

Received  
Planning Division  
12/3/2021



July 13, 2021

Lily Lim  
Lyft  
185 Berry Street, Suite 5000  
San Francisco, CA 94107

Subject: Pre-Application Summary Notes for Lyft

Dear Lily Lim,

Thank you for attending the Pre-Application Conference held on June 30, 2021. 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. If we can be of further assistance, please do not hesitate to call.

Sincerely,

Steve Regner  
Senior Planner  
(503) 319-4427

# PRE-APPLICATION CONFERENCE MEETING SUMMARY NOTES

Prepared for  
Lyft  
PA2021-0036

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](http://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.

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**PRE-APPLICATION CONFERENCE DATE**     June 30, 2021

## PROJECT INFORMATION:

Project Name:                    **Lyft**

Project Description:            Vehicle rental service for Lyft drivers. No physical changes to the site are proposed.

Property/Deed Owner:        Apple Corner Way LLC  
   Malcolm McIver  
   101 SW Main Street, Suite 1210  
   Portland, OR 97204

Site Address:                    8548 SW Apple Way

Tax Map and Lot:                Tax Map: 1S114AD, Tax Lot: 2500 & 2700

Zoning:                            Community Service (CS)

Comp Plan Designation:      Community Commercial (CC)

Site Size:                         Approximately 3.04 acres

## APPLICANT INFORMATION:

Applicant's Name:            Lily Lim  
   Lyft  
   185 Berry Street, Suite 5000  
   San Francisco, CA 94107

Applicant's Rep:               Same as applicant

**RECENT LAND USE HISTORY:** The property is a commercial shopping center. Excluding signs, no recent land use applications were found.

## **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/materials provided, the identified application fees (**land use only**) are as follows:

New Conditional Use Permit	\$4,262.00 *plus 3.5% technology fee*
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**\*See Key Issues/Considerations herein** for description of applications and associated process. No fee increases are scheduled at this time; however, the fees are subject to change.

As of January 1, 2021, the City is implementing a technology fee of 3.5% for development permits, including land use applications. Applications submitted on or after January 1, 2021 will be subject to the technology fee at the time of fee payment. No other fee increases are scheduled at this time; however, the fees are subject to change. Fees in effect at the time of application submittal will control. Please contact Current Planning (503-526-2420) or visit our website [www.beavertonoregon.gov/bib](http://www.beavertonoregon.gov/bib) prior to submittal of your application to confirm the current application fee(s)

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## SECTION 50.15. CLASSIFICATION OF APPLICATIONS:

Applications are subject to the procedure (Type) specified by the City Development Code. Per Section 50.15.2 of the Code, when an applicant submits more than one complete application for a given proposal, where each application addresses separate code requirements and the applications are subject to different procedure types, all of the applications are subject to the procedure type which requires the broadest notice and opportunity to participate. Based on the project as proposed a **CONDITIONAL USE PERMIT** application would be required, therefore a **Type 3** procedure would be applicable.

## SECTION 50.30 (NEIGHBORHOOD REVIEW MEETING):

Based on the information presented at the pre-application, a Neighborhood Review Meeting is required.. Neighborhood Advisory Committee: (NAC): **Denney Whitford / Raleigh West** Contact: **Ernie Conway** [ecitizen@consistency.net](mailto:ecitizen@consistency.net); **Sherry Moore**. [Abiding1968@aol.com](mailto:Abiding1968@aol.com). Please copy the City's neighborhood department, Miles Glowacki [mglowacki@beavertonoregon.gov](mailto:mglowacki@beavertonoregon.gov) on communications with the NAC Chairs.

Please note to comply with Governor Brown's order restricting gatherings and to adhere to social distancing in addressing the COVID-19 crisis, the meeting should be held virtually, until such time as the orders are lifted. 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 request that the summary of the meeting and sign-in sheet be submitted with the application packet and also sent to: City of Beaverton, Neighborhood Program, P.O. Box 4755, Beaverton, OR 97076 or emailed to: [neighbormail@beavertonoregon.gov](mailto:neighbormail@beavertonoregon.gov)

## CHAPTER 20 (LAND USES AND DEVELOPMENT STANDARDS):

Zoning: Community Service (CS)

Uses: Vehicle Rental – Conditionally Permitted

Applicable Code Sections: 20.10.15 – Site Development Standards and 20.10.20 – Land Use Regulations.

Development Standard	Requirement	Note
Minimum Parcel Area	7,000	
Floor Area Ratio	None	
Lot Dimensions: Minimum Width	70 feet	
Lot Dimensions: Minimum Depth	100 feet	
Front Setback	None	Maximum front and side yard setback applies to buildings in commercial zones located on parcels that exceed 60,000 square feet pursuant to Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline.
Side Setback	Abutting Lot: 10 feet	Maximum front and side yard setback applies to buildings in commercial zones located on parcels that exceed 60,000 square feet pursuant to Section 60.05.15.6. Any deviation from that standard shall

Development Standard	Requirement	Note
	Abutting Street: None	be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline.  And  For buildings in commercial zones not abutting a residential use in a residential zone, minimum setback does not apply.
Rear Setback	20 feet/ None	Rear yard setback is applicable to only the portion of the rear yard which abuts a residential zone; otherwise, the minimum rear yard setback is 0 feet.
Open Air Display Front Setback	20 feet	Applies to vehicle inventory
Height	60 feet/35 feet	Maximum building height of a building or a portion of a building within 50 feet of a residentially zoned property, measured from the residential property line, is 35 feet or the maximum height permitted in the residential district, whichever is greater.

**CHAPTER 30 (NON-CONFORMING USES):**

Proposal subject to compliance to this chapter?  Yes  No

**CHAPTER 40 (PERMITS & APPLICATIONS):**

Facilities Review Committee review required?  Yes  No

**Please Note:** Applicant’s written response to Section 40.03 (Facilities Review) should address each criterion. If response to criterion is “Not Applicable”, please explain why the criterion is not applicable.

**Applicable Application Types:**

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

**Comments:** In order for your applications 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 and 70 (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"/> Chapter 70 (Downtown Development Code for 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 60.11 (Food Cart Pod Regulations)  |
| <input checked="" type="checkbox"/> <b>Section 60.25 (Off-Street Loading)</b>              | <input checked="" type="checkbox"/> <b>Section 60.30 (Off-Street Parking)</b>   |
| <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)                           | <input checked="" type="checkbox"/> <b>Section 60.55 (Transportation Facilities)</b>                                  |
| <input type="checkbox"/> Section 60.60 (Trees and Vegetation)                              | <input type="checkbox"/> Section 60.65 (Utility Undergrounding)   |
| <input type="checkbox"/> Section 60.67 (Significant Natural Resources)                     | <input type="checkbox"/> Section 60.70 (Wireless Communication)   |

Comments: For the applications 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</i> (SPL)</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 <u>Chapter 3 of the <i>Design and Construction Standards</i></u> at: <a href="http://www.cleanwaterservices.org/permits-development/design-construction-standards">www.cleanwaterservices.org/permits-development/design-construction-standards</a></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 an SPL, complete the <u>pre-screening site assessment form</u>. For more information about CWS environmental review, you may email <a href="mailto:spreview@cleanwaterservices.org">spreview@cleanwaterservices.org</a> or contact <b>Laurie Bunce</b>, CWS Engineering Technician, at (503) 681-3639.</p>
<p><input type="checkbox"/></p>	<p><b>Lawrence Arnbrister</b>, Building, City of Beaverton (503) 526-2408 / <a href="mailto:larnbrister@beavertonoregon.gov">larnbrister@beavertonoregon.gov</a></p> <p><input checked="" type="checkbox"/> Plans reviewed. No comments.</p>
<p><input type="checkbox"/></p>	<p><b>Steve Brennen</b>, Operations, City of Beaverton (503) 526-2200 / <a href="mailto:sbrennen@beavertonoregon.gov">sbrennen@beavertonoregon.gov</a></p> <p><input type="checkbox"/> Comment: No written comments provided to date / not expected.</p>
<p><input type="checkbox"/></p>	<p><b>Connie Rodriguez</b>, Site Development, City of Beaverton 503-350-4018/ <a href="mailto:crodriguez@beavertoregon.gov">crodriguez@beavertoregon.gov</a></p> <p><input checked="" type="checkbox"/> Plans reviewed. No comments.</p>
<p><input checked="" type="checkbox"/></p>	<p><b>Kate McQuillan</b>, Transportation Planner, City of Beaverton 503-526-2427 / <a href="mailto:kmcquillan@beavertonoregon.gov">kmcquillan@beavertonoregon.gov</a></p> <p><input checked="" type="checkbox"/> Plan reviewed. Comments below.</p>
<p><input type="checkbox"/></p>	<p><b>Elizabeth Cole</b>, Recycling and Waste Reduction Program Coordinator, City of Beaverton 503-526-2460 / <a href="mailto:ecole@beavertonoregon.gov">ecole@beavertonoregon.gov</a></p> <p><input checked="" type="checkbox"/> Plan reviewed. No written comments provided to date / not expected</p>
<p><input checked="" type="checkbox"/></p>	<p><b>Marah Danielson</b>, ODOT (503)-731-8258 / <a href="mailto:Marah.b.danielson@odot.state.or.us">Marah.b.danielson@odot.state.or.us</a></p> <p><input type="checkbox"/> Plan reviewed. Comments below.</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.** The following are potential applications associated with your proposal:
  - a. ***New Conditional Use Permit*** is required for Vehicle Rental uses in the Community Service zone. A key criterion for a Conditional Use Permit is demonstrating compliance with all applicable Comprehensive Plan Policies. Based on the submitted materials, staff has identified the following policies below as applicable. Please note that this list is not exhaustive, and staff recommend the applicant review the Comprehensive Plan to identify all applicable policies.
    - Goal 3.1.1 Encourage development and land use patterns that support a variety of transportation options.
      - b) Encourage development and programs that reduce the need for vehicle use and ownership.
      - i) Encourage the use of innovative technologies that improve parking and transportation efficiency.
    - Goal 3.7.1 Enhanced Commercial Centers and Corridors
      - b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.
    - Goal 3.7.3 Community Commercial: Provide for commercial services that serve the surrounding community, with limited auto-oriented uses
      - b) Allow limited new automotive services (e.g. gas stations, car wash, and car repair) where compatible with adjacent uses and where the design of the site and building or structure promote a quality pedestrian environment along the street.
      - c) Prohibit land-intensive vehicle sales and service uses and uses requiring extensive outdoor storage.
    - 6.2.1. Goal: Transportation facilities designed and constructed in a manner to enhance Beaverton's livability and meet federal, state, regional, and local requirements.
      - g) Continually explore novel or transformative transportation designs, technologies, and integration, especially in the context of large-scale economic and redevelopment planning efforts.
2. **On Site Vehicle Circulation.** Please provide a truck turning templates to demonstrate how vehicle delivery trucks are able to safely maneuver on-site to allow for on-site vehicle off-loading. Unloading of vehicle delivery trucks in the public right of way is not permitted.
3.  **On-Site Parking.** The submittal materials must demonstrate that the site can accommodate the new use as well as all existing uses. BDC Section 60.30.10 describes the required parking spaces per use. Rental businesses, including vehicle rentals, are required to provide 3.3 spaces per 1,000 square feet of floor area. The parking analysis should include the existing uses on-site to demonstrate that the site can accommodate the existing and proposed uses, as well as the 20 spaces proposed to be reserved to rental vehicle storage.
4. **Trip Generation Memo/Traffic Impact Analysis.** It is unclear what the anticipated traffic impact will be from the proposal. Please provide a statement by a registered engineer (civil or traffic) with proposed trip generation from the proposal. BDC 60.55.20 defines the thresholds for when a Traffic Impact Analysis is required. If a proposal projects to have 300 average trips per day or greater, a full Traffic Impact Analysis is



required. If a proposal projects to have less than 300 average trips per day, a Trip Generation Memo will be required. Please consult Jabra Khasho, City Transportation Engineer at (503) 526-2221 or [jkhasho@BeavertonOregon.gov](mailto:jkhasho@BeavertonOregon.gov), for preparing the transportation analysis.

5. **Service Provider Letters (SPL) & Service Provider Permits.** The City of Beaverton requires service provider letters and permits from special districts who provide services to the subject site. Service provider letters and permits are required prior to your application being deemed complete in the land use process. Staff has identified the following service provider letters as applicable to your proposal:
  - a. **Clean Water Services (CWS):** All development within the City requires a Clean Water Services SPL for environmental review. Information can be found at Clean Water Services Website <https://www.cleanwaterservices.org/permits-development/step-by-step-process/environmental-review/>
  - b. **Tualatin Valley Fire & Rescue (TVF&R):** TVF&R requires as Service Provider Permits (SPP) to address fire code issues related to development. The SPP form can be found at the following link <https://www.tvfr.com/FormCenter/Public-Records-7/Service-provider-permit-for-Washington-C-64>
6. **Electronic Plan Review.** The City of Beaverton offers electronic plan submission for Planning, Site Development, and Building permit review. For more information, please visit our Apply for Permits page at <https://www.beavertonoregon.gov/2047/Apply-for-Permits> or contact staff.
7. **System Development Charges.** The Washington County Transportation Development Tax (TDT) will be due for developments prior to issuance of building permits, in addition to other System Development Charges. The SDC charges are not assessed or evaluated through the land use application review 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 tax please use Washington County's TDT Self Calculation Form: [www.co.washington.or.us/LUT/Divisions/LongRangePlanning/PlanningPrograms/TransportationPlanning/transportation-development-tax.cfm](http://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](mailto:jkhasho@BeavertonOregon.gov).

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: <https://www.beavertonoregon.gov/DocumentCenter/View/605/System-Development-Fees-Schedule?bidId=> or contact the Building Department at [cddmail@BeavertonOregon.gov](mailto:cddmail@BeavertonOregon.gov).