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Planning Division
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Cedar Hills Crossing Phase 5 Partition

Beaverton, Oregon

An Application For:

Type 2 Preliminary Partition

Submitted August 2, 2021

Applicant:

Center Developments Ore 3, LLC.

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I. INTRODUCTION

GENERAL INFORMATION

Applicant: **Center Developments Oreg 3, LLC**
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Existing Lot Information	
Location:	Map 1S1-09-AD & Tax Lot 4000 Lot 5 Cedar Hills Crossing 2605 SW Cedar Hills Boulevard
Zoning District:	Community Service Commercial (CS)
Project Site Area:	5.29 acres

SUMMARY OF PROPOSAL AND PROJECT DESCRIPTION

This proposal is for a two-lot partition of a property situated south of Walker Road at the northwest corner of the Cedar Hills Crossing Shopping Center. As shown in the Preliminary Partition Plan (Exhibit A) the proposed partition will divide Lot 5 of the Cedar Hills Crossing commercial subdivision from west property boundary to the east property boundary resulting in a 2.73-acre lot to the north identified as, "Parcel A" and a 2.56-acre lot to the south identified as, "Parcel B".

The Cedar Hills Crossing Shopping Center has been redeveloping in stages over recent years. Redevelopment Phases 1-3 have received approval and are developed to the City of Beaverton's standards including adequate off-street parking facilities, internal site circulation, pedestrian connections and walkways, bicycle parking facilities, stormwater facilities, and landscaping. Phase 4 of the proposed redevelopment is nearing final approvals. This application for a two-lot partition of Lot 5 is being submitted in preparation for Phase 5 of the redevelopment project.

Lot Number	Area	Dimensions
Existing Lot 5	5.29 AC (230,493 SF)	Minimum Lot Width: 564 LF Minimum Lot Depth: 506 LF

Proposed Parcel A	2.86 AC (124,581 SF)	Minimum Lot Width: 454 LF Minimum Lot Depth: 181 LF
Proposed Parcel B	2.56 AC (111,517 SF)	Minimum Lot Width: 514 LF Minimum Lot Depth: 186LF

The Applicant is not proposing any development with this application. There will be no changes to the existing site conditions. Utilities are provided to the development site via previous phases or redevelopment. The site gains access via a shared connection to Walker Road along its eastern property boundary. Applications associated with the redevelopment of the site will be submitted later.

EXISTING CONDITIONS

The subject property is a 5.29-acre undeveloped lot identified as Lot 5 within the Cedar Hills Crossing commercial subdivision. Cedar Hills Crossing shopping center is located at 2605 SW Cedar Hills Boulevard. The Cedar Hills Crossing development site (including Lot 5) is situated within the City of Beaverton's Community Service (CS) commercial zoning district. Lot 5 of the commercial shopping center is in the northwest corner of the development site south of Walker Road and west of the intersection of Walker Road and SW Cedar Hills Boulevard. The subject property has 571 feet of unimproved frontage along Walker Road and gains access to Walker Road via a shared connection along its eastern property boundary.

PROJECT LIMITS AND SURROUNDING USES

Table A: SURROUNDING LAND USE

Location	Zoning Designation	Land Use
North	Community Services Commercial (CS)	Commercial Retail
East	Community Services Commercial (CS)	Commercial Retail
South	Community Services Commercial (CS)	Commercial Retail
West	Community Services Commercial (CS)	Commercial Retail

II. CITY OF BEAVERTON DEVELOPMENT CODE

The applicable City of Beaverton Development Code sections are set forth below along with findings demonstrating the project's consistency with these provisions.

CHAPTER 20 LAND USES

20.10. COMMERCIAL LAND USE DISTRICTS

20.10.15. Site Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below.

20.10.15 Commercial Site Development Standards			
	CS	Proposed Parcel A	Proposed Parcel B
A. Minimum Parcel Area - NonResidential	7,000 SF	124,581 SF	111,517 SF
C. Lot Dimensions			
1. Minimum Width	70 LF	454 LF	514 LF
2. Minimum Depth	100 LF	181 LF	186 LF

Response: The subject property is situated within the Community Services (CS) zoning district. Beaverton Development Code (BDC) 20.10.15 identifies the development standards for parcels within the CS zone. According to BDC 20.10.15, minimum dimensional standards for non-residential properties within the CS zone include a minimum parcel area of 7,000 square feet (SF), a minimum lot width of 70 liner feet (LF), and a minimum lot depth of 100 liner feet (LF). Proposed Parcel A will have a parcel area of 124,581 SF, a minimum width of 454 LF, and a minimum depth of 181 LF. Proposed Parcel B will have a parcel area of 111,517 SF, a minimum lot width of 514 LF, and a minimum lot depth of 186 LF. Therefore, the proposed partition is consistent with the standards in BDC 20.10.15.

CHAPTER 40 APPLICATIONS

40.03. FACILITIES REVIEW

Consistent with Section 10.95.4. (Facilities Review Committee) of this Code, the Facilities Review Committee shall review the following Type 2 and Type 3 land use applications: all Conditional Use, Design Review Two, Design Review Three, Public Transportation Facility Reviews, Street Vacations, and applicable Land Divisions. Applicable land division applications are Replats, Partitions, Subdivisions, Fee Ownership Partitions, and Fee Ownership Subdivisions. In making a recommendation on an application to the decision making authority, the Facilities Review Committee shall base its recommendation on a determination of whether the application satisfies all the following technical criteria. The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B., and all the following criteria have been met, as applicable:

- 1. All Conditional Use, Design Review Two, Design Review Three, and applicable Land Division applications:
 - 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: The current proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. This partition is proposed in preparation for Phase 5 of the redevelopment of the Cedar Hills Crossing shopping center. No new development is included in this proposal. All critical facilities and services have been made to the development site through the other phases of development. This standard is met.

- 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: Essential facilities and services include schools, transit, police protection, pedestrian, and bicycle facilities. The site is situated within the Beaverton School District, Tri-Met service area, and Beaverton Police Department. Through previous phases of development, adequate on-site pedestrian walkways and bicycle facilities are provided within the Cedar Hills Crossing shopping center. In accordance with previous approvals, on-site facilities have been integrated with the surrounding public facilities. This proposal is limited to a two-lot partition of an undeveloped property. All necessary site improvements will be addressed through future development applications.

C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) 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; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

Response: The Applicant is proposing a two-lot partition of a property situated within the Community Service (CS) commercial zoning district. In accordance with the Site Development Standards (BDC 20.10.15) proposed Parcels A and B will both exceed the minimum dimensional standards for parcels within the CS zone. The property is undeveloped, and no new uses are being proposed. Therefore, the proposed partition is consistent with the applicable provisions of Chapter 20 of the Beaverton Development Code.

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: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The subject property is undeveloped, and no new development is proposed with this application. Therefore, the provisions of BDC Chapter 60 are not applicable.

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: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills commercial subdivision. The partition is in preparation for Phase 5 of the redevelopment of the Cedar Hills Crossing shopping center. All existing private common facilities and areas are currently maintained. The proposed partition will not result in additional private common facilities or areas.

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

Response: Lot 5 of the Cedar Hills Crossing commercial subdivision is currently undeveloped. The development site has adequate vehicular and pedestrian circulation patterns which are established and have been approved through other phases of development. Any necessary improvements to the subject property will be addressed in future development applications.

- 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: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The proposal is in preparation of Phase 5 of the Cedar Hills Crossing shopping center redevelopment project. Existing on-site vehicular and pedestrian circulation systems connect are constructed to city standards and were approved in Phases 1-3 of the redevelopment project. No new development is proposed with this application. Therefore, this standard is met.

- 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: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The subject property is currently undeveloped. No new development is currently proposed. Surrounding structures on the development site have been approved and developed in accordance with city standards. This standard is met.

- 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: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The subject property is currently undeveloped. No new development is currently proposed. Surrounding public facilities serving the development site have been approved and developed in accordance with city standards. This standard is met.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.**

Response: This proposal is limited to a two-lot partition. No grading is proposed. This standard is not applicable.

- 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: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision in preparation for Phase 5 of the redevelopment of the Cedar Hills Crossing shopping center. All other phases of development have been completed in accordance with

the applicable city standards, including providing adequate access and facilities for handicapped people. No new development is proposed with this application. Therefore, this standard is met.

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

Response: As demonstrated in Section 50.25.1 of this narrative, this application includes all required submittal materials.

2. Public Transportation Facility Improvements or Modifications, including Street Vacations.

A. The transportation facility, as proposed or modified, conforms to the Transportation System Plan.

Response: The northern property boundary of Lot 5 of the Cedar Hills Crossing commercial subdivision has approximately 571 LF of street frontage along Walker Road. No physical alterations to public transportation facilities are proposed with this application. This standard is met.

B. There are safe and efficient vehicular and pedestrian circulation patterns within the project boundaries.

Response: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The site is accessed via an established shared connection to Walker Road. Existing on-site vehicular and pedestrian circulation systems were developed and integrated with surrounding public facilities consistent with the applicable city standards in Phases 1-3 of the redevelopment project. No new development is proposed with this application. Therefore, this standard is met.

C. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are in place.

Response: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The subject property is undeveloped, and no new development is proposed with this application. Therefore, the provisions of BDC Chapter 60 are not applicable.

D. Adequate means are provided or proposed to be provided in a satisfactory manner, to ensure continued periodic maintenance and replacement of the following, 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.

Response: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills commercial subdivision. The partition is in preparation for Phase 5 of the redevelopment of the Cedar Hills Crossing shopping center. All existing private common facilities and areas are adequately maintained through private agreements and active property management. The proposed partition will not result in additional private common facilities or areas.

- E. The proposed transportation facility connects to the surrounding circulation systems in a safe, efficient, and direct manner.**

Response: No new transportation facilities are proposed with this application. Existing connections are consistent with city standards. This standard is not applicable.

- F. The proposed transportation facility or modification thereof will provide adequate fire equipment facility access and turnaround area, as well as adequate street lighting for crime and accident prevention as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.**

Response: No transportation facilities, or changes to existing transportation facilities, are proposed with this application. Therefore, this standard is not applicable.

- G. Grading and contouring are the minimum necessary to accommodate the proposed transportation facility, while mitigating adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.**

Response: No grading or contouring is proposed with this application. Therefore, this standard is not applicable.

- H. Access and facilities for physically handicapped people are maintained and/or incorporated into the subject transportation facility, with particular attention to providing continuous, uninterrupted access routes.**

Response: This proposal is limited to a two-lot partition of Lot 5 of the Cedar Hills Crossing commercial subdivision. The subject property is undeveloped. This proposal will not alter existing accessways. Previous phases of the Cedar Hills Crossing shopping center redevelopment project were constructed in accordance with this standard.

- I. The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code.**

Response: This application is subject to a Type 2 procedure. In accordance with the standards of this section, the Applicant has included all the required materials in this application packet.

40.45. LAND SUBDIVISION AND RECONFIGURATION.

40.45.10. Applicability.

The provisions of this section apply to all subdivisions, partitions, developments involving the dedications of public right-of-way, and the reconfiguration of existing property lines. Code requirements for the vacation of public rights-of-way are in Section 40.75. (Street Vacations).

Response: The applicant is requesting a Type 2 Preliminary Partition. Therefore, the standards of this section apply.

40.45.15. Application.

There are nine (9) types of applications under this Section, as follows: Property Line Adjustment; Replat One; Replat Two; Preliminary Partition; Preliminary Subdivision; Preliminary Fee Ownership Partition; Preliminary Fee Ownership Subdivision; Final Land Division; and Expedited Land Division.

4. Preliminary Partition.

A. Threshold. An application for Preliminary Partition shall be required when the following threshold applies:

- 1. The creation of up to and including three (3) new parcels from at least one (1) lot of record (parent parcel) in one (1) calendar year.**

Response: This proposal will result in the creation of two new parcels. Therefore, this application meets the threshold for a Preliminary Partition.

B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Preliminary Partition. The decision making authority is the Director.

Response: Consistent with this standard in BDC Section 50.40, an application for a Preliminary Partition has been submitted and it will be reviewed through the Type 2 procedure.

C. Approval Criteria. In order to approve a Preliminary Partition 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:

- 1. The application satisfies the threshold requirements for a Preliminary Partition. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met.**

Response: Lot 5 of the Cedar Hills Crossing commercial subdivision was legally created through a land division process in 2019. As such, a Legal Lot Determination is not required. This standard is met.

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

Response: This narrative is included in a complete application packet. The applicant will pay the required fee upon submission.

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

Response: The subject property is undeveloped. No other applications associated with this property have been submitted for the City's consideration. This proposal will not conflict with any existing or pending City approvals. Therefore, this standard is met.

4. **Oversized parcels (oversized lots) resulting from the Partition 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 partition 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 subject property is a 5.29-acre lot situated within the Community Service (CS) commercial zoning district. As identified in Site Development Standards for Commercial Land Use Districts (BDC 20.10.15), the minimum parcel area for a property within the CS zone is 7,000 SF. As shown in the Preliminary Partition Plan (Exhibit A) the proposal will divide the subject property horizontally, creating two new parcels. Parcel A is proposed to be a 2.86 AC (124,581 SF) property with frontage along Walker Road to the north. Parcel B is proposed to be a 2.56 AC (111,517 SF) property with access provided to Walker Road via a shared private drive. Both parcels are a part of a phased redevelopment of the Cedar Hills Crossing shopping center. Phases 1-3 of the shopping center redevelopment are complete with internal vehicular access, utilities, and is integrated with the necessary public facilities. As such, the partition will not limit the potential for future land division or restrict access to private driveways, streets, or utilities. This standard is met.

5. **Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:**

Response: The site is not located in a residential zone. Therefore, Section 20.05.15.D does not apply.

6. **Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.**

Response: The site is not located in a residential zone. Therefore, Section 20.05.15.D does not apply.

7. **The proposal does not create a parcel which will have more than one (1) zoning designation.**

Response: All lots within the site will remain Community Service Commercial (CS).

8. **Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.**

Response: All related applications will be submitted to the City in the proper sequence.

- D. **Submission Requirements. An application for a Preliminary Partition shall be made by the owner of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners**

of the existing legal lot or parcel have applied for the approval. The application shall be accompanied by the information required by the application form, and by the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

Response: An application form signed by the property owner has been included with this application.

CHAPTER 60 SPECIAL REQUIREMENTS

60.15. LAND DIVISION STANDARDS

60.15.10. Grading Standards.

- 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.**

Response: This is an application for Preliminary Partition. The proposed two-lot partition will not include any grading. Therefore, the standards in this section do not apply.

III. CONCLUSION

As evidenced throughout this project narrative and associated documents, the applicant's Preliminary Partition request is consistent with applicable local policies and regulations governing allowance of the requested actions. Based on the evidence provided within this narrative and the attached materials, the applicant respectfully requests City of Beaverton's approval of these applications.