



Received  
Planning Division  
10/13/2022

**Type III – Design Review**  
**Type II - Loading Determination**  
**Type II – Minor Adjustment: Building Height (20.10.15)**

**For Rock Gym – Peterkort Towne Square**

**Parcel 1S103A001600**  
**10870 SW Barnes Road (site address)**  
**10860 SW Barnes Rd (building address)**

---

**For Peterkort Town Square LLC**

**Submitted to:**  
City of Beaverton  
Community Development Department  
Planning Division  
12725 SW Millikan Way  
PO Box 4755  
Beaverton, OR 97076

---

**DATE: August 25, 2022**

**Table of Contents**

I. Exhibits ..... 3

II. Project Team..... 5

III. Site Data ..... 6

IV. Site/Project History ..... 8

V. Proposed Project Summary ..... 8

VI. Incompleteness August 3, 2022..... 10

VII. Incompleteness April 12, 2022..... 11

VIII. Project Narrative..... 19

    Chapter 20.10 Commercial Land Use Districts..... 19

        20.10.15 Site Development Standards ..... 19

        20.10.20 Land Uses ..... 20

        20.10.40 Other CC Zoning Requirements..... 20

    Chapter 40 Applications..... 21

        40.03 Facilities Review Committee ..... 21

        40.10. Adjustment ..... 24

        40.10.15 Application..... 24

        40.20 Design Review ..... 29

        40.20.15 Application..... 29

        40.50 Loading Determination..... 31

        40.50.15. Application. .... 31

    Chapter 60 Special Requirements..... 34

        60.05 Design Review Design Principles, Standards and Guidelines..... 34

            60.05.10. Design Principles. .... 34

            60.05.15. Building Design and Orientation Standards..... 36

            60.05.35 Building Design and Orientation Guidelines..... 37

            60.05.35 Building Design and Orientation Guidelines..... 39

            60.05.35 Building Design and Orientation Guidelines..... 42

            60.05.35 Building Design and Orientation Guidelines..... 45

            60.05.20. Circulation and Parking Design Standards..... 46

            60.05.25. Landscape, Open Space, and Natural Areas Design Standards..... 51

            60.05.30. Lighting Design Standards..... 55

        Table 60.05-1. Technical Lighting Standards..... 56

        60.25 Off-Street Loading Requirements ..... 58

        60.30 Off-Street Parking..... 59

        60.55 Transportation Facilities ..... 64

        60.65 Utility Undergrounding ..... 72

**I. Exhibits**

**Within Narrative**

Figure 1: Site Vicinity Map ..... 6  
 Figure 2: Site Zoning ..... 7  
 Figure 3: Work Area..... 8

**Separate From Narrative**

1. Application Form: Design Review Type III
2. Application Form: Loading Determination
3. Application Form: Minor Adjustment - Building Height (20.10.15)
4. Checklist
5. Preapplication Notes
6. Neighborhood Review Meeting
  - o Copy of meeting notice
  - o Copy of mailing list
  - o Copy of onsite posting notice
  - o Affidavit of Mailing
  - o Affidavit of Posting
  - o Print of PowerPoint presentation
  - o Meeting Minutes & Attendance
  - o Certified mail receipt for notes to NAC chair
7. Clean Water Services Pre-screen Letter
8. Tualatin Valley Fire & Rescue Service Provider Letter
9. Trip Generation Memo
10. Trip Generation Supplemental Memo
11. Original 1993 TIA
12. Drainage Report
13. Lighting Cut Sheets
14. Civil
  - C1.0 Notes
  - C1.1 Existing Conditions
  - C1.2 Demolition Plan
  - C2.0 Site Plan
  - C3.0 Grading Plan
  - C3.1 Grading – Plaza Enlargement
  - C3.2 Grading – Ramp Enlargement
  - C4.0 Utility Plan
  - C5.0 Typical Details
  - C5.1 Typical Details
  - C5.2 Typical Details
  - C6.0 Erosion Control Plan
  - C6.1 Erosion Control Details
15. Landscape
  - L4.00 Planting Plan
  - L7.50 Planting Details
16. Lighting:
  - E1.00 Site Photometric Plan
17. Architectural
  - D101 Existing Overall Site Plan w/Demo Notes
  - D102 Existing Enlarged Site Plan w/Demo Notes

- D111 Existing Floor Plan w/Demo Notes
- D112 Existing 2<sup>nd</sup> Floor Plan
- D131 Remodel Roof Plan
- D201 Existing Exterior Elevations
- D202 Existing Exterior Elevations
- A101 Remodel Overall Site Plan
- A102 Remodel Enlarged Site Plan
- A103 Trash Enclosure
- A111 Remodel Floor Plan
- A112 Remodel Mezzanine Floor Plan
- A131 Remodel Roof Plan
- A201 Proposed Exterior Elevations
- A202 Proposed Exterior Elevations
- A201 Proposed Exterior Elevations (color rendering)
- A202 Proposed Exterior Elevations (color rendering)
- A301 Building Sections
- A302 Building Sections
- A401 Building Sightline Sections

**II. Project Team**

<b>Property Owner:</b>	Peterkort Towne Square, LLC 9755 SW Barnes Rd, Suite 690 Portland, OR 97225 Contact: Lois Ditmars 503.292.1981 (phone) <a href="mailto:ldditmars@peterkort.com">ldditmars@peterkort.com</a>
<b>Architect:</b>	Baysinger Partners Architecture 1006 SE Grand Ave #300 Portland, OR 97214 Contact: Matthew Lillard, AIA 503.546.1607 (direct) <a href="mailto:mattl@baysingerpartners.com">mattl@baysingerpartners.com</a>
<b>Civil Consultant:</b>	Froelich Engineers 17700 SW Upper Boones Ferry Rd, Suite 115 Portland, OR 97224 Contact: Evan Eykelbosch 503.924.6321 (phone) <a href="mailto:eeeykelbosch@froelich-engineers.com">eeeykelbosch@froelich-engineers.com</a>
<b>Landscape Architect:</b>	Ground Workshop 5744 E Burnside St, Suite 103 Portland, OR 97215 Contact: Alden Carr 971.544.7418 (phone) <a href="mailto:alden@groundworkshop.net">alden@groundworkshop.net</a>
<b>Planner:</b>	Baysinger Partners Architecture 1006 SE Grand Ave #300 Portland, OR 97214 Contact: Jennifer L. Rinkus 503.546.1623 (direct) <a href="mailto:jenniferr@baysingerpartners.com">jenniferr@baysingerpartners.com</a>
<b>Structural Engineer:</b>	Froelich Engineers 17700 SW Upper Boones Ferry Rd, Suite 115 Portland, OR 97224 Contact: Tim Terich, PE, SE 503.924.6315 (phone) <a href="mailto:tterich@froelich-engineers.com">tterich@froelich-engineers.com</a>
<b>Traffic Engineer:</b>	Transportation Consulting Group PO Box 282 Banks, OR 97106 Contact: Donald Odermott, PE, TE 503.969.6255 (phone) <a href="mailto:trancongroup@gmail.com">trancongroup@gmail.com</a>

III. Site Data

**Site Location:** County Assessor Address: 10870 SW Barnes Rd  
Project Building Address: 10860 SW Barnes Rd  
Tax Assessors #: R2045357  
Tax Map and Lot #: 1S103A001600

**Site Size:** 16.44 acres

**Zoning Designation:** CC – Corridor Commercial



Figure 1: Site Vicinity Map

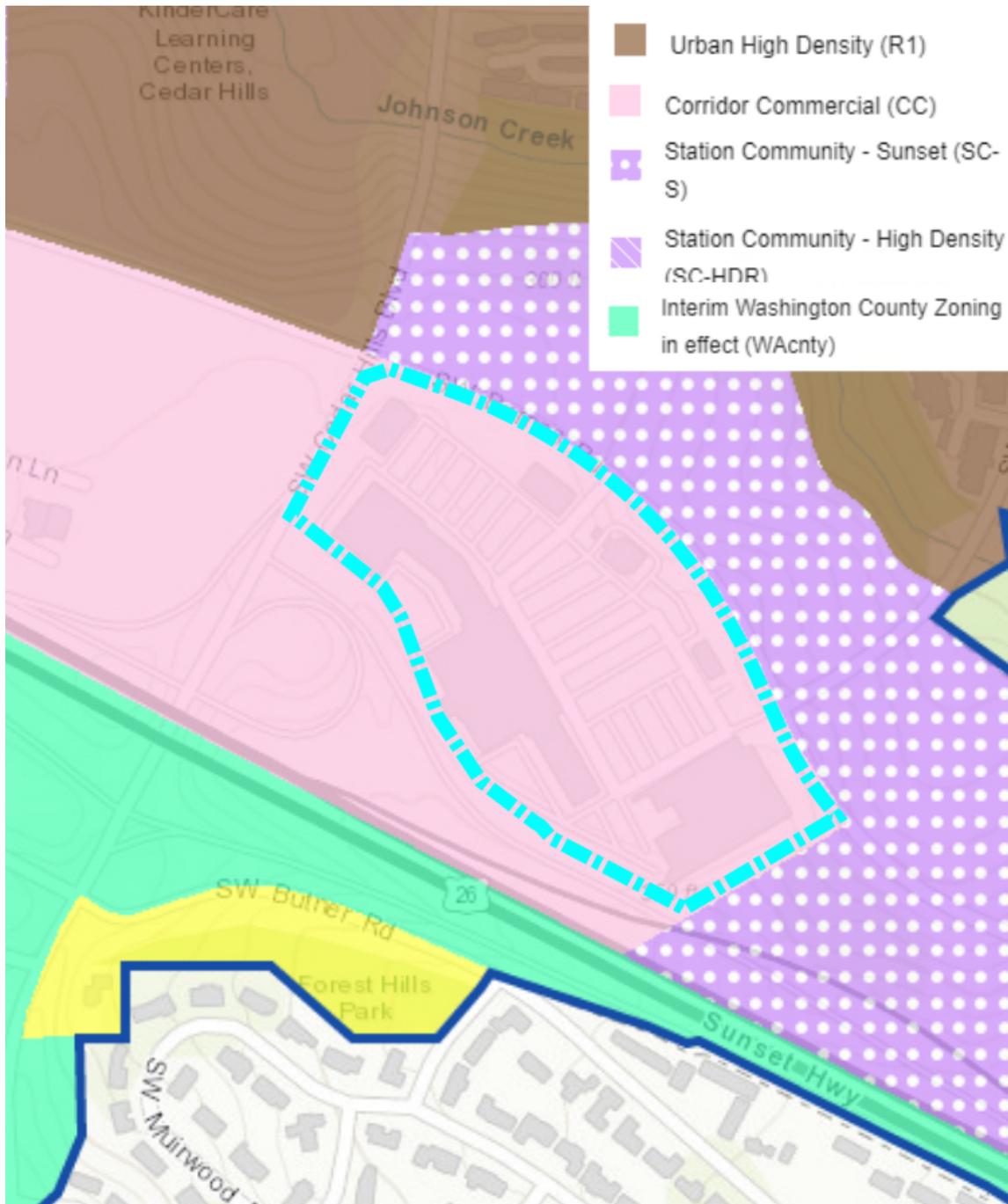


Figure 2: Site Zoning



Figure 3: Work Area

#### IV. Site/Project History

- The following meetings with City staff regarding this project have occurred:
  - Preapplication Meeting (PA 2021-0063) – October 27, 2021
  - Neighborhood Meeting – January 3, 2022
  - Incompleteness – April 12, 2022

#### V. Proposed Project Summary

The proposed project is for the remodel and expansion of the existing Peterkort Towne Square shopping center anchor building that was previously occupied by Orchard Supply Hardware. The building is located in the northeastern portion of the site, east of the eastern site access on SW Barnes (across from SW Valeria View Drive). The project will add approximately 12,597 square feet of enclosed building area to the south end of the building. It will also remove 8,495 square feet of covered outdoor area. It will also reconfigure the parking south of the building, to allow the building expansion, by removing approximately 29 existing parking stalls.

Site work is minimal and restricted to immediately adjacent to the building's south façade to accommodate the outdoor bouldering area, remove parking and install a new trash enclosure. The existing ADA ramp at the north end of the building will also have minor work done to it to bring up to current ADA grade standards; however, the existing footprint and design of the ramp will remain as-is. Landscaping associated with the project is limited to a single landscape planter adjacent to the trash enclosure.

A new refuse and recycling enclosure will be located along the south building facade to serve both the gym and retail tenant. The enclosure will be seven (7) feet high and include gates on the south façade to ensure that all receptacles are fully screened. The enclosure will be approximately 312 square feet in area.

**VI. Incompleteness August 3, 2022****A. WRITTEN STATEMENT:**

1. Please complete the Design Review Three Submittal Checklist, and sign and date the bottom of page six.

**RESPONSE: The checklist has been completed, signed and included with this submittal.**

2. Please expand the narrative at page 43 to explain if and how the proposed new trash enclosure meets the standards at BDC Section 60.05.20.2.C. Specifically, please discuss if and how the solid screen wall of the trash enclosure is proposed to be constructed of primary exterior finish materials utilized on primary buildings.

**RESPONSE: The trash enclosure will be constructed of painted concrete which is a primary material of the existing building that will be retained. This has been added to the narrative section 60.05.20.2.c.**

**PRELIMINARY STAFF COMMENTS (NOT COMPLETENESS ITEMS):**

While not strictly completeness items, the following are matters that will need to be addressed prior to the Facilities Review Committee meeting. Please note that this list may not be exhaustive of all potential issues that may arise during development but are items that came to the attention of staff during completeness review:

**1. Planning:**

- a. Staff concurs with the applicant's assertion, per narrative page 11, that BDC Section 60.05.15.1.B is not applicable to the proposed development's southern façade. Staff acknowledges that the highway off ramp is not considered a public street. However, staff is concerned that the applicant's response to staff comment number two, located on narrative page 10, does not sufficiently address the standard at BDC Section 60.05.15.6.b. BDC Section 60.05.15.6.b addresses the location and orientation of buildings, and requires a specific percentage of buildings to occupy public street frontage. Since the applicant has applied for a Design Review III, staff suggests that the applicant address the corresponding guidelines at BDC 60.05.35.6.

**RESPONSE: Responses to the guidelines of BDC 60.05.35.6 have been added to the narrative Section discussing BDC Section 60.05.15.6.b.**

- b. Staff does not concur with the applicant's assertion that the Minor Adjustment review criteria at BDC Section 40.10.15.1.C.3-4 are satisfied. With the current findings as provided staff does not believe that we can make affirmative findings that the site has special circumstances making it physically difficult or impossible to meet the applicable height standard. This is a particularly difficult approval criteria to meet.

**RESPONSE: After meeting with staff on Tuesday, August 16, 2022 to discuss this item, the adjustment narrative section has been reworked to add more detail regarding the specific unique features of the site.**

**VII. Incompleteness April 12, 2022**

**COMPLETENESS ISSUES:** Pursuant to Section 50.25.1 of the Development Code, a complete application is one that contains the information required by the Director to address the relevant criteria, development requirements and procedures of this Code. The following items must be addressed and submitted in order for the application to be deemed complete:

**A. FEES**

1. Staff records indicate that application fees have not yet been paid. A Type II Design Review is \$2,208.69. A Loading Determination is \$454.37. Please continue to coordinate with Support Specialist Carmin Ruiz per your March 31, 2022 email correspondences. Please note that a Type III Design Review may be required, and the fee is \$6,115.82.

**RESPONSE:** The application is being switched to a Type 3 Design Review and is requesting the initial Type 2 DR fee paid be refunded. A new minor adjustment application, for adjustment of the maximum building height, is also being submitted. Both the Design Review 3 and adjustment will be paid for. The existing loading determination will remain and it is requested that the fee paid for that remain on the books.

**B. WRITTEN STATEMENT:**

1. The submitted trip generation memo is missing the engineer's stamp and signature. Please resubmit with this required component.

**RESPONSE:** A stamped trip generation memo has been provided.

2. Staff finds that BDC 60.05.15.6.B is applicable to the proposed development. The applicant's proposal includes new development at the building's southern façade and the proposal does not move the building closer to compliance with the standard. A Type III Design Review may be required if the proposal is unable to meet the standard or fails to bring the building into closer compliance with the standard.

**RESPONSE:** BDC 60.05.15.6.b requires buildings in commercial zones to occupy a minimum 35% of the public street frontage on sites larger than 60,000 square feet. The key portion of that statement is "of the public street frontage". The preapplication notes, on page 6 section 3, Building Design, states, "it was determined by staff this standard does not apply to this elevation as it is not abutting a public street". The staff therefore determined that the highway off ramp abutting the south property line is not considered a public street frontage.

Based on this determination, BDC 60.05.15.6.B does not apply to the south façade as it does not abut a public street frontage. The work on the south end of the building does not project beyond the existing east and west building frontages which would trigger an assessment of them in reference to the SW Barnes Road frontage. The height of the south addition, while visible from the SW Barnes right-of-way, does not change the setback of the building from the SW Barnes right-of-way, so also does not change the lineal amount of building that is out of

**compliance with setback along Barnes Road. Therefore, BDC 60.05.15.6.B does not apply to the south façade as the south façade does not abut a public right-of-way per the preapplication notes.**

### C. PLANS AND GRAPHIC REQUIREMENTS:

1. Please provide maneuvering templates for the trucks and loading area.

**RESPONSE: Truck maneuvering has been shown on the Sheet A101, Site Plan.**

2. Please review the Site Development Division's supplemental completeness notes attached to this letter, dated April 5, 2022, for additional completeness issues.

**RESPONSE: Refer to the included response section to the Site Development Division comments below.**

### PRELIMINARY STAFF COMMENTS (NOT COMPLETENESS ITEMS):

While not strictly completeness items, the following are matters that will need to be addressed prior to the Facilities Review Committee meeting. Please note that this list may not be exhaustive of all potential issues that may arise during development but are items that came to the attention of staff during completeness review:

#### 1. Planning:

- a. Building height is defined in the Beaverton Development Code (BDC) as, "The vertical distance from grade plane to the highest point of a sloped roof structure or in the case of a flat roof, the vertical distance from grade plane to the highest point of the parapet." Grade Plane is defined in the BDC as, "A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building a point six (6) feet from the building." Grade plane is an average of the grade at each of the four corners of the building. Please provide quantitative data to demonstrate that the building is no more than 60 ft. in height. An Adjustment application may be required.

**RESPONSE: The average height based on the above methodology is 61.48 feet. The application now includes a minor adjustment as the additional 1.48 feet is a 2.46% increase which is less than then 10% increase allowed under a minor adjustment per Section 40.10.15.1.A**

- b. Staff finds that BDC 60.05.15.1.B is applicable to the proposed development's southern façade. Staff anticipates that the proposed 60-foot-tall building will be visible from Hwy 26. Please revise the application narrative/plans to address how the standard has or has not been met.

**RESPONSE: The preapplication notes, on page 6 section 3, Building Design, states, "it was determined by staff this standard does not apply to this elevation as it is not abutting a public street". The staff therefore determined that the highway off ramp and highway abutting the south property line are not considered a public street frontage. Section 60.05.15.1.B only applies if the facade is visible from and within**

**200 feet of a public street or contains a primary building entrance or multiple tenant entrances. As it was determined by staff, the south façade does not face a public street and does not contain any public entrances so section 60.05.15.1.B does not apply to the south façade.**

- c. Please provide additional narrative details describing how the northern façade of the proposal meets BDC 60.05.15.1.B. Staff finds that subsection 2 is applicable. If the applicant is not proposing to meet the standard, please discuss how the proposal brings the building closer to conformance with the standard.

**RESPONSE: The application is being switched to a Type 3 Design Review and will use a mix of standards and guidelines. The project meets the standard for this requirement. The requirements for the north façade and how the elevation meets that requirement are detailed in corresponding narrative section. Additionally, calculations are provided on elevation sheets.**

- d. Please provide additional narrative details describing how the western façade of the proposal meets BDC 60.05.15.1.B. Please explicitly state whether or not the proposal meets the 35% glazing standard and provide the associated numerical data to demonstrate conformance with the standard.

**RESPONSE: The application is being switched to a Type 3 Design Review and will use a mix of standards and guidelines. The project meets the standard for this requirement. The requirements for the west façade and how the elevation meets that requirement are detailed in corresponding narrative section. Additionally, calculations are provided on elevation sheets.**

- e. Cornice is defined in the BDC as, “The uppermost horizontal molded projection or other uppermost horizontal element at the top of a building or portion of a building.” Based on the narrative description, staff finds that the proposed architectural elements intended to address BDC 60.05.15.2.C fail to meet the standard as they are not the uppermost element. In addition, all new roof forms, including the 60-foot-tall addition, are required to meet the standard. Please ensure that all cornices are clearly discernable on the proposed elevation drawings.

**RESPONSE: The application has been switched to a Type 3 Design Review to use guidelines which offer more flexibility with design. Refer to the corresponding narrative section for detailed information on how the project meets this guideline.**

- f. Staff finds that the response to BDC 60.05.15.2.D is insufficient. The standard requires new structures to have a similar shape and be constructed of the same materials as existing roofs. The narrative states that the addition’s roof form will be similar in construction and materials to the existing building. Please provide increased specificity to explain how the slopes and materials proposed meet the standard.

**RESPONSE: The application has been switched to a Type 3 Design Review to use guidelines which offer more flexibility with design. Refer to the corresponding narrative section for detailed information on how the project meets this guideline.**

- g. Please provide numerical data to demonstrate how the proposal meets BDC 60.05.15.4.B. Please address each applicable elevation.

**RESPONSE:** Numerical data has been provided on the elevation sheets. Also, please refer to the corresponding narrative section for detailed information on how the project meets the requirements of this standard.

- h. Staff disagrees with the applicant's assessment that 60.05.15.4.C does not apply to the northern building façade. Staff finds that the proposal includes a 60-foot-tall new building that will significantly alter the northern façade. Please discuss this standard in relation to each façade.

**RESPONSE:** Section 60.05.15.4.C discusses the use of certain materials "*plain, smooth, exposed concrete and concrete block used as foundation materials shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented textured or both*". The changes to the north elevation are between 25'-5" and 60' above grade and do not affect this condition which applies to foundation materials. The area up to three feet above grade are not changed by this application and the area above 25'-5" does not include any plain, smooth, exposed concrete or concrete block.

- i. Staff disagrees with the applicant's assessment that 60.05.15.6.E does not apply to the northern building façade. Staff finds that the proposal includes a 60-foot-tall new building that will significantly alter the northern façade. Please discuss how the standard is or is not proposed to be satisfied.

**RESPONSE:** 60.05.15.6.E states that "*(1) A minimum of one (1) primary building entrance shall not be set back more than 20 feet from the abutting public street or public pedestrian way, and (2) Pedestrian connections to the street oriented primary building entrances shall not cross vehicular circulation and parking areas.*" The changes visible on the north façade occur between 25'-5" to 60' above grade. There is no work proposed on the northern tenant space nor the northern façade from 0 to 25 feet. There is no existing entry facing the right-of-way. The building currently is noncompliant with this standard and the proposed project, while it changes the appearance of the north elevation, does not move the building further from conformance. Nor does the existing building reside within 20 feet of the street so even if work were being done on the northern tenant and the project had the ability to add a street facing door, it would not comply. The work which changes the north façade, occurring on the southern end of the building, is well beyond 20 feet from the right-of-way but does not move the building further out of conformance with setbacks. So, while the north elevation is changing, the project does not include work within the zone to which a door could be added nor does it provide new building facade within 20 feet of the street. The narrative section for 60.05.15.6.E has been updated to also include discussion of the corresponding guideline to ensure that all bases are covered even though neither the standard or guideline should not be applicable as the nonconformance is an existing condition that will not be affected by this project.

- j. Please provide additional numerical data to demonstrate how the proposal satisfies BDC 60.05.15.8.A. The narrative fails to address the square footage of the elevations and only discusses the amount of glazing required.

**RESPONSE:** The narrative has been updated to include numerical data. Numerical data can also be found on the corresponding elevation sheets provided. Refer to the

**corresponding narrative section for detailed information on how the project meets this guideline.**

- k. Staff disagrees with the applicant's assessment that 60.05.15.8.B does not apply to the proposal because the project does not include any residential use. That being said, staff finds that the applicant could make an argument that 60.05.15.8.B subsections 1 and 2 are not applicable to the proposal.

**RESPONSE: The narrative section for 60.05.15.8.B has been updated to include discussion of compliance with the corresponding guideline.**

- l. Please provide additional narrative details describing how the proposed trash enclosure meets the provisions at 60.05.20.2.C.1 regarding primary exterior finish materials.

**RESPONSE: Refer to the included corresponding narrative section for detailed information on the trash enclosure materials. Also refer to the included Sheet A103 for detailed information and illustration of trash enclosure.**

- m. Please provide additional narrative details describing how the proposed pedestrian walkway meets the provisions at 60.05.20.3.F. Please specify if the walkway will be unobscured and identify the proposed paving material (scored concrete or modular paving materials).

**RESPONSE: Refer to the included corresponding narrative section for detailed information on conformance with 60.05.20.3.F. All walkways will meet widths, clearances, be constructed of scored concrete and raised when adjacent to vehicular areas, except at drive aisle crossings.**

- n. Please provide additional narrative details describing how the proposed pedestrian walkway meets the provisions at 60.05.20.7.B. Please specify if the proposal will provide an unobstructed path at least five feet wide at building entrances and along elevations containing display windows.

**RESPONSE: Refer to the included corresponding narrative section for detailed information on conformance with 60.05.20.3.F. All walkways will meet widths, clearances, be constructed of scored concrete and raised when adjacent to vehicular areas, except at drive aisle crossings.**

- o. Please provide a landscape plan for all newly proposed landscape area.

**RESPONSE: There is one (1) new landscape planter surrounding the new trash enclosure. A portion of the planter will be a stormwater facility. Landscape plans have been provided.**

- p. Please revise the submitted lighting plan to address all areas on-site where changes are proposed, specifically the circulation areas affected by the proposal. This includes the auto circulation area to the rear of the development and the ADA ramp near the site entrance.

**RESPONSE: A revised lighting plan has been included which covers the auto circulation area to the rear of the development and the ADA ramp at the site entrance. Existing lighting to remain was difficult to assess in the computerized project so accurate on-site lighting readings were taken for areas where existing lighting is to remain,**

including the existing ADA ramp. Existing, measured lighting levels are shown on the plan as a number inside of a rectangle versus the anticipated lighting levels for new lighting generated by the computer project which are shown in small text. Should the lighting levels be unsatisfactory to the City the client requests that consideration be given to conditioning code compliant lighting on the project as part building permit issuance verses delaying land use review through an incompleteness determination.

- q. Please revise the narrative and plans as needed to address to Maximum Permitted Height of Luminaries standards per Table 60.05-1.

**RESPONSE:** The narrative and photometric plan have been revised showing the maximum proposed heights of luminaries. Should these revisions be unsatisfactory to the City the client requests that consideration be given to conditioning code compliant lighting on the project as part the building permit issuance verses delaying land use review through an incompleteness determination.

- r. The proposal narrative states that the total square footage of shopping center use provided assumes completion of the Starbucks pad expansion. Staff finds that the total square footage figures provided in each of the two application packages conflict. The Rock Gym application states that the total square footage will be 137,340, but the Starbucks application states the total square footage will be 183,446. Please revise both applications as necessary for consistency and accuracy. Staff is unable to verify the permitted parking ranges for cars and bicycles without accurate information.

**RESPONSE:** The proposal has been updated to coordinate square footage and parking counts between the Starbucks and this application. It should be noted that the Starbucks project is considered Phase 1 of work on the site and prior to this applications work. The “existing” numbers, for both parking and onsite building area, for this application are therefore based on the numbers at completion of the Starbucks project.

- s. The proposal narrative states that the total vehicle parking spaces at project completion will be 670 and that 25 spaces are proposed for removal. These numbers indicate that the existing on-site vehicle parking totals 695 spaces. The Starbucks application states that the total vehicle parking will be 683 spaces and that 57 spaces will ultimately be eliminated at project completion. The Starbucks application states that the existing site has about 740 parking stalls. Please revise both applications as necessary for consistency and accuracy.

**RESPONSE:** The proposal has been updated to coordinate square footage and parking counts between the Starbucks and this application. It should be noted that the Starbucks project is considered Phase 1 of work on the site and prior to this applications work. The “existing” numbers, for both parking and onsite building area, for this application are therefore based on the numbers at completion of the Starbucks project.

- t. The proposal narrative addresses the criterion at 60.05.20.6. Staff finds that the criterion is not applicable because the subject site is not a Multiple Use zone.

**RESPONSE:** The narrative has been updated to remove section 60.05.20.6

## 2. Transportation Comments:

- a. Transportation staff have reviewed the submitted application materials. Regarding the Loading Determination application, Transportation staff noted some discrepancy in the applicant's narrative responses for BDC 40.50 Loading Determination and BDC 60.25 Off Street Loading.
  - o Because the proposal will increase the gross floor area by 25% or more of the existing building (existing building being 46,933 ft<sup>2</sup>, and additional square footage is 12,597 ft<sup>2</sup>), the site must comply with the off-street loading table in BDC 60.25 – specifically Table 60.25.12). Per that table, the retail use (27,967 ft<sup>2</sup>) requires two Type B loading berths, and the gym (31,568 ft<sup>2</sup>) requires an additional two Type B loading berths. Please revise the narrative to reflect that the code requires 4 berths.

**RESPONSE:** In all my prior applications with Beaverton over the last 14 years the loading code has not been interpreted per use in the same building, when sharing docking facilities, when the uses are in the same use category. For example, the gym and retail tenants are both a commercial uses under #4 in Table 60.25.15 so the total building area is considered not each individual use. This requires three (3) berths not four (4) berths. Regardless, this application includes a Loading Determination. Refer to the included narrative section for detailed information.

- o The narrative states one loading berth exists on site that has served the previous retail use; however other sections of the narrative describes the existing facilities as double loading docks. The scaled site plans show the docks as being over 27' wide, and over 50' long. Feasibly this could be considered two loading docks.

**RESPONSE:** There are two (2) loading berths onsite. The narrative has been updated. A loading determination has also been included for the additional one (1) to two (2) loading berths (depending on how the code is interpreted).

- o Lastly, the narrative responses to 40.50.15.1.C. 3 and 5 could be more robust in providing details about the operations and loading/unloading needs for both of the land uses – retail and gym. For example, the anticipated hours of operations; anticipated frequency of deliveries for both uses; typical vendors truck sizes that would be used; etc.

**RESPONSE:** Narrative sections 40.50.15.1.C.3 and 5 have been updated to include what additional information we know regarding specific tenant loading demands and hours.

## 3. Site Development Comments:

- Please review the Site Development Division's supplemental completeness notes attached to this letter, dated April 5, 2022, for additional staff comments.

**RESPONSE:** Refer to the corresponding narrative sections for detailed response to Site Development comments.

## SITE DEVELOPMENT COMMENTS

1. Please include engineer's stamp and signature on preliminary plans.

**RESPONSE: Stamped and signed drawings have been provided.**

2. Show existing contours at 2' intervals on existing conditions plan and all grading plans.

**RESPONSE: Contours have been shown.**

3. Please provide plans and data showing that existing storm water detention system meets the 2019 CWS hydromodification requirements (50% 2-year, 5-year, 10-year peak flows). Also, either LIDA needs to be provided for 30% of required treatment runoff, or flow duration curve matching detention provided.

**RESPONSE: Refer to the included stormwater report and civil drawings which analysis and address the 2019 CWS requirements.**

## RESUBMITTAL

Please provide a full electronic resubmittal via the City's website to the planning division. All submittals should follow the City's naming policy. As a general guideline, please separate materials into PDFs which contain the same material that would be provided in a submittal binder tab for ease of review.

**RESPONSE: A full package of submittal materials has been provided.**

**VIII. Project Narrative**

**Chapter 20.10 Commercial Land Use Districts**

**20.10.15 Site Development Standards**

Development Standards Superscript Numbers Refer to Footnote	CC
A. Minimum Parcel Area - Non-Residential	None
C. Lot Dimensions	
1. Minimum Width	None
2. Minimum Depth	None
D. Minimum Yard Setbacks	
1. Front <sup>2</sup>	None
2. Side <sup>3</sup>	
a. Interior	None
b. Corner	None
3. Rear <sup>4</sup>	None
E. Minimum Open Air Display Setbacks <sup>5</sup>	
1. Front	None
F. Building Height	
1. Maximum <sup>6</sup>	60

2. Under the conditions outlined in Section 60.05.15.6. of this Code, buildings in commercial zones located on parcels that exceed 60,000 square feet shall be exempt from Section 20.10.15.D.1., minimum front setbacks. Front yard setbacks for parcels in excess of 60,000 gross square feet shall be governed by the Design Review Design Standard specified in 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.
3. Under the thresholds outlined in Section 40.30., application may be made for zero side yard setbacks.
4. 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.
5. Where permitted, open air sales / display / storage of merchandise shall be setback at least 20 feet from the front property line. The area shall be designated and subject to Decision Maker approval.
6. Maximum building height of any building within 100 feet of a residentially zoned property is 35 feet.

**RESPONSE:** The proposed project site is in the CC zoning district and totals approximately 16.90 square feet in area. The project is for remodel and expansion of the former hardware anchor building. The work will not move the building out of compliance with setback standards as the expansion is on the south side of the building on the opposite end of the building from the right-of-way. Currently, the project does not include any open-air sales/display or storage of merchandise. The tallest portion of the proposed renovations is the new Rock Gym addition which has a maximum height of 60 feet at grade immediately adjacent to that addition. However, per the

**zoning code definitions for Average Grade Plane the building is 61.48 feet and a minor adjustment is included with this application. This does not exceed the maximum 60 feet allowed.**

**The proposed project meets the criterion of 20.10.15 as the work does not exceed the maximum allowed height of 60 feet and meets the setback requirements.**

**20.10.20 Land Uses**

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Commercial Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.10.25

Category and Specific Use Superscript Refers to Use Restrictions	CC
P: Permitted	C: Conditional
	N: Prohibited
Commercial	
10. Retail Trade <sup>3</sup>	P
24. Recreation	
C. Recreation Facilities	P

**RESPONSE: The proposed project will expand an existing building that formerly housed a hardware store. The project will demise the building for use by a retail tenant and The Portland Rock Gym. Both retail and recreation facilities (gym) are permitted uses.**

**20.10.40 Other CC Zoning Requirements**

Uses shall be subject to the following (excludes food cart pods, parks and playgrounds):

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities, transit centers and as allowed in items 2 and 3 below.
2. Accessory open air sales / display / storage shall be Permitted for horticultural and food merchandise only and shall constitute no more than 5% of the gross building floor area of any individual establishment.

**RESPONSE: The proposed project does not include any outdoor sales or display. These criteria do not apply.**

## Chapter 40 Applications

### 40.03 Facilities Review Committee

Consistent with Section 10.95.3. (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 proposed project is within an existing shopping center and will increase the total square footage of center by approximately 12,597 square feet (of included building area). The minimal increase in square footage will not have a negative impact on critical facilities. All critical facilities and services will remain adequate to service the site and proposed project. This criterion is therefore 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:** The proposed project is within an existing shopping center. The existing former hardware store building will have approximately 8,495 square feet existing outdoor garden center demolished and 12,597 square feet of new enclosed building area added. This results in a net gain of approximately 4,102 square feet of use area. The site is already served with a bus stop, pedestrian and bicycle facilities. The proposed project will improve onsite pedestrian access and all other essential facilities and services will remain adequate to service the site and proposed project. This criterion is therefore met.

- 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 proposed project complies with all requirements of Chapter 20. Refer to the included Chapter 20 narrative for detailed information. This criterion is therefore met.**

- 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: The proposed project is consistent with all applicable provisions of Chapter 60 as demonstrated by the included Chapter 60 narrative. This criterion is therefore met.**

- 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: The proposed project is within an existing fully developed center that is owned by a local development company who had numerous developments. They are long standing and respected development company who take pride in their sites. The site has been pristinely maintained and will continue to be maintained as such. This project is intended to revitalize the center and the site will be maintained to ensure it is attractive, active and safe.**

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

**RESPONSE: The proposed project will renovate a portion of an existing fully developed shopping center. The existing center has safe and efficient vehicular and pedestrian circulation patterns. The proposed project will make only minor modifications to onsite vehicular circulation with the primary change being modifications to the small parking area south of the building. Twenty-five (25) parking stalls will be removed to allow for the building expansion.**

**The existing pedestrian walkway that connects the building to the existing shops building along the south property line will be retained. The existing ramp and stairs at the north end of the building, which connects the building to the SW Barnes right-of-way will be rebuilt as its current condition has deteriorated.**

**This criterion is met as there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.**

- 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:** The proposed project will renovate a portion of an existing fully developed shopping center. The existing center has safe and efficient vehicular and pedestrian circulation patterns including connections to the surrounding public infrastructure. The proposed project will not remove any of those connections. This criterion is met as the development's on-site vehicular and pedestrian circulation systems will continue to connect to the surrounding circulation systems in a safe, efficient and direct manner.

- 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:** All structures and facilities have been designed in accordance with all applicable City codes and standards. This criterion is therefore 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:** Any structures and public facilities serving the development will be designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident. This criterion will therefore be 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:** The proposed project will renovate a portion of an existing fully developed shopping center. Minimal changes to existing grades and contours are required for the building addition. A state registered civil engineer has designed the grading to minimize impacts and mitigate any adverse effects. This criterion is therefore met.

- 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:** The proposed project will renovate a portion of an existing fully developed shopping center. The existing center has safe and accessible pedestrian circulation patterns. The proposed project will enhance those repairing the ADA ramp at the north end of the building. This criterion is met as access and facilities for physically handicapped people are provided and they are continuous, uninterrupted routes.

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

**RESPONSE:** The submitted materials include a signed application, fee, written narrative, Preapplication Meeting Notes, architectural, civil and landscape plans, Service

provider letters from CWS and TVFR and Traffic Memo.

**This criterion is met as all required submittal materials, as specified in Section 50.25.1 of the Development Code, have been included.**

#### 40.10. Adjustment

##### 40.10.15 Application

#### 1. Minor Adjustment.

- A. Threshold. An application for Minor Adjustment shall be required when one or more of the following thresholds apply:
1. Involves up to and including a 10% adjustment from the numerical Site Development Requirements specified in CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District. This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described Section 60.12.40.4., .5., .6. and .7.
  2. Involves up to and including a 10% adjustment from the numerical Development Standards for Grading specified in Section 60.15.10. (Land Division Grading Standards) of this Code.
  3. Involves up to and including a 10% adjustment from the numerical Food Cart Pod standards specified in Section 60.11.10 and 60.11.15 of this Code.
  4. Involves up to and including a 10% adjustment from the numerical Off-Street Parking standards specified in Section 60.30.10 of this Code.

**RESPONSE: The proposed building addition is 60 feet tall; however, according to the definition of building height grades around all sides of the building must be taken into account. Due to the existing grades at the northwest corner of the building, where the existing drive aisle dips below the finished floor of the building, the building height is then 61.48 feet. The maximum allowed building height per Section 20.10.15 is 60 feet. The additional 1.48 feet is 2.46% over the allowed and below the maximum 10% adjustment allowed under subsection A1 above. The threshold is therefore met for a minor adjustment.**

- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Minor Adjustment. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Minor Adjustment 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 Minor Adjustment application.

**RESPONSE: As demonstrated above the additional 1.48 feet is a 2.46% deviation which is less than the maximum 10% deviation allowed by a minor adjustment. This criterion is therefore met.**

2. The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.

**RESPONSE:** The application complies with Section 50.25.1 as demonstrated in narrative section 50.25.1. This criterion is therefore met.

3. Special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.

**RESPONSE:** The proposed project is for the remodel and reuse of an existing building with a fully developed shopping center. The building has formers been occupied by a hardware store and a gym. This project will divide the building into two (2) tenant spaces to be occupied by a yet to be determined retail tenant and The Portland Rock Gym. As part of the renovation, the existing outdoor covered area (~8,495 sf), used previously by the hardware store as an outdoor garden center, will be demolished and a 12,597 square foot addition will be constructed in its place. This new building area will house the first world record qualifying speed climbing wall on the west coast. World records set by climbers on the wall will be recorded as being set in Beaverton, Oregon.

To meet world record standards the wall must be 15 meters (50 feet) high. It must also have safety equipment and clearance that require 1 meter of additional head space above the top of the wall and below the bottom of the rafters. Due to the large spans, structural members are required to be 60 inches high. Required decking, insulation and the metal roofing on top of the members results in a 60 feet high building. Refer to the included exhibits that illustrate schematically how the wall, equipment and structural roof members interact. Also refer to the included architectural section that illustrates the structural roof system designed by the metal building engineers.

The height of the wall, equipment and structural members have all been designed for the minimum needed to allow the wall to meet record qualification standards and provide a building and structural code compliant building. The project also consciously chose to construct the addition as a metal building in order to minimize height as traditional wood or truss members would result in deeper members and a higher building.

When measured at the building addition itself the height of the building is 60 feet. However, BDC Section 90, Definitions, states building height is, *“The vertical distance from grade plane to the highest point of a sloped roof structure or in the case of a flat roof, the vertical distance from grade plane to the highest point of the parapet.”* And, grade plane is defined as, *“A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building a point six (6) feet from the building.”* As the site has significant existing grades changes throughout and in particular at the drive aisle off the northwest corner of the building where it drops to approximately 5.57 feet below the finished floor elevation, the height of the addition averages 61.48 feet, or 1.48 feet over the allowed maximum height of 60 ft resulting in the requested

adjustment.

To conserve resources, reduce contributions to landfills and take an environmentally friendly approach, the project chose to reuse the existing building and demo only the outdoor area needed for the expansion versus demolishing the entire building. This means that there is an established finished floor elevation to work around. The project looked at lowering the finished floor of the addition, but several factors prevent it from being a viable option.

First, the geotechnical analysis conducted in 2022 concluded, after several borings in the vicinity of the project, that *“weathered (decomposed) basalt was near the ground surface. Excavations for foundations and utilities will encounter shall basalt and, therefore, difficult excavation conditions.”* The shallow rock layer also negatively impacted the projects ability to accommodate stormwater facilities required by new CWS guidelines resulting in a larger facility to compensate for its decreased depth. Removal of the bedrock that exists and impedes construction would likely require blasting, which is not advisable in such close proximity to existing structures.

Secondly, the hand holds and “routes” climbers follow up the wall are continually serviced and changed. This requires the use of a motorized lift similar to a “cherry picker” or scissor lift. The machine must be driven into the building and around the wall to access all portions of the wall. As mentioned above, the existing grade outside the building addition is currently within a few inches of the existing finished floor elevation allowing the lift to drive straight in from the existing parking lot without special design modifications. If the existing bedrock were not a constraint and the finished floor of the addition could be lowered to eliminate the adjustment request, ramps would be required to allow the lift to drive into the building and down to the new finished floor elevation. Without increasing the size of the building, the ramps would impede the machines ability to navigate around the wall and be a safety concern as they would encroach into the safety fall areas around the wall. The new addition has already been increased by approximately 4,000 square feet more than the garden center being demolished. Increasing the addition beyond what is proposed to accommodate the ample ramp required for the machinery is not possible due to the constraints of the existing development of both the project buildings loading area, the adjacent Shops “B” building and required truck (including fire truck) access and maneuvering areas.

The project has minimized the wall and equipment height and consciously designed the building itself to minimize overall height and minimize the adjustment requested. Lowering the height of the building further mandates lowering the wall height, prohibiting world record qualifications which is the primary objective of the tenant and project. The site has several conditions and circumstances that contribute to the requested height adjustment including existing grades and shallow bedrock that dictate the finished floor of the addition. These existing features and grades cannot be changed and thus are out of the control of the project. Thus this criterion is met.

4. The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.

**RESPONSE:** The finished floor height of the existing building, the existing grades of the abutting right-of-way and drive aisle adjacent to the building and the existence of shallow bedrock are not a result of the actions of the applicant. The request for the adjustment is not a result of a financial hardship or convenience. The building addition measures at the addition itself is 60 feet. It is not until we have to factor in the large grade disparity at the opposite end of the building that the average height exceeds the maximum allowed. This criterion is met as the grades, existing finished floor and environmental conditions are not the result of actions of the applicant.

5. Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.

**RESPONSE:** The requested minor adjustment is for 1.48 feet above the maximum allowed height of 60 feet. The adjustment request is in no way related to pedestrian or vehicular movement; therefore, granting the adjustment will not obstruct pedestrian or vehicular movement and this criterion is met.

6. City designated significant trees and/or historic resources, if present, will be preserved.

**RESPONSE:** There are no significant trees or historic resources on this site. This criterion does not apply.

7. Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved.

**RESPONSE:** There are no trees associated with this project. This criterion does not apply.

8. If more than one adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.

**RESPONSE:** This criterion does not apply as only one (1) adjustment is being requested.

9. Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.

**RESPONSE:** The adjustment is asking for 1.48 feet or a 2.46% to the maximum height allowed because one (1) corner of the building has existing grades below the finished floor which brings the average building height above the maximum 60 feet allowed. The project team has designed the climbing wall, it's needed equipment and structural member size to the minimum required to allow the wall to still qualify for world record attempts and create a code compliant and structurally sound building. The design team has also limited the additional height to only the area of the project

**which encompasses the wall requiring the additional height. This adjustment is the minimum height needed to accommodate the equipment of the intended tenant, The Portland Rock Gym and the area of the additional height has been limited to only that area encompassing the wall; therefore, this criterion is therefore met.**

10. The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.

**RESPONSE: The design of the building incorporates ample glazing (within structural building design constraints) to maximize views into the portion of the building requiring the adjustment. This area houses the world record qualifying speed climbing wall, which will be the first on the west coast, and will provide spectacular views of climbers inside. The building design also incorporates massing and material changes that accentuate horizontal lines to balance the verticality of the windows and total building height. This criterion is met as the building and its design have a combination of features that compensate for the additional 1.48 feet of height requested.**

11. The proposal is consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless applicable provisions are modified by means of one or more Adjustment, Variance, Planned Unit Development applications that already have been approved or are considered concurrently with the subject proposal.

**RESPONSE: The proposal is consistent with all applicable provisions of Chapter 20, except for the maximum height for which this adjustment applies. This criterion is therefore met.**

12. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.

**RESPONSE: The proposal is consistent with all applicable provisions of Chapter 60 as demonstrated in this narrative. This criterion is therefore met.**

13. 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: drainage ditches, 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 periodic maintenance by the City or other public agency.

**RESPONSE: Granting the adjustment will not impact the owner's ability to provide periodic maintenance and necessary normal replacement of all of the above facilities. This criterion is therefore met.**

14. The proposal does not include any lot area averaging as specified in Section 20.05.15.D.

**RESPONSE: The proposal does not include any lot area averaging. This criterion is therefore met.**

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

**RESPONSE: All applications and documents have been and will continue to be submitted in the property sequence. This criterion is therefore met.**

D. Submission Requirements. An application for a Minor Adjustment 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. The Minor Adjustment application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.

**RESPONSE: This request is being made by the property owner who has signed the appropriate application (included). This criterion is therefore met.**

**40.20 Design Review**

**40.20.15 Application**

**3. Design Review Three.**

- A. Threshold. An application for Design Review Three shall be required when an application is subject to applicable design standards and/or guidelines and one or more of the following thresholds describe the proposal:
  - 1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district.
  - 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential zoning district.
  - 3. Building additions in Residential, Commercial, or Multiple Use zones more than 30,000 gross square feet of floor area.
  - 4. Building additions in industrial zones more than 30,000 gross square feet.
  - 5. Construction of a permanent structure, not considered a building, in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which exceeds 10,000 square feet in size and is a use permitted within the underlying zoning district.
  - 6. Projects proposed utilizing the options described in Section 40.20.10.5.
  - 7. New parks in Residential zoning districts.
  - 8. A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).
  - 9. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

**RESPONSE: The proposed project is for the construction of approximately 12,597 square feet of new enclosed building area, remodel of the existing building and a change of the small parking area south of the building which will result in the loss of 25 parking**

**stalls. These changes meet criterion 5 and 7. However, the project does not meet the applicable design standards for Sections 60.05.15.2(C) and (D), 60.05.15.6(E) and 60.05.15.8(B) and will use the guidelines for those sections thereby meeting criterion 9 above.**

C. Approval Criteria. In order to approve a Design Review Three 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 Review Three application.

**RESPONSE: The proposal meets all the threshold requirements of a Design Review Three application as demonstrated in the narrative sections above. This criterion is therefore met.**

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

**RESPONSE: All applicable fees have been paid. This criterion is therefore met.**

3. For proposals meeting Design Review Three application thresholds numbers 1 through 7, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

**RESPONSE: The application meets threshold 9; therefore, this criterion does not apply.**

4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or
- c. The location of the existing structure to be modified is more than 300 feet from a public street.

**RESPONSE: The proposed development is consistent with all applicable standards and/or conditions as demonstrated in this narrative. In a few instances, location of the existing north wall and topography do play into the justification of compliance as demonstrated in the accompanying narrative. This criterion is therefore met.**

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

**RESPONSE: The proposal complies with the grading stands in Section 60.15.10. This criterion will therefore be met.**

6. For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

**RESPONSE: The application is not for a DRBCP; therefore, this criterion does not apply.**

7. For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s).

**RESPONSE: The proposal meets Design Review Three threshold number 9 and responds to the guidelines corresponding to Sections 60.05.15.2(C) and (D), 60.05.15.6(E) and 60.05.15.8(B). This criterion is therefore met.**

8. For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

**RESPONSE: This proposal will answer a mix of standards and guidelines; therefore, this criterion does not apply.**

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

**RESPONSE: All applications and documents will be submitted in the property sequence. This criterion will therefore be met.**

## 40.50 Loading Determination

### 40.50.15. Application.

There is a single Loading Determination application which is subject to the following requirements.

#### 1. Loading Determination.

- A. Threshold. An application for Loading Determination shall be required when one or more of the following thresholds apply:
  1. A request that the Director establish, in writing, an off-street loading space total or requirement for any use not listed or substantially similar to a use listed in Section 60.25. (Off-Street Loading) of this Code.
  2. A request to modify the total number of off-street loading spaces from the required number listed in Section 60.25 .(Off-Street Loading) of this Code.
  3. A request to modify the dimensions of a required off-street loading space listed in Section 60.25. (Off-Street Loading) of this Code.

**RESPONSE: The project is required two (2) loading berths and is requesting to provide one (1) loading berth, meeting sub-criterion 2 above.**

- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Loading Determination. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Loading Determination 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 Loading Determination application.

**RESPONSE: The proposed project meets criterion 1(A)(2) as demonstrated above. This criterion is met.**

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

**RESPONSE: All fees has been paid. This criterion is therefore met.**

3. The determination will not create adverse impacts, taking into account the total gross floor area and the hours of operation of the use.

**RESPONSE: The proposal is for a 27,320 square foot retail building and a 31,563 square foot rock climbing gym to share the single existing loading dock. The double dock previously served the building when it was fully occupied by a single retail tenant (hardware store). The proposed demising of the building will create a gym use that has less demand for loading than the prior retail use and a smaller retail footprint with a lower demand. The gym area, 31,563 sf, was previously all retail but will be reduced to an approximately 575 sf retail area associated with the gym, which will sell mainly snacks and logo merchandise and small climbing supplies.**

**It is anticipated that these supplies will approve at most, once a day, via package trucks which will likely load through the front door. The existing Rock Gym location is open Monday through Friday 7 am through 11 pm, Saturday 9 am through 9 pm and Sunday 9 am through 6 pm and it is anticipated this new location will utilize similar hours of operation. All deliveries will occur within their standard hours of operation. At the time of this application there is no confirmed tenant for the Tenant A space therefore hours of operation are not known; however, standard retail typically operates to varying degrees between 8 am and 10 pm.**

**Approval of the loading determination will not create adverse impacts as the size of retail utilizing the loading area utilizing the docks has been reduced by 40%. The applicant believes per Table 60.25.15 the required number of loading berths to be 3. Therefore a 40% reduction in area utilizing the loading berths translated to a 40% reduction in loading area would require 1.8 loading berth. As the two (2) loading berths were adequate for a 46,933 sf retail store the loading berths will remain adequate for approximately 27,895 sf of retail (Tenant A plus 575 sf retail of The Rock Gym). This criterion is therefore met.**

4. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site and in connecting with the surrounding circulation system.

**RESPONSE:** The proposed project is within a fully established shopping center. The proposed loading determination will not change any of the existing, safe, and efficient vehicular and pedestrian circulation patterns. The site will continue to provide safe and efficient vehicular and pedestrian circulation; therefore, this criterion is met.

5. The proposal will be able to reasonably accommodate the off-street loading needs of the structure.

**RESPONSE:** The project building was formerly a single tenant building occupied by a hardware store. The existing building has two (2) loading docks that met the needs of that 46,933 purely retail tenant. At project completion, the building will be occupied by two (2) tenants, a 27,320 square foot retail building and The Portland Rock Gym which has approximately 575 sf of retail area selling snacks, and small merchandise. The Rock Gym, once equipment is set up and the building occupied, will have minimal delivery needs. They will receive small amounts of snack foods, beverages and merchandise via package trucks, at most once a day. Those trucks will likely deliver their small parcels via the front door and not utilize the loading area.

The demand for deliveries will be lessened by reducing the size of the retail area by 40% and by the gym's deliveries not needing full size delivery trucks. As the double loading docks were adequate for the building occupied entirely by a retail tenant and a significant reduction in retail area, the existing loading area will remain adequate. This criterion is therefore met.

6. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.

**RESPONSE:** As demonstrated in this narrative the proposed project is consistent with all applicable provisions of Chapter 60. The project is part of a fully developed shopping center abutting fully developed rights-of-way. There are no required right-of-way improvements or dedications. This criterion is therefore met.

7. 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: drainage ditches, 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 periodic maintenance by the City or other public agency.

**RESPONSE:** The proposed project is within a fully developed shopping center and owned by an established development company with a long history of property management.

**The property has been continually managed and maintained and will continue to be maintained. All areas mentioned above are serviced and replaced as needed and will continue to be. This criterion will continue to be met.**

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

**RESPONSE: The application includes all required submittal materials in Section 50.25.1. Refer to included drawings, exhibits and this narrative. This criterion is therefore met.**

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

**RESPONSE: All materials have been and will continue to be submitted in the property sequence. This criterion is therefore met.**

- D. Submission Requirements. An application for a Loading Determination 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. The Loading Determination application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

**RESPONSE: This Loading Determination is being made by the property owner and an application, downloaded from the City's website, has been provided with the submittal materials. This criterion is therefore met.**

**Chapter 60 Special Requirements**

**60.05 Design Review Design Principles, Standards and Guidelines**

**60.05.10. Design Principles.**

The following design principles are general statements to guide the development of the built environment, the appearance of that development, and the effect of that development on the existing surroundings. The design guidelines and standards implement these principles.

- 1. Building Design and Orientation. Design buildings that enhance the visual character of the community and take into account the surrounding neighborhoods, provide permanence, and create a sense of place. In Residential, Commercial and Multiple Use districts, design buildings that contribute to a safe, high quality pedestrian-oriented streetscape.

**RESPONSE: The proposed modifications to the existing building will add height and an ample amount of glazing and articulation. The design of the renovations are compatible with the existing center but bring a new updated look to the façade by expanding the materials palette and adding horizontal and vertical elements of varying heights. The design, while new and refreshing, maintains the existing pedestrian pathways and wide walkway along the main building façade ensuring that safe and**

**efficient pedestrian connections to other buildings of the center, parking areas and abutting rights-of-ways will be provided. This criterion is met as the building design enhances the visual character of the community and surrounding area by updating the centers looks while remaining compatible with existing buildings.**

2. Multiple Use District Building Orientation and Design. Locate buildings so they are conveniently and safely accessible from on-site and off-site sidewalks and streets, and so buildings near the edge of a right of way provide a high quality, pedestrian oriented streetscape, contribute to safety by offering "eyes on the street" and promote pedestrian safety and use. Provide a pedestrian-friendly environment through building and site design treatments that may vary in nature and degree depending on the character of the urban area, the characteristics of the street, and the type of use and development proposed.

**RESPONSE: This criterion does not apply as the site is not located in a Multi-use zoning district.**

3. Circulation and Parking Design. Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.

**RESPONSE: The proposed project is for renovation of an existing building within a fully developed shopping center. The site currently provides multi-modal circulation and parking that are safe and convenient. The project modifies the existing parking and circulation only slightly at the south end of the building. The modifications will remove parking stalls to allow for the building expansion but maintain clear and appropriate drive aisles for fire department access. The project retains the pedestrian pathway along the west building façade as well as the existing connection to the right-of-way, adjacent buildings and parking are. This criterion is met as the existing center provides integrated multi-modal circulation and parking and the proposed project will retain those.**

4. Landscape, Open Space, and Natural Areas Design. Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.

**RESPONSE: The proposed project is for renovation of an existing building within a fully developed shopping center and is fully landscaped. The project modifies the existing parking and circulation only slightly at the south end of the building. There is no landscaping associated with this parking area currently. The planned modifications will not reduce landscaping. Additionally, this portion of the project does not include any new landscape areas as the majority of work is building related.**

5. Lighting Design. Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.

**RESPONSE: Lighting has been provided and is shown on the included photometric plan and**

**lighting cut sheets. All areas will be adequately lit. This criterion is therefore met.**

#### **60.05.15. Building Design and Orientation Standards.**

Unless otherwise noted, all standards apply in all zoning districts.

1. Building articulation and variety.
  - B. Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant entrances devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18"), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is:
    1. Thirty (30) percent in Residential zones, and all uses in Commercial and Multiple Use zones.
    2. Fifty (50) percent in Commercial zones where glazing is less than thirty-five (35) percent pursuant to Section 60.05.15.8.A.3.

In Industrial zones, where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities, the above standards shall apply only to elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances.

**RESPONSE:** The proposed project is for renovation of the existing (former Orchard Hardware) building. The north wall of the building faces abutting SW Barnes Road right-of-way but does not contain any entrances. The existing elevation facing the right-of-way will only be modified by the visible portion of the raised building addition at the south end of the building that will rise above the existing roof line. The area of the north façade is approximately 9,721 square feet. The north elevation has 11% glazing and there are no proposed changes to the north elevation within the glazing area of 0 to 12 feet. This is less than the 35% glazing required but as allowed above, projects with less glazing can provide 50% articulation. Required articulation for the north elevation is therefore 4,860 sf (50%). The north elevation includes approximately 4,915 sf of articulation or 50.6% through changes of materials (brick, glass and metal panel).

The west façade has an area of approximately 14,225 sf requiring and greatly exceeds the 35% glazing requirement allowing the façade to provide 30% articulation or 4,268 sf. The project will provide approximately 9,179 sf (64.5%) of articulation through changes in material (brick, concrete panel, metal panel, glazing and wood).

As noted in the responses to the Incompleteness comments, it was determined by City staff in the preapplication notes that the highway and highway ramp are not considered public streets. Reference Preapplication Notes, page 6 section 3, Building Design, which states, "*it was determined by staff this standard does not apply to this elevation as it is not abutting a public street*". As this standard only applies if the facade is visible from and within 200 feet of a public street or contains a primary building entrance or multiple tenant entrances it does not apply

to the south facade.

**This standard is met as the project exceeds the minimum articulation requirements on both the facades that face the right-of-way or have primary building entrances.**

- C. The maximum spacing between permanent architectural features, both vertically and horizontally, shall be no more than:
1. Forty (40) feet in Residential zones, and all uses in Commercial and Multiple Use zones.

**RESPONSE: The proposed façade renovations provide changing materials, projections, recesses and changes in height. All of these provide articulation. The largest space between articulation features is approximately 20 feet. This criterion is met as the spacing provided between architectural features is less than the 40 feet maximum allowed.**

- D. In addition to the requirements of Section 60.05.15.1.B and C., detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. Building elevations shall be articulated with architectural features such as windows, dormers, porch details, alcoves, balconies or bays.

**RESPONSE: This criterion does not apply as the project does not include residential uses or buildings.**

2. Roof forms.
  - A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.

**RESPONSE: The existing building includes a sloped roof only at the main entry tower, the rest of the building is flat roof with parapet. The proposed project will remove the gable element visible on the west façade and rework the main entry tower. The gable roof form behind the new entry tower will remain but only be visible from the north elevation. All new roofs associated with the project will be flat roofs.**

- B. Sloped roofs on residential uses in residential zones and on all uses in multiple use and commercial zones shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches.

**RESPONSE: This criterion does not apply as the project does not include any sloped roofs.**

- C. All roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches or architecturally treated, such as with a decorative cornice.

Corresponding Guideline -  
60.05.35 Building Design and Orientation Guidelines  
2. Roof forms

- B. Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C)

**RESPONSE:** The roof of the Rock Gym building addition has a slope of less than 4/12. To allow for maximum height within the building itself for the climbing wall a flat roof was used to the maximum allowed building height. Due to grade changes six (6) feet out from the building in a few locations, the total building height from the average grade plane is then 61.48 feet and exceeds the maximum allowed building height. Because the climbing wall must be a certain height to meet regulation standards, resulting in the roof at the maximum allowed height, a parapet and cornice were not added in order to minimize the adjustment required. Additionally, no equipment will be placed on this portion of the building roof so screening of mechanical equipment by a parapet is not needed. Adding a parapet on this portion of the building will result in significant cost impacts to the project without providing benefit. Adding a cornice along the top portion of the upper roof, where there is no parapet, is also not harmonious with the redesign of the design of the building. A cornice at the upper roofline is would out of character with design.

The corresponding guideline for this section, 60.05.35, Building Design and Orientation, subsection 2(B) Roof forms, states, “*Flat roofs should include a roofline that provides visual interest such as cornice treatments.*” In lieu of the cornice at the topmost portion of the building, visual interest is provided in several ways. The roofline of the addition is flat to harmonize with the rest of the building redesign. The simple design without cornice at the upper most roof line does not draw attention to the height of the building. The existing gable roof is being screened from all but a small portion on the north façade, and flat stepped roofs carried around the building as part of the redesign. The flat angular roofline of the tallest building addition is therefore in character with the other roofline changes. A metal frame and cornice-like element has been added around the perimeter of the middle roof section. This accentuates horizontal lines and offsets the height of the building addition. Windows have been added as high as possible to work with structural requirements while maximizing views into the working area of the gym, providing spectacular views of the upper portion of the climbing wall within. A change in siding material at the upper roof provides a decorative touch to the upper portion of the building above the metal frame cornice and gives the impression of a large cornice atop the building.

This guideline is met as care in design and placement of elements has been provided in lieu of a typical cornice element to achieve a harmonious full building redesign that works with the structural requirements of the metal building construction and with the tenants use requirements within the building.

- D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.
- E. Smaller feature roofs are not subject to the standards of this Section.

## Corresponding Guideline

## 60.05.35 Building Design and Orientation Guidelines

## 2. Roof forms

- C. Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)

**RESPONSE:** The new addition to the building is in conjunction with a full building façade renovation. The addition will use the same materials being used in the façade renovations throughout the building to ensure that the addition blends seamlessly with the existing portions of the building. The existing gable roof will be retained, to preserve the skylight and natural daylighting that is existing but will be screened so that it is no longer a prominent design element as roof lines of the remodel center will move the building to a stepped flat roof design. The new flat roof of the addition is therefore in compliance with the remodel of the remainder of this building. It is also compatible with the new pad building associated with the adjacent Starbucks application and is the direction that the incremental upgrades of the center are heading with future projects.

The standard and guideline state that new roofs should be similar to existing roofs. While there is a single gable associated with the existing building, the majority of the existing roof area is flat. As part of the remodel, the gable element, while not physically removed due to cost and retaining existing daylighting, will be screened and no longer a prominent design element. The new roof is therefore harmonious with the existing building as well as the proposed remodel of the existing building roof and both the standard and the guideline are met.

## 3. Primary building entrances.

- A. Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.

**RESPONSE:** The new entry of the Rock Gym tenant is provided weather protection by an approximately 10-foot overhang. The existing retail tenant entry (between gridlines G and G.5) will remain and remain covered by the existing arcade that is approximately 10 feet deep. This criterion is met as all main entries will be covered with overhead weather protection a minimum of four (4) feet deep and six (6) feet wide.

## 4. Exterior building materials

- B. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances, may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable

uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment.

This standard shall also apply to all uses in the Industrial zones, except for buildings containing manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principal use of the site where this standard shall apply only to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space.

**RESPONSE:** The proposed project is a commercial use in a commercial zone. There are no conditional uses associated with this project. The project is for renovation and expansion of the existing (former Orchard Hardware) anchor building. The renovated façade includes a mix of glass, metal siding, stucco and wood. All materials are durable and long last.

The north, east and south elevations include zero (0)% as plain, smooth, unfinished concrete block, plywood and sheet pressboard. The elevations do contain some existing concrete tilt-up panel however, it is not unfinished as it as a stucco finish. The south elevation includes a concrete retaining wall at the loading area, but it will be painted and is therefore not unfinished. The west elevation has unfinished concrete at the existing column bases that account for approximately 11 sf or 0.007% of the elevations. The materials have been designed to provide changes in texture, relief and articulation. This standard is therefore met.

- C. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In Industrial districts, foundations may extend up to four (4) feet above the finished grade level.

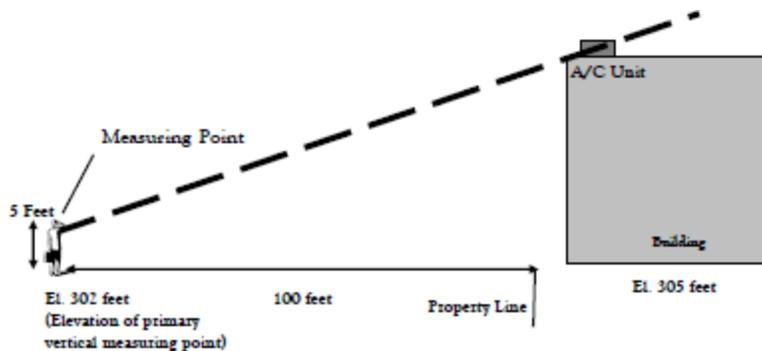
**RESPONSE:** As noted above, the only elevation that has unfinished concrete is the west elevation where 11 sf is located at the existing column bases. The bases are less than three (3) feet in height. In response to Incompleteness Letter Planning comment, 1h, the north elevation, while altered by the proposed changes does not include any plain, smooth exposed concrete and concrete block. Additionally, while the north elevation is altered, this standard applies from grade to three (3) feet and all changes to the north elevation are from 25'-5" to 60' above finished grade and are not applicable. This standard is therefore met.

5. Roof-mounted equipment.

- A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:
1. A parapet wall; or
  2. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or
  3. Setback from the street-facing elevation such that it is not visible from the public street(s); or
  4. Screened from view by another building.

**RESPONSE:** All rooftop equipment will be placed between grids E and T. It will be shielded from the right-of-way by the existing gable roof that will remain. The equipment will be shielded from all other directions by the building parapet and the new building addition. This criterion is met as all roof-mounted equipment will be screened from view from adjacent streets and properties.

- B. As shown in the diagram below, the vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade at the property line or public right-of-way abutting the development site's front yard setback for a distance of one hundred (100) lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines.



**RESPONSE:** All mechanical units on the roof will be hidden from the surrounding rights-of-way by the building parapet or the existing gable roof. Refer to the included sight line drawing for demonstration. This criterion is therefore met.

- C. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.

**RESPONSE:** The project does not include any solar panels, dishes/antennas, pipes, vents or chimneys. This criterion does not apply.

6. Building location and orientation along streets in Commercial and Multiple Use zones.
- A. Buildings in Multiple Use zones shall occupy a minimum public street frontage as follows:
1. 50 percent of the street frontage where a parcel abuts a Class 1 Major Pedestrian Route.
  2. 35 percent of the street frontage where a parcel abuts a Class 2 Major Pedestrian Route.
  3. 35 percent of the street frontage where a parcel does not abut any Major Pedestrian Route and the parcel exceeds 60,000 gross square feet.

**RESPONSE:** This criterion does not apply as the site is not in a Multi-Use Zone.

- B. Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet.

- C. Buildings subject to the street frontage standard shall be located no farther than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.5.B or 60.05.25.5.C.

Corresponding Guideline

60.05.35 Building Design and Orientation Guidelines

6. Building location and orientation in Commercial and Multiple Use Zones
- A. Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A and B)
  - B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B and D)
  - C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D)

**RESPONSE:** The proposed project site is in a commercial zone and has approximately 4% of the total building within 20 feet of the SW Barnes right-of-way. The project site also has frontage on SW Cedar Hills Road; however, the location of the project building is entirely across the site from SW Cedar Hills. The preapplication notes, on page 6 section 3, Building Design, states, “it was determined by staff this standard does not apply to this elevation as it is not abutting a public street”. The staff determined that the highway off ramp abutting the south property line is not considered a public street frontage; thus, the above code criteria do not apply to the south façade.

The project will not change or reduce the amount of building façade that is noncompliant with the setback of the SW Barnes Road right-of-way. All building work occurs at the south end of the building and that work does not change the location of the north façade regarding setbacks. The work also does not exceed the existing east and west facades of the building and project beyond those facades thereby changing the amount of façade facing the SW Barnes Road right-of-way. The site is noncompliant with this standard, but the project will move the site further from compliance.

Regarding the associated guidelines, the building is located in close proximity to the street and the proposed project does not move it further from the street. There is no parking or vehicular areas between the building and street therefore the architecture is the predominant feature along the right-of-way. There is a significant grade difference between the building and right-of-way and the setback includes a large ADA ramp and stairs to provide access to the finish floor level of the building. The proposed project does not propose any changes to the north

**façade of the building that impacts its setback from the right-of-way. Guideline A is therefore met.**

**The building is not located at an intersection; therefore, guideline B does not apply.**

**There is a reasonably direct ADA ramp and stair that provides access from the right-of-way to the existing entrances on the west façade. The proposed project does not propose any new entrances that move the building out of compliance. Guideline C is therefore met.**

- D. Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes. Where a site has more than one corner on a Major Pedestrian Route, this requirement must be met at only one corner.

**RESPONSE: The project is for renovation of a building within the existing shopping center that is not at a corner of pedestrian routes or rights-of-way. This criterion does not apply.**

- E. Buildings subject to the street frontage standard shall have at least one primary building entrance oriented toward an abutting public street or public pedestrian way. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall be oriented toward one abutting Class 1 Major Pedestrian Route or shall be oriented to a Class 1 Major Pedestrian Route corner.
1. A minimum of one primary building entrance shall not be set back more than 20 feet from the abutting public street or public pedestrian way.
  2. Pedestrian connections to street oriented primary building entrances shall not cross vehicular circulation and parking areas.

Corresponding Guideline:

60.05.35 Building Design and Orientation Guidelines

6. Building location and orientation in Commercial Multiple Use Zones

- D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E)

**RESPONSE: Due to existing grade differences between the right-of-way and the site, the existing building being renovated in this project does not have an existing door facing the right-of-way. This project does not include any building changes on the north façade facing the right-of-way within the heights above grade in which a door could be located, i.e. there are no changes to the northern façade between zero (0) and eight (8) feet above grade. All renovations that are visible on the north elevation are from 25'-5" to 60' above grade. The northern tenant/north end of the building, where an entry would be located to meet this criterion, is not being remodeled as part of this application, nor would a door added to the existing north façade be within 20 feet of the street. While the existing building does not comply with this standard, the proposed project does not move the building further from compliance. Requiring the project to add scope and cost to remodel a portion of the building not included in this project, for a condition that is not of our making and is not negatively impacted by this project, is not reasonable or feasible**

**The corresponding guideline allows consideration of topographical conditions in regard to this requirement. The site has significant existing topographical constraints at the north elevation. This guideline is therefore met.**

- F. Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards.

**RESPONSE: The proposed project includes entries on the west façade facing the existing parking lot.**

7. Building scale along Major Pedestrian Routes.

- A. The height of any portion of a building at or within 20 feet of the property line as measured from the finished grade at the property line abutting a Major Pedestrian Route shall be a minimum of twenty-two (22) feet and a maximum of sixty (60) feet. Building heights greater than sixty (60) feet are allowed if the portion of a building that is greater than sixty (60) feet in height is at least twenty (20) feet from the property line that abuts the Major Pedestrian Route. In all cases, building height shall meet the requirement of Section 20.20.20 for the specific zoning district.

**RESPONSE: All work on the building associated with this project is further from the street than 20 feet. There are no parts of the building within 20 feet of the right-of-way. This criterion therefore does not apply.**

- B. Detached residential dwellings are exempt from the minimum height standard in Section 60.05.15.7.A. Building heights shall meet the requirements of Section 20.20.20 for the specific zoning district.

**RESPONSE: This standard does not apply as the project does not include any residential uses or buildings.**

- C. The maximum heights specified in Section 20.20.20 shall not be exceeded, unless separately authorized through an adjustment or variance application, or where credits are earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4.B.2.

**RESPONSE: The building has a maximum height of 60 feet when measured at grade directly adjacent to the building addition. However, when the average grade plane is calculated, due to grade changes six (6) feet from the building in a few locations, the average height is 61.48 feet which exceeds that maximum. A Minor Adjustment has been included with this submittal requesting approval of the minor increase in height.**

8. Ground floor elevations on commercial and multiple use buildings.

- A. Except those used exclusively for residential use, ground floor elevations visible from and within 200 feet of a public street, Major Pedestrian Route, or a public park, public plaza or other public open space, and elevations that include a primary building entrance or multiple tenant entrances, shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings.
1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
  2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

3. Buildings on parcels in excess of 25,000 gross square feet within a Commercial zoning district: Thirty-five (35) percent.

Less glazing may be provided in a Commercial zoning district when increased building articulation and architectural variety is provided pursuant to Section 60.05.15.1.B.2. of this Code.

For the purpose of this standard, ground floor elevation area shall be measured from three (3) feet above grade to ten (10) feet above grade the entire width of the elevation. The ground floor elevation requirements shall be met from grade to twelve (12) feet above grade.

**RESPONSE: The north elevation faces the SW Barnes Road right-of-way which is a Class 1 Pedestrian Route both sides. The glazing area facing the street is approximately 1,526 sf requiring 763 sf of glazing. All glazing on this elevation is existing and no work is proposed on the northern tenant space as part of this project; therefore, the glazing area is not changing with the proposed project. The existing glazing is approximately 169 sf (11%) and less than the 50% required by this standard. However, this standard allows for less glazing in Commercial zones when articulation is increased. The articulation on the north elevations exceeds the allowed increase of 50% articulation by providing 50.6% articulation. Refer to narrative section 60.05.15.1.B.2 for detailed information as well as Sheet A201, Planning Information.**

**The west elevation has primary building entrances and a glazing area of approximately 2,393 sf which would requires 1196.5 sf (50%) glazing. The west elevation provides 1,453 sf or 60.7% glazing which greatly exceeds this standard.**

**As discussed previously, and as determined by City staff in the preapplication notes, the south elevation does not face a public right-of-way and this criterion therefore does not apply to the south elevation.**

**This standard is met as glazing, or an allowed combination of glazing and articulation are provided on all elevations affected by this standard.**

- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk shall provide weather protection to the following minimum percent of the length of those elevations.
  1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
  2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

Corresponding guideline

60.05.35 Building Design and Orientation Guidelines

8. Ground floor elevations on commercial and multiple use buildings.

- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations.  
(Standard 60.05.15.8.B)

**RESPONSE:** All elevations include walkways in some form abutting the façade. The west elevation has approximately 342 lineal feet of pedestrian areas and provides approximately 322.5' (94.3%) weather protection through the existing arcade. The south elevation has approximately 200.5' lineal feet of pedestrian areas and provide 105.5' (52.6%) weather protection through canopies. The north elevation has 69 lineal feet of primary pedestrian access areas and provides 35.67' (51.7%) of weather protection in those areas. The north and east elevation include some walkways adjacent to the building that are egress only pathways. There is no existing weather protection on the egress path portions of those elevations as they are not intended for general or regular pedestrian use and this project does not include any changes to those existing egress paths. The corresponding guideline to this standard says that "*were pedestrian are allowed should provide weather protection*". This guideline is met as the project does provide adequate coverage on areas of primary pedestrian use.

#### 60.05.20. Circulation and Parking Design Standards.

Unless otherwise noted, all standards apply in all zoning districts.

1. Connections to the public street system.
  - A. Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element.

**RESPONSE:** The proposed project is for work within an existing fully developed shopping center. There are established pedestrian, bicycle and motor vehicle connects between the on-site circulation. The proposed project will not make any changes to the existing pedestrian system. The project will do some maintenance work on the existing ADA ramp that is between the north façade and the right-of-way. The ramp no longer meets current ADA grades so the footprint and structure will be retained but the ramp will be regraded. This criterion will remain met as the project provides pedestrian, bicycle and motor vehicle connections.

2. Loading areas, solid waste facilities and similar improvements.
  - A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street or shall be fully screened from view from a public street.

**RESPONSE:** The project will add a new waste and recycling enclosure south of the building. The waste and recycling receptacles will be screened by the enclosure itself and the enclosure will be screened from the street by the building and grade difference between the site and right-of-way. This criterion will therefore be met.

- B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.

**RESPONSE:** The existing building associated with this project has an existing loading dock on

**the south building façade. The project will preserve that loading area. The south façade faces away from the right-of-way; therefore, this criterion is met.**

- C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
1. Solid screen wall constructed of primary exterior finish materials utilized on primary buildings,
  2. Solid hedge wall with a minimum of ninety-five (95) percent opacity within two (2) years.
  3. Solid wood fence

**RESPONSE: The loading area is existing and will remain without change. The project includes a new trash enclosure along the south building façade. The enclosure will be constructed of painted split-face concrete mason unit blocks. The primary materials of the building are existing brick, existing painted tilt-up concrete, new metal panel and wood. The proposed trash enclosure will be constructed of painted concrete and is therefore constructed of exterior finish materials utilized on the primary building.**

**The gates will be steel frames with metal panel. The enclosure will screen the trash area and the enclosure itself will be screened from public view by the building. The enclosure will be seven (7) feet tall. Refer to sheet A103 for illustration of the enclosure and detailed material information. This criterion is therefore met as the loading and trash areas will be screened.**

- D. Screening from public view by chain-link fence with or without slats is prohibited.

**RESPONSE: The project does not include any chain-link fence. This standard is therefore met.**

- E. Screening of loading zones may be waived in Commercial and Multiple Use zones if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses.

**RESPONSE: The loading area is existing and will remain without change. The loading area is screened primarily by the building itself and the existing very tall retaining wall along the south property line. This criterion will remain met.**

3. Pedestrian circulation.
- A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:
1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,

2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts occur,
3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.

**RESPONSE: The proposed project is within an existing fully developed shopping center that includes pedestrian connections in compliance with the Comprehensive Plan Transportation Element. The proposed will not alter or remove the existing pedestrian connections. The project will remain compliant with this standard.**

- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.

**RESPONSE: The main entrance of the existing building faces west. The proposed modifications will remain the main entries facing the west. The walkway that runs along the west façade connects directly to the SW Barnes right-of-way via a ramp and stairs as there is a significant grade difference between the building and street. The stair, ramp and west façade walkway will remain. This criterion will continue to be met.**

- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.

**RESPONSE: The site is existing and there are no proposed changes to the site frontage or access from the frontage as part of this project. This criterion is met by the existing site development and will remain compliant.**

- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.

**RESPONSE: The site is existing and has existing pedestrian pathways through the parking field. The proposed project does not propose removing, altering or adding any new pedestrian connects as there is very limited site work associated with the project. This criterion is met by the existing site development and will remain compliant.**

- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided and shall be composed of a different paving material than the primary on-site paving material.

**RESPONSE: The project includes modifications to one (1) existing walkway that connects the project building to the adjacent shops building to the south-southwest of the**

**project building. The reconstructed walkway will be constructed of concrete to contrast with the surrounding asphalt. This criterion will remain met.**

- F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.

**RESPONSE: All walkways will have an unobstructed minimum width of five (5) feet, will be constructed of scored concrete and have been designed according to ADA standards. This criterion will therefore remain met.**

4. Street frontages and parking areas.
- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:
1. A minimum six (6)-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or
  2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.

**RESPONSE: These criteria do not apply as the proposed project work area does not include any parking area along the right-of-way.**

5. Parking area landscaping.
- A. Landscaped planter islands shall be required according to the following:
2. All uses in Commercial and Multiple Use zones, one for every ten (10) contiguous parking spaces.

**RESPONSE: The proposed project is within an existing shopping center in a commercial zone and includes only minor changes to the existing parking south of the building. The project will remove 29 parking stalls and does not create any new parking stalls. This criterion does not apply.**

- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.

**RESPONSE: The proposed work area includes a small parking area to the south of the building. The project will remove 29 parking stalls and will not create any new parking. No new landscape islands are needed as no new parking is created.**

- C. Linear raised sidewalks and walkways within the parking area, connecting the parking spaces and on-site building(s), may be counted towards the total required number of landscaped islands, provided that all of the following is met:
1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
  2. The minimum unobstructed sidewalk width is five feet.
  3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.
  4. Trees are located in planting area with groundcover or planted in covered tree wells.
  5. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.

**RESPONSE: Sidewalk and walkways in the parking area are not being counted toward the required number of landscape islands in the application.**

- D. Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist.

**RESPONSE: The project does not create any new landscape islands therefore no new trees are being planted. This criterion does not apply.**

7. Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.
- A. A sidewalk is required on all streets. Except where approved through Sidewalk Design Modification (40.58), the sidewalk shall be a minimum of ten (10) feet wide and provide an unobstructed path at least five (5) feet wide.

**RESPONSE: There is an existing walkway along the right-of-way. There are no proposed changes to the right-of-way or the walkway.**

- B. A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb.

**RESPONSE: The proposed project is for renovation and expansion of an existing building. The building has an existing walkway along the west façade, which is the primary facades with the building entries. The project will not change the existing walkway and will maintain its connection to the abutting buildings, parking and the right-of-way. The existing walkway is 10 feet wide and will maintain a a five (5) minimum clearance. The sidewalk is scored concrete and remain so. All new areas of**

**pedestrian pathway will be scored concrete to match. All walkways are raised when adjacent to parking or vehicular areas, except as drive aisle crossings. This criterion is met as a walkway meeting the above standards is provided.**

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial, and Multiple Use zones.
  - A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:
    1. The parking lot drive aisle is less than 100 feet long;
    2. The parking lot drive aisle serves 2 or less residential units; or
    3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.

**RESPONSE: The proposed project is for renovation of an existing building in a fully developed shopping center. All parking lot drive aisles are established. The proposed project will modify a small parking area south of the building, but it will not impact or modify any existing major aisles. The project will remove 29 parking stalls but maintain the existing drive aisles to ensure safe fire department access. This criterion will remain met.**

- B. Private streets, common greens, and shared courts shall meet the following standards:
  1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.
  2. Private streets serving less than five (5) residential units shall have raised curbs and a minimum five (5) foot wide unobstructed sidewalk on at least one side.
  3. When common greens and shared courts are utilized, an unobstructed walkway a minimum of five (5) feet wide shall be provided within the common green or shared court.

**RESPONSE: The project does not include any private streets, common greens or shared courts. This criterion does not apply.**

#### **60.05.25. Landscape, Open Space, and Natural Areas Design Standards.**

5. Minimum landscape requirements for non-residential developments and Mixed Use Development.
  - A. A minimum portion of the total gross lot area shall be landscaped:
    1. Conditional Uses in Residential districts, and all uses in Commercial and Industrial districts, fifteen (15) percent;
    3. Environmentally sensitive areas shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.

**RESPONSE: The project site is in a commercial zone. The proposed project will not change or remove any existing landscape. The project will add one small landscape planner at the southwest corner of the building, increasing landscape onsite.**

- B. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.

**RESPONSE: The project creates only one (1) new landscape area (island) near the trash enclosure. The increase in landscape area is approximately 962 square feet. A tree cannot be planted in the island as there is a light pole in it. No new tree is required. This criterion does not apply.**

2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.

**RESPONSE: The newly created landscape planter will have shrubs to match the existing shrubs in other landscape planters within the center. This criterion will be met.**

3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

**RESPONSE: Ground cover will be provided in the new planter to match existing ground cover in other landscaped areas of the site. This criterion will be met.**

- C. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement for Conditional Uses in Residential districts, and shall be comprised of the following:
  1. Brick pavers, or stone, scored, or colored concrete; and,
  2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
  3. Street furniture including but not limited to benches, tables, chairs and trash receptacles; and,
  4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

**RESPONSE: The project does not include any hardscape as landscape area.**

- D. All building elevations visible from and within 200 feet of a public street that do not have windows on the ground floor shall have landscaping along their foundation, which shall be counted toward the minimum landscaped requirement. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, for plazas adjacent to the building, or when the building is within three (3) feet of the property line. The foundation landscaping shall be at least five (5) feet wide; and shall be comprised of the following:
  1. One (1) tree having a minimum planting height of six (6) feet shall be planted for every thirty (30) lineal feet of foundation.
  2. One (1) shrub having a minimum mature height of twenty-four (24) inches shall be planted for every three (3) lineal feet of foundation and shall be planted between required trees; and,

3. Groundcover plants shall be planted in the remainder of the landscaped area not occupied by required trees and shrubs, and shall not be planted in rows, but in a staggered manner for more effective covering.

**RESPONSE: All elevations facing or within 200 feet of the public street have existing landscaping. The project will not modify the landscape area. This criterion will remain met.**

8. Retaining walls. Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.

**RESPONSE: The project does not include any new retaining walls. This criterion does not apply.**

11. Integrate water quality, quantity, or both facilities. Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.

**RESPONSE: The project is for minor work with in a large fully developed shopping center. There is an existing storm water quality and quantity facility that the project will tie into. This guideline will therefore be met.**

12. Natural areas. Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements.

**RESPONSE: The project site does not include any natural areas. This criterion does not apply.**

13. Landscape buffering and screening. All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2. and the following standards. For purposes of this Section, a landscape buffer is required along the property lines between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in Residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer area and landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.45.10.

A. Applicability of buffer standards:

1. The buffer standards shall not be applicable to individual single-family buildings on individual parcels.
  2. The buffer standards shall not apply to areas where emergency access is required.
  3. The buffer standards shall not apply to areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
  4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a natural feature or an open space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the natural feature or open space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.
  5. The buffer standards shall not apply where required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover. [ORD 4531; April 2010]
- B. **B1-Low screen buffer:** This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required buffer area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street.
- C. **B2-Medium screen buffer:** This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B2 buffer required for across the street.
- D. **B3-High screen buffer:** This buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum six (6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within three (3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of five (5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used,

but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

**RESPONSE: The project does not modify any existing buffer areas. This criterion does not apply.**

- E. **Changes to buffer widths and standards:** Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be reviewed through the public hearing process, except for the following:
1. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is five (5) feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implemented.

Requests for changes in buffer widths and buffer standards shall only be authorized in review of the Design Review Guidelines for Landscape buffering and screening (60.05.45.11).

**RESPONSE: This criterion does not apply as the project does not request any reductions in buffer widths or standards.**

- F. **Landscaping buffering installation:** All required buffering shall be installed prior to occupancy permit issuance.

**RESPONSE: All required buffering will be installed prior to occupancy. This criterion will therefore be met.**

- G. **Pedestrian plazas in buffer areas:** For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided.

**RESPONSE: This criterion does not apply as the project does not include any pedestrian plazas within buffer areas.**

#### 60.05.30. Lighting Design Standards.

Unless otherwise noted, all standards apply in all zoning districts.

1. Adequate on-site lighting and minimal glare on adjoining properties.
  - A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.
  - B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.
  - C. Lighting shall be provided in pedestrian plazas, if any developed.
  - D. Lighting shall be provided at building entrances.
  - E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.

**RESPONSE: All areas are adequately lit. Refer to the included photometric plan and lighting cut sheet for detailed lighting information.**

2. Pedestrian-scale on-site lighting.
  - A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:
    1. Fifteen (15) feet in height for on-site pedestrian paths of travel.
    2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in Residential zoning districts.
    3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.
    4. Fifteen (15) feet for the top deck of non-covered parking structures.
    5. The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.
    6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.
    7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.

**RESPONSE:** All lights meet the above required maximum heights. All pole lights will be equal to or less than 30 feet as noted on the included photometric plan. All lighting meets the requirements of the City's Technical Lighting standards as detailed in the included photometric plan. Refer to the included photometric plan and lighting cut sheets for detailed information.

- B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.

**RESPONSE:** All non-pole-mounted luminaires comply with the City's Technical Lighting Standards. Refer to the included photometric plan and lighting cut sheets. This criterion is therefore met.

- C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

**RESPONSE:** The project does not include any lighted bollards.

#### **Table 60.05-1. Technical Lighting Standards**

- A. Types of Lighting. The Technical Lighting Standards shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.
- B. Areas to Be Applied. The roadways, access drives, parking lots, vehicle maneuvering areas, pathways and sidewalks of all new developments and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.

**RESPONSE:** All lighting has been designed in accordance with the City's technical lighting standards. Refer to the included photometric plan and lighting cut sheets.

- C. Conformity of Lighting Plans to this Section. All lighting plans submitted to the City shall comply with the standards of this table.

**RESPONSE:** All lighting provided conforms to the standards of this section. Refer to the

**included lighting plans and lighting cut sheets.**

- D. Standards. The following standards are required of all exterior lighting:
1. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.
  2. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.

**RESPONSE: Lighting includes cut-offs where required. Refer to the included lighting plans and lighting cut sheets.**

- E. General Provisions. Notwithstanding any other provision of this Section to the contrary:
1. Design Standards for Residential, Commercial, Industrial and Multiple use Districts:
    - a. No flickering or flashing lights shall be permitted.
    - b. No bare bulb lights shall be permitted for single-family attached development and multi-family attached development.
    - c. No strobe lights shall be permitted.
    - d. Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways.

**RESPONSE: No flickering, flashing, bare bulbs or strobes are included in the proposed lighting. This criterion is therefore met.**

2. Special Design Standard for Residential Districts. No exterior neon lights shall be permitted.

**RESPONSE: This criterion does not apply as the site is not in a Residential District.**

3. Special Design Standard for Commercial and Multiple use Districts. Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.

**RESPONSE: The project does not include any neon lights.**

Table 60.05-1 Technical Lighting Standards					
Zoning District Type	Minimum Req'd Illumination (internal) in Foot-candles		Max. Permitted Illuminations (internal) in Foot-candles		Max Permitted Height of Luminaires
	>90	<90	>90	<90	

Commercial	1.5	1.0	None	None	0.5	Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ul style="list-style-type: none"> <li>• 15 feet for on-site pedestrian ways.</li> <li>• 30 feet for on-site vehicular circulation areas.</li> <li>• 15 feet for the top deck of non-covered parking structures.</li> </ul> Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> <li>• 15 feet above building finished grade for on-site pedestrian circulation areas.</li> <li>• 30 feet above building finished grade for on-site vehicular circulations areas.</li> </ul>
------------	-----	-----	------	------	-----	--

**60.25 Off-Street Loading Requirements**

**60.25.10. Loading Berth Design.**

Required off-street loading space shall be provided in berths which conform to the following minimum specifications:

1. Type A berths shall be at least 60 feet long by 12 feet wide by 15 feet high, inside dimensions with a 60-foot maneuvering apron.
2. Type B berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30 feet maneuvering apron.

**RESPONSE:** The project is for renovation and expansion of an existing building. The building will be demised into two uses, retail and gym (rock gym). The building has a double existing truck dock at the south end of the building that is 28 feet wide, 79 feet long and has a clearance of more than 14.5 feet. The loading dock to be retained meets the Type B berth requirements. This criterion is therefore met.

**60.25.15. Number of Required Loading Spaces.**

The following numbers and types of berths shall be provided for the specified uses. The uses specified below shall include all structures designed, intended or arranged for such use. In the case of a use not specifically mentioned, the requirements for off-street loading facilities shall be the same as a use which is most similar.

USE		AGGREGATE FLOOR AREA (SQ. FT.)	BERTHS REQUIRED	TYPE
4.	Department stores, <u>retail</u>	7,000 - 24,000	1	B
	establishments, funeral	24,001 - 50,000	2	B
	homes, <u>restaurants</u> , and	50,001 - 100,000	3	B
	commercial establishments not otherwise specified.	each additional 50,000 or fraction thereof	1 additional	B

**RESPONSE:** The project is for renovation and expansion of an existing building. The building will be demised into two uses, retail and gym (rock gym). The total building area at project completion will be approximately 64,000 square feet in area. The building has a double existing truck dock at the south end of the building. The proposed project will retain the loading dock and is seeking a Loading Determination as three (3) berths are required but only the two (2) existing will be provided. Refer to the included Loading Determination narrative section for detailed information.

**60.25.20. Loading Facilities Location.**

1. The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.
2. No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code.

**RESPONSE:** The existing loading berth is located on the same lot as the use, off-street loading is not used to meet loading requirements and the loading space is not located where it projects into a public street. These criteria are therefore met.

**60.25.25. Loading Determination.**

Off-Street loading requirements may be modified pursuant to Section [40.50](#). (Loading Determination)

**RESPONSE:** A loading determination is requested as part of this application. Refer to narrative section 40.50 for detailed information.

**60.30 Off-Street Parking**

**60.30.05. Off-Street Parking Requirements.**

Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05. to 60.30.20.

1. Availability. Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.

**RESPONSE:** All parking is available for patrons, customers, and employees. This criterion is therefore met.

2. Vehicle Parking. Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.

**RESPONSE:** Parking, meeting Section 60.30.10.5, is provided; refer to the associated narrative section for detailed information. This criterion is therefore met.

3. Bicycle Parking. Bicycle parking shall be required for all multi-family residential developments of four

units or more, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual.

**RESPONSE: Bicycle parking meeting Section 60.30.10.05 is provided; refer to the associated narrative section for detail information. This criterion is therefore met.**

#### **60.30.10. Number of Required Parking Spaces.**

Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:

1. Parking Calculation. Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.
2. Parking Categories.
  - A. Vehicle Categories. Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use, except for those uses which are located in the Regional Center which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan.
    1. Minimum number of required parking spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.
    2. Parking Zone A. Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.

**RESPONSE: The site is located in Parking Zone A. See below for the minimum and maximum parking that applies to the site.**

- B. Bicycle Categories. The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.
  1. Short-Term parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking is encouraged to be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.

**RESPONSE: The project includes 10 bicycle parking stalls located under cover, north of the main entry to the Rock Gym tenant. All stalls are within 50 feet of the primary entry. This criterion is therefore met.**

2. Long-Term parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover

long-term bicycle parking.

**RESPONSE: The project includes 10 bicycle parking stalls located under cover, north of the main entry to the Rock Gym tenant. All stalls are under cover. This criterion is therefore met.**

3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.

**RESPONSE: All bike parking has been designed, covered, located and lighted to the Engineering Design Manual and Standard Drawings. This criterion is therefore met.**

4. Bicycle parking in the Old Town Parking Zones 1 and 2 shall be governed by the bicycle parking requirements listed in Section 60.30.10.5.

**RESPONSE: This criterion does not apply as the project is not in an Old Town Parking Zone.**

3. Ratios. In calculating the required number of vehicle and bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. In calculating the required number of vehicle and bicycle parking spaces, fractions less than 0.5 shall be rounded down to the nearest whole number.
4. Uses Not Listed. For uses not specifically mentioned in this section, the requirements for off-street parking facilities for vehicles and bicycles shall be determined with a Parking Requirement Determination (Section 40.55.1.).
5. Parking Tables. The following tables list the required minimum and maximum vehicle (Table 60.30.10.5.A) and bicycle parking requirements (Table 60.30.10.5.B) for listed land use types. The vehicle parking table excludes uses located in Regional Center zoning districts (See Table 60.30.10.6).

<b>Table 60.30.10.5.A - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES (Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)</b>		
<b>Land Use Category</b>	<b>Required Parking Spaces</b>	<b>Maximum Permitted Parking Spaces</b>
	<b>All Other Zones</b>	<b>Zone A</b>
<b>Commercial Uses</b>		
Retail, including shopping centers	3.3	5.1
Sports Clubs/Recreational Facilities	4.3	5.4

<b>Table 60.30.10.5.B - Parking Ratio Requirements for Bicycles</b>		
<b>Land Use Category</b>	<b>Minimum Required Bicycle Parking Spaces</b>	
	<b>Short Term</b>	<b>Long Term</b>
Retail, including shopping centers	2 spaces or 1 space per 12,000 sf of floor area	2 spaces or 1 space per 12,000 sf of floor area
Recreational Facility	2 spaces, or spaces to meet the combined requirements of	2 spaces, or spaces to meet the combined requirements of

	the uses being conducted	the uses being conducted
--	--------------------------	--------------------------

**RESPONSE:** The proposed project is for renovation and expansion of an existing building within a fully developed shopping center. Per the Preapplication Meeting notes the “shopping center” designation is to be used for parking calculations for the majority of the site’s square footage with the Portland Rock Gym use broken out as “recreation facility”. The existing site (at completion of the Starbucks work under separate submittal and considered a precursor, Phase 1, to this project) has a total of approximately 171,853 square feet of shopping center use (assumes completion of the Starbucks pad expansion). The proposed modifications to the former hardware store building (which was a 24-hour Fitness prior to the hardware store) will expand the building by 12,597 square feet and the Rock Gym will occupy approximately 31,563 square feet. At project completion the site will have 152,887 square feet of “shopping center” use and 31,563 square feet of “recreational facility” use. These uses require a minimum of 641 vehicular parking stalls and allow a maximum of 950 stalls.

The project will remove 29 parking stalls and provide a total of 658 vehicular parking stalls at completion. It should be noted that the Starbucks project occurring on the same site is considered Phase 1 and precedes this project. This projects data for existing building area and parking are based of the numbers at completion of the Starbucks project, where this project picks up.

The retail area within the project building will total 27,320 square feet and the Portland Rock Gym will total approximately 31,568 square feet. These uses required a minimum of five (5) short term and five (5) long term bicycle stalls. The proposed project will provide five (5) short term and five (5) long term. The stalls will be located under cover along the west façade, just north of the Rock Gym main entry.

This criterion is met as the vehicle parking stalls provided are greater than the minimum required but less than the maximum allowed and the bicycle parking meeting both the short-term and long-term requirements are provided.

9. Parking Space Calculation.
  - A. Multiple Uses. In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately.
  - B. Spaces which only meet the requirements of one establishment may serve more than one establishment on the same parking lot, provided that sufficient evidence is presented which shows that the times of peak parking demand for the various establishments do not coincide, and that adequate parking will be available at all times when the various establishments are in operation.

**RESPONSE:** Parking is provided for the total square footage of uses onsite. Stalls will be shared across the site but the total stalls provide meet the minimum needed for all uses.

10. Location of Vehicle Parking.

- A. All required off-street parking spaces shall be provided on the same property as the use requiring the spaces, with the following exceptions:
1. By approving a Parking Determination application for Shared Parking, the decision-making authority may permit the required off-street parking spaces in Residential, Commercial, and Industrial zoning districts to be located on any property within 500 feet of the property where the use requiring the parking is located: and, in Multiple Use zoning districts, on any lot within any distance.
  2. By approving a Temporary Displaced Parking application, the decision making authority may permit parking displaced by development to be located off site temporarily, in accordance with the provisions of Section 40.80.15.5.

**RESPONSE: All required parking is provided on the project site. The exceptions of this section are not being used.**

- D. Parking in the front yard is allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard and closest to the driveway subject to the following conditions:
1. The owner of the lot upon which the space is sought shall enter into a written agreement allowing the space with the owner of the property on that side closest to the proposed additional space. This agreement shall be binding on the successors in interest to the property of both parties and shall be recorded with the Washington County Department of Records and Elections.
  2. Notwithstanding the agreement of the property owners, the additional space shall not be allowed if it creates a traffic sight obstruction.
  3. The additional space shall be hard surfaced.

**RESPONSE: These criteria do not apply as the project does not include dwelling units.**

12. Compact Cars. Compact car parking spaces may be allowed as follows:
- B. For uses other than residential uses, twenty percent (20%) of the required vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the required parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate.
  - C. The Facilities Review Committee may recommend allowing the required parking spaces for short term parking to include spaces for compact cars if the applicant shows that there will be adequate parking for non-compact cars and a method of enforcing the compact car parking is available.
  - D. Compact car parking spaces shall be generally grouped together and designated as such.

**RESPONSE: The proposed project does not create any new parking or modify any existing parking that will remain. The project eliminates 29 parking stalls only. Therefore, the standards for compact spaces do not apply.**

#### **60.30.15. Off-Street Parking Lot Design.**

All off-street parking lots shall be designed in accordance with [City](#) Standards for stalls and aisles as set forth in the following drawings and tables:

A	B	C	D	E	F	G	H	I
45 degrees	8.5	18.7	12.0	12.0	49.4	2.0	5.0	43.4
60 degrees	8.5	19.8	14.5	9.8	54.1	2.5	5.0	49.9
75 degrees	8.5	19.6	23.0	8.8	62.2	2.5	5.0	60.0
90 degrees	8.5	18.5	24.0	8.5	61.0	3.0	5.0	61.0
90 degrees*	7.5	15.0	24.0	7.5	58.0	2.0	5.0	58.0
* "Compact" Car (Section <a href="#">60.30.10.12.</a> )								

- A = Parking Angle
- B = Stall Width
- C = Stall Depth (no bumper overhang)
- D = Aisle Width
- E = Stall Width (parallel to aisle)
- F = Module Width (no bumper overhang)
- G = Bumper Overhang
- H = Backing Area
- I = Module Intermesh

NOTE:

- 1) For one (1) row of stalls use "C" plus "D" as minimum bay width.
- 2) Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
- 3) For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle and access areas.
- 4) The stall width for self-parking of long duration is 8.5 feet; for higher turnover self-parking is 9.0 feet; and for supermarkets and similar facilities (shoppers and packages) is 9.5-10 feet.
- 5) The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24 feet. The minimum aisle width for emergency vehicle access (one way traffic) is 20 feet.
- 6) Where appropriate, bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth. Dimensions of required recreational vehicle spaces are 10 feet by 25 feet.
- 7) Parking lots in conjunction with government and public buildings, as defined by Chapter 11 of the International Building Code, are to include parking for the handicapped as required in that chapter. These special spaces may be included within the total spaces required.

**RESPONSE: The proposed project does not create any new parking or modify any existing parking that will remain. The project eliminates 29 parking stalls only.**

**60.55 Transportation Facilities**

**60.55.10. General Provisions.**

1. All public and private transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.
2. In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need

for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development.

3. For applications that meet the threshold criteria of section 60.55.15. (Traffic Management Plan) or of section 60.55.20. (Traffic Impact Analysis), these analyses or limited elements thereof may be required.
4. The decision-making authority may impose development conditions of approval per Section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements).
5. Dedication of right-of-way shall be determined by the decision-making authority.
6. Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the Area of Influence or any additional locations identified by the City Engineer. Traffic calming measures shall be designed to City standards.
7. Intersection performance shall be determined using the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve a different intersection analysis method prior to use when the different method can be justified. Terms used in this subsection are defined in the Highway Capacity Manual 2000.

At a minimum, the impacts of development on a signalized intersection shall be mitigated to peak hour average control delay no greater than 65 seconds per vehicle using a signal cycle length not to exceed 120 seconds. The volume-to-capacity ratio for each lane group for each movement shall be identified and considered in the determination of intersection performance. The peak hour volume-to-capacity (V/C) ratio for each lane group shall be no greater than 0.98. Signal progression shall also be considered. If the intersection is under County or ODOT jurisdiction, the V/C ratio for each land group shall not exceed the V/C ratio imposed by that jurisdiction. [ORD 4706; May 2017]

At a minimum, the impacts of development on a two-way or an all-way stop-controlled intersection shall be mitigated to a peak hour average control delay of no greater than 45 seconds per vehicle.

If the existing control delay or volume-to-capacity ratio of an intersection is greater than the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or volume-to-capacity ratio.

**RESPONSE: The submitted materials include a Trip Generation Memo which demonstrate that the project will not significantly increase trips and impact the existing fully developed rights-of-way. There are no dedications or improvements to the existing fully developed rights-of-way required.**

#### **60.55.15. Traffic Management Plan.**

Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local Street or Neighborhood Route and having abutting property zoned R2, R4, R5, R7, or R10.

1. For each development application that requires a Traffic Management Plan, the Plan shall identify:
  - A. The hours when the added trips from the development will be 20 or more vehicles per hour.
  - B. The existing volume of trips on the residential street during each of those same hours.
  - C. The volume of trips that the development will add on the residential street during each of those same hours.

- D. Recommended traffic management strategies designed to City standards to mitigate the impacts of the increased trips attributed to the development. Potential traffic management strategies include, but are not limited to, any combination of speed humps, curb extensions, intersection treatments, and traffic control devices.
2. The Traffic Management Plan shall discuss whether the recommended improvements both on-site and off-site are justified, reasonably related to, and roughly proportional to the impacts of the proposed development and shall include information sufficient for the City to assess whether the proposed mitigation strategies are reasonably related and roughly proportional to the level of impact. [ORD 4103; May 2000]

**RESPONSE: This criterion does not apply as the project is not on a residential street.**

#### **60.55.20. Traffic Impact Analysis.**

For each development proposal that exceeds the Analysis Threshold of 60.55.20.2, the application for land use or design review approval shall include a Traffic Impact Analysis as required by this code. The Traffic Impact Analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

1. Engineer Certification. The Traffic Impact Analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the State of Oregon.

**RESPONSE: The submitted materials include a Trip Generation Memo which demonstrate that the project will not significantly increase trips and impact the existing fully developed rights-of-way.**

2. Analysis Threshold.
  - A. A Traffic Impact Analysis is required when the proposed land use change or development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer.
  - B. A Traffic Impact Analysis or some elements of a Traffic Impact Analysis may be required when the volume threshold under subsection A. of this section is not met but the City Engineer finds that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.

**RESPONSE: As noted in the included Trip Generation Memo the total daily trips for the site will be reduced by approximately 25% over the vested trips from 1993. A Traffic Impact Analysis is therefore not required.**

#### **60.55.25. Street and Bicycle and Pedestrian Connection Requirements.**

1. All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.

**RESPONSE: The proposed project site abuts two (2) fully developed rights-of-way. Both roadways include improvements for safe and efficient vehicle, bicycle and pedestrian circulation. The proposed project does not trigger any improvements to these installed and functional rights-of-way.**

2. The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6

shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.

**RESPONSE:** The proposed project site abuts two (2) fully developed rights-of-way. Both roadways include improvements for safe and efficient vehicle, bicycle and pedestrian circulation. The proposed project does not trigger any improvements to these installed and functional rights-of-way. The existing roadway widths are adequate for the development.

3. Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.

**RESPONSE:** The proposed project site abuts two (2) fully developed rights-of-way. Both roadways include improvements for safe and efficient vehicle, bicycle and pedestrian circulation. The proposed project does not trigger any improvements to these installed and functional rights-of-way.

4. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.

**RESPONSE:** As mentioned above the project does not include any new street or bicycle connections or improvement to existing facilities. The project site also has existing pedestrian connections that extend from the project building to the right-of-way and adjacent buildings.

The proposed project building has existing pedestrian connections to the abutting right-of-way and to the adjacent buildings. The proposed project includes fixing the ADA ramp from the building to the right-of-way as it is old and in need of repair. The project will not change to the design or location of the ramp. This criterion will remain met as site provides streets, bicycle and pedestrian connections that extend to the boundary of the parcel.

5. Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.

**RESPONSE:** The existing streets, bicycle and pedestrian connections adjacent to and within the development are adequate in width. This criterion will remain met.

6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-

controlled intersections for safe crossing.

**RESPONSE: All connections are existing and will remain. The maintenance performed on the ADA ramp along the north building façade will leave the termination of the ramp at the signaled intersection. This criterion will remain met.**

7. Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.

**RESPONSE: The site has full bicycle and pedestrian connections that connect the on-site circulation system to the existing streets. The proposed project will not alter those connections. This criterion will remain met.**

8. To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.

**RESPONSE: The site abuts fully developed and compliant rights-of-way. The applicant is not aware of any additional dedications or improvements required.**

9. Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14.

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

A. Accessways shall be provided as follows:

1. In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.
2. If any of the conditions described in Section 60.55.25.14. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block. [ORD 4397; August 2006]
3. Where a street connection is not feasible due to conditions described in Section 60.55.25.14., one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park. [ORD 4397; August 2006]
4. The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.

5. In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.
  6. Within the South Cooper Mountain Community Plan area, the City may require an accessway to connect from multi-use paths or trails to streets, multi-use paths, or trails.
- B. Accessway Design Standards.
1. Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.
  2. Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations.

**RESPONSE: The project does not require or include any accessways.**

10. Pedestrian Circulation.
- A. Walkways are required between parts of a development where the public is invited or allowed to walk.
  - B. A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.
  - C. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.
  - D. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
  - E. Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.
  - F. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.
  - G. On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.

**RESPONSE: The proposed project is for alteration of an existing building in a fully developed shopping center. The center has existing walkways that will remain. The project does not include any new pedestrian connections and will maintain the existing connections. This criterion will remain met.**

11. Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:
- A. For development within 200 feet of a Major Transit Stop:

1. Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;
  2. Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;
  3. Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;
  4. Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,
  5. Provide lighting at the transit stop to City standards.
- B. Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.

**RESPONSE: The proposed project is for renovation of an existing building within a fully developed shopping center. The project does not alter the building's location in with regards to the right-of-way. There is an existing transit stop along the abutting right-of-way that will remain. These criteria will remain met.**

12. Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.

“Assessment” for the purposes of this section means to assess the site-specific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. “Review” for the purposes of this section includes but is not limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.

**RESPONSE: This criterion does not apply as the site is not with a wetland, stream or SNRA.**

13. New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.

**RESPONSE: The project does not abut any residential lot lines. This criterion does not apply.**

14. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections

are not required where one or more of the following conditions exist:

- A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
- B. Existing buildings or other development on adjacent lands physically preclude a connection now, and in the future, considering the potential for redevelopment; or,
- C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

**RESPONSE: This criterion does not apply. The site is existing and fully developed. The project does not include any new connections and does not remove any connections.**

#### **60.55.35. Access Standards.**

1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved
2. No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03.
3. Intersection Standards.
  - A. Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers.
    1. The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria.
    2. The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual, and other applicable criteria.
  - B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.
    1. When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.
  - C. Driveways.
    1. Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.
    2. Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area.

Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.

3. No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decision-making authority may approve access from a detached dwelling to an Arterial or Collector.

**RESPONSE: These criteria do not apply as the project does not include any new streets and will not alter existing streets or connections to them.**

#### **60.55.40. Transit Facilities.**

Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.

1. Transit Shelters. All transit shelters and sidewalk furniture shall meet the following standards.
  - A. The proposal is located entirely within the existing public right-of-way, public access easement, or property owned by a public agency.
  - B. The proposal maintains an unobstructed path of travel of no less than six feet (6') unless a greater unobstructed path is required by this code for a specific sidewalk.
  - C. The proposal is not located within eight feet (8') of a point of ingress or egress of an existing structure.
  - D. The proposal is not located within a vision clearance area for a street, driveway, or other facility where vehicles regularly travel.
  - E. The proposal is not located within twelve feet (12') of a window display area.
  - F. The proposal does not consist of solid panels other than what is required to post transit schedules.

**RESPONSE: The project does not include any new transit facilities or modifications to any existing transit facilities. This criterion does not apply.**

#### **60.65 Utility Undergrounding**

##### **60.65.15. Regulation.**

All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a Collector or Arterial roadway, and City funded roadway

projects which the City Council has specifically considered and declined to fund utility undergrounding as a component of the roadway project, Washington County funded roadway projects, such as MSTIP projects, and Oregon Department of Transportation funded roadway projects.

**RESPONSE: All new utilities, except for surface mounted transformers, connection boxes and meter cabinets, will be undergrounded. This criterion will therefore be met.**

2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;

**RESPONSE: The developer will make all necessary arrangements with the private utility company to underground any new services. This criterion will therefore be met.**

3. The City reserves the right to approve surface mounted facilities;

**RESPONSE: It is understood the City reserves the right to approve surface mounted facilities.**

4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and

**RESPONSE: The project does not include any new utilities or street work, but should either be needed, all underground utilities will be constructed and installed prior to final surfacing of the streets**

5. Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.

**RESPONSE: This criterion does not apply as the project does not include any service connections. All connections are existing.**

6. Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.

**RESPONSE: It is understood that the cost of undergrounding of utilities is the developers responsibility; however, there is no known undergrounding needed for this project.**

7. If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.

**RESPONSE: It is understood that extra capacity if the responsibility of the private utility service provider; however, no extra capacity is known to be needed for this project.**

**60.65.20. Information on Plans.**

The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. Easements for all public and private utility facilities;
2. The location of all existing above ground and underground public and private utilities within 100 feet of the site;
3. The proposed relocation of existing above ground utilities to underground; and
4. That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code.

**RESPONSE: The included drawings shown all easements, above ground utilities, and clear vision areas. The project does not include any relocation of existing above ground utilities to underground.**