



September 18, 2023

Polkinghorn Group Architects
Attn: Eric Ourston
925 S Capital of Texas Hwy,
Building A, STE 200
Austin, TX 78746

Subject: Pre-Application Summary Notes for Emler Swim School (PA2023-00534)

Dear Eric Ourston,

Thank you for attending the Pre-Application Conference held on August 30, 2023. We are pleased to provide you with the following notes prepared in response to your proposal.

Comments prepared by staff are reflective of the proposal considered at the Pre-App. A copy of your proposal was also sent to other members of staff who did not attend the Pre-App. Please feel free to contact anyone who provided comments. Contact names, telephone number and e-mail addresses are listed herein.

Following every Pre-App, staff understands that there may be changes to the plan or use considered. If these changes effectively re-design the site plan or involve a change to a use not discussed, please be advised that such change could require different land use application(s) than were identified by staff at the Pre-App. It's also possible that different issues or concerns may arise from such change. In these cases, we highly encourage applicants to request a second Pre-App for staff to consider the change and provide revised comments accordingly.

In part, the Pre-App is intended to assist you in preparing plans and materials for staff to determine your application(s) to be "complete" as described in Section 50.25 of the City Development Code. For your application(s) to be deemed complete on the first review, you must provide everything required as identified on the Application Checklist(s) (provided at the Pre-App) in addition to any materials or special studies identified in the summary notes hereto. If you have questions as to the applicability of any item on the checklist(s) or within this summary, please contact me directly.

On behalf of the staff who attended the Pre-App, we thank you for sharing your proposal with us. Please do not hesitate to contact us if you have any questions.

Sincerely,

Aaron Harris
Senior Planner
Phone (cell): 503-616-8453
E-mail: aharris@beavertonoregon.gov

PRE-APPLICATION CONFERENCE MEETING SUMMARY NOTES

Prepared for Emler Swim School PA2023-00534

The following pre-application notes have been prepared pursuant to Section 50.20 of the Beaverton Development Code. All applicable standards, guidelines and policies from the City Development Code, Comprehensive Plan and Engineering Design Manual and Standard Drawings identified herein are available for review on the City's web site at: www.beavertonoregon.gov. Copies of the Development Code and Comprehensive Plan are also available for review at the City's Customer Service Kiosk located within the Community Development Department. Copies of these documents are also available for purchase.

The following is intended to identify applicable code sections, requirements and key issues for your proposed development application. Items checked are to be considered relevant to your proposed development.

PRE-APPLICATION CONFERENCE DATE: August 30, 2023

PROJECT INFORMATION:

Project Name: **Emler Swim School**

Project Description: The applicant seeks Conditional Use approval for a Commercial School in the Office Industrial (OI) Zoning District. The proposed development is limited to tenant improvements interior to the building only. No changes to the building exterior or the subject site are proposed.

Property Owner: TVSC, LLC
Attn.: Chris Walther
4675 SW 229th Avenue
Aloha, OR 97007

Site Address: 1225 NW Waterhouse Avenue

Tax Map and Lot: Map: 1N132BD Lot: 600
Zoning: Office Industrial (OI)
Comp Plan Designation: Industrial
Site Size: Approximately 1.34 acres

APPLICANT INFORMATION:

Applicant's Name: Polkinghorn Group Architects
Attn: Eric Ourston
925 S Capital of Texas Hwy,
Building A, STE 200
Austin, TX 78746

Phone / Email: (512) 207-0602 / erico@pgarchitects.com

PREVIOUS LAND USE HISTORY: None.

SECTION 50.25 (APPLICATION COMPLETENESS):

The completeness process is governed by Section 50.25 of the Development Code. The applicant is encouraged to contact staff to ask any questions or request clarification of any items found on the application checklists that were provided to the applicant at the time of the pre-application conference. In addition, the applicant should be aware that staff is not obligated to review any material submitted 14 days or later from the time the application has been deemed “complete” that is not accompanied with a continuance to provide staff the necessary time to review the new material.

APPLICATION FEES:

Based on the plans and materials provided, the identified application fees (land use only) are as follows. The City charges a 5% technology fee in addition to the base application fees. Projects that require multiple applications that are reviewed concurrently per BDC 50.15.3 shall be charged 100% of the highest application fee, and 75% of the remaining application fees. The fees below do not include the technology fee or the application bundling fee reduction but are the independent application fees. The Planning Division Fee Schedule can be found on our website: <https://www.beavertonoregon.gov/777/Applications-Fees-Brochures>

Application Type	Base Fee
New Conditional Use	\$11,346

See Key Issues/Considerations for description of applications and associated process. Application fees may be subject to increase. The fees in effect at the time a complete application is received will control.

*Land use application project value is the total cost of all on-site improvements, inclusive of buildings and site area subject to land use review based on professional estimates by a licensed engineer, architect, landscape designer, or contractor. These estimates may include, but are not limited to, grade and fill of the site, paving, placement of utilities, lighting, landscaping, and other site improvements. Not included are land costs, administrative and professional fees, and other government fees.

For more information, please see the full fee schedule here: <https://content.civicplus.com/api/assets/e7c3660b-65cf-405f-9e32-d475a26d2b7a?cache=1800>

SECTION 50.15 (CLASSIFICATION OF APPLICATIONS):

Applications are subject to the procedure (Type) specified by the City Development Code. Per Section 50.15.3 of the Code, when an applicant submits more than one complete application for a given proposal, where each application addresses a separate set of code requirements and the applications are subject to different procedure types, all of the applications are subject to the procedure type of the application which requires the broadest notice and opportunity to participate. For example, a Type 2 application will be consolidated with a Type 3 application for the same proposal on the same site, in which case, the Type 2 application will be reviewed by the decision making authority of the Type 3 application. The decision making authority's action on the Type 2 application will be based on the approval criteria governing the Type 2 application.

SECTION 50.30 (NEIGHBORHOOD REVIEW MEETING):

Based on the information presented at the Pre-Application Conference, a Neighborhood Review Meeting is required since this is a Type 3 application process.

Neighborhood Advisory Committee (NAC): Five Oaks/Triple Creek
Contact: David Kamin (Chair) davidk@johnlscott.com

For meetings held at the NAC, staff recommend that a separate sign-in sheet be provided. Note that after the neighborhood meeting, summary of the meeting along with a copy of your sign-in sheet is to be mailed to the NAC contact above. The city also request that the summary of the meeting and sign-in sheet is also sent to: City of Beaverton, Neighborhood Program, P.O. Box 4755, Beaverton, OR 97076 or emailed to: neighbormail@beavertonoregon.gov.

Instructions for conducting or attending Neighborhood Review Meetings can be found here: <https://content.civicplus.com/api/assets/3f3dbebe-bd25-4ed6-8102-2d198238db25?cache=1800>

The request for neighborhood meeting labels form can be found here: <https://content.civicplus.com/api/assets/1a02c228-0536-4277-8039-89550c936e56?cache=1800>

The applicant can fulfill the neighborhood meeting requirement by using an online meeting platform provided by the applicant. The applicant may work with City staff to provide a physical place for members of the public without technology to participate in the meeting as needed on an appointment basis (social distancing requirement must be recognized). Contact the project planner or 503-526-2420 for details.

The Neighborhood Meeting may be held either in person or virtually. Mailing notices should provide a link to the virtual meeting and directions to provide the project team with comments and questions after viewing the virtual meeting. A copy of a sample letter describing a virtual meeting can be provided to you. The City requires that the summary of the meeting and sign-in sheet be submitted with the application packet and also emailed to neighbormail@beavertonoregon.gov and sent via certified mail to the NAC Chair.

CHAPTER 20 (LAND USES):

Zoning: Office Industrial (OI)

20.15.20 Land Uses:

- Commercial Schools – Conditional Use in the OI Zone

CHAPTER 30 (NONCONFORMING USES):

Proposal subject to compliance to this chapter? Yes No

CHAPTER 40 (PERMITS & APPLICATIONS):

Facilities Review Committee review required? Yes No

Applicable Application Type(s):

	<u>Application Description</u>	<u>Code Reference</u>	<u>Application Type</u>			
1.	Conditional Use (New Conditional Use)	40.15.15.5	<input type="checkbox"/> Type 1	<input type="checkbox"/> Type 2	<input checked="" type="checkbox"/> Type 3	<input type="checkbox"/> Type 4

See **Key Issues/Considerations** for description of applications and associated process.

Comments: In order for your application(s) to be deemed complete, a written statement is necessary, supported by substantial evidence in response to all applicable approval criteria. Specifically, your application narrative(s) will need to explain how and why the proposed application meets the applicable approval criteria for the land use applications identified above. Approval criteria and development regulations in effect at the time an application is received will control. Approval criteria and development regulations are subject to change.

CHAPTER 60 (SPECIAL REGULATIONS):

The following special requirements when checked are applicable to your development. You should consult these special requirements in the preparation of written and plan information for a formal application:

- | | |
|--|--|
| <input type="checkbox"/> Section 60.05 (Design Review Principles Standards and Guidelines) | <input type="checkbox"/> Section 60.07 (Drive-Up Window Facilities) |
| <input type="checkbox"/> Section 60.10 (Floodplain Regulations) | <input type="checkbox"/> Section 60.15 (Land Division Standards) |
| <input type="checkbox"/> Section 60.20 (Mobile & Manufactured Home Regulations) | <input type="checkbox"/> Section 60.25 (Off-Street Loading) |
| <input checked="" type="checkbox"/> Section 60.30 (Off-Street Parking) | <input type="checkbox"/> Section 60.33 (Park and Recreation Facilities) |
| <input type="checkbox"/> Section 60.35 (Planned Unit Development) | <input type="checkbox"/> Section 60.40 (Sign Regulations) |
| <input checked="" type="checkbox"/> Section 60.55 (Transportation Facilities) | <input type="checkbox"/> Section 60.60 (Trees and Vegetation) |
| <input type="checkbox"/> Section 60.65 (Utility Undergrounding) | <input checked="" type="checkbox"/> Section 60.67 (Significant Natural Resources) |
| <input type="checkbox"/> Section 60.70 (Wireless Communication) | |

Comments: For the application(s) to be deemed complete, written analysis will need to identify and explain how the proposal meets all applicable provisions/requirements as checked above.

OTHER DEPARTMENT/AGENCY CONTACTS:

Your project may require review by other City departments and outside agencies. Please plan to contact the following staff persons at the City of Beaverton or other agencies when their name is checked. In some instances, some or all of these staff persons may submit written comments for the pre-application conference. These comments may be discussed at the pre-application conference and will be attached to this summary:

<p>Recommended contact for further information if checked</p> <p><input checked="" type="checkbox"/></p>	<p>Clean Water Services (CWS) regulates sanitary sewer, storm and surface water management within Washington County in coordination with the City of Beaverton. CWS also conducts environmental review for proposed development projects that are located in proximity to sensitive areas (generally wetlands, riparian areas and stream corridors). Staff recommends that applicants contact <u>CWS staff as early as possible in order to obtain a <i>Service Provider Letter (SPL)</i></u>. For many development permits, the SPL is required before the application is determined to be complete (BDC 50.25.1.F) which starts the Beaverton land use review processes. CWS environmental regulations are explained in Chapter 3 of the <i>Design and Construction Standards</i> at: www.cleanwaterservices.org/permits-development/design-construction-standards</p> <p>If no sensitive areas exist on or within 200 feet of the project site, CWS can also issue a statement indicating no sensitive areas exist which the City will also accept as documentation under Section 50.25.1.F. To start the environmental review process and obtain a SPL, complete the <u>pre-screening site assessment form</u>. Please visit this website for more information about CWS environmental review: http://cleanwaterservices.org/permits-development/step-by-step-process/environmental-review/</p>
<p><input checked="" type="checkbox"/></p>	<p>Carl Werner, Building, City of Beaverton (503) 526-2472 / cwerner@beavertonoregon.gov</p> <p><input checked="" type="checkbox"/> No written comments provided to date / not expected.</p>
<p><input type="checkbox"/></p>	<p>Hunter Jin, Site Development, City of Beaverton (503) 526-2626 / hjin@beavertonoregon.gov</p> <p><input checked="" type="checkbox"/> No written comments provided to date / not expected.</p>
<p><input checked="" type="checkbox"/></p>	<p>Fabio de Freitas, Planning, City of Beaverton (503) 526-2557/ fdefreitas@beavertonoregon.gov</p> <p><input checked="" type="checkbox"/> Written comments provided herein.</p>
<p><input type="checkbox"/></p>	<p>Elizabeth Cole, Recycling, City of Beaverton (503) 526-2460 / ecole@beavertonoregon.gov</p> <p><input checked="" type="checkbox"/> No comments provided to date / not expected.</p>

KEY ISSUES/CONSIDERATIONS:

Staff has identified the following key development issues, or design consideration or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of other key issues or considerations:

1. **Land Use Applications** In review of the plans and materials submitted for consideration, staff has identified the following land use applications. Please note that the City of Beaverton allows, and staff recommends, concurrent review of land use applications where applicable.

- a. **New Conditional Use Permit (Type 3).** As proposed, the project will require a New Conditional Use permit. A Conditional Use permit is required for the proposed use, Commercial School, per Row 20 in BDC Table 20.15.20.A.
2. **DESIGN REVIEW THRESHOLDS:** As described, the proposal will not require a Design Review application. Staff notes that any proposed changes to the building's façade or other elements of the site, such as landscaping or circulation areas, may meet the thresholds for Design Review. Please review the application thresholds in BDC 40.20.15 if the applicant's proposal changes in scope to include building or site improvements that are not interior to the existing building.
3. **Potential Riparian Corridor.** The City's GIS maps indicate the possibility of a riparian corridor on-site, located along the northern portion of the site and outside of the existing building footprint. If any site work or building additions are proposed then a wetland delineation and concurrence from the Department of State Lands (DSL) is likely required and should be sought prior to filing for land use applications to ensure the proposed impacts and any required mitigation can be accommodated if wetlands are identified in the delineation. The project's impact to any sensitive areas will be determined by CWS via the applicant's required Service Provide Letter, as discussed below. Please note that if any trees are proposed for removal within an identified Wetland or significant natural resources area, they are considered protected trees and a Tree Plan application is required. Please contact staff for more information on a Tree Plan Two application.
4. **TRANSPORTATION:** Please refer to the attached memo from Transportation Planner Fabio de Freitas, dated September 4, 2023, for additional comments.
5. **SERVICE PROVIDER LETTERS (SPLs):** The City of Beaverton requires SPLs from special districts who provide services to the subject site. SPLs are required prior to your application being deemed complete in the land use process. City staff has identified the following SPLs as applicable to your proposal:
 - a. **Water Service:** All developments require a Water SPL to address water service provision. The SPL form can be found attached to these pre-application conference notes and should be submitted to mailboxengineering@beavertonoregon.gov once completed.
 - b. **Clean Water Services (CWS):** If the proposal includes any site work and/or building additions, then the City will require a CWS SPL for environmental review. Please visit this website for more information: <http://cleanwaterservices.org/permits-development/step-by-step-process/environmental-review/>.
 - c. **Tualatin Valley Fire & Rescue (TVF&R):** If the proposal includes any site work and/or building additions, then TVF&R requires a SPL to address fire code issues related to development. The SPL form can be found at the following link: <https://www.tvfr.com/FormCenter/Public-Records-7/Service-provider-letter-for-city-of-Beav-62>
6. **SYSTEM DEVELOPMENT CHARGES (SDCs):** The Washington County Transportation Development Tax (TDT) will be due for developments prior to issuance of building permits, in addition to other SDCs. The SDCs are not assessed or evaluated through the land use application process.

The TDT is based on the estimated traffic generated by each type of development. The TDT is collected prior to the issuance of a building permit; or in cases where no building permit is required (such as for golf courses or parks), prior to final approval of a development application.

To estimate the TDT, please use Washington County's Self-Calculation Form:

<https://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/PlanningPrograms/TransportationPlanning/transportation-development-tax.cfm>

For more information regarding the TDT, please contact City of Beaverton Transportation Engineer Jabra Khasho at (503) 526-2221 or jkhasho@beavertonoregon.gov.

Please review this website for information regarding other applicable system development fees, such as fees for sanitary sewer, storm sewer, water, and parks; the Metro Construction Excise Tax; and the School District Construction Excise Tax: <https://www.beavertonoregon.gov/798/Development-Charges>. For more information, please contact the Building Division at cddmail@beavertonoregon.gov.

7. **ELECTRONIC PLAN REVIEW:** The City of Beaverton offers electronic plan submission for Planning, Site Development, and Building permit review. Please visit the “Apply for Permits” webpage for more information: <https://beavertonoregon.gov/188/Apply-for-Permits>



TRANSPORTATION RESPONSE FROM PRE-APPLICATION MEETING

Community Development Department

Project Name: Emler Swim School



Pre-Application Conference#: PA2023-00534

Date: September 4, 2023

Applicant: Eric Ourston, Polkinghorn Group Architects

Project Planner: Aaron Harris, Senior Planner

Notes prepared by: Fabio de Freitas, Senior Planner

 (503) 526-2557  fdefreitas@beavertonoregon.gov

These comments are based on the information provided at the **August 30, 2023 Pre-Application Conference** for a proposal at **1225 NW Waterhouse Ave.** The summary notes below are to highlight key transportation issues that need to be addressed in any future land use applications for the discussed proposal. Any proposed development and its associated transportation impacts shall be in compliance with the City of Beaverton's Transportation System Plan (TSP) and the Engineering Design Manual 2019 (EDM) in addition to all applicable sections of the Beaverton Development Code (BDC).

GENERAL NOTES

The scope of work involved with this project is the interior conversion of the previous restaurant on the subject site to a swim facility for children's lessons. There are no exterior changes proposed for the building and no changes proposed within the existing parking lot or site access.

Accordingly, there are likely to be few transportation-related impacts. To accurately determine this, however, the applicant will be required to submit a trip generation memorandum prepared by a registered traffic engineer in relation to the expected land use application. The applicant is informed of the potential need to have a full Traffic Impact Analysis (TIA) prepared based on the following threshold found in BDC Section 60.55.20.2.A – "A Traffic Impact Analysis is required when the proposed land use change or development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer." The above referenced trip generation memo will help determine the need (or not) for a TIA to be prepared.

REQUIREMENTS TO BE ADDRESSED

Traffic Impact Analysis

It is unclear whether or not the proposal triggers the requirement to complete a Traffic Impact Analysis. Please provide verification from a registered traffic engineer with additional details on the uses proposed for the site as well as the square footage of the various uses. The applicant may subtract estimated trip generation of any existing land uses on the site. BDC 60.55.20 defines the thresholds for when a Traffic Impact Analysis is required.

Frontage Improvements

Frontage improvements are not identified at this time.

Property Dedication

Property dedication for public right-of-way (ROW) purposes is not anticipated at this time.

Off-Street Parking (Vehicles and Bicycles)

Pursuant to newly adopted Oregon Administrative Rules, cities and counties in Oregon cannot require parking for any land use application located within $\frac{3}{4}$ mile of a light rail transit stop or within $\frac{1}{2}$ mile from frequent transit corridors. See OAR 660-012-0012(5)(e) Effective Dates and Transitions and OAR 660-012-0440 Parking Reform Near Transit Corridors. The proposed development is still limited to the maximum number of parking spaces as detailed in BDC Section 60.30.10.

The proposed development is required to provide the minimum number of both short-term and long-term bicycle parking as detailed in Table BDC 60.30.10.5.B. The location of bicycle parking and design features for long-term bicycle parking will also be required. Pursuant to the referenced Code Table, 2 short-term bicycle parking spaces and 2 long-term bicycle parking spaces will be triggered by the proposed change in use.

Bicycle and Pedestrian Circulation

Bicycle and pedestrian circulation requirements do not apply.

Access / Driveways

There are no access requirements identified at this time.

SYSTEM DEVELOPMENT CHARGES

Washington County Transportation Development Tax (TDT) will be due for developments prior to issuance of building permits; or in cases where no building permit is required (such as for golf courses or parks), prior to final approval of a development application.

The TDT is based on the estimated traffic generated by each type of development. To estimate the tax please use Washington County's TDT Self Calculation Form: www.co.washington.or.us/LUT/Divisions/LongRangePlanning/PlanningPrograms/TransportationPlanning/transportation-development-tax.cfm). For more information please contact Jabra Khasho, City of Beaverton Transportation Engineer, at (503) 526-2221 or jkhasho@BeavertonOregon.gov.

This proposal may be eligible for the "Change-In-Use Discount" for TDT. If eligible, this discount could provide up to a 75% discount on TDT for certain redevelopment or reuse of existing buildings for the first 5,000 square feet converted to a more intensive use. Please consult Washington County's website on TDT for program details.

Additional SDC's May Apply. For information regarding sanitary sewer, storm sewer, water, park, Metro construction excise, School District construction excise, and other applicable fees please use the Building Division link:
<http://www.beavertonoregon.gov/DocumentCenter/Home/View/605> or contact the Building Department at cddmail@BeavertonOregon.gov.



Water Service Provider Letter (SPL)

PLEASE RETURN THIS FORM TO:

PRE-APPLICATION DATE: _____

SITE INFORMATION:

Tax Map(s): _____ Lot Number(s): _____

Size: _____

Address: _____

Nearest cross-street (or directions to site): _____

APPLICANT:

Contact: _____

Company: _____

Address: _____

Phone: _____

Email: _____

OWNER(S):

Contact: _____

Company: _____

Address: _____

Phone: _____

Email: _____

PROPOSED PROJECT NAME: _____

PROPOSED DEVELOPMENT ACTION (ex. Design Review, Land Division, Conditional Use, etc.): _____

EXISTING USE: _____ PROPOSED USE: _____

RESIDENTIAL: Single Fam. Multi-Fam. INDUSTRIAL/COMMERCIAL: Type of Use: CONDITIONAL USE: No. of Students/Employees/Etc.:
No. of Units: Gross Floor Area SQ. FT. Gross Floor Area SQ FT.

Average Daily Demand (gallons/day): Peak Daily Demand (gallons/day): Peak Hour (gallons/day):

FIRE FLOW REQUIRED: (gpm): IRRIGATION FLOW REQUIRED: (gpm):

FOR INTERNAL USE ONLY - DO NOT WRITE BELOW THIS LINE

***Both agency signatures required

TVWD [] ADEQUATE [] INADEQUATE SERVICE LEVEL TO SERVE THE PROPOSED PROJECT. Describe why service level is inadequate and needed improvements or modification required to provide adequate services. (Use additional sheets to explain if necessary)

SIGNATURE: TITLE: DATE:

COB [] ADEQUATE [] INADEQUATE SERVICE LEVEL TO SERVE THE PROPOSED PROJECT. Describe why service level is inadequate and needed improvements or modification required to provide adequate services. (Use additional sheets to explain if necessary)

SIGNATURE: TITLE: DATE: