



December 7, 2022

Baysinger Partners Architecture
Attn: Jennifer Rinkus
2410 N Lombard Street
Portland, OR 97217

Subject: Pre-Application Summary Notes for Allen Blvd P1 Modification (PA2022-0053)

Dear Jennifer Rinkus,

Thank you for attending the Pre-Application Conference held on November 23, 2022. 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,

Brittany Gada
Associate Planner
Mobile: (971) 724-0517
E-mail: bgada@beavertonoregon.gov

PRE-APPLICATION CONFERENCE MEETING SUMMARY NOTES

Prepared for
Allen Blvd P1 Modification
PA2022-0053

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: November 23, 2022

PROJECT INFORMATION:

Project Name: **Allen Blvd P1 Modification**

Project Description: Modification of conditions associated with LD2021-0002

Property/Deed Owner: Oregon Worsted Co.
Attn.: Nancy Bishop Dietrich
9701 SE McLoughlin Blvd
Portland, OR 97222

Site Address: 10700 SW Allen Blvd

Tax Map and Lot: 1S122AA00100, 1S122AA00200, 1S122AA00400, 1S122AA00500

Zoning: Community Service (CS)

Comp Plan Designation: Regional Commercial

Site Size: Approximately 17.43 acres

APPLICANT INFORMATION:

Applicant's Name: Baysinger Partners Architecture
Attn: Jennifer Rinkus
2410 N Lombard Street
Portland, OR 97217

Phone / Email: 503-998-6402 / jenniferr@baysingerpartners.com

PREVIOUS LAND USE HISTORY: Land use approval was granted for the development of a hotel, fuel canopy, and retail buildings and associated site improvements in February 2022 (CU2021-0004/CU2021-0005/DR2021-0027/LD2021-0002/LO2021-0001/TP2021-0003). A Design Review Compliance Letter was approved in December 2022 for a new shed structure to house flood storage basin generator equipment and minor modifications to on-site improvements for landscaping and fencing (DR2022-0103). Additionally, there are

currently land use applications under review for the development of a Floor and Décor warehouse/showroom and associated site improvements on a portion of the subject site (DR2022-0078/TP2022-0012). Previously, the site was developed as a Greenwood Inn, and the subject properties have gone through multiple land use applications in past years to pursue redevelopment of the site.

SECTION 50.25 (APPLICATION COMPLETENESS):

The completeness process is governed by Section 50.25 of the Beaverton Development Code (BDC). The applicant is encouraged to contact staff to ask questions or request clarification on any items referenced in the pre-application conference notes or application checklists. 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>

Replat One (Modification of LD2021-0002)	\$1,680
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Possible Application Fees:

Design Review Three (Modification of DR2021-0027)	1.25% of project value (Min. \$10,000- Max. \$27,000)
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* **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.

SECTION 50.15 (CLASSIFICATION OF APPLICATIONS):

Applications are subject to the procedure (Type) specified by the Beaverton 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):

If the proposal meets the thresholds for a Type 1 or 2 Procedure, then a Neighborhood Review Meeting is not required. If the proposal meets the thresholds for a Type 3 Procedure, such as the Design Review Three, then a Neighborhood Review Meeting is required. Please see the **Key Issues/Considerations** section of these notes for description of land use applications and associated process.

The subject site is located in the **Denney Whitford/Raleigh West Neighborhood Advisory Committee (NAC)**. Contact: Ernie Conway, NAC Co-Chair at e-citizen@consystemy.net or 503-646-5688; Sherry Moore, NAC Co-Chair at abiding1968@aol.com or 503-567-8492.

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 requests 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 in BDC Section 50.30 and in the following link:
<https://content.civicplus.com/api/assets/3f3dbebe-bd25-4ed6-8102-2d198238db25?cache=1800>

The Request for Neighborhood Meeting Labels Form can be found in the following link:
<https://content.civicplus.com/api/assets/1a02c228-0536-4277-8039-89550c936e56?cache=1800>
The completed form can be submitted to planningplansubmit@beavertonoregon.gov.

In response to COVID-19, the applicant can fulfill the neighborhood meeting requirement by using alternative means of communication such as by phone, email, and online meeting platforms, 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.

CHAPTER 20 (LAND USES):

Zoning: Community Service (CS)

The Pre-Application proposal is to modify condition(s) of approval associated with LD2021-0002 and does not propose new or modified land uses or development in the CS zoning district.

CHAPTER 30 (NONCONFORMING USES):

Proposal subject to compliance to this chapter? Yes No

CHAPTER 40 (PERMITS & APPLICATIONS):

- Facilities Review Committee criteria **do not apply** to the **Replat One** application.
- Facilities Review Committee criteria **do apply** to the **Design Review Three** application.

Please Note: Applicant's written response to Section 40.03 (Facilities Review) should address each criterion separately. If response to criterion is "Not Applicable", please explain why the criterion is not applicable. For Section 40.03, Critical and Essential Facilities are defined (Chapter 90) in the following way:

Facilities, Critical. [ORD 4224; September 2002] For the purposes of Facilities Review critical facilities and services shall include potable and non-potable public water, public sanitary sewer, storm water drainage, treatment, and detention, transportation, and fire protection. For the purposes of floodplain regulation and building construction hazard designations, critical facilities are defined as hospitals, significant medical care

facilities, fire stations, police stations, storage of critical records, emergency community shelters, emergency operation centers, emergency management offices, and similar facilities.

Facilities, Essential. [ORD 4224; September 2002] Essential facilities and services shall include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

The applicant's written responses to Section 40.03 should state how all critical and essential services will serve the site, proposed or existing.

Applicable Application Type(s):

	<u>Application Description</u>	<u>Code Reference</u>	<u>Application Type</u>
1.	Replat One (Modification of LD2021-0002)	40.21.15.1	<input type="checkbox"/> Type 1 <input type="checkbox"/> Type 2 <input checked="" type="checkbox"/> Type 3* <input type="checkbox"/> Type 4
<u>Possible Applications:</u>			
2.	Design Review Three (Modification of DR2021-0027)	40.21.15.2	<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:

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| <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 checked="" 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 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 type="checkbox"/> Section 60.45 (Solar Access Protection) | <input type="checkbox"/> Section 60.50 (Special Use Regulations) |

Section 60.55 (Transportation Facilities)

Section 60.60 (Trees and Vegetation)

Section 60.65 (Utility Undergrounding)

Section 60.67 (Significant Natural Resources)

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:

Recommended contact for further information if checked <input type="checkbox"/>	Silas Shields , Site Development, City of Beaverton (503) 350-4055/ sshields@beavertonoregon.gov <input checked="" type="checkbox"/> No written comments provided. Please continue to work with Site Development on issuance of the Site Development Permit.
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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. **APPLICATION APPLICABILITY:**

- a. **Replat One:** A Replat One application would be required if the applicant chooses to modify one or more of the conditions of approval associated with LD2021-0002.
- b. **Design Review Three:** A Design Review Three application would be required if the applicant chooses to modify one or more of the conditions of approval associated with DR2021-0027.

2. **LAND USE PROCESS:** Pursuant to BDC 50.95, regardless of the thresholds listed in Chapter 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified. For this reason, an application to modify condition(s) of approval associated with LD2021-0002 will follow a Type 3 process, as the original approval was subject to a Type 3 process. Accordingly, approval of the request may only be granted by the Planning Commission.

3. **DISCUSSION SUMMARY REGARDING DR2021-0027 CONDITIONS OF APPROVAL:** During the Pre-Application Conference, the applicant raised questions about conditions of approval associated with the approved Design Review Three application, DR2021-0027. Specifically, the applicant questioned if any conflicts exist regarding condition numbers 6, 34, 51, or 53 of that approval. Upon review by the City Attorney,

staff concluded that there are no conflicts with the aforementioned conditions of approval as written, and staff does not identify a need to modify the conditions of approval associated with DR2021-0027.

4. **APPLICATION SUBMITTAL REQUIREMENTS (REPLAT ONE MODIFICATION ONLY):** To request a Modification of a Decision of a Replat One application, the following application materials will be required:
1. Signed Replat One application form
 2. Payment of the \$1,680 fee (plus applicable taxes and fees)
 3. Scaled copy of the approved site plan (for example, Sheet C3.0 of the approved land use plan set)
 4. Scaled copy of the approved lot consolidation plan(s) (for example, Sheet C1.4 of the approved land use plan set)
 5. Project Narrative that includes the following:
 - a. A description of the request (including a description of the nature of the proposed change to the original decision and the basis for that change)
 - b. Responses to the Replat One approval criteria in BDC 40.45.15.2.C
 - c. Response(s) to the Modification of a Decision regulations in BDC 50.95 (specifically regarding the modification of a condition in 50.95.7)
 6. Pre-Application Notes

Should the applicant choose to submit an application to modify condition(s) of approval associated with the Design Review Three application (DR2021-0027) in addition to or instead of the Replat One application (LD2021-0002), please contact staff for a modified list of submittal requirements and applicable approval criteria and development regulations.

5. **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>