

Progress Square
Type II Preliminary Partition Analysis and Findings

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- A. Existing Conditions Plan/ALTA Survey
- B. Proposed Preliminary Plat

**Progress Square
Type II Preliminary Partition Analysis and Findings**

Project Summary:

Partition

The subject property is located at 8740, 8804 & 8860 SW Hall Boulevard in Beaverton, identified as Tax Map numbers: 1S126BC00300, 1S126BC00400, 1S126BC00500. The property is completely within the CS zone and has an existing commercial center and stand-alone commercial establishment (Located at 8860 SW Hall). The overall site size is 129,808.8 net SF. This land use application requests approval for a 2-parcel land partition, as illustrated on the Preliminary Partition Plat, Exhibit B, attached. Parcel 1 has frontage on SW Hall Boulevard and SW Scholls Ferry Road and sites the existing shopping center, which will remain. Parcel 2 has frontage along SW Hall Boulevard. Access will remain the same and utilize the existing driveways along SW Hall boulevard and SW Scholls Ferry Road. Following the proposed land division, Parcel 1 will be 116,919 SF. and Parcel 2 will be 13,5880.6 SF. At this time, this application does not propose any further development beyond the scope of this partition scope.

Demolition

In addition to the partition, the building on parcel two will be demolished. No new building, site improvements, parking, landscape, pedestrian, or public facilities will be proposed with the demolition. It is the intention of the demolition to remove a building and use with non-conforming parking to better ensure compliance with any future use of the site. The only modification at this time will be the removal of the current hookah bar and lounge.

Vicinity Map



Existing Conditions

The subject property is within the Progress Square area in Beaverton and is zoned CS, as depicted in the Zoning Map, below. Properties adjacent to the subject property are zoned R2 (Urban Medium Density) and WAcnty (Interim Washington County Zoning in effect). As shown on the attached Existing Conditions Plan, Exhibit A, the subject property is currently improved with an existing retail center and stand-alone commercial building. The subject site is not within a flood plain or landslide hazard zone.

Zoning Map



Land Use Permit Request: Type II Preliminary Land Partition

This land use application requests approval for a 2-parcel Preliminary Partition. This application is subject to a Type II review and approval in accordance with *Sections 40.45.15.4.C*.

Applicable Criteria for Land Division Approval

After reviewing the City of Beaverton *Development Code*, the following code provisions were found to be applicable to this Land Division application:

20.10. Commercial Land Use Districts

- 20.10.15 Site Development Standards
 - 20.10.15.A Minimum Parcel Area
 - 20.10.15.C Lot Dimensions
 - 20.10.15.D Minimum Yard Setbacks
 - 20.10.15.E Minimum Open Air Display Setbacks

20.10.15.F Building Height
20.10.20 Land Uses
20.10.35 Other CS Zoning Requirements

60.15 Land Division Standards

60.15.10 Grading Standards
60.15.15 Final Plat Standards

40.20.15.1 Design Review Compliance Letter

40.45.15.4 Preliminary Partition

40.45.15.4.C.(1-8)

40.03 Facilities Review Committee

40.03.1.(A-K)

Applicant's Responses to Applicable Criteria

20.10. Commercial Land Use Districts

20.10.15 Site Development Standards

20.10.15.A Minimum Parcel Area – 7,000 SF for Non-Residential Uses.

Applicant Response: This application proposes the combination and division of a 3 tax lots totaling 129,808.9 square feet. The proposed parcels as shown on the Proposed Preliminary Plat (Exhibit B), will be 116,305.2 square feet for lot 1 and 13,503.6 for lot 2 respectively. These proposed parcels will meet the required minimum parcel area of 7,000 SF.

20.10.15.C Lot Dimensions – 70' W X 100' D.

Applicant Response: Parcel 1 is proposed to be 314.2' feet wide along SW Hall Boulevard and 224.74' feet deep along Scholls Ferry. Parcel 2 is proposed to be 114.5' feet wide at SW Hall Blvd. and 121.97' feet deep. Both proposed parcels will meet the width and depth requirements of 20.10.15.C, as shown in the Proposed Partition Plat (Exhibit B).

20.10.15.D Minimum Yard Setbacks –

Front: 0'

Side: 0' (Abutting a street) & 10' (Abutting a lot) [only when abutting a residential use in a residential zone].

Rear: 20'

Applicant Response: Following the proposed land division approval, the setbacks for both existing buildings will remain the same. No new developments are proposed to either of the structures which would alter the buildings current setbacks. The ALTA Survey, exhibit A, shows the existing setbacks and distances from the existing tax lots. The exhibit also shows the existing setbacks and distances from the existing tax lots for lot 2 which also meet the required front, side and rear yard setbacks as required by 20.10.15.D. for the newly created lot 2.

20.10.15.E Minimum Open Air Display Setbacks – Front 20'

Applicant Response: This standard is noted as where permitted. The current shopping center does not have an open-air display and does not plan on adding one at this time or through this application. This standard does not apply to this application.

20.10.15.F Building Height

Applicant Response: The CS zone allows buildings to be constructed up to 60 feet. There are two existing buildings on the three lots, both of which are less than the 60-foot height maximum. The buildings are to remain, and no new development is proposed through this application.

20.10.20 Land Uses

Applicant's Response: The subject sites are located within the CS Zone. The sites are also currently improved with retail and various commercial uses taking place on site. The proposed combination and split would clean up an existing shopping center by removing a tax lot line from the middle of one of the structures. The shops will remain on site and no new uses or tenants are proposed through this application. Section 20.10.20 permits uses such as: retail shops, eating and drinking establishments, and service business/ professional services all of which are present on this site and will remain. This provision is met.

20.10.35 Other CS Zoning Requirements - Uses shall be subject to the following (excludes food cart pods, parks, recreational facilities, playgrounds, and vehicle camping):

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for childcare and educational facilities and as allowed in item 2, below.
2. Accessory open-air sales / display / storage shall constitute no more than 5% of the gross building floor area of any individual establishment.

Applicants Response: The existing buildings and uses are wholly conducted within an existing enclosed structure. The site also does not have nor is proposing open-air sales. No new uses or structures are proposed with this application and the provision is met.

60.15 Land Division Standards

60.15.10 Grading Standards –

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.*

Applicant Response: As mentioned in the statement above the grading standards of this section apply where grading is proposed. The scope of this project is to combine and divide a tax parcel. No site improvements, including grading, are proposed at this time. The current grade will remain, and no new improvements are taking place. Based on the information indicated in this section and the scope of this project, the provision is met.

60.30 Number of Required Parking Spaces

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES – Commercial Uses

Retail: 3.3 spaces per 1000 SF. (Parcel 1)

Service Business: 3 Spaces per 1000 SF. (Parcel 2)

Applicant Response: The existing properties both have improved parking lots that exceed what is required by Table 60.30.10.5.A. As noted above, parcel one is required to have a ratio of 3.3 spaces per 1000 square feet of space. The existing shopping building has a total square footage of 40,783 SF requiring 134 spaces. The current parking lot provides 137, meeting the requirement. Lot 2 is required to provide parking at a rate of 3 per 1000 SF. The existing building is 2,276 SF, requiring only 6 spaces. The site provides 13 active spaces along the western side of the development. The proposed partition does not request further development to the site, therefore for the purposes of this application, this provision is met. No bike parking is proposed with

this application. The current shopping center and standalone service building are existing and any required bike parking will be installed at the time of redevelopment.

60.55 Transportation Facilities

60.55.25. Street and Bicycle and Pedestrian Connection Requirements

Applicant Response: No new proposed streets, pedestrian connection or bicycle lanes are proposed with this application. This provision is not applicable.

60.55.35. Access Standards

Applicant Response: No new streets or driveways are proposed with this application. However, a new shared access and maintenance agreement is being drafted for the pole portion of lot 1. The proposed shared access takes into account ownership, the unique characteristics of the existing developments and their unique site designs. This provision is met.

60.55.40. Transit Facilities

Applicant Response: No new transit facilities are proposed with this application. This provision is not applicable.

40.20.15.1 Design Review Compliance Letter

40.20.15.1.A.1.e – *An applicant may utilize the Design Review Compliance Letter process when the application is limited to one or more of the following categories of proposed action:*

1. *Minor design changes to existing building or site including, but not limited to:*
 - e. *Demolition or other reduction in square footage of an existing building.*

Applicant Response: The applicant acknowledges the applicability of the Design Review Compliance Letter for the demolition of the Hookah Bar. Please reference the applicable approval criteria below and the corresponding responses.

40.20.15.1.C – *In order to approve a Design Review Compliance Letter 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 proposal satisfies the threshold requirements for a Design Compliance Review Letter.*

Applicant Response: As mentioned above, the proposal is a minor façade change to an existing building and is required by the DRCL process mentioned in 40.20.15.1.A.1.e. This provision is met

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

Applicant Response: The Fee for this application is 173.88, which will be paid at the time of submittal. This provision is met.

3. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

Applicant Response: The application form, and required materials are submitted as a part of a joint two parcel partition DRCL application. The package includes plans showing the existing site conditions, proposed lot layouts and coupled with the description noted on the DRCL application this provision is met.

4. *The proposal meets all applicable Site Development Requirements of Sections 20.05.15., 20.10.15., 20.15.15., and 20.20.15. of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application which shall be already approved or considered concurrently with the subject proposal.*

Applicant Response: The proposal responds to this criterion as it relates to the partition. The sections applicable (20.15.15) relates to development standards for buildings and site improvements at the time of development. The demolition removes the applicability of these sections to parcel two. This criterion is not applicable to the demolition application.

5. *The proposal, which is not an addition to an existing building, is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).*

Applicant Response: The site will become vacant with the approval of a demolition permit. Building design standards as laid out in sections 60.05.15-.30 are not application to the demolition application.

6. *If applicable, the proposed addition to an existing building and/or site, and only that portion of the building and/or site containing the proposed improvements, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:*

- a. *Building articulation and variety (Section 60.05.15.1.).*
- b. *Roof forms (Section 60.05.15.2.).*
- c. *Exterior building materials (Section 60.05.15.4.).*
- d. *Foundation landscaping requirements (Section 60.05.25.4.D.).*
- e. *Screening roof-mounted equipment requirements (Section 60.05.15.5.).*
- f. *Screening loading areas, solid waste facilities and similar improvements (Section 60.05.20.2.).*
- g. *Lighting requirements (Section 60.05.30.).*
- h. *Changes to the existing on-site vehicular parking, maneuvering, and circulation area does not require additional paving to the site and the minimum and maximum parking requirements for the subject site are met.*
- i. *Pedestrian circulation.*

7. *The proposal complies with all applicable provisions in CHAPTER 60 (Special Regulations).*

Applicant Response: These criteria are not applicable to the demolition application.

8. *The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance.*

Applicant Response: No grading is proposed with this application, this criterion is not applicable.

9. *Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.*

Applicant Response: There is no previous approvals, this criterion is not applicable.

10. *Proposals for Community Gardens comply with Section 60.05.25.14 of CHAPTER 60. Community Gardens are exempt from Criteria 4, 5, 6, 7, and 8 above.*

Applicant Response: This proposal is not for a community garden. This criterion is not applicable.

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

Applicant Response: The applicant acknowledges the sequence required for this application. This DRCL is being submitted in conjunction with a preliminary partition application which will have a condition of approval requiring the demolition of the building on the proposed lot two.

40.45.15.4 Preliminary Partition

40.45.15.4.C.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.*

Applicant Response: This proposed partition meets all of the applicable development standards with regards to lot width, depth, size, setbacks height and more. The application seeks to rectify a tax lot line that runs within a building and further bring the site into greater conformance. No Legal Lot Determination is pending for the parent parcel, meeting the threshold for a Preliminary Partition.

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

Applicant Response: The applicant acknowledges the required fee of \$5,193.63 and intends on providing the full amount as well as any other additional expenses or fees.

40.45.15.4.C.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.*

Applicant Response: This proposal for a Preliminary Partition meets all subject code requirements for approval. The proposal also will not and does not conflict with any existing city approval. The applicant acknowledges that the city can and may modify previous approvals through this process to comply with all code standards.

40.45.15.4.C.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.*

Applicant Response: Both Lot 1 and Lot 2 will be oversized by definition: *A lot which is greater than twice the required minimum lot size allowed by the subject zoning district.* The lots have been designed so that the sites are both functional and the future of the lots can be further developed either by subdivision or redevelopment. Lot 1 fronts both SW Scholls Ferry and SW Hall providing access to the center via existing driveways and curb cuts. The proposed lot one also makes use of the existing driveways and curb cuts. No further frontage improvements are proposed at this time. Lot 1 also has a “flag pole” portion on the west side of the site to remain intact with the proposed lot. This also provides additional access for this lot so that future development of this lot is not hindered. Lot 2 has significant unobstructed frontage along SW Hall Boulevard that will remain intact. The conventional shape allows this lot to be developed in the future with ease. The granting of this partition will not hinder or render the site undevelopable in the future. This provision is met.

40.45.15.4.C.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:*

- a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,*

b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where street improvements are proposed, provides a standard street cross section with sidewalks.

Applicant Response: This partition application seeks to partition commercial land uses and does not seek to utilize the average standards set forth in 20.05.15.D. This application will meet all applicable criteria mentioned in the application and applicable codes section on this narrative. This criterion is not applicable.

40.45.15.4.C.6 - *If lot area averaging standards are proposed pursuant to Section 20.05.15.D, no further applications for Adjustment or Variance from this standard are required or permitted.*

Applicant Response: Currently, this application seeks to partition this parcel utilizing the current CS provisions. No applications for variances or deviations are being sought through this application. This criterion is not applicable.

40.45.15.4.C.7 - *For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.*

Applicant Response: The proposed partition contains 3 tax lots. All three tax lots are within the CS zoning. There is not intent on combining or splitting parcels within this application that are split Zoned. There are parcels adjacent to the subject property, however, they are not a part of this scope. This criterion is not applicable.

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

Applicant Response: The applicant acknowledges all required documents, plans and additional information requested by the City to deem this application complete. The applicant will submit all required items in the requested sequence. All documents requested in this application have been included as exhibits in this narrative and attached to the application. This provision is met.

40.03 Facilities Review Committee

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

Applicant Response: Chapter 90 of the Development Code defines “critical facilities” to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The proposed lots as shown in the combination ALTA/utility plan (exhibit A) will include the necessary site connections to public water, sanitary sewer and storm water drainage facilities.

Public Water: The proposed lots are currently improved and fall within the Tualatin Valley Water District (TVWD). There are no proposed changes to the current site conditions. The site post partition will operate as it currently is with its current need and capacity.

Public Sanitary Sewer and Stormwater: Both Parcels are currently being served by adjacent stormwater and sewer mains within Scholls Ferry Road. The site post partition will operate as it currently is with its current need and capacity.

Access: Both proposed parcels are directly adjacent to Right-of-way. Parcel 1 being on the corner of SW Scholls Ferry and SW Hall Boulevard provide lot 1 with adequate access to get to all of the site efficiently and safely. The existing conditions provide safe maneuvering and visibility for both pedestrians and automobiles. Lot 2 has

access via a driveway along SW Hall Boulevard as well as an exit path on the adjacent “flag-pole” portion of lot one. An access easement will be placed over this drive aisle to ensure the one-way traffic of lot 2 is able to continue, See Exhibit B for the proposed access. There is no new development is proposed with this application, no new trips are associated with this partition application.

Fire Protection: Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). The applicant acknowledges the City’s adopted city codes with regard to providing adequate fire protection. This application does not propose any structures or new public facilities. Future development of the site will be required to comply with this criterion.

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

Applicant Response: Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way.

At this time, this application does not propose any dwellings units voiding the need for any input needed from Beaverton School District.

The site will be served by the Tualatin Hills Park and Recreation District (THPRD).

The Applicant acknowledges that dedications may be necessary as a part of this application. The applicant plans to show any necessary right-of-way dedications required by the city at the time of final land division application.

It is the understanding of the applicant that the City of Beaverton Police Department will serve the developed site.

Transit: Tri-Met currently serves this site. The site is most directly served by the Numbers 56, 76, and 78 bus lines. The number 76, 56, and 78 bus lines have a stop adjacent to the subject site along SW Hall Boulevard. The numbers 56 and 78 buses stop along SW Scholls Ferry, adjacent to the subject site. All three bus lines serve the Beaverton Transit Center which connects to multiple bus lines as well as red and blue line MAX trains.

Based on the information above, this criterion is met.

40.03.1.C - *The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.15 if located within the Downtown Design District, 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) or Sections 20.25 and 70.15 if located within the Downtown Design District.*

Applicant Response: The proposed Preliminary Partition is not within the Downtown Design District. The subject site is subject to all provisions of chapter 20. The proposed partition also demonstrates based on the

proposed lot design, it is consistent with the code provisions mentioned in this narrative and above. The applicant would also like to highlight the Chapter 20 section of this analysis which includes applicability for this site and its application. Additionally, there are no pending or previous applications that would affect this application. This criterion is met.

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

Applicant Response: Chapter 60 references special requirements regarding special uses, design criteria and others. The most applicable section from Chapter 60 is 60.15 which highlights the standards for land divisions. Much of the section identifies applicability based on the new development being proposed. The purpose of this application is to clean up and partition two parcels from 3 tax lots. The impact to the site is minimal, there is no proposed development to the site and all buildings are existing to remain. This criterion is met.

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

Applicant Response: The proposed Preliminary Partition does not include changes to any private common facilities or areas. The site, as currently developed, is maintained by the developer and is kept in good repair as no physical changes are occurring that would preclude continued maintenance of the facilities.

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

Applicant Response: The existing shopping center is currently improved with sidewalks, pedestrian crossings and ADA routes throughout the site. The proposed partition will not alter any of the existing routes, and efficient circulation patterns on the site. The proposal aims to clean up the lot lines on site to help aid with future development and maintenance of the site. Further, this application does not entail physical changes to the subject site or buildings.

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

Applicant Response: The sites current pedestrian routes connect to both the entrances to the shops as well as the adjacent TriMet bus bay along SW Hall. The pedestrian routes will remain intact, and the site will remain in compliance with the City of Beaverton pedestrian circulation provisions. The current vehicle circulation also operates safely and efficiently. Directions and markers are indicated in a contrasting color ensuring that the system operates well and in a safe manner. The site is also well connected to adjacent right of ways with clear and noticeable entries. Overall, the site provides ample room for maneuvering and circulation for both pedestrians and vehicles, this provision is met. Further, this application does not entail physical changes to the subject site or buildings.

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

Applicant Response: The applicant acknowledges the City's adopted city codes with regard to providing adequate fire protection. This application does not propose any structures or new public facilities. Future development of the site will be required to comply with this criterion.

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

Applicant Response: The applicant acknowledges the City's adopted city codes with regard to providing adequate protection from crime, accidents, and hazardous conditions. This application does not propose any structures or new public facilities. Future development of the site will be required to comply with this criterion.

40.03.1.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.

Applicant Response: No new Grading is proposed as a result of this application. The applicant acknowledges the grading standards of the City of Beaverton, and any future development will be designed in a way to mitigate and minimize adverse effects.

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

Applicant Response: The existing sites incorporate accessibility for handicapped individuals via ADA parking spaces, compliant sidewalks, and routes to a from the buildings to the parking areas and from the buildings to the street and public transportation. The sites have provided uninterrupted paths and pavement/markings identifying pedestrian and ADA routes from the vehicle circulation area. All routes, when no crossing vehicle routes, are sufficient paths for handicapped individuals to access all areas of the site. This criterion is met.

Shared Accessway Standards

210.21.J –

1. *The documents shall provide perpetual joint-use rights for each of the tax lots served by the driveway in a joint-use agreement or similar document and shall include a drawing of the driveway, lot lines, and adjacent buildings drawn to scale.*
3. *If the driveway is within a development requiring a plat, the documents shall include the information and accompanying drawing and shall be submitted with the plat for review.*

Applicant Response: The applicant acknowledges the requirements of the joint use agreement set forth in this section. The agreement will be filled out and accompany the final plat for review.

210.21.K –

1. The applicant seeking a permit for a common driveway shall provide documents defining ownership, use rights, and rights and allocation of liability for maintenance and for damages arising out of neglect. The documents shall provide for perpetual maintenance of the driveway in a joint-use agreement or similar document and shall include a drawing of the driveway, lot lines, and adjacent buildings drawn to scale.
3. If the driveway is within a development requiring a plat, the documents shall include the information and accompanying drawing and shall be submitted with the plat for review.

Applicant Response: The applicant acknowledges the requirements of the maintenance agreement set forth in this section. The agreement will be filled out and accompany the final plat submittal.

Conclusion:

The Applicant has submitted substantial evidence demonstrating that the proposed Type II Preliminary Partition Application satisfies all applicable standards of the City of Beaverton Development Code. The Applicant respectfully requests that the City of Beaverton approve this Type II Preliminary Partition Application.