessway and satisfying the code-required light trespass limits. Because the bollard luminaires will need to be located very close to the property line to maximize clear space in the accessway, the bollards will exceed the code-required light trespass limits at every single bollard: 3.0fc, while only 0.5fc is allowed by code. The bollards cannot be located farther from the property line as they would impede use of the accessway by neighbors with driveway access easements. While it is technically possible to space the bollard lights closely enough along the west side of the accessway to provide the required 0.5 fc minimum, we have proposed a wider bollard spacing as a compromise between providing some lighting for pedestrian safety, while trying to minimize the light trespass on the adjacent property as much as possible. Given the special conditions of the shared accessway, we believe the proposed solution is a compromise between meeting the minimum lighting requirements for safety while also minimizing the amount of light trespass on the adjacent property.

Based on the special conditions outlined above, we believe these criteria are met.

Paragraph 6 "If more than one (1) variance is being requested, the cumulative effect of the variances result in a project which is still consistent with the overall purpose of the applicable zone."

Response: Only one variance is requested for lighting within the park, and approval of the variance will result in a project consistent with the overall purpose of the RMC zone. Therefore these criteria are met.

Paragraph 7 "Any variance granted shall be the minimum variance that will make possible a reasonable use of land, building, and structures."

Response: As detailed above, excluding lighting from the pedestrian pathways within the park is standard policy for THPRD, and is done to limit after-hours park use, limit anti-social activity, and limit light trespass for neighbors. These standards are supported by years of precedent with dozens of other THPRD neighborhood parks within the City of Beaverton that do not include lighting along their pedestrian pathways. Based on this extensive precedent, we believe it is a reasonable request to grant a variance to exclude lighting from most of the pedestrian pathways in the park.

For the shared accessway, we believe that the proposed location and spacing of light bollards with a minimum 0.2fc illumination will provide sufficient lighting for pedestrian safety while also limiting the amount of 3.0fc illumination at the property line, for the following reasons:

1. The bollards cannot be located farther from the property line without impeding the adjacent neighbors' vehicular use of the accessway;
2. Increasing the number of bollards and spacing them closer together would increase the light trespass on the neighboring property; and

3. Vehicular use of the accessway is generally limited to use by the two adjacent property owners, so we believe the proposed light levels will provide a reasonable level of safety given the level of use, particularly after hours when the park is closed.

Based on the rationale outlined above, we believe the proposed solution for light bollard locations and spacing along the shared accessway is a reasonable compromise between lighting for safety and minimizing light trespass.

For both of the conditions detailed above, we believe these criteria are met.

Paragraph 8 "For a proposal for a variance from sign regulations, no variance shall be granted unless it can be shown that there are special circumstances involving size, shape, topography, location or surroundings attached to the property referred to in the application, which do not apply generally to other properties in the same zoning district, and that the granting of the variance will not result in material damage or prejudice to other property in the vicinity and not be detrimental to the public safety and welfare. Variances shall not be granted merely for the convenience of the applicant or for the convenience of regional or national businesses which wish to use a standard sign."

Response: No sign variance is proposed, therefore these criteria do not apply.

Paragraph 9 "The proposal is consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal."

Response: This proposal is consistent with the provisions of Chapter 20, as detailed in the responses above, therefore these criteria are met. The project is not in the Downtown Design District, therefore these criteria do not apply.

Paragraph 10 "The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of CHAPTER 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal."

Response: This proposal is consistent with all applicable provisions of Chapter 60, as detailed in the responses below, therefore these criteria are met.

Paragraph 11 "The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code."

Response: This proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code. Therefore these criteria are met.

Paragraph 12 "Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence."

Response: All applications and documents related to this request have been submitted to the City in the proper sequence. Therefore these criteria are met.

Chapter 60 – Special Requirements

60.05 Design Review Design Principles

60.05.10.1&2 Building Design Orientation & Multiple Use District Building Design and Orientation

Response: No buildings are proposed for this project, therefore these principles do not apply.

60.05.10.3 Circulation and Parking Design: "Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development."

Response: The multimodal circulation proposed within the park is safe, convenient, and connects to both SW Pointer Road and SW Canyon Lane. The single handicap parking stall adjacent to Pointer Road connects directly to the street, and will allow disabled park users convenient and accessible access to the site. The shared accessway to Canyon Lane will include lighting, signage, and surface treatments to emphasize separate modes of travel, both to allow pedestrians and cyclists safe and convenient access to the park, and to allow adjacent neighbors continued vehicular access to their private driveways. All these improvements serve the needs of the park development. Therefore these principles are met.

60.05.10.4 Landscape, Open Space, and Natural Areas Design: "Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant."

Response: The proposed park enhances the aesthetics of the community through careful placement of park features, pathways, and planting areas. Existing trees will be preserved where possible, and new deciduous shade trees and evergreen trees will be provided both within and around the perimeter of the park. Buffer plantings will be primarily native plants, and will be disease and drought-tolerant. All new plants proposed for the site will be selected with climate change in mind. Therefore these guidelines are met.

60.05.10.5 Lighting Design: "Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets."

Response: In compliance with THPRD standards, no lighting is proposed within the most of the park, except for the shared accessway from Canyon Lane. The primary reason is that THPRD policy is for neighborhood parks to be open dawn until dusk. Lighting is excluded from THPRD neighborhood parks to discourage off-hours park use. Similar to the dozens of other THPRD neighborhood parks in the City of Beaverton, the proposed park complies with THPRD policy and does not include lighting.

A new street light will be installed immediately across from the park entrance on Canyon Lane. The proposed light on Canyon Lane will be a PGE fixture on a PGE pole, the same as other existing streetlights on Canyon Lane. Since no on-site lighting will be provided, we have submitted a variance for lighting changes on the project.

60.05.35 Building Design and Orientation Guidelines.

Unless otherwise noted, all guidelines apply in all zoning districts.

60.05.35.1 Building articulation and variety.

Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.

60.05.35.2 Roof forms.

Response: Per paragraph A, "Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized." The only roof proposed as part of the project is part of the 20'x20' picnic shelter, which meets the guidelines this paragraph. Paragraph B references flat roofs, and Paragraph C references roof additions; therefore these paragraphs do not apply.

60.05.35.3 Primary building entrances.

Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.

- 60.05.35.4** Exterior building materials.
- Response: Per Paragraph A, "Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays." The proposed picnic shelter is constructed primarily of wood and metal, and does not have any windows; therefore this guideline is met. Paragraph B references masonry; this material is not proposed for this project, therefore it does not apply.
- 60.05.35.5** "Screening of equipment. All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means."
- Response: The electrical cabinet required for the site will be screened with a dense, 5' tall evergreen hedge of Tall Oregon Grape. Therefore this guideline is met.
- 60.05.35.6** Building location and orientation in Commercial and Multiple Use zones.
- Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.
- 60.05.35.7** Building scale along Major Pedestrian Routes.
- Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.
- 60.05.35.8** Ground floor elevations on commercial and multiple use buildings.
- Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.
- 60.05.35.9** Compact Detached Housing design.
- Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.
- 60.05.35.10** Ground floor elevations on eligible residential-only buildings.
- Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.
- 60.05.40** **Circulation and Parking Design Guidelines.**
- 60.05.40.1** "Connections to public street system. The on-site pedestrian, bicycle and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan."
- Response: This project proposes efficient on-site pedestrian and bicycle connections to the public street system at both the Pointer Road and Canyon Lane street frontages. On-site vehicle connections are provided via the single handicap stall adjacent to Pointer Road, and via the shared accessway to Canyon Lane for adjacent driveway easement holders on the south and west sides of the site. Therefore this guideline is met.
- 60.05.40.2** "Loading area, solid waste facilities, and similar improvements.
- A. On-Site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street.
- B. Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations."
- Response: The electrical cabinet at the north end of the site will be screened with a dense, 5' tall evergreen hedge of Tall Oregon Grape. Other than the electrical cabinet, this project does not include on-site service or storage areas, therefore these guidelines do not apply. The THPRD maintenance access from Pointer Road will be paved with the same concrete

paving as the rest of the site; it is not a "loading area", we do not believe these guidelines apply.

60.05.40.3 Pedestrian Circulation

60.05.40.3.A "Pedestrian connections should be made between on-site buildings, parking areas, and open spaces."

Response: The proposed pedestrian routes connect every part of the site to site amenities, open spaces, parking, and street frontages. Therefore this guideline is met.

60.05.40.3.B "Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures."

Response: The on-site pedestrian circulation system connects all on-site amenities and open spaces to Pointer Road and Canyon Lane at the north and south ends of the park, respectively; therefore this guideline is met.

60.05.40.3.C "Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations."

Response: No buildings are proposed as part of this project, therefore these guidelines do not apply.

60.05.40.3.D "Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles."

Response: The proposed pedestrian connection to Pointer Road serves as both the main pedestrian entry to the site and as the required ADA pedestrian access aisle for the single proposed handicap parking stall. This dual function provides a fully-accessible route into the site from the sidewalk adjacent to Pointer Road which, given the existing 10-12% slope on Pointer Road, may not be feasible if multiple entries are required. This connection is separated from the drive aisle to the parking stall with a raised curb, but is flush with parking where it doubles as the ADA pedestrian aisle for the parking stall. This guideline is met for this location.

In addition, the shared accessway from Canyon Lane will be required to serve as both a pedestrian walkway and as a driveway for adjacent property owners. Given the 12' width of the accessway, it will not be possible to physically separate the modes. In lieu of physical separation, new concrete paving with different scoring patterns, 5' wide minimum green thermoplastic paint, signage, and lighting are proposed to help delineate separation between modes, with 5' minimum width provided for the pedestrian route. Given the existing constraints on site in this location, this guideline cannot be met in full; therefore we request a modification of the guidelines for the areas described above.

60.05.40.3.E "Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets."

Response: Pointer Road has an existing curb-tight sidewalk adjacent to the park that will be partially rebuilt as part of this project. Canyon Lane is a curbless road that does not have any sidewalks on either side of the street; this project will build a new driveway apron in the 12' wide frontage on Canyon Lane, but no sidewalks. It is beyond the scope of this project to provide new pedestrian facilities beyond the immediate street frontages abutting the project site. Therefore these guidelines are met.

60.05.40.3.F "Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces."

Response: The primary pathways through the park, including the loop trail, is proposed to be concrete paving; the main pathway will be 6' wide, while the loop trail and other connections will be 5' wide. Smaller pathways around the natural play exploration area and

in the gleaning garden are proposed to be constructed of crushed stone. The shared accessway to Canyon Lane will be concrete paving with different scoring patterns for different modes of travel, and will include paint and signage to help delineate modes of travel for safety. Therefore these guidelines are met.

60.05.40.4 "Street frontages and parking areas. Landscape or other screening should be provided when surface parking areas are located along public streets."

Response: The only parking proposed for the site is a single head-in handicap parking stall located in the right-of-way of Pointer Road. Since the proposed parking stall is located in the right-of-way, and is a head-in stall allowed under 60.30.10.9.A.1, the perimeter parking lot landscaping guidelines do not apply.

60.05.40.5.A "Parking area landscaping: Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas."

Response: This project does not propose any large parking areas, therefore these guidelines do not apply.

60.05.40.5.B "Parking area landscaping: New developments that add more than one-half acre of new surface parking (newly constructed parking and/or paved parking area that was removed and replaced) to a lot shall provide trees and sidewalks along driveways that connect the street to the parking lot but do not provide direct access to vehicle parking spaces. Trees planted shall be in continuous planting areas in a manner that meets 2021 ANSI A300 standards and with a continuous canopy where possible."

Response: This project does not propose any parking areas larger than 1/2 acre, therefore these guidelines do not apply.

60.05.40.6 Off-Street parking frontages in Multiple Use zones.

Response: This project is not in a Multiple-Use zone, therefore these guidelines do not apply.

60.05.40.7 Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.

Response: This project is not in a Commercial or Multiple-Use zone, therefore these guidelines do not apply.

60.05.40.8 "Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.

A. On-Site vehicle circulation when provided should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles.

B. Long, continuous parking aisles should be avoided if possible and landscaped as necessary to minimize the visual impact"

Response: The single handicap parking stall proposed for this project will be curbed, striped, and signed to identify it as a handicap parking stall, and distinct from pedestrian circulation. The proposed maintenance access will have a removable bollard immediately behind the sidewalk on Pointer Road to prevent the general public from using it for vehicular use. Because the shared accessway from Canyon Lane is only 12' wide, it is not possible to construct sidewalks; however, concrete paving with different scoring patterns, 5' wide minimum green thermoplastic paint, signage, and lighting will be provided to delineate pedestrian areas. The driveway extension for easement holders on the southwest side of the site will be separated from the rest of the park by an automatic gate and fencing. No other vehicular areas are proposed for the project. Given the existing conditions at the shared accessway, we request a modification of the guidelines as described above.

60.05.40.9 Parking structures in Multiple Use zones. Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes.

Response: This project does not propose any parking structures and is not in a multiple use zone, therefore these guidelines do not apply.

60.05.45 Landscape, Open Space and Natural Areas Design Guidelines.

60.05.45.1 Common open space for residential uses in Residential zones.

Response: No residential housing is proposed for this project, therefore the common open space guidelines do not apply.

60.05.45.2 Minimum landscaping in Residential zones.

- "A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape.
- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings."

Response: Landscaping is proposed to be provided in the required 10' setback from the Pointer Road frontage, and will be used extensively elsewhere in the park to meet aesthetic, interpretive, ecological, and stormwater requirements. The only place landscaping can not meet these guidelines is in the shared accessway from Canyon Lane because it is too narrow. Therefore these guidelines are generally met, but we request a modification of the guidelines for the shared accessway.

60.05.45.3 Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.

60.05.45.3.A "Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings."

Response: As detailed in the response to 60.05.45.2, above, landscaping is proposed throughout the park to meet a number of different requirements. Therefore this guideline is met.

60.05.45.3.B "Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete."

Response: No plazas are proposed for this project. Common areas proposed for the project include a combination of landscape and concrete paving, in compliance with the guidelines. However, because paved areas proposed for the project are primarily for circulation, not for gathering spaces, we do not believe the guideline for decorative pavers or decorative concrete applies to this project.

60.05.45.3.C "Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions."

Response: A substantial portion of the proposed trees and most of the proposed shrubs are native plants; the landscape plant schedule included as an appendix to the Design Review 3 application has been updated to show which plants are natives. Non-native plants proposed for the site have been selected for their suitability to the local climate. Therefore these guidelines are met.

60.05.45.3.D "Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development."

Response: Existing non-invasive mature trees will be retained and incorporated into the site design where possible, as detailed in our response to 40.90.15.2.A, above. With the exception of some of the mature hedges at the perimeter of the site, most of the existing shrubs on site are invasive and will not be preserved. Therefore these guidelines are met.

60.05.45.3.E "A diversity of tree and shrub species should be provided in required landscaped areas."

Response: The proposed plant palette includes a wide variety of trees and shrubs. Nine different tree varieties are proposed (including two varieties of apple tree), of which three are natives, and three are evergreens. At least twenty-two different shrubs and groundcovers are proposed for buffer areas and stormwater basins with a range of sizes and foliage types; most of the proposed plants are native. The proposed planting also includes fruiting shrubs, such as blueberries, and herbs such as rosemary for the gleaning garden. The landscape plant schedule included with the Design Review 3 application details the proposed plants. Therefore these guidelines are met.

60.05.45.4-5 Common Greens and Shared Courts

Response: No housing is proposed for this project, so the guidelines for Common Greens and Shared Courts do not apply.

60.05.45.6 Retaining walls. "Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material."

Response: The only retaining wall proposed for the project will be adjacent to the parking stall at the north end of the site, and is proposed to be a loose rockery-style wall less than 30" high. Therefore these guidelines are met.

60.05.45.7.A "Fences and walls should be constructed of attractive, durable materials."

Response: Fencing in buffer areas at the perimeter of the site will generally be 6' tall vinyl-coated chainlink fencing with privacy slats, except for areas between existing 6' tall wood fencing where new fencing will match existing materials and heights. Therefore these guidelines are met.

60.05.45.7.B "Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection."

Response: No fencing is proposed for the 10-foot front yards for either the Pointer Road or Canyon Lane frontages, therefore these guidelines do not apply.

60.05.45.8 "Changes to existing on-site surface contours at residential property lines. The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight."

Response: For the most part, the proposed grading limits for the project are several feet inside of the property lines, and will not change drainage patterns on adjacent properties. The proposed grading also limits impacts to existing trees both on site and on adjacent properties. The proposed grading will not affect sun exposure for adjacent properties. Changes to the grading along the shared accessway can be accommodated on both sides by existing walls and curbs, and will not affect adjacent properties beyond the walls or curbs. Therefore these guidelines are met.

60.05.45.9 "Integrate water quality, quantity, or both facilities. Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design."

Response: The main stormwater facility proposed for the site is a vegetated stormwater basin that is integrated with the site design. The secondary stormwater facility is proposed to be a cartridge catch basin to serve the shared accessway since there is no room for a vegetated facility in this area. Therefore these guidelines are met.

60.05.45.10 "Natural areas. Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan."

Response: There are no wetlands or streams on the property. Existing non-invasive mature trees will be retained and incorporated into the site design where possible, as detailed in our response to 40.90.15.2.A, above. Therefore these guidelines are met.

60.05.45.11 Landscape buffering and screening.

60.05.45.11.A "A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening."

Response: The required 20' wide B3 buffer proposed for the project will consist of a minimum 10' wide buffer with trees and shrubs, areas of lawn, and 6' chain link fencing with privacy slats along side yard property lines. There are a few areas where pathways slightly encroach into the buffer, but some encroachment is unavoidable given the relatively steep slope of the site and the requirement to provide ADA-compliant pathways through the site, as well as relatively flat areas for picnic and play areas. No structures (picnic shelter, play area structures) or site furnishings are located within the buffer. Where driveway access needs to be provided for adjacent property owners with access easements, the driveway will be located as close as possible to the property line, with the required fencing and vegetated buffer located on the park side of the driveway. Therefore these guidelines are met, except as specifically addressed below in our response to 60.05.45.11.D.

60.05.45.11.B "When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate."

Response: The required 20' wide B3 buffer is provided as detailed in our response to 60.05.45.11.A, above. Therefore these guidelines are met.

60.05.45.11.C "Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood."

Response: The 20' wide B3 buffer will include a variety of trees, shrubs, and lawn to help screen the park from adjacent properties and to enhance the visual character of the neighborhood. The total lineal footage of the side yard buffer – excluding the non-conforming areas of the access drive, as described below – is 1,457 LF. This means that 49 trees will be required in the buffer; this will include new and existing trees. While the Beaverton code does not provide any specific credit for existing trees, we propose using the following metric for existing trees from the City of Portland tree code: each 6" increment of DBH equals one medium-sized tree. Based on this metric, the existing trees in the landscape buffer equal 19 medium-sized trees; therefore 30 new trees are proposed for the buffer. These 30 trees are strategically located in areas where there are not already existing trees on adjacent properties, as opposed to a strict 30' on center spacing; we believe this will provide a more natural feeling to planting areas in the park and will allow new trees more space to mature when not in conflict with adjacent trees. In addition, grouping similar trees such as Douglas firs more closely together than the 30' spacing allows the trees to support each other during high wind events. For context, the planting plan has been updated to show approximate locations and driplines of trees on adjacent properties.

The shrubs proposed for the buffer will include larger evergreen shrubs such as pacific wax myrtle, ceanothus, and tall Oregon grape; larger deciduous shrubs such as mock orange and snowberry; and smaller shrubs and groundcovers such as evergreen huckleberry, sword fern, and kinnikinnick. Shrubs and groundcovers will be positioned and layered to screen the park from adjacent properties and to provide visual interest within the park. Groundcover will be planted wherever there are not trees or shrubs planted, except in the

Gleaning Garden where bark mulch will be provided to allow easier access to the berry bushes and fruit trees by park visitors. Therefore these guidelines are met.

60.05.45.11.D When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction.

Response: The 20' wide B3 buffer requirement cannot be met in the following locations: 1.) the 12' wide shared accessway from Canyon Lane, which is too narrow for buffering and must be preserved for use by driveway easement holders; and 2.) along the west boundary of the property where existing driveway paving will also be preserved for use by driveway easement holders. In the case of the existing driveway on the west side of the site, the vegetated buffer will be provided between the driveway and the rest of the park. Given the existing conditions at the shared accessway and the existing driveway on the west side of the site, we request a modification of the guidelines as described above.

60.05.50 Lighting Design Guidelines.

60.05.50.1 "Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires."

Response: No lighting is proposed within most of the park. Unlike a typical housing development in an RMC zone in which morning and evening activity is expected, and therefore lighting is required for safety, THPRD's policy is for parks to be open only between dawn and dusk to discourage off-hours use in neighborhood parks, limit anti-social behavior in the park, and limit light trespass on adjacent properties. This is also in keeping with years of precedent for dozens of THPRD neighborhood parks in the City of Beaverton.

Pedestrian-scale full-cutoff bollard lighting will be installed along the west side of the shared accessway near Canyon Lane, immediately adjacent to the primary pedestrian route. The west side location for the bollards was selected because the driveway on the west side is narrower than the one on the east side, to avoid conflicts with the existing stone retaining wall on the east side, and to take advantage of more existing vegetated screening on the east side. The bollards must be located near the property line to preserve vehicular access for adjacent property owners with access easements. The unique conditions along the shared accessway make it impossible to provide lighting at the levels specified in the code while also maintaining vehicular access in the accessway and satisfying the code-required light trespass limits. Because the bollard luminaires will need to be located very close to the property line to maximize clear space in the accessway, the bollards will exceed the code-required light trespass limits at every single bollard: 3.0fc, while only 0.5fc is allowed by code. The bollards cannot be located farther from the property line as they would impede use of the accessway by neighbors with driveway access easements. While it is technically possible to space the bollard lights closely enough along the west side of the accessway to provide the required 0.5 fc minimum, we have proposed a wider bollard spacing as a compromise between providing some lighting for pedestrian safety, while trying to minimize the light trespass on the adjacent property as much as possible. Given the special conditions of the shared accessway, we believe the proposed solution is a compromise between meeting the minimum lighting requirements for safety while also minimizing the amount of light trespass on the adjacent property.

Finally, a new PGE street light is also proposed to be added across the street from the shared access drive at Canyon Lane to help illuminate the south entrance to the park.

Given these considerations, we request a variance of the standards to exclude lighting for most pedestrian pathways in the park, and a variance to illumination standards along the shared accessway.

60.05.50.2 Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent

type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building.

Response: As detailed above, no lighting is proposed for the project in accordance with THPRD policy, with the exception of the shared accessway. Given the considerations noted here and in our response to 60.05.50.1, above, we request a variance for the lighting guidelines.

60.05.50.3 Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets.

Response: As detailed above, no lighting is proposed for the project, except along the shared accessway. The light bollards proposed for the accessway will be full-cutoff, and will be located to minimize light trespass onto adjacent properties as much as feasible. Given the considerations noted here and in our response to 60.05.50.1, above, we request a modification of lighting in the park.

60.05.50.4 On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2.) Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary.

Response: As detailed in our response to 60.05.50.1, above, no lighting is proposed for the project in accordance with THPRD policy for neighborhood parks, except for areas in the right-of-way on Canyon Lane, as well as along the shared accessway from Canyon Lane. Lighting at the vehicular entrances to the park on Pointer Road and Canyon Lane will comply with the City's Technical Lighting Standards. For the shared accessway, pedestrian-scale full-cutoff bollard lighting will be installed along the west side of the shared accessway near Canyon Lane, immediately adjacent to the primary pedestrian route. The west side location for the bollards was selected because the driveway on the west side is narrower than the one on the east side, to avoid conflicts with the existing stone retaining wall on the east side, and to take advantage of more existing vegetated screening on the east side. The bollards must be located near the property line to preserve vehicular access for adjacent property owners with access easements. The unique conditions along the shared accessway make it impossible to provide lighting at the levels specified in the code while also maintaining vehicular access in the accessway and satisfying the code-required light trespass limits. Because the bollard luminaires will need to be located very close to the property line to maximize clear space in the accessway, the bollards will exceed the code-required light trespass limits at every single bollard: 3.0fc, while only 0.5fc is allowed by code. The bollards cannot be located farther from the property line as they would impede use of the accessway by neighbors with driveway access easements. While it is technically possible to space the bollard lights closely enough along the west side of the accessway to provide the required 0.5 fc minimum, we have proposed a wider bollard spacing as a compromise between providing some lighting for pedestrian safety, while trying to minimize the light trespass on the adjacent property as much as possible. Given the special conditions of the shared accessway, we believe the proposed solution is a compromise between meeting the minimum lighting requirements for safety while also minimizing the amount of light trespass on the adjacent property. Therefore we request a modification of the guidelines to not include lighting along most of the pedestrian pathways in the park, and a modification to required light levels along the shared accessway.

60.05.55 Major Pedestrian Route Maps

Response: This project is not part of or adjacent to any of the Major Pedestrian Routes described in this section, therefore these guidelines do not apply.

60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.

Response: No housing is proposed for this project, therefore these guidelines do not apply.

60.15.10 Grading Standards

60.15.10.1 Applicability. The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.

60.15.10.3 "On-site surface contouring. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:"

60.15.10.3.A "0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable."

Response: Proposed grading 0 to 5 feet from property line will be less than 2' different than existing elevation of abutting properties. Therefore this standard is met.

60.15.10.3.B "More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable."

Response: Proposed grading more than 5' from the property line will not exceed 4' slope differential from the existing elevation of abutting properties. Therefore this standard is met.

60.15.10.3.C-E "More than 10 feet ... from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable"

Response: Proposed grading more than 10' from the property line and up to 25' from the property line will not exceed 6' slope differential from the existing elevation of abutting properties. Therefore this standard is met.

60.15.10.3.F "Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope."

Response: The proposed slopes after grading will not exceed the predevelopment slopes. Therefore this standard is met.

60.15.10.3.G "The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development."

Response: The project does not propose any subdivision of parcels, therefore this standard does not apply.

60.15.10.4 Significant Trees and Groves.

Response: There are no significant trees or groves on the site, therefore these standards do not apply.

60.30 Off-Street Parking.

60.30.10.3.A.1 "Minimum number of required [motor vehicle] parking spaces. No minimum parking is required for any use."

Response: While no motor vehicle parking is required, this project does propose a single head-in handicap parking stall in the right-of-way. As a single parking space in a residential zone, backing movements are allowed in the right-of-way per Subparagraph 9.1. Therefore these guidelines are met.

60.30.10.5.B Parking Ratio Requirements for Bicycles.

Response: This project provides 12 short-term bicycle parking spaces within 100' of the Pointer Road right-of-way line. Bicycle parking spaces are 2' wide by 6' deep with a 2' clear zone at the edge of pavement and a 6' maneuvering zone (shared with the pedestrian route) behind the spaces. However, no bicycle parking ratios are provided for public parks, therefore a parking determination application is required and has been submitted as part of this land use application.

60.40 Sign Regulations

60.40.15. Signs not Subject to Permit but Subject to Regulation for Size, Dimensions, Location, Duration and Aesthetics. No permit is necessary before placing, constructing or erecting the following signs so long as any such signs conform to the following regulations:

60.40.15.4 "Signs Located in Parking Lots for Traffic Safety, Parking Restrictions and Compliance with State and Federal Standards. For the purpose of this section, signs for controlling traffic and parking, including but not limited to ADA posting and towing notification, are allowed in any zone. Signs for this purpose shall be placed outside the required sight clearance areas specified in Chapter 2 Section 210 of the City Engineering Design Manual and shall be limited to six (6) square feet in area and eight (8) feet in height as measured from the nearest parking lot surface where placed."

Response: In conformance with these regulations, the proposed project will include a handicap parking stall will include a handicap parking sign, and signs along the shared accessway indicating shared pedestrian uses and prohibition of public vehicular use of the accessway. Signage on the shared accessway shall include City of Beaverton EDM sign #349 (Private Driveway) and a custom "Shared Pathway" sign that is the same size and materials and uses a similar font as the EDM standard sign; see sheet L4.08 in the Land Use Drawings. Therefore these regulations are met.

60.40.15.8 "Signs Placed on Public Property for Internal Users. Signs placed on public property for general purpose of internal way-finding, circulation or posting of rules for use of property shall be placed outside required vision clearance areas and shall be limited to twenty-four (24) square feet in area and eight (8) feet in height as measured from the nearest ground or surface area where placed."

Response: Internal signs will likely be included on the property, but have not yet been designed or located. Any internal signs provided for the project will meet the requirements of this Section.

60.40.20 "Signs for which a Sign Permit is Required. The following new signs or proposals which alter the area, size, or dimensions of existing signs or sign structures are subject to all ordinance regulations, and permits are required prior to on-site construction, installation or placement of such signs or sign structures. ... 2. Freestanding Sign."

Response: The project will include free-standing THPRD park signs at the park entrances. These have not been designed or located yet, but will meet the requirements cited in 60.40.60.1.A and will be permitted.

60.50.20 Fences. Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering Design Manual and meet the following standards:

60.50.20.1 "Fences and walls shall not exceed the following height:

- A. Six (6) feet in a required front yard along designated Collector and Arterial streets.
- B. Three (3) feet in height in a required front yard along all other street classifications.
- C. Four (4) feet in height in a required front yard for required above ground stormwater facilities.

D. Eight (8) feet in height for all other yards.”

Response: The project proposes 6’ tall vinyl-coated chain link fencing with privacy slats along all side yard lot lines, except in front yard setbacks, and except in locations where there are existing 6’ tall wood fences in good condition or where new 6’ tall wood fencing is proposed to fill a gap between wood fences in good condition. No fencing is proposed for front yards, and fencing is not required for the stormwater basin. Therefore these standards are met.

60.55 Transportation Facilities. It is the purpose and intent of this chapter to establish design standards and performance requirements for all streets and other transportation facilities constructed or reconstructed within the City of Beaverton.

Response: The responses detailed below for this section are only for standards that apply to this project.

60.55.10.5 “Dedication of right-of-way shall be determined by the decision-making authority.”

Response: Our understanding is that a 3’ right-of-way dedication will be required for the 12’ wide street frontage on Canyon Lane. This dedication is shown on the submitted drawings.

60.55.15 Traffic Management Plan

Response: This project is intended to be a neighborhood park that is primarily accessed by walking or biking. The project proposes adding only one handicap parking space, and there is no existing or proposed on-street parking on either SW Pointer Road or SW Canyon Lane. We have submitted a trip generation report that shows that the park will not add more than 300 trips per average day. Therefore this standard is met.

60.55.25 Street and Bicycle and Pedestrian Connection Requirements.

60.55.25.7 “Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.”

Response: The proposed bicycle and pedestrian pathways connect the on-site circulation system to both Pointer Road and Canyon Lane. Therefore this standard is met.

60.55.25.10 Pedestrian Circulation

60.55.25.10.B Standards for other development.

Paragraph 5 “Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.”

Response: All major walkways within the site will be paved with concrete and will be at least 5’ wide, unobstructed, including along the shared accessway. Slopes of all major walkways will conform to ADA standards.

Paragraph 7 “On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.”

Response: As detailed in the Project Description and our responses to 60.05.50 Lighting Design Guidelines, above, no lighting is proposed for pedestrian pathways in the park in conformance with THPRD policy for neighborhood parks. Lighting of the shared accessway will have full cutoff fixtures that will be sited to provide a minimum of 0.2 fc illumination

along the accessway, while minimizing the amount of 3.0fc light trespass onto adjacent properties. Therefore we request two modifications of the guidelines, as follows: 1.) no lighting will be provided within the park proper, except as noted; and 2.) as discussed with City Staff, lighting along the accessway will provide a minimum of 0.2 fc, less than the required 0.5 fc, and with light trespass in excess of the 0.5fc maximum for bollards located adjacent to the property line, as a compromise between pedestrian pathway lighting requirements and light trespass requirements.

60.55.25 Street and Bicycle and Pedestrian Connection Requirements

60.55.25.1 "All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians."

Response: No new streets are proposed, therefore this standard does not apply. Pedestrian and bicycle circulation is provided throughout the park with direct connections to the Pointer Road and Canyon Lane. The bicycle and pedestrian areas of the shared accessway from Canyon Lane will be clearly designated with paint, signage, and lighting to provide additional safety. Proposed signage is shown in Sheet L4.08 in the Land Use Drawings. Therefore this standard is met.

60.55.25.2 "The *Comprehensive Plan Transportation Element* Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel. For properties within the South Cooper Mountain Community Plan area, Figure 10: Community Plan Street Framework and Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan shall be used to identify functional classifications of streets, future streets, bicycle, and pedestrian connections. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. Trails identified in Figure 11: Community Plan Bicycle & Pedestrian Framework shall be designed to meet applicable Tualatin Hills Parks & Recreation (THPRD) District trail design standards, unless otherwise approved by THPRD. Deviations from Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework shall be reviewed through the Planned Unit Development application."

Response: No new right-of-ways or changes to the existing rights-of-ways are proposed for this project. The project is not in the South Cooper Mountain Community Plan Area, and does not contain any trails identified in the Bicycle & Pedestrian Framework. All proposed bicycle and pedestrian circulation will connect to existing streets. Therefore these standards are met.

60.55.25.3 "Where a future street or bicycle and pedestrian connection location is not identified in the *Comprehensive Plan Transportation Element*, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas."

Response: No future streets or bicycle and pedestrian connections are proposed as part of this project. No adjacent properties are undeveloped. There is an existing sidewalk along Pointer Road, and there are no existing or planned pedestrian facilities along Canyon Lane. Therefore these standards do not apply.

60.55.25.4 "Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design."

Response: All proposed bicycle and pedestrian circulation extends to the parcel boundaries and will connect to existing streets. Therefore these standards are met.

60.55.25.5 "Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority."

Response: A 3-foot right-of-way dedication is provided where the property meets the Canyon Lane frontage. Therefore this standard is met.

60.55.25.6 "Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing."

Response: The parcel is located at the middle of blocks along both the Pointer Road and Canyon Lane frontages. No traffic-controlled intersections are proposed as part of this project. Therefore this standard does not apply.

60.55.25.7 "Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed."

Response: The on-site bicycle and pedestrian circulation system connects to existing streets on both sides. Therefore this standard is met.

60.55.25.8 "To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat."

Response: No bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City for this parcel. Therefore these standards do not apply.

60.55.25.9 "Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14."

Response: A complete accessway is provided from Pointer Road to Canyon Lane as part of the proposed development. Therefore this standard is met.

60.55.25.10 Pedestrian Circulation.

60.55.25.10.A Standards for Single-Detached Dwellings and Middle Housing.

Response: The proposed development is not a single-detached dwelling or middle housing, therefore these standards do not apply.

60.55.25.10.B Standards for Other Development.

Paragraph 1 "Walkways are required between parts of a development where the public is invited or allowed to walk."

Response: Walkways are provided throughout the proposed park. Therefore this standard is met.

Paragraph 2 "A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development."

Response: Both street frontages are less than 300 feet. A single walkway connection is provided for each frontage.

Paragraph 3 "Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multi-dwelling, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development."

Response: No buildings are proposed as part of the project, and there are no adjacent commercial, multi-dwelling, institution, or parks. Therefore these standards do not apply.

Paragraph 4 "Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate."

Response: Proposed walkways are reasonably direct between pedestrian connections in the park. Crossings are limited to driveways in the Shared Accessway and will include paint, signage, and lighting for safety.

Paragraph 5 "Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards."

Response: All proposed walkways will be paved with at least 5 feet unobstructed width. Stairs and ramps are provided where necessary to provide a reasonably direct route. The slope of walkways without stairs conforms to City standards. Therefore these standards are met.

Paragraph 6 "The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply."

Response: All walkways meet or exceed ADA standards. Therefore these standards are met.

Paragraph 7 "On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line."

Response: In compliance with THPRD policy for neighborhood parks, no lighting will be provided for walkways within the park, except for the shared accessway. Lighting of the shared accessway will have full cutoff fixtures that will provide a minimum of 0.2 fc illumination along the accessway, and will be sited to minimize light trespass onto adjacent properties. Therefore we request two modifications of the guidelines, as follows: 1.) no lighting will be provided within the park proper, except as noted; and 2.) as discussed with City Staff, lighting along the accessway will provide a minimum of 0.2 fc, less than the required 0.5 fc, with light trespass that exceeds the 0.5fc maximum at the property line at bollard locations.

60.55.25.11 Pedestrian Connections at Major Transit Stops.

Response: The proposed project is not adjacent to or near a major transit stop, therefore these standards do not apply.

60.55.25.12 "Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide

Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.

Response: The site does not contain any of the areas noted above, therefore these standards do not apply.

60.55.25.12 "New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links."

Response: No bicycle or pedestrian connections are proposed along residential rear lot lines, therefore this standard is met.

60.55.25.14 "Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:

C. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;

D. Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,

E. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection."

Response: None of the hinderances listed above apply to this project.

60.55.35 Access Standards

60.55.35.C Driveways.

60.55.35.C.1 "Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the *Engineering Design Manual and Standard Drawings*."

Response: The proposed parking stall and maintenance access will be constructed in the same location as the existing driveway apron to the site from Pointer Road. The shared accessway from Canyon Lane is in the same location as the existing driveway. Therefore these standards are met.

60.60 Trees and Vegetation

60.60.10 Types of Trees and Vegetation Regulated.

Response: All existing non-exempt trees on site 10" DBH and larger are considered Community Trees per Paragraph 6. The site does not have any Significant Individual Trees, Significant Groves, Significant Natural Resource Areas, Historic Trees, or Landscape Trees.

60.60.15 Pruning, Removal, and Preservation Standards.

Response: Pruning and removal of existing trees will comply with the requirements of this Section. Since all non-exempt existing trees are classified as Community Trees, no mitigation for tree removal is required per Subparagraph 2.B.

60.60.20 Tree Protection Standards during Development.

Response: Tree protection for all existing trees to be retained will generally meet or exceed the requirements described in this Section. A handful of existing trees will be impacted by grading within the root protection zones; special recommendations for these trees are provided in the arborist report. Refer to the submitted tree protection drawings and arborist report for additional information.

60.60.25 Mitigation Requirements.

Response: Since all non-exempt existing trees are classified as Community Trees, no mitigation for tree removal is required per 60.60.15.2.B.

60.65 **Utility Undergrounding**

60.65.15 **Regulation.** All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

Response: All electrical lines installed within and contiguous to the project site will be installed underground. Therefore this standard is met.

60.67 **Significant Natural Resources**

Response: The project site does not contain any local wetlands or significant riparian corridors, therefore these standards do not apply.

60.95 **Variance**

Per staff comments, these responses have been moved to **40.95 – Variances.**

Responses to LU32023-00667 Pointer Road Park Incompleteness Letter 2 – Completeness Items

Item A. ELECTRONIC RESUBMITTAL: Please submit all items listed below through the Beaverton Electronic Permitting System (BEPS): <https://prod.buildinginbeaverton.org/>. Please submit all attachments such as application forms, plan sets, written narrative, etc. under the primary application number LU32023-00667.

Response: All items will be submitted as noted above.

Item B. APPLICATION FEES: Thank you for submitting applications for a New Conditional Use, Legal Lot Determination, and Parking Requirement Determination for Bicycle Parking. Please submit payment for these applications through BEPS. All application fees are invoiced under the primary application number LU32023-00667.

Response: All fees will be submitted as noted above.

Item C. TREE PLAN TWO APPLICATION: A Tree Plan Two application is required because the applicant proposes to remove five or more Community Trees, or more than 10% of the number of Community Trees on the subject site, within a one calendar year period. Please apply for the Tree Plan Two application through BEPS.

Response: A Tree Plan Two Application will be submitted as noted above.

Item D. VARIANCE APPLICATION: BDC 60.55.25.10.B.7 states that on-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Because the applicant requests to deviate from this standard, a Variance application will be required pursuant to BDC 40.95.15.1.A.3. Please apply for the Variance application through BEPS and revise the written narrative to address the applicable approval criteria in BDC 40.95.15.1.C. This requirement is based on a recent interpretation of lighting standards in BDC Chapter 60.55 by the City Attorney's Office and Planning staff, and accordingly, was not referenced in the pre-application conference notes from February 2023. Please feel free to contact the project planner if you have any questions about this requirement.

Response: A Variance Application will be submitted as noted above. The Written Narrative has been revised to address the variance approval criteria.

Item E. REPLAT ONE APPLICATION (LOT CONSOLIDATION): Page 5 of the applicant's written narrative states, "The site is currently made up of two separate properties (Tax Lots 1S101DC03301 and 1S101DC04001) that will be combined into a single property," but it is unclear if the applicant is proposing a Lot Consolidation. Additionally, the applicant's utility plan shows utility lines crossing over the common property line between the two subject tax lots; if these utility lines will be private lines, then a Lot Consolidation will be required. To apply for a Lot Consolidation, please submit a Replat One application through BEPS (pursuant to BDC 40.45.15.2.A.1) and revise the written narrative to address the applicable approval criteria in BDC 40.45.15.2.C.

Response: A Replat One Application will be submitted as noted above, and the Written Narrative has been revised to address the applicable approval criteria in BDC 40.45.15.2. The replat documentation will be submitted prior to the Facilities Review information; a Completeness Waiver has been submitted for this delay.

Item F. NEIGHBORHOOD REVIEW MEETING MATERIALS: Please submit the following materials, as required under BDC 50.30.4:

1. BDC 50.30.3.B requires the applicant to mail written notice of the Neighborhood Review Meeting to the Beaverton Community Development Director, property owners within 500 feet of the subject site, and representatives of the Neighborhood Association Committees (NACs) and Washington County Community Participation Organizations (CPOs) within 500 feet of the subject site.

- a. The mailing list provided by the applicant does not include all the required parties listed in BDC 50.30.3.B. Please submit documentation demonstrating the notice was to the correct parties. If notices were not mailed to the required parties listed in BDC 50.30.3.B, then the applicant must re-notice, hold another Neighborhood Review Meeting, and follow all the other Neighborhood Review Meeting procedures in BDC 50.30.
2. A written statement containing the information posted on the property as described in Section 50.30.3.C. Previous applicants have submitted a photograph of the Neighborhood Review Meeting sign that was posted on the subject site to fulfill this requirement.
3. A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC. Even if the meeting notes were sent electronically to the Chairperson of the NAC, a certified mailing is also required under BDC 50.30.4.G.

Response: THPRD will attend the February 15, 2024 meeting of the West Slope NAC to present the project again in compliance with Neighborhood Review Meeting requirements. The required documentation listed above will be submitted following the meeting, and before the Facilities Review meeting. A Completeness Waiver has been submitted for this delay.

Item G. TRIP GENERATION INFORMATION: The proposal requires trip generation information in order to demonstrate compliance with Beaverton Development Code (BDC) 60.55.20. For proposals that will add 300 trips or more per average week day, a traffic impact analysis will be required as a completeness item. Trip generation shall rely upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, unless the City Transportation Engineer has approved an alternative trip generation methodology.

Response: Trip generation information for Baker Loop Park, a THPRD park in Beaverton similar in size and amenities to the proposed Pointer Road Park, will be submitted as evidence that the proposed development will not add 300 trips or more per average week day. The Written Narrative has been revised to include this information.

Item H. PARKING DETERMINATION ANALYSIS: Please submit the required analysis for the Parking Requirement Determination for Bicycle Parking application, which includes:

1. The applicant should identify three parks with similar attributes/amenities as the proposed Pointer Road Park.
2. The applicant should identify the number of bike parking spaces that are available at the three surveyed parks.
3. The applicant must conduct observations at different times of the day and days of the week (including one weekend day) and identify whether the bike parking spaces at the surveyed parks were utilized. Observations made during a minimum of three total days will be necessary. The observation data shall also include a description of the weather conditions.
4. The above referenced records and data will be utilized by city staff to determine how many bicycle parking spaces may be needed to adequately address the relevant approval criteria and to support the proposed park.

Response: The parking determination analysis to meet the requirements detailed above is currently being performed by THPRD and will be submitted when complete, prior to the Facilities Review Meeting. A Completeness Waiver has been submitted for this delay.

Item I. IMPERVIOUS AREAS: Verify that the play areas and water play area do not meet the Clean Water Services (CWS) definition of impervious area. Clarify where detail 5/L4.01 is used and clarify whether the Grasscrete material/construction is considered impervious per CWS standards.

Response: CWS does not consider the play area, water play area, or grasscrete to be pervious. However, the current stormwater facility can be enlarged to accommodate these areas without changing the overall approach to the stormwater treatment strategy. According to a January 4, 2024 from Hunter Jin, EIT, City of Beaverton, the change to the size of the stormwater treatment area can be addressed during permitting instead of as a completeness item. This documentation has been submitted as a separate exhibit.

Preliminary Staff Comments (Not Completeness Items):

While not strictly completeness items, the following are matters that will need to be addressed prior to the Facilities Review Committee meeting. Please note that this list may not be exhaustive of all potential issues that may arise during development but are items that came to the attention of staff during completeness review:

Item A: FENCE HEIGHT: The applicant’s site plan shows a 6-foot-tall chainlink fence located in the 10-foot front yard setback area, adjacent to SW Pointer Road. Please revise the site plan to either remove this fence from the front yard setback area or reduce its height in this area to a maximum of 3 feet tall, in accordance with BDC 60.50.20.

Response: The plans will be revised prior to permitting to delete the fences from the 10-foot front yard setback area.

Item B: LIGHTING FOR SHARED ACCESSWAY CONNECTING TO SW CANYON LANE: As detailed in the previous section of this letter, BDC 60.55.25.10.B.7 requires on-site walkways to be lighted to 0.5 foot-candle level at initial luminance. If the applicant requests to deviate from this standard, then a Variance application will be required pursuant to BDC 40.95.15.1.A.3. However, submittal of a Variance application does not guarantee city staff’s support of the applicant’s proposal. In particular, city staff has safety and approvability concerns about the applicant’s proposal to not provide lighting for the 12-foot-wide shared vehicle and pedestrian accessway connecting the site to SW Canyon Lane. Lighting can be pedestrian-scaled, even bollards, and can utilize cut-off fixtures so as not to spill light onto adjacent properties. Without providing the required lighting for the shared accessway from SW Canyon Lane to the park, staff cannot write affirmative findings for applicable approval criteria, including but not limited to, BDC 40.03.1.F and G (Facilities Review Committee), 40.20.15.3.C.3 (Design Review Three), and 60.05.50.1 and 4 (Lighting Design Guidelines).

Response: The applicant understands that a variance might not be approved for the proposed deviance from the lighting standard. The applicant will continue to submit a Variance Application to proceed with the proposed change.

Item C: STORMWATER REPORT BASIN MAPS: Revise the stormwater report basin maps to reflect the newly proposed proprietary filter (the old quantity for fee in lieu was not changed).

Response: The stormwater report basin maps will be revised prior to permitting to reflect the newly proposed proprietary filter.

Responses to LU32023-00667 Pointer Road Park Incompleteness Letter 3 – Completeness Items

Item A. APPLICATION FEES: Please submit payment of outstanding application fees for this project through the Beaverton Electronic Permitting System (BEPS). All application fees are invoiced under the primary application number LU32023-00667.

Response: All fees will be submitted as noted above.

Item B. NEIGHBORHOOD MEETING MATERIALS: In the previous incomplete letter, staff identified that the Neighborhood Meeting for this project did not notice all required parties (BDC 50.30.3.B), so a new Neighborhood Meeting was required. Please submit the following materials associated with the new Neighborhood Meeting, as required under BDC 50.30.4:

1. A copy of the notice sent to surrounding property owners and the NAC Representatives as described in Section 50.30.3.B.
2. A copy of the mailing list used to send out meeting notices as described in Section 50.30.3.B.
3. A written statement containing the information posted on the property as described in Section 50.30.3.C. A picture of the posted sign clearly showing the written information will suffice, or you can complete the notice sign mock-up form on page 19 of the Neighborhood Meeting Packet.
4. An affidavit of mailing and posting notices as described in Sections 50.30.3.A through C (pages 16 and 18 of the Neighborhood Meeting Packet).
5. Copies of written or electronic materials and plans presented at the Neighborhood Review Meeting.
6. Notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.
7. A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC.
8. If responses to the meeting notice were not received by the applicant and no one attended the Neighborhood Review Meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

Response: All required neighborhood meeting materials have been submitted as noted above.

Item C. TRIP GENERATION INFORMATION: The proposal requires trip generation information prepared by a registered traffic engineer in order to demonstrate compliance with Beaverton Development Code (BDC) 60.55.20. For proposals that will add 300 trips or more per average week day, a Traffic Impact Analysis will be required as a completeness item. Trip generation shall rely upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, unless the City Transportation Engineer has approved an alternative trip generation methodology. The proposal requires trip generation information in order to demonstrate compliance with Beaverton Development Code (BDC) 60.55.20. For proposals that will add 300 trips or more per average week day, a traffic impact analysis will be required as a completeness item. Trip generation shall rely upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, unless the City Transportation Engineer has approved an alternative trip generation methodology.

Response: Trip generation information for Baker Loop Park, a THPRD park in Beaverton similar in size and amenities to the proposed Pointer Road Park, was submitted as part of our response to Incompleteness Letter #2. No reason was provided in Incompleteness Letter #3 for why

this documentation is not acceptable. Since the Baker Loop Park traffic analysis is for a park of similar size and with similar amenities to the proposed Pointer Road Park, and references three other parks with similar characteristics, we believe the analysis provided should satisfy the requirements for trip generation information for this park.

- Item D. PARKING DETERMINATION ANALYSIS:** Please submit the required analysis for the Parking Requirement Determination for Bicycle Parking application, which includes:
1. The applicant must identify three parks with similar attributes/amenities, including bike parking spaces, as the proposed Pointer Road Park.
 2. The applicant must identify the number of bike parking spaces that are available at the three surveyed parks.
 3. The applicant must conduct observations at different times of the day and days of the week (including one weekend day) and identify whether the bike parking spaces at the surveyed parks were utilized. Observations made during a minimum of three total days for each park will be necessary. The observation data shall also include a description of the weather conditions.

The above referenced records and data will be utilized by city staff to determine how many bicycle parking spaces may be needed to adequately address the relevant approval criteria and to support the proposed park.

Response: The required parking determination information has been submitted as noted above.

Preliminary Staff Comments (Not Completeness Items):

While not strictly completeness items, the following are matters that will need to be addressed prior to the Facilities Review Committee meeting. Please note that this list may not be exhaustive of all potential issues that may arise during development but are items that came to the attention of staff during completeness review:

- Item A. FENCE HEIGHT:** The applicant's site plan shows a 6-foot-tall chainlink fence located in the 10-foot front yard setback area, adjacent to SW Pointer Road. Please revise the site plan to either remove this fence from the front yard setback area or reduce its height in this area to a maximum of 3 feet tall, in accordance with BDC 60.50.20.

Response: The plans will be revised prior to the Facilities Review Meeting to delete the fences from the 10-foot front yard setback area.

- Item B. LIGHTING FOR SHARED ACCESSWAY CONNECTING TO SW CANYON LANE:** As discussed in the previous incomplete letter, the Development Code requires a minimum 0.5 foot-candle lighting level of pedestrian pathways. The applicant has submitted Variance and Design Review Three applications to seek relief from these standards for pathway lighting within the proposed park.

Staff has expressed safety concerns that the proposal does not include lighting of the 12-foot-wide shared vehicle and pedestrian accessway connecting the site to SW Canyon Lane. Staff also recognizes that lighting standards of the code have numerous implications for THPRD facilities and future projects. Because of this, city staff, including leadership of multiple city departments, met internally to discuss lighting of parks and trails, THPRD feedback, and safety needs. This conversation will continue in partnership with THPRD to work towards a context-based lighting approach for parks and trails. Planning leadership will coordinate these discussions with THPRD.

Regarding Pointer Road Park, the internal discussion confirmed that staff continues to have safety concerns about the lack of lighting along the shared accessway. Staff encourages the applicant to propose a lighting solution that will ensure safe conditions. Safety lighting will ensure that staff can write affirmative findings for applicable approval criteria, including but not limited to, BDC 40.03.1.F and G (Facilities Review Committee), 40.20.15.3.C.3 (Design Review Three), and 60.05.50.1 and 4 (Lighting Design Guidelines).

Response: THPRD has been meeting with the City to discuss lighting requirements, but to date no formal determination has been made regarding the requirement for lighting in public parks. The applicant understands that a variance might not be approved for the proposed deviance from the lighting standard. For now, the applicant will continue to submit a Variance Application to proceed with the proposed change.

Item C. PEDESTRIAN AREA OF ACCESSWAY: Please note that staff is continuing to evaluate the compliance of the proposed pedestrian portion of the accessway to SW Canyon Lane with applicable Development Code requirements. Staff will provide more information, as necessary, at our earliest convenience.

Response: Noted.

Item D. PROJECT NARRATIVE: Staff identified needed edits in the narrative sections listed below to ensure that the applicant team has provided enough information for staff to make affirmative findings for applicable standards and approval criteria.

1. BDC 20.05.15.E (Lot Width): The definition of lot width is, "The perpendicular distance measured between the mid-points of the two principal opposite side lot lines and at approximately right angles to the lot depth." Upon calculation of lot depth, staff determined that the site's lot width dimension is approximately 122 feet which meets the minimum 20-foot lot width requirement. Please update the narrative to reflect that this standard is met.

Response: This will be corrected prior to the Facilities Review Meeting.

2. BDC 20.05.15.F (Setbacks): The narrative states that a 20-foot side setback applies which is incorrect. The side setback is 5 feet for this site, and staff does not see any structures proposed near the accessway or elsewhere on site that do not meet setback requirements. The response may be referring to the 20-foot-wide landscape buffer standard for which the project is being reviewed under the corresponding Design Guideline which does not need to be addressed in this section. Please update this narrative response accordingly.

Response: This will be corrected prior to the Facilities Review Meeting.

3. BDC 40.03.1.C: The project is consistent with Chapter 20 requirements.

Response: This will be addressed prior to the Facilities Review Meeting.

4. BDC 40.03.1.D: The project is consistent with Chapter 60 requirements, or will be upon meeting conditions of approval, since the project is responding to Design Guidelines.

Response: This will be addressed prior to the Facilities Review Meeting.

5. BDC 40.03.1.F: Please describe how the pedestrian and vehicular circulation areas are safe and efficient within the development.

Response: This will be addressed prior to the Facilities Review Meeting.

6. BDC 40.03.1.G: Please describe how the pedestrian and vehicular circulation areas connect to the surrounding circulation system in a safe, efficient, and direct manner.

Response: This will be addressed prior to the Facilities Review Meeting.

7. BDC 40.15.15.5.C.4: Please describe how the size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal. It is not sufficient to reference plans. Relevant information from the project description section should be reiterated in this response.

Response: This will be addressed prior to the Facilities Review Meeting.

8. BDC 40.15.15.5.C.5: Please describe how the location, size, and functional characteristics of the park are reasonably compatible with and will have a minimal impact on livability and appropriate use and development of surrounding properties. Relevant information from the project description section should be reiterated in this response.

Response: This will be addressed prior to the Facilities Review Meeting.

9. BDC 40.47.15.1.C.3: Please update to clarify that both parcels meet the lot area and dimensional standards of Chapter 20.

Response: This will be addressed prior to the Facilities Review Meeting.

10. BDC 40.55.1.C.5: Please update this response once the bike parking study is complete and submitted with this application to reflect as such.

Response: The narrative has been updated to reflect the completed bike parking study.

11. BDC 40.90.15.2.C.4: Please elaborate on why trees must be removed to accommodate physical development of the site. Why are there no reasonable alternatives?

Response: This will be addressed prior to the Facilities Review Meeting.

12. BDC 60.05.40.2.A: This guideline applies to the electrical cabinet which must be screened from view from SW Pointer Road.

Response: This will be addressed prior to the Facilities Review Meeting.

13. BDC 60.05.45.3.C: Please either describe in the narrative response which plant species are native or identify native varieties on the landscape plant schedule.

Response: This will be addressed prior to the Facilities Review Meeting.

14. BDC 60.05.45.3.E: Please elaborate on how the plantings include diverse tree and shrub species. It is not sufficient to reference the plans.

Response: This will be addressed prior to the Facilities Review Meeting.

15. BDC 60.05.45.7.B: Fencing is proposed in the 10-foot front yard area near SW Pointer Road. Please update this narrative response once the fencing is modified to meet the fencing standards of BDC 60.50.20 and describe how the design allows views into the setback from the street or relevant security considerations.

Response: As noted above in the response to preliminary staff comment A, the fencing noted here will be deleted from the plans and resubmitted prior to the Facilities Review Meeting.

16. BDC 60.05.45.11.C: Please describe how the proposed landscape buffering (made of retained or proposed plants) screens potential conflict areas and complements the overall visual character of the development and neighborhood.

Response: This will be addressed prior to the Facilities Review Meeting.

17. BDC 60.05.50.1-4: Please plan to update the narrative responses to this subsection once THPRD and city staff have determined a safe lighting solution for the accessway considering the site's constraints.

Response: This will be addressed prior to the Facilities Review Meeting, pending the outcome of discussions between the City and THPRD.

18. Comprehensive Plan Goal 3.1.1.c: Please address the safety and comfort of all pedestrian connections to and within this development, including along the accessway and within the park.

Response: This will be addressed prior to the Facilities Review Meeting.

19. Comprehensive Plan Goal 6.2.2.c: Please describe how the proposed pedestrian pathways associated with this development are safe, complete, attractive, efficient, and accessible.

Response: This will be addressed prior to the Facilities Review Meeting.

ITEM E. STORMWATER REPORT BASIN MAPS: Revise the stormwater report basin maps to reflect the newly proposed proprietary filter (the old quantity for fee in lieu was not changed).

Response: This will be updated and resubmitted prior to the Facilities Review Meeting.

ITEM F. DRAINAGE REPORT: Thank you for providing the detail drawing to confirm that the Grasscrete material used for play and water play areas is impervious. Please revise the Drainage Report to reflect the use of this impervious material.

Response: This will be updated and resubmitted prior to the Facilities Review Meeting.

ITEM G. STREET LIGHTING: The project narrative discusses the use of a PGE street light pole on SW Canyon Lane to add a light fixture which would not fully meet the standard of the Engineering Design Manual. Since this is a proposed condition in the right of way, this issue cannot be considered by the Variance application which addresses on-site aspects of the project. This may be able to be reviewed as a Design Exception request through the Transportation Engineering division. Please reach out to Jabra Khasho at jkhasho@beavertonoregon.gov to discuss further.

Response: This will be addressed prior to the Facilities Review Meeting.

Responses to LU32023-00667 Pointer Road Park Incompleteness Letter 4 – Completeness Items

Item A. APPLICATION FEES: Please submit payment of outstanding application fees for this project through the Beaverton Electronic Permitting System (BEPS). All application fees are invoiced under the primary application number LU32023-00667.

Response: All fees have been submitted.

Item B. NEIGHBORHOOD MEETING MATERIALS: In the previous incomplete letter, staff identified that the Neighborhood Meeting for this project did not notice all required parties (BDC 50.30.3.B), so a new Neighborhood Meeting was required. Please submit the following materials associated with the new Neighborhood Meeting, as required under BDC 50.30.4:

1. A copy of the notice sent to surrounding property owners and the NAC Representatives as described in Section 50.30.3.B.
2. A copy of the mailing list used to send out meeting notices as described in Section 50.30.3.B.
3. A written statement containing the information posted on the property as described in Section 50.30.3.C. A picture of the posted sign clearly showing the written information will suffice, or you can complete the notice sign mock-up form on page 19 of the Neighborhood Meeting Packet.
4. An affidavit of mailing and posting notices as described in Sections 50.30.3.A through C (pages 16 and 18 of the Neighborhood Meeting Packet) .
5. Copies of written or electronic materials and plans presented at the Neighborhood Review Meeting.
6. Notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.
7. A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC.
8. If responses to the meeting notice were not received by the applicant and no one attended the Neighborhood Review Meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

Response: All the required neighborhood meeting materials have been submitted.

Item C. TRIP GENERATION INFORMATION: The proposal requires trip generation information prepared by a registered traffic engineer in order to demonstrate compliance with Beaverton Development Code (BDC) 60.55.20. For proposals that will add 300 trips or more per average week day, a Traffic Impact Analysis will be required as a completeness item. Trip generation shall rely upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, unless the City Transportation Engineer has approved an alternative trip generation methodology.

Response: Trip generation information prepared by a registered traffic engineer has been submitted.

Item D. PARKING DETERMINATION ANALYSIS: Please submit the required analysis for the Parking Requirement Determination for Bicycle Parking application, which includes:

1. The applicant must identify three parks with similar attributes/amenities, including bike parking spaces, as the proposed Pointer Road Park.
2. The applicant must identify the number of bike parking spaces that are available at the three surveyed parks.

3. The applicant must conduct observations at different times of the day and days of the week (including one weekend day) and identify whether the bike parking spaces at the surveyed parks were utilized. Observations made during a minimum of three total days for each park will be necessary. The observation data shall also include a description of the weather conditions.

The above referenced records and data will be utilized by city staff to determine how many bicycle parking spaces may be needed to adequately address the relevant approval criteria and to support the proposed park.

Response: The required bike parking analysis has been submitted.

PRELIMINARY STAFF COMMENTS (NOT COMPLETENESS ITEMS):

While not strictly completeness items, the following are matters that will need to be addressed prior to the Facilities Review Committee meeting. Please note that this list may not be exhaustive of all potential issues that may arise during development but are items that came to the attention of staff during completeness review:

Item A. FENCE HEIGHT: The applicant's site plan shows a 6-foot-tall chainlink fence located in the 10-foot front yard setback area, adjacent to SW Pointer Road. Please revise the site plan to either remove this fence from the front yard setback area or reduce its height in this area to a maximum of 3 feet tall, in accordance with BDC 60.50.20.

Response: The site plan has been revised to delete the fences from the front yard area.

Item B. LIGHTING FOR SHARED ACCESSWAY CONNECTING TO SW CANYON LANE: As discussed in the previous incomplete letter, the Development Code requires a minimum 0.5 foot-candle lighting level of pedestrian pathways. The applicant has submitted Variance and Design Review Three applications to seek relief from these standards for pathway lighting within the proposed park.

Staff has expressed safety concerns that the proposal does not include lighting of the 12-foot-wide shared vehicle and pedestrian accessway connecting the site to SW Canyon Lane. Staff also recognizes that lighting standards of the code have numerous implications for THPRD facilities and future projects. Because of this, city staff, including leadership of multiple city departments, met internally to discuss lighting of parks and trails, THPRD feedback, and safety needs. This conversation will continue in partnership with THPRD to work towards a context-based lighting approach for parks and trails. Planning leadership will coordinate these discussions with THPRD.

Regarding Pointer Road Park, the internal discussion confirmed that staff continues to have safety concerns about the lack of lighting along the shared accessway. Staff encourages the applicant to propose a lighting solution that will ensure safe conditions. Safety lighting will ensure that staff can write affirmative findings for applicable approval criteria, including but not limited to, BDC 40.03.1.F and G (Facilities Review Committee), 40.20.15.3.C.3 (Design Review Three), and 60.05.50.1 and 4 (Lighting Design Guidelines).

Response: Based on discussions with Planning leadership and THPRD, the park will not include lighting on pedestrian pathways in most of the park. Lighting will be provided in the shared accessway from Canyon Lane. The narrative has been updated to address all relevant approval criteria.

Item C. PEDESTRIAN AREA OF ACCESSWAY: Please note that staff is continuing to evaluate the compliance of the proposed pedestrian portion of the accessway to SW Canyon Lane with applicable Development Code requirements. Staff will provide more information, as necessary, at our earliest convenience.

Response: As of April 17th, we have not received any additional information from City Staff regarding the compliance of the proposed pedestrian portion of the accessway to SW Canyon Lane with applicable Development Code requirements.

Item D. **PROJECT NARRATIVE:** Staff identified needed edits in the narrative sections listed below to ensure that the applicant team has provided enough information for staff to make affirmative findings for applicable standards and approval criteria.

Item D1. **BDC 20.05.15.E (Lot Width):** The definition of lot width is, "The perpendicular distance measured between the mid-points of the two principal opposite side lot lines and at approximately right angles to the lot depth." Upon calculation of lot depth, staff determined that the site's lot width dimension is approximately 122 feet which meets the minimum 20-foot lot width requirement. Please update the narrative to reflect that this standard is met.

Response: The narrative has been updated accordingly.

Item D2. **BDC 20.05.15.F (Setbacks):** The narrative states that a 20-foot side setback applies which is incorrect. The side setback is 5 feet for this site, and staff does not see any structures proposed near the accessway or elsewhere on site that do not meet setback requirements. The response may be referring to the 20-foot-wide landscape buffer standard for which the project is being reviewed under the corresponding Design Guideline which does not need to be addressed in this section. Please update this narrative response accordingly.

Response: The narrative has been updated accordingly.

Item D3. **BDC 40.03.1.C:** The project is consistent with Chapter 20 requirements.

Response: The narrative has been updated accordingly.

Item D4. **BDC 40.03.1.D:** The project is consistent with Chapter 60 requirements, or will be upon meeting conditions of approval, since the project is responding to Design Guidelines.

Response: The narrative has been updated accordingly.

Item D5. **BDC 40.03.1.F:** Please describe how the pedestrian and vehicular circulation areas are safe and efficient within the development.

Response: The narrative has been updated accordingly.

Item D6. **BDC 40.03.1.G:** Please describe how the pedestrian and vehicular circulation areas connect to the surrounding circulation system in a safe, efficient, and direct manner.

Response: The narrative has been updated accordingly.

Item D7. **BDC 40.15.15.5.C.4:** Please describe how the size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal. It is not sufficient to reference plans. Relevant information from the project description section should be reiterated in this response.

Response: The narrative has been updated accordingly.

Item D8. **BDC 40.15.15.5.C.5:** Please describe how the location, size, and functional characteristics of the park are reasonably compatible with and will have a minimal impact on livability and appropriate use and development of surrounding properties. Relevant information from the project description section should be reiterated in this response.

Response: The narrative has been updated accordingly.

- Item D9.** **BDC 40.47.15.1.C.3:** Please update to clarify that both parcels meet the lot area and dimensional standards of Chapter 20.
- Response: The narrative has been updated accordingly.
- Item D10.** **BDC 40.55.1.C.5:** Please update this response once the bike parking study is complete and submitted with this application to reflect as such.
- Response: The narrative has been updated accordingly.
- Item D11.** **BDC 40.90.15.2.C.4:** Please elaborate on why trees must be removed to accommodate physical development of the site. Why are there no reasonable alternatives?
- Response: The narrative has been updated accordingly.
- Item D12.** **BDC 60.05.40.2.A:** This guideline applies to the electrical cabinet which must be screened from view from SW Pointer Road.
- Response: The narrative has been updated accordingly.
- Item D13.** **BDC 60.05.45.3.C:** Please either describe in the narrative response which plant species are native or identify native varieties on the landscape plant schedule.
- Response: The narrative has been updated accordingly, and the Design Review 3 application has been updated with a revised landscape plant schedule to provide the requested information.
- Item D14.** **BDC 60.05.45.3.E:** Please elaborate on how the plantings include diverse tree and shrub species. It is not sufficient to reference the plans.
- Response: The narrative has been updated accordingly.
- Item D15.** **BDC 60.05.45.7.B:** Fencing is proposed in the 10-foot front yard area near SW Pointer Road. Please update this narrative response once the fencing is modified to meet the fencing standards of BDC 60.50.20 and describe how the design allows views into the setback from the street or relevant security considerations.
- Response: The fencing in the front yard has been deleted. Both the site plans and narrative have been updated accordingly.
- Item D16.** **BDC 60.05.45.11.C:** Please describe how the proposed landscape buffering (made of retained or proposed plants) screens potential conflict areas and complements the overall visual character of the development and neighborhood.
- Response: The narrative has been updated accordingly.
- Item D17.** **BDC 60.05.50.1-4:** Please plan to update the narrative responses to this subsection once THPRD and city staff have determined a safe lighting solution for the accessway considering the site's constraints.
- Response: The narrative has been updated accordingly.
- Item D18.** **Comprehensive Plan Goal 3.1.1.c:** Please address the safety and comfort of all pedestrian connections to and within this development, including along the accessway and within the park.
- Response: The narrative has been updated accordingly.

Item D19. Comprehensive Plan Goal 6.2.2.c: Please describe how the proposed pedestrian pathways associated with this development are safe, complete, attractive, efficient, and accessible.

Response: The narrative has been updated accordingly.

Item E. STORMWATER REPORT BASIN MAPS: Revise the stormwater report basin maps to reflect the newly proposed proprietary filter (the old quantity for fee in lieu was not changed).

Response: The updated stormwater basin maps have been submitted with this application.

Item F. DRAINAGE REPORT: Thank you for providing the detail drawing to confirm that the Grasscrete material used for play and water play areas is impervious. Please revise the Drainage Report to reflect the use of this impervious material.

Response: The updated stormwater basin maps have been submitted with this application.

Item G. STREET LIGHTING: The project narrative discusses the use of a PGE street light pole on SW Canyon Lane to add a light fixture which would not fully meet the standard of the Engineering Design Manual. Since this is a proposed condition in the right of way, this issue cannot be considered by the Variance application which addresses on-site aspects of the project. This may be able to be reviewed as a Design Exception request through the Transportation Engineering division. Please reach out to Jabra Khasho at jkhasho@beavertonoregon.gov to discuss further.

Response: The narrative has been updated accordingly. This change will be addressed through a Design Exception request through the Transportation Engineering division.

Transportation Comments:

Required Information:

Item 1 Trip generation information for the proposed use – the proposal requires trip generation information prepared by a registered traffic engineer in order to demonstrate compliance with Beaverton Development Code (BDC) 60.55.20. For proposals that will add 300 trips or more per average week day, a Traffic Impact Analysis will be required as a completeness item. Trip generation shall rely upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, unless the City Transportation Engineer has approved an alternative trip generation methodology.

The applicant is informed that while the trip generation memorandum that was submitted will not be acceptable because it was prepared for a different park, the same references, methodology and rate used from the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual can be used.

Response: The required Traffic Impact Analysis has been submitted.

Requirements to be addressed:

The following information is provided not as additional completeness matters, but rather, as approvability issues that must be addressed – as currently addressed in the submitted application package, these items cannot be approved. Referring to BDC Section 10.60.1, "except as otherwise provided, the applicant shall bear the burden of proof and persuasion that the proposal is in compliance with the applicable provisions of this Code (Beaverton Development Code)." Staff acknowledges the effort and thoroughness of the applicant's submitted narrative and plans which address relative approval criteria. However, there are additional missing details that must be provided.

Item 1 City staff have reviewed the applicant's findings for the required lighting along the shared driveway and pedestrian accessway from SW Canyon Ln to the park. The Beaverton

Development Code (BDC) Section 60.55 Transportation Facilities requires that, "on-site walkways shall be lighted to 0.5 foot-candle level at initial luminance". There is no alternative lighting design standard for pedestrian walkways. Lighting can be pedestrian-scaled, even bollards, and can utilize cut-off fixtures so as not to spill light onto adjacent properties. Without providing the required lighting for the shared accessway from SW Canyon Ln to the park, staff cannot write affirmative findings in relation to BDC 60.55 (Transportation Facilities), BDC 40.03 (Facilities Review) or 40.20 (Design Review) in support of the application.

City staff have considered a conceptual plan that the applicant has shared via email for lighting the pedestrian accessway from SW Canyon Ln. The intent to place the two lighted bollards in proximity to the secondary driveways serving the homes along the accessway makes sense since this is where vehicles are expected to maneuver and where conflicts with pedestrians therefore, might be greatest. However, the two light bollards are likely to be located too far from the southern end of the accessway to offer adequate lighting where it is darkest due to existing tree canopy. The applicant is informed that at least one additional light bollard will need to be provided toward the southern end (entry to the park from SW Canyon Ln). Photometric and lighting analysis will need to accompany the submittal package that demonstrates that the necessary 0.5 foot-candle level at initial luminance is satisfied.

Response: The land use submittal drawings and narrative have been updated to include additional lighting along the shared accessway, as well as additional information about light fixtures.

Item 2 Aside from continuing concerns about appropriate lighting levels for the shared driveway that will serve as pedestrian access to the proposed park from SW Canyon Ln, staff remains concerned about the District being able to demonstrate satisfaction with applicable criteria associated with the Facilities Review provisions of Chapter 40.03. The specific concerns are related to safe circulation requirements found in BDC Sections 40.03.1.F & G. These requirements also relate to standards found in BDC Section 60.55.25.10.B wherein pedestrian walkways must be paved and an unobstructed width of 5-ft must be maintained. Though not specified as a requirement, there are other BDC identified design requirements for walkways that traverse driveways wherein the walkway must be composed of a different paving material than the primary on-site paving material (BDC Section 60.05.20.3.E). Further, BDC Section 60.05.20.3.F states that "pedestrian walkways shall have a minimum of 5-ft wide unobstructed clearance and shall be paved with scored concrete or modular paving materials." These two code sections are referred to as additional information only (not directly applicable to the proposed project), for examples of safety and material requirements in environments where vehicles and pedestrians share a common space.

The information above is provided to highlight City Transportation direction that the proposed shared driveway/park accessway must include an integrated 5-ft wide walkway delineated by a different material than the asphalt driveway that is proposed to be reconstructed. Transportation staff is not supportive of delineating the pedestrian walkway with the use of paint, applied striping or other similar approaches. The pedestrian walkway must be constructed of a different material such as concrete. As an alternative to concrete, the applicant could consider using any of the varieties of painted asphalt such as that found at here: StreetPrint – HUB Surface Systems (hubss.com) (examples shown include images of the material designed to look like individual bricks or pavers but it is simply stamped and colored asphalt).

Response: We have updated the narrative to detail how the shared accessway will use concrete paving with different scoring patterns to delineate the 5' wide unobstructed pedestrian pathway portion of the accessway and the vehicular portion of the accessway. This is in addition to reflective thermoplastic striping, signage, and lighting. The drawings have not yet been updated to show this change, but will be revised prior to the Planning Commission Hearing. We also look forward to discussing this in more detail with Staff at the Facilities Review Meeting.

Responses to Staff comments received via email on May 14, 2024

If possible, please submit/update the following and upload to BEPS no later than end of day on May 28th so they can be incorporated into the draft Facilities Review Report which will be issued on May 31st:

Item 1 A picture of the sign posted for the neighborhood meeting, if you have one, or a copy of the notice sign mock-up form on page 19 of the Neighborhood Meeting Packet

Response: Photos of the neighborhood meeting signs have been uploaded to BEPS.

Item 2 Lighting cut sheet for the proposed luminary bollards – one cut sheet showing both distribution types works for us or two separate cut sheets.

Response: Product cutsheet has been uploaded to BEPS.

Item 3 Please update the project narrative to address Section 60.55.25.1-4 and 6 (if 6 is applicable). There are no concerns about approvability. This is just to get a record in the land use file that those standards are applicable and met by the project.

Response: The narrative has been updated to incorporate these sections.

Item 4 The narrative describes that signage will be incorporated into the design of the accessway. Please provide detail drawings of proposed signage to be used so they can be considered for staff's findings for Facilities Review criteria F and G.

Response: Examples of signage have been uploaded to BEPS.

Accessway Lighting:

Item 1 Thank you for providing revised plans that add lighting to the accessway. For more information to support staff findings, is there a site constraint or other reason that dictated the location of all lighted bollards on the west side of the accessway? Placement on the west side results in the lowest lighting levels on the pedestrian area compared to elsewhere along the accessway. Staff's preference would be to have some or all bollards on the east side to provide the most lighting for pedestrian users, but we'd like to learn more about the reasoning for placement on the west side. It would be best to have this information prior to Facilities Review Report issuance to incorporate into the report. Please add the information to the project narrative in the responses to Facilities Review Criterion 40.03.1.F and to Design Guideline 60.05.50.1.

Response: The narrative has been updated to provide more detailed reasoning for the bollard locations and spacing, as well as to shift the pedestrian walkway to the west side.

Item 2 The following updates can be incorporated into revisions after the Facilities Review since the information is needed for the staff report and land use review:

Item 2.a The narrative response to Design Guideline 60.05.50.4 requires more information about why meeting the 0.7 minimum foot candle lighting level along the accessway is infeasible or unnecessary. Please provide specific information about why lighting is proposed in certain areas and why the proposed lighting levels are sufficient in lieu of meeting the standards.

Response: The narrative has been updated accordingly.

Item 2.b Additional information and justification are needed in response to Variance approval criteria 40.95.1.C.3-5 and 7. Please also update the narrative to place the Variance responses with the Chapter 40 section under Section 40.95. It is currently with Chapter 60 responses.

Response: The narrative has been updated accordingly.

Item 2.b.i Variance criterion 3: The response states that the minimum 0.5 foot-candle lighting level required for the park is a standard that applies to residential properties in RMC and isn't appropriate for the development of a neighborhood park. Staff disagrees since this

standard does not apply to residential development, but rather was intentionally added to the code to provide a different standard for "other types of development" which includes parks and other conditional uses or non-residential permitted uses in RMC. Please describe what special conditions exist about the land, property, accessway, surrounding structures, the park development, or other factors that uniquely support the justification to not provide lighting in the majority of the park and to provide limited/safety lighting for the parking area and accessway.

Response: The narrative has been updated accordingly.

Item 2.b.ii Variance criterion 4: Please elaborate about how THPRD's lighting policy in parks relates to the decision to provide safety lighting (rather than lighting meeting the 0.5fc standard) along the accessway and near the parking space. The response as-written helps justify not providing lighting elsewhere in the park.

Response: The narrative has been updated accordingly.

Item 2.b.iii Variance criterion 5: This response needs to elaborate more on why the proposed lighting for the accessway dips below the 0.5fc standard and what special conditions or circumstances support the proposed condition. The response needs to explain why the proposed condition below the standard is not due to inconvenience or financial hardship, but rather a reason outside the control of the applicant.

Response: The narrative has been updated accordingly.

Item 2.b.iv Variance criterion 7: The response to this criterion doesn't explain why the requested variance is the minimum variance needed for the project. Why is no lighting (full waiver of the standard) in most of the park the minimum variance needed for the project? Why is safety lighting below the standard in the accessway/parking area the minimum variance necessary to make reasonable use of the land? Why is it not possible/not reasonable to meet the lighting standard in the areas where lighting is provided?

Accessway Surfacing General Comments:

Item 1 Staff has previously shared concerns that striping of the accessway will not provide a durable demarcation of the pedestrian area to ensure safe conditions. Since the accessway is being demolished and rebuilt, staff finds that the use of an alternate material or a different treatment of one material for the pedestrian portion of the accessway is warranted and needed to ensure safety for pedestrians using the accessway. Transportation staff provided an example of how colored asphalt could be used to create this differentiation. As staff considered this issue further for the Facilities Review, we identified the need for a surfacing treatment that would ensure safety for sight-impaired users if one material is used such as scoring, brushing, or another method in addition to a different visual appearance. If the applicant team would like to revise to address this concern, please upload revisions to BEPS no later than end of day on May 28th, so the revisions can be reviewed and incorporated into the report. If no revisions are made, staff's findings will be detailed in the draft report, and we can plan to discuss as a group during the Facilities Review Meeting. Alternatively, revisions can always be made, if desired, after the Facilities Review Meeting and before the Planning Commission hearing after we've had more opportunities to discuss as a group.

Response: We have updated the narrative to detail how the shared accessway will use concrete paving with different scoring patterns to delineate the 5' wide unobstructed pedestrian pathway portion of the accessway and the vehicular portion of the accessway. This is in addition to reflective thermoplastic striping, signage, and lighting. The drawings have not yet been updated to show this change, but will be revised prior to the Planning Commission Hearing. We also look forward to discussing this in more detail with Staff at the Facilities Review Meeting.

Item 2 Staff identified one edit that can be done before Planning Commission or handled as a condition of approval to widen the pedestrian portion of the accessway to 5 feet to meet the 5-foot unobstructed width standard for pedestrian pathways in Section 60.55.25.10.B.5. Even though the paved surface is 12' wide, the demarcated area for pedestrians must meet this standard. Please note that this width needs to take into account any proposed or existing obstructions such as proposed handrails or the existing wall that are located on the eastern side of the accessway.

Response: The narrative has been updated accordingly. The Drawings will be updated prior to the Planning Commission Hearing.

Responses to Staff comments received via email on June 6, 2024

As we discussed during the Facilities Review Meeting yesterday, staff will continue working internally to provide more guidance on the elements proposed in the SW Pointer Road right of way. We will share that information with the applicant team as soon as it's available. To inform our discussion, we had one outstanding question about the planting areas in Pointer right of way. **Can you please tell us if there will be irrigation for the areas in the right of way?** If so, we need to add irrigation components to the list of elements to consider.

Response: There will be irrigation installed in the right-of-way. However, all irrigation mainline and valves will be located within the property, with only lateral lines, sprayheads, and dripline located in the right-of-way.

For the accessway, please provide revised plans (preferred) or a detailed sketch showing the new shared accessway (driveway and ped facility) surfacing proposal and supporting information as soon as possible. Consider if you'd like to provide more specific information about proposed signage on private property for the accessway. It would be greatly appreciated to have any accessway-related revision submitted by June 19th so we have time to discuss internally and provide the applicant team with written feedback. **All revisions to be incorporated in the staff report must be uploaded no later than June 28th. Please plan on uploading a full application set at that time which will be provided to the Planning Commissioners.**

Response: Revised plans have been shared with staff, and a complete applicant set will be uploaded on June 28th. This includes updated proposed signage information for the shared accessway shown in Sheet L4.08 in the Land Use Drawings.

Items Still Under Review – If there are approvability issues with either of these items, I will let you know as soon as possible.

Item 1 Deed history and legal lot determination findings.

Item 2 We are continuing to review the updated narrative responses for the Variance approval criteria.

Response: To date, we have not received any feedback on deed or legal lot determination findings from Staff. We have received feedback on Variance approval criteria, and have revised the Narrative accordingly.

Outstanding Approvability Issues

Item 1 There are two areas internal to the park site that show a bollard obstructing a pedestrian pathway. One is where the accessway meets the internal pathway, and the other is at the end of the THPRD maintenance vehicle parking area. These bollards can be present, but they need to be installed in a place where there is a clear, paved pathway width of 5 feet on one side of the bollard.

Response: The bollard configuration where the internal pathway meets the accessway has been revised, and is shown on the updated drawings. The removable bollard near the sidewalk

at the end of the THPRD maintenance vehicle parking area, however, is strategically located in the center of the aisle in part because the maintenance aisle does not and cannot meet ADA requirements due to the existing slope of the road and sidewalk along Pointer Road, and the bollard location helps to deter pedestrian use of the maintenance aisle, particularly for people using mobility devices.

Item 2 Design Guidelines:

Item 2.a The plans show a few elements that are labeled "TBD" and "or equal." – The land use approval needs to approve specific proposed structures and landscaping elements for the park, so the Planning Commission won't be able to approve anything that's TBD or may change as the park is constructed. In these situations, you have two options. You can either provide detail drawings for all TBD components now so they can be approved with this land use review, or a Design Review Compliance Letter (DRCL) can be applied for later once those elements have been determined.

Response: Elements noted as "TBD" and "or equal" have been deleted from the plans.

Item 2.a.i To be reviewed with this Design Review application, please provide detail drawings for the driveway gate, water play (if structures are proposed), and play equipment. Remove mentions of "TBD" and "or equal". Even if you submit detail drawings now, a DRCL can always be used in the future if you want to change the design.

Response: Elements noted as "TBD" and "or equal" have been deleted from the plans.

Item 2.a.ii For the shelter, it's labeled "or equal", but we have detail drawings. The shown design is approvable, but please be aware that if a different structure is chosen, even if there are only slight differences, a DRCL will be required prior to building permit issuance for that structure to document the changes.

Response: "Or equal" has been deleted from the plans.

Item 2.a.iii Nature Play exploration trail – I recommend finalizing a general orientation of the trail and removing "TBD" from the plans. After construction when a landscaping inspection is done, we'll be checking for substantial conformance with the approved landscaping plan, so small changes in trail alignment will not be an issue. For bark, we're regulating the amount of bark used on the site, not necessarily the specific alignment of the exploration trail.

Response: The general orientation and grading of the nature play exploration trail has been finalized on the plans.

Item 2.b The narrative mentions that the PGE utility structure will be screened from view of Pointer Road to meet the design standard in Section 60.05.40.2, but there's no information about how it will be screened on the plans. Please update the narrative and plans to propose a screening method for the utility structure.

Response: The structure will be screened with evergreen Tall Oregon Grape shrubs that will reach 5' in height. The drawings have been revised accordingly.

Item 2.c Section 60.05.45 Landscaping Guidelines

Item 2.c.i Please update planting table to identify number proposed of each tree species.

Response: The planting table has been updated with the number of each tree species.

Item 2.c.ii Please identify which plants are native in the plant list.

Response: The planting table has been updated with to indicate native species.

Item 2.c.iii Please update the narrative response to Section 60.05.45.3.E that 8 types of trees are proposed, instead of 9.

Response: 9 types of trees are proposed: two different kinds of apple trees are proposed, but only one symbol is used because it doesn't matter where each variety of apple tree is located.

Item 2.c.iv Section 60.05.45.11.D Landscape Buffer Comments

Item 2.c.iv.1 There are some large gaps between trees in the buffer areas along the side property lines. Guideline 11.D requires the applicant to provide justification when the buffer standard can't be met. The standard requires 1 tree every 30 feet. The narrative mentions in response to 11.A that the slope in some areas requires pathways to cross into the buffer area, so I assume that conflicts with tree planting. Please review the plans to see if there are areas where a tree could be added to limit the large gaps between trees in buffers. For areas where gaps over 30 feet are necessary, please provide more detail explaining why.

Response: As detailed in our revised response to 60.05.45.11.D, above, we believe we are providing the number of trees required by code based on calculations of existing trees. We also believe that a strict interpretation of "1 tree per 30 feet" leads to a rigid, unnatural planting design that runs counter to the naturalized, native planting scheme we have proposed. The strict 30' spacing also does not take into account the nearby massing of existing trees on adjacent properties; locating new trees where there are gaps between masses of existing trees allows new trees more room to develop a healthy habit and canopy. In addition, grouping similar trees such as Douglas firs more closely together allows the trees to support each other during high wind events.

Item 2.c.iv.2 For shrubs and groundcover, the landscape plans identify "planting areas" and lists of shrubs and groundcover that may be planted there. Outside of buffer areas, this level of detail for projects responding to Design Guidelines is sufficient. Inside the buffer areas, which are most of the planting areas, more detail is needed to confirm the planting size, spacing, and locations within buffer areas. As I mentioned, guideline 11.D asks us to start at the buffer standard and then make sure there's adequate justification to deviate from that, so the more information we have to confirm how the proposed buffer is meeting the standard, the better. The standard says, "...[in between trees shall be] filled in with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs." For groundcover, a simple note on the plans stating that groundcover will be planted where there are no shrubs or trees is sufficient. For shrubs, plan notes about size, spacing, and planting locations between trees should give us enough information. I've attached an example from Baker Loop Park where the landscape plans used planting areas for most of the site, except where the buffer width didn't meet the standard and shrub icons were used, and more details were providing in the planting table. This is just an example, but it was found to provide enough information to meet the design guidelines.

Response: The plant legend on the drawings has been updated with proposed plant sizes and spacing, and we have added the note regarding groundcover planting between shrubs to the drawings and the narrative. We do not see any individual shrub locations shown on the example Baker Loop drawings, just trees, which is the same as what we have been showing on our drawings. The same planting palette and plant spacing is proposed for all shrub areas (excluding the Gleaning Garden), regardless of if the planting area is within the required buffer or not, so we do not believe a separate hatch pattern is necessary to differentiate between buffer and non-buffer planting areas. However, we have added dimensions to show the 10' minimum width of the buffer planting area.

Responses to Staff comments received via email on June 21, 2024

Pointer Road Right of Way Improvements:

Thank you for this latest proposal for the SW Pointer Rd access design. We very much appreciate the applicant team's willingness to work with us in resolving this issue. Transportation staff have reviewed it and are supportive of this latest approach (received via email June 19th) to minimize the potential for inappropriate/illegal tandem parking behind the accessible user vehicle. Please revise the plan set to

reflect the design change which highlights the 6.5-foot distance between the back of sidewalk and the accessible parking stall.

Response: The updated drawings show the revised parking stall layout.

Shared Accessway Revisions:

Staff does not believe that the proposed revisions to the shared accessway design resolve our safety concerns for the pedestrian facility. The staff report will include the same condition of approval language as the draft Facilities Review report for permanent color and texture treatment if one material is used for the shared accessway. Please let me know if you would like to discuss the approach that we talked about a few weeks ago to request that the Planning Commission changes or eliminates the recommended condition of approval.

Response: We understand that Staff prefers two different colors of concrete. As detailed in our updated responses, above, we believe that the use of thermoplastic "green lane" paint for the pedestrian area satisfies the code requirements for different color and texture for pedestrian areas. THPRD believes that the thermoplastic surfacing will be easier for their maintenance crews to maintain, and is committed to maintaining this surfacing throughout the lifespan of the park.

Variance Approval Criteria:

Additional information and justification are needed in the project narrative in response to Variance approval criteria in Section 40.95.1.C.3, 5, and 7. For the most part, the requested information are things that we have discussed together to confirm staff's support for the requested Variance. We simply need all of that information written into the project narrative, so it is reflected in the record and detailed for the Planning Commission for their deliberation. Since the code says that the burden of proof is on the applicant to justify requests for relief from standards, we need these details to come from the "mouth" of the applicant, rather than supplemented by staff in the staff report. I've given guidance below about what information staff feels would bolster the request for each of the three criteria, but my general advice is to be as specific and as detailed as possible. In the staff report, our findings will be solely to explain why staff concurs (or doesn't concur) with the applicant's justification.

Variance criterion 3: The response explains that the park district's policy to not provide lighting is a unique condition that justifies the Variance request. More information is needed to explain how the park district's rationale behind not providing lighting in its park is unique and justifies not having lighting except for the shared accessway. Why would lighting meeting the code requirements throughout the park be inappropriate in a way that wouldn't be the case for other development in RMC? The narrative also says that the "unique conditions" in the accessway make it impossible to provide lighting that meets the code's lighting requirements. Describe what those unique conditions are and which code provision they make impossible to meet (only light levels at property lines is impossible to meet which is well described in response to criterion 4). How do those unique conditions in the shared accessway make it inappropriate/unreasonable to provide lighting to the minimum 0.5 foot-candle lighting level over the pedestrian area in the shared accessway?

Variance criterion 5: This response needs to provide details beyond "these are THPRD district-wide standards" to explain how the request for no lighting in most of the park is not a financial hardship or inconvenience. Why is the district-wide standard not to provide lighting? How is the rationale behind those standards more than just financial? For the shared accessway, provide more details about why the lighting provided below the standard is not because it is inconvenient to meet the standard. The accessway width is mentioned which is helpful, but there are a handful more reasons that contribute to the proposed lighting design and light levels that we have discussed that need to be detailed in the narrative.

Variance criterion 7: Staff does not agree that the requested Variance to not provide lighting internal to the park is minor as it is a 100% Variance from the standard in all areas except the shared accessway. It may be helpful here to elaborate (again) on the rationale behind the district's policy not to light its parks, beyond the simple fact that operating hours are dawn to dusk. By explaining the rationale behind no lighting and the need to uphold that rationale, that may justify a complete waiver of the lighting standard internal to the park being the minimum variance request needed for the development. For the shared

accessway, I believe the relocation of the pedestrian path to the west side of the accessway changes the illumination levels mentioned in this response. Please also explain why the proposed spacing of the bollards which cause gaps of no lighting is necessary and the minimum amount of relief necessary (100% Variance for lighting in those gaps).

Response: Our responses to the variance criteria have been updated in detail, above, as well as in the land use narrative and other relevant sections.

III. Conclusion

The applicant, Tualatin Hills Park and Recreation District (THPRD), proposes constructing a new neighborhood park on a 85,559 square feet (1.96 acres) site located at 7360 SW Pointer Road, Beaverton, OR 97225, Tax Lots 1S11DC3301 and 1S11DC4001. Per Beaverton Development Code (BDC) Section 20.05.20, the approval of a new public park on an RMC-zoned property is a New Conditional Use; therefore THPRD requests approval of a Conditional Use Permit. Per BDC Section 40.20.10, the approval of a new public park on an RMC-zoned property is subject to Design Review 3; therefore THPRD requests approval of a Design Review 3 application.

This written statement and the attached exhibits demonstrate compliance with the applicable criteria of the Beaverton Development Code. The applicant requests that the City approve the proposed development and associated applications, including the Conditional Use, Design Review 3, Tree Plan 2, Legal Lot Determination, and Bicycle Parking Determination.