



Received  
Planning Division  
10/26/2022

## **Type III – Design Review**

### **For Starbucks – Peterkort Towne Square**

**Parcel 1S103A001600  
10870 SW Barnes Rd (site address)  
11110-11140 SW Barnes Road (building address)**

**For Peterkort Town Square LLC**

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**Submitted to:**

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

**REVISED: August 26, 2022**

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**I. Exhibits**

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1. Application Form: Design Review Type III
2. Checklist
3. Preapplication Notes
4. Clean Water Services Pre-screen Letter
5. Tualatin Valley Fire & Rescue Service Provider Letter
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
  - o Comments prior to neighborhood meeting
7. Trip Generation Memo
8. Trip Generation Supplemental Memo
9. Original 1993 Traffic Study
10. Stormwater Report
11. Lighting Cut Sheets
12. Civil Plans
  - C1.0 Notes
  - C1.1 Existing Conditions
  - C1.2 Demolition Plan
  - C2.0 Site Plan
  - C2.1 Station and Striping Plan
  - C3.0 Grading Plan
  - C3.1 Grading Plan
  - C4.0 Utility Plan
  - C4.1 Utility Enlargements
  - C5.0 Typical Details
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  - L2.00 Materials Plan
  - L4.00 Planting Plan Overall

- L5.10 Site Details
- L5.50 Site Details
- 14. Lighting Plan
  - E1.01 Site Photometric Plan
- 15. Architectural
  - A000 Cover Sheet
  - D101 Existing Overall Site Plan
  - D102 Enlarged Existing Site Plan
  - A101 Overall Site Plan
  - A102 Enlarged Site Plan and Site Details
  - A103 Trash Enclosure Plan & Details
  - D111 Existing Floor Plan
  - D201 Existing Exterior Elevations
  - D202 Existing Exterior Elevations
  - A111 Floor Plan
  - A112 Corner Building Ground Floor
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  - A201 Exterior Elevations
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  - A203 Rendered Elevations
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  - A204 Exterior Views
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  - A205 Materials
  - A206 HVAC Concealment Views
  - A206.1 Corner HVAC Concealment Views
  - A207 Site Elevations
  - A301 Building 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>
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<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. Incompleteness Letter (August 3, 2022):

#### A. WRITTEN STATEMENT:

1. BDC Section 60.25.05 states that off-street loading requirements are applicable when an increase in floor area exceeds 25% of the existing floor area. Staff finds that the proposal exceeds the 25% threshold. According to BDC Table 60.25.15, a loading berth is required for retail establishments greater than 7,000 sq. ft. Staff finds that the proposal includes 7,470 sq. ft. of aggregate floor area. Therefore, the applicant should either provide a loading berth to comply with the applicable standard, apply for a loading determination to request a modification from the required number of off-street loading spaces, or provide additional information explaining how the total number of loading berths for the site satisfies the loading requirements in 60.25.

**RESPONSE:** A loading determination for modification of the size of the required loading berth has been requested and all the required materials for it provided. The shopping center provides the minimum number of Type B berths for the entire building square footage onsite. The project proposes to provide two (2) parking stalls signed as temporary loading for the small restaurant uses in the pad buildings. The loading determination is requested for modification of the loading berth size.

2. Please fill out the entire Design Review Three submittal checklist (currently pages 4 – 6 are still blank, please print/sign the bottom of page six, and resubmit.

**RESPONSE:** The checklist has been completed and signed. See provided “checklist” document.

3. Please identify the individual DBH measurements of each tree proposed for removal.

**RESPONSE:** The individual DBH for each tree removed has been added to Sheet C1.2, Demolition Plan, adjacent to each tree noted for removal. Total DBH to be removed is 107” and is noted on Sheet L4.00, Planting Plan Overall, along with the proposed mitigation total.

#### **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:**

- Please delineate the area of work for application DR2022-0008 on the photometric plan.

**RESPONSE:** The work area has been delineated on the photometric plan. Please see the included revised plan.

- Portions of the proposed drive-through do not meet the minimum required illumination standard of 1.0 foot-candles per BDC Table 60.05-1. Please revise the plan sheet accordingly.

**RESPONSE:** The lighting has been updated to provide the required illumination. Refer to the included updated photometric plan.

- The proposed site plan includes new trash enclosure doors that swing out into the parking lot and auto circulation area. Staff suggests that the proposal be modified to include sliding trash enclosure doors to avoid conflicts with auto circulation areas.

**RESPONSE:** The standard doors for trash enclosures are swing doors and it is the applicants experience they are preferred by most trash haulers. Sliding doors require a track, either on the ground or above, in order for the slider to operate; however, over time the aerial tracks become warped or damaged and in-ground tracks filled with debris making the doors difficult to open or close and are a constant maintenance issue. This results in the closures being left open which the tenants and landowners do not want as it leads to security and cleanliness issues. Additionally, the trash hauler will need to manually pull out the dumpsters and they are often not able to roll a full dumpster over a track in the ground. Collection of the trash will occur at non-peak times, often well before stores are open, thus traffic in the site will be light, if it exists at all, so the door swing should not be an issue. Additionally, the site is large enough that vehicles can easily find an alternate drive aisle to avoid that enclosure should pick up occur while there is onsite traffic. Because swing doors are standard features of trash enclosures and preferred by the trash hauler they have been left as swing doors on the plans.

- Please revise the comment on page 40 of the narrative regarding five parking spaces located east of the building. According to the site plan, there are no parking spaces located east of the building.

**RESPONSE:** The narrative has been revised to remove the wording regarding the five parking spaces.

#### **IV. Incompleteness Letter (March 4, 2022):**

##### A. WRITTEN STATEMENT:

1. The application materials reference previous land use approvals in order to address applicable review criteria and/or Beaverton Development Code (BDC) standards/guidelines. For example, narrative page 41 references vested trips from 1993. Please update the narrative to cite any previous land use approvals referenced in the application materials. Additional documentation, such as staff reports or notices of disposition memorializing these previous land use approvals, would be very helpful to further assist staff in understanding the case history applicable to the subject site. Staff's understanding is that some previous land use approvals were completed in Washington County, prior to annexation into city limits.

**RESPONSE:** The project traffic engineer, Don Odermott, has been in communication with City

**Traffic Engineer Jabra Khasho, after incompleteness and provide him with the original TIA as requested by Jabra. The original TIA for the development has been included with this resubmittal.**

2. Narrative page 18 states that the proposal does not include work on the existing portion of the building. The provided architectural elevations identify new awnings on the existing portion of the building. Please update the narrative for consistency and accuracy. Please describe any and all work proposed for the response existing portion of the building (staff acknowledges that the proposal includes painting the entire building).

**RESPONSE: The narrative and drawings had been updated to include all work.**

3. Please provide sufficient information to demonstrate that all on-site lighting discussed in the application materials/lighting cut sheets meet the height standards identified in BDC Table 60.05-1 and BDC Section 60.05.30.

**RESPONSE: The photometric plan has been updated with lighting heights that demonstrate compliance with Table 60.05-1. The applicant respectfully requests that if the current lighting plan fails to provide all the detail the City deems pertinent that they consider conditioning code compliant lighting on the project prior to building permit issues in lieu of a second incompleteness determination.**

4. Narrative page 49 discusses the DBH of trees proposed for removal and new trees proposed. Please identify the individual DBH measurements of each tree proposed for removal.
5. The narrative states that five trees are proposed for removal. The demo plan identifies four trees for removal. Please revise the application materials for accuracy and consistency.

**RESPONSE: The project changes for the second pad building and parking lot restriping/utility relocation required additional trees be removed. Refer to sheet C1.2, Demolition Plan, for illustration of the 13 trees to be removed. Refer to sheet L4.00, Planting Plan Overall, for mitigation information.**

6. Please provide a mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC per BDC Section 50.30.4.G

**RESPONSE: A mailing receipt for the neighborhood meeting notes has been provided on page 15 of file 16-10860 SW Barnes-Neighborhood Meeting Information. The notes were initially emailed to the NAC and written notes were sent certified mail later.**

7. Please update the use table on narrative page 11 to include the proposed drive through use.

**RESPONSE: The table has been updated to include the drive-through use.**

8. Staff finds that BDC Section 60.05.35.8.B is applicable because there are ground floor elevations adjacent to spaces where pedestrians are allowed to walk. Please revise the narrative/plans accordingly to address weather protection.

**RESPONSE: Weather protection information has been added to the plans and narrative. Refer to the corresponding narrative sections for detailed responses as well as the**

**elevations sheets.**

**B. PLANS AND GRAPHIC REQUIREMENTS:**

1. Please update the photometric plan to include the entire portion of the site proposed for redevelopment. The submitted plan sheet does not include the entire area identified on other sheets as the ‘area of work.’ Specifically, the photometric plan fails to include the entirety of the area around the newly proposed trash and recycling enclosure.

**RESPONSE: A photometric plan has been included with updated information within the work area including the new trash enclosure. The applicant respectfully requests that if the current lighting plan fails to provide all the detail the City deems pertinent that they consider conditioning code compliant lighting on the project prior to building permit issues in lieu of a second incompleteness determination.**

2. BDC Section 60.05.30 contains the lighting standards required for all pedestrian and vehicular circulation areas. BDC Table 60.05-1 stipulates a minimum required illumination of 1.0 foot-candles in these areas. Portions of the new pedestrian walkway, south of the plaza, are identified as falling below the 1.0 foot-candle threshold on the photometric plan. Please revise the proposal to meet the standard.

**RESPONSE: A photometric plan has been included with lighting to meet the required foot-candles. The applicant respectfully requests that if the current lighting plan fails to provide meet City standards in any way that they consider conditioning code compliant lighting on the project prior to building permit issues in lieu of a second incompleteness determination.**

3. Many of the plan sheets submitted, including the site plan, fail to include the applicable site data. Please update the plan sheets accordingly.

**RESPONSE: The prior printing error has been corrected and updated plan sheets provided.**

4. Sheet A102 contains the letters ‘DL’ immediately south of the proposed plaza. Please update the legend to identify what this means.

**RESPONSE: This has been removed from the plan.**

**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:
  - The submittal package includes signage. A sign permit may be required.

**RESPONSE: It is understood that sign permits will be needed. The signage is shown purely for**

**illustrative purposes.**

## 2. Transportation Comments:

Transportation staff have reviewed the submitted site plans and are concerned about the proposal's ability to meet the pedestrian circulation standards within BDC 60.55 Transportation Facilities. Specifically:

- Staff are concerned that the only ADA-accessible route crosses four vehicle drive aisles, and is substantially out of direction to transit stops and the signalized intersection at Valeria View compared to the non-accessible routes. BDC 60.55.25.D states that walkways shall be reasonably direct and minimize crossings; and 60.55.25.F specifies that ADA applies to walkway that is the principal building entrance connecting to transit stops and parking areas. Staff have measured the walking distance of the non-accessible routes from proposed modified bagel store entrance to nearby transit stops, and compared with the walking distance of the accessible routes to these transit stops. The ADA accessible routes are all longer (with one route being over 1,000 linear feet longer than the non-accessible route). Staff know that pedestrians travel the shortest distance possible. Thus staff are concerned that pedestrians needing an accessible route to get to SW corner of the Valeria View intersection would wind through the parking lot, up to the entrance of the former hardware store building, and cross a main drive aisle where there are no walkways or marked crosswalks. Or worse, staff are concerned that those needing an accessible route may attempt to use the narrow shoulder of the oncoming driveway vehicle lane to get to the signalized intersection. Staff understands the major grade change between Barnes Road and the retail pads; however an accessible route where the proposed plaza is located utilizing ramps may be an option (similar to the ramps installed across the driveway at the former hardware store site). Please don't hesitate to reach out to staff where we can meet to work through some design alternatives, or provide feedback on other options.

**RESPONSE: The project has been revised and the existing mid-block stair connection will be retained and relocated. The stairs will be moved east of the new drive-through and connected to the new ADA pathway between the project buildings and existing back (and from there the large anchor tenants of the development). The project will also provide a new stair at the SW Valeria View Drive along with a new ADA ramp to provide direct access to the project buildings from the signalized intersection. Refer to the included updated plans for detailed information.**

- The lack of walkways connecting to the proposed changes subject to Design Review and the public sidewalk. The Transportation Facilities standard (60.55.25.10.B) is clear in that a walkway shall be provided for every 300-feet of frontage. Currently the existing shopping center creates a 500' length block without pedestrian access into the shopping center. Note that if the above ADA concerns are met, any additional new walkways into the shopping center would not need to be accessible and could be stairs.

**RESPONSE: As mentioned above, the existing mid-block stairs will be retained. The stairs will be moved slightly east to the end of the proposed drive-thru and a new walkway will be installed to connect the stair to the new ADA walkway connecting the project buildings to the bank. This will also allow pedestrians to connect to the main north-south walkways that provide access to the southern anchor buildings. Refer to the included site plan for illustration.**

## 3. Site Development Comments:

- Please review the supplemental completeness notes attached to this letter, dated March 1, 2022, for additional staff comments.

**RESPONSE: See supplemental completeness narrative for responses to the supplemental completeness notes.**

#### **Completeness Notes – Site Development Division**

##### **Incomplete based on requirements established in the pre-application meeting for this project:**

1. Provide analysis (facility design, sizing calculations, drainage basin, capacity) of the existing storm water pond, showing that it meets 2019 CWS requirements for storm water treatment and hydromodification.

**RESPONSE: Refer to the included civil drawings and storm water report for our proposal meeting 2019 CWS requirement for stormwater.**

**While not strictly completeness items, the following are matters that will need to be addressed with the land use application, prior to the Facilities Review Committee Meeting. Submittal of this information is necessary no later than 14 days after the application is made complete:**

1. Water main is owned and maintained by TVWD. Coordinate with them for connection.

**RESPONSE: The project team will coordinate with TVWD for connection to the water main.**

2. Proposed private storm drain appears to be going through existing private sanitary manhole. Verify there is sufficient clearance.

**RESPONSE: The storm layout has changed with the new site plan and grading. The proposed storm line does not go through the sanitary manhole anymore.**

**V. Site Data**

**Site Location:** County Assessor Address: 10870 SW Barnes Rd  
Project Building Address: 10902-10910 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

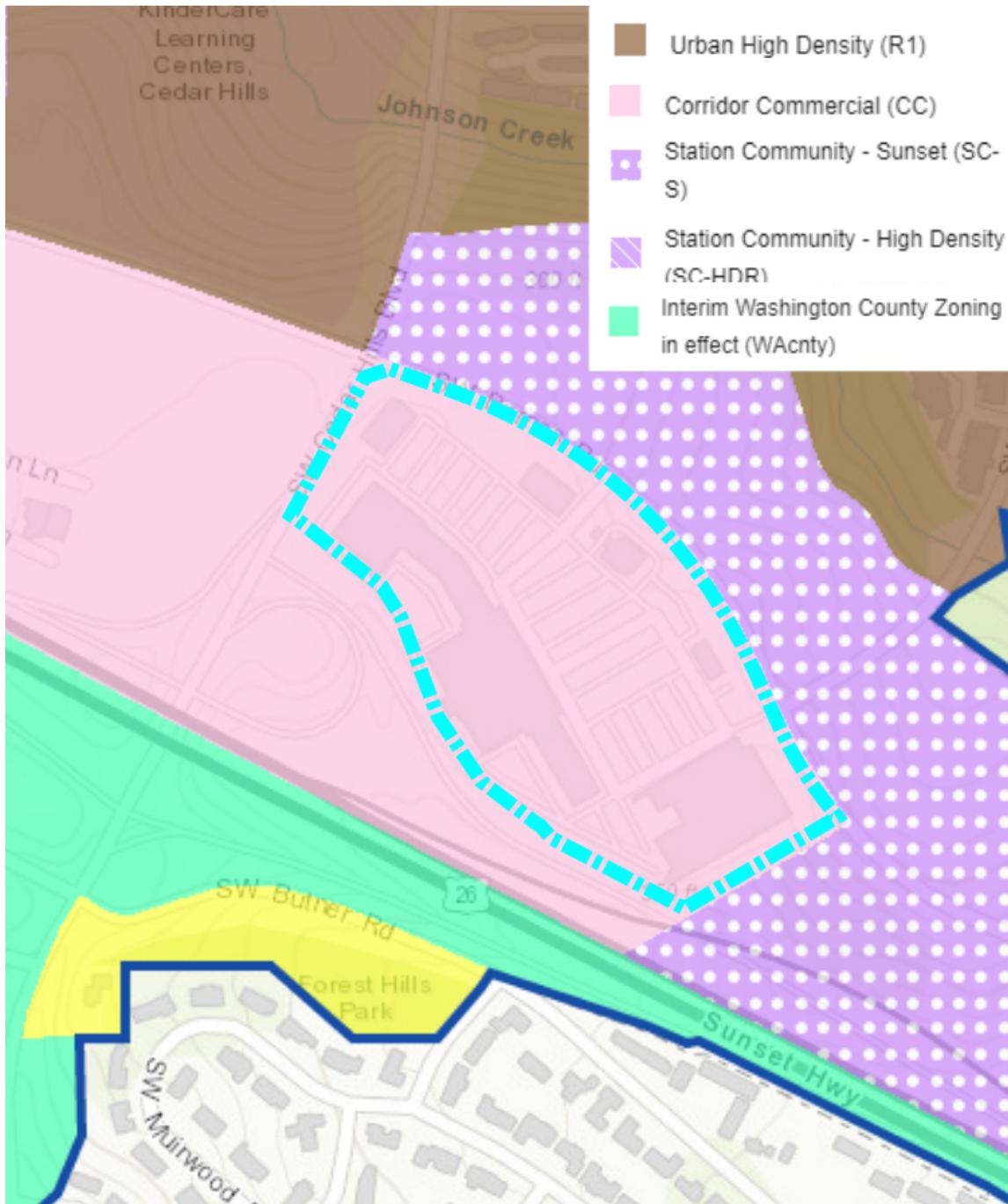


Figure 2: Site Zoning



Figure 3: Work Area

## VI. Site/Project History

- The following meetings with City staff regarding this project have occurred:
  - Preapplication Meeting (PA 2021-0037) – June 30, 2021
  - Neighborhood Meeting – November 1, 2021
  - Incompleteness Letter – March 4, 2022
  - Email with planner, Aaron Harris, to confirm addition of pad building does not require a new neighborhood meeting – April 26, 2022

## VII. Proposed Project Summary

The proposed project is for expansion of the existing Peterkort Towne Square shopping center pad building that currently houses the bagel store. The building is located adjacent to the SW Barnes Road right-of-way immediately west of the site access across from SW Valeria View Drive. The project will

add approximately 1,120 square feet of area on the west end of the building. It will also add a drive-through lane and pick-up window on the west end of the building.

The project also includes construction of a new approximately 2,950 square foot pad building east of the existing pad building, labeled "Shops Pad J" in drawings. The anticipated tenant will be a restaurant use.

Site work includes removing the existing parking west of the building for the new drive-through and removing the parking east of the building (between the building and site access) to construct the new pad building, ADA ramp, pedestrian stair and patio. The existing stair to Barnes Road, west of the building, will be removed for the drive-through and replaced west of the drive-through.

To provide for the code required 10' sidewalk along the building's main entry façade (south) the existing drive aisle will be moved south which necessitates the shortening several rows of parking south of the drive aisle and reconfiguring several rows of parking south of the new pad building. A new pedestrian connection will also be added from the existing north-south walkway east-west to the main entry of the former hardware store building (Building A).

New refuse and recycling enclosures will be located south of the east-west drive aisle to serve both restaurant buildings and result in the loss of several parking stalls and relocation of the ADA parking stalls. All together the site proposed modifications will remove 148 spaces but add back 81 stalls for a net loss of 67 stalls; however, the site will continue to provide more than minimum required standard and ADA parking.

**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 deviates from the minimum front setback standards of 60.5.15.6; refer to the included Design Standards narrative for response to minimum guideline setback compliance. Currently, the project does not include any open-air sales/display or storage of merchandise. The tallest portion of the proposed Starbucks renovations has a maximum height of 31'-2" feet while the new pad buildings height 28 feet. These are significantly less than 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
Commercial	N: Prohibited
5. Eating and Drinking Establishment	P
10. Retail Trade <sup>3</sup>	P
18. Drive-up Window Facilities	P

**RESPONSE:** The proposed project will expand an existing building that currently houses a bagel shop. The bagel store will stay and a second tenant, drive-through coffee shop will be added. The new pad building is also anticipated to be an eating and drinking establishment. Both 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. Therefore, 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 only approximately 4,070 square feet. 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. An existing approximately 3,400 pad building (currently houses Sunrise Bagels) will have approximately 1,120 square feet of new building added to it along with a drive-through pick up window. The building will be demised to retain the existing bagel store and a new drive-through coffee uses. The new pad building will add an additional 2,950 square feet to the site. The site is already served with a bus stop, pedestrian and bicycle facilities. The proposed project will improve onsite pedestrian and bicycle 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. The primary change will be removal of the existing parking area north-northwest of the pad building, between the project building and the adjacent Wells Fargo Bank, for installation of the new drive-through queue. The project will also remove the seven (7) parking spaces adjacent to the east façade of the building.

The project will add 19 parking stalls along the south façade of both buildings. It will also reorient three (3) existing rows of parking stalls south of the buildings from online way aisles with angled parking to two-way aisles with 90-degree parking. In total the project will result in a net loss of 67 stalls; however, the new and restriped parking is provided in more usable locations and the total parking onsite still exceeds the minimum required parking for the center.

The new pedestrian walkway along the buildings south façades will connect to the adjacent bank building to the northwest and to the new pedestrian plaza to the southeast of the building. From the plaza, pedestrians have access to the right-of-way via a new set of stairs. To the north, the path will provide access to the adjacent bank building and to the existing walkway north of the bank to the right-of-way. The walkway along the façade also connects to the existing pedestrian walkway that runs southwest to the main anchor buildings. A new ADA ramp will also be added at the SW Valeria View Drive intersection that provides connection from the right-of-way to the south façade of the pad buildings. The existing

midblock stairs will be relocated west of the drive-through lane.

**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 relocate the existing midblock stairs to the right-of-way northwest of the pad building. The project will also construct new stairs and an ADA ramp along the west side of the SW Valeria View Drive access. The project will also make a new ADA connection to the bank building to the west. Via that new connection, ADA access will be provided to the right-of-way at the main mid-block vehicular access. Minor changes to onsite lighting are being made but new lights are being provided and all areas are well lit; refer to the included photometric plan. 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 have been 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 small area of an existing fully developed shopping center. Minimal changes to existing grades and contours are required. 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 project will also create a new connection between the existing building and adjacent bank pad building, improving connectivity and providing ADA access between the buildings and the right-of-way. The existing mid-block stair will be relocated and retained. Additionally, a new ADA ramp and stair will be added along west side of the SW Valeria View Drive access. 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, Neighborhood Meeting materials, Preapplication Meeting Notes, architectural, civil and landscape plans, a service provider letter from CWS and a Traffic Memo. The service provider letter from Tualatin Valley Fire & Rescue is in process and will be provided as soon as it is received.

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

**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 includes 4,070 square feet of new building area between the new pad building and the Starbucks addition to the existing building; however, the project cannot meet the setback standard of 60.05.15.6 and thus must use the Guidelines of a Type 3 review.

- 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:** As detailed above, the project must use the Design Guidelines and is therefore a Type 3 review. 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 fees have been provided. 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 Section 60.05.35 through 60.05.50 (Design Guidelines).

**RESPONSE:** The project does not meet threshold numbers 1 through 7. 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 project is consistent with all applicable provisions of Sections 60.05.35 and through 60.05.50 (Design Guidelines) and can demonstrate that the project is moving toward compliance. The existing building does not meet the required maximum setback of Section 60.05.15.6.C. The new building area associated with this project will also not meet the setback due to the location of the existing building and the existing grade differences between the existing building and the right-of-way which meet subsections (a) and (b) above.

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 standards outlined in Section 60.15.10. Refer to the included narrative Section 60.15.10 for detailed information. This criterion is therefore 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 proposal is not a DRBCP. 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 project meets Design Review 3 threshold number 9. The project addresses only the Guidelines. Refer to the included narrative for detailed information.**

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: The project has been designed to meet the Guidelines. Refer to the included Guidelines section for detailed information. 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 documents will be provided in the proper sequence. This criterion is therefore met.**

#### 40.50 Loading Determination

##### 40.50.15 Application

#### 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.

**RESPONSE: The requested loading determination is not for a use that is not listed. This criterion does not apply.**

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.

**RESPONSE:** The requested loading determination is not for a reduction in the number of spaces in Section 60.25. The site provides the minimum number of loading berths and the proposed project will include two (2) additional parking stalls signed for temporary loading. The loading determination requested is for a change in size not number of loading berths.

The proposed project is for the addition of 4,070 square footage, in restaurant and drive-through uses, to the existing shopping center. At completion of the project the total shopping center building area on site will be approximately 171,853 sf. Table 60.25.15, subsection 4, retail and restaurant or shopping center, requires three (3) Type B loading berths for the first 100,000 square foot plus an additional two (2) loading berths for the remaining 71,853 square feet (one [1] berth per each 50,000 sf or fraction thereof). A total of five (5) Type B loading berths are required for the entire shopping center.

The existing center has one (1) Type B loading berth associated with the Rite Aid building, two (2) Type B loading berths associated with the former grocery store building, Anchor C and two (2) Type B berths associated with the former hardware store building, Anchor A. There are five (5) Type B loading berths on site. Additionally, there are 2 parking spaces south of Shop B that are marked for loading. The existing Type B berths onsite meet the minimum loading berths required and provide two (2) additional non-standard loading spaces.

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 requested loading determination is a request to modify the dimension of a loading area. Table 60.25.15, subsection 4, retail and restaurant or shopping center, requires loading berths to be Type B, 30 feet long, 12 feet wide and 14.5 feet clear. As demonstrated in subsection 2 above, the site provides the total number of Type B berths onsite but, the two (2) pad buildings associated with this application together would require one (1) Type B berth for their combined building area. The project does not include a Type B berth but a proposes two (2) parking stalls signed for temporary loading adjacent to the south facades of the buildings.

- 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:** As demonstrated in subsection A above the proposal meets threshold 3, a request to modify the size of the loading space provided for the pad buildings associated with this application. 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 fees have 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:** As detailed in subsection A(2) the shopping center as a whole provides the required number of full-size Type B loading berths for the total building area onsite. However, the area of the two (2) pad buildings associated with this application exceeds the minimum required for a Type B berth. The two (2) pad buildings are anticipated to house three (3) restaurant users. The existing bagel store will remain and currently their hours are between 7 am to 1 pm Monday through Saturday. The Starbucks is anticipated to operate between 5:30 am to 6:00 pm seven (7) days a week. The third tenant is unknown at this time but assumed to be a restaurant that will operate no earlier than 6 am and no later than 10 pm. This application requests modification of the loading area size as the typical delivery for small food users are multiple small utility truck deliveries throughout the week. The project proposes two (2) parking spaces adjacent to the south facades of the buildings, signed for temporary loading; refer to the included site plan for illustration.

The proposed temporary loading stalls are located so as to be convenient to both buildings and will suffice for shared use. The spaces are located on the main drive aisle so that the delivery vehicles do not need to travel unnecessarily through the center and delivery persons do not need to cross drive aisles. The location of the loading spaces will ensure that deliveries are accommodated and will not negatively impact vehicular or pedestrian circulation and will not create any safety concerns.

The proposed Starbucks will receive daily deliveries via trucks that could utilize up to a 45-foot trailer if deliveries to multiple locations are necessary; however, all of their deliveries are done after hours, between 8 pm and 3 am.

This criterion is therefore met as providing two (2) parking stalls signed for temporary loading versus a full-size Type B loading berth will no create adverse impacts.

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 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. The primary change will be removal of the existing parking area north-northwest of the pad building, between the project building and the adjacent Wells Fargo Bank, for installation of the new drive-through queue. The project will also remove the seven (7) parking spaces adjacent

to the east façade of the building to accommodate the addition of the 2,950 sf pad building.

The project will add 19 parking stalls along the south façade of both buildings. It will also reorient three (3) existing rows of parking stalls south of the buildings from online way aisles with angled parking to two-way aisles with 90-degree parking. In total the project will result in a net loss of 67 stalls; however, the new and restriped parking is provided in more usable locations and the total parking onsite still exceeds the minimum required parking for the center.

The new pedestrian walkway along the buildings south façades will connect to the adjacent bank building to the northwest and to the new pad building to the southeast of the building. From the plaza, pedestrians have access to the right-of-way via a new set of stairs. To the northwest, the path will provide access to the adjacent bank building and to the existing walkway north of the bank to the right-of-way. The walkway along this façade also connects to the existing pedestrian walkway that runs southwest to the main anchor buildings. A new ADA ramp will also be added at the SW Valeria View Drive intersection that provides connection from the right-of-way to the south façade of the pad buildings. The existing midblock stairs will be relocated west of the drive-through lane.

The proposed loading spaces will be located in the 19 new stalls along the south building facades. They have been located so that they can be easily and conveniently shared between the tenants. Their location adjacent to the buildings allows delivery drivers to complete their deliveries without crossing a drive aisle to ensure their safety.

This criterion is met as there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development and approval of this loading determination for smaller sized loading stalls will not negatively impact either vehicular or pedestrian circulation.

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

**RESPONSE:** The project is for the construction of a new 2,950 sf pad building for restaurant use and the addition of 1,120 sf and drive-through to the existing pad building. The drive-through building will have two (2) restaurant tenants and total 4,520 sf. The combined building area for the two (2) buildings is 7,470 sf. Table 60.25.15 requires one (1) Type B loading berth for restaurants uses over 7,000 sf in area. However, when looking at the shopping center in entirety, as discussed in subsection A(2) above, the center provides the total number of Type B loading berths for the total building square footage onsite.

Deliveries for the three (3) restaurant tenants are anticipated to occur throughout the week with typically no more than one (1) delivery a day per tenant. Deliveries typically occur via small utility trucks and UPS. Starbucks may receive some deliveries via trailers as large as 45 feet when deliveries to multiple stores occur via

**a single truck; however, their deliveries occur after hours between 8 pm and 3 am. The adjacent bagel stores operating hours are currently between 7 am and 1 pm so the Starbucks deliveries will occur after their business hours as well. Currently, there is no confirmed tenant for the stand-alone pad building. Typical restaurant hours usually occur between 6 am and 10 pm; however, as seen with both Starbucks and the bagel store, specialty food services typically have limited hours. Should a larger Starbucks delivery arrive during overlapping open hours their tenant spaces are the furthest apart and ensuring that deliveries will not negatively impact operations.**

**This criterion is met as the proposed site layout and the proposed temporary loading stalls accommodates the anticipated off-street loading needs of the structures and their tenants.**

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: The proposal is consistent with all applicable provisions of Chapter 60 as demonstrated in the following narrative. The proposal also provides all required improvements. There are no required 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 owners of the property are long standing landowners and operators. All periodic maintenance has been conducted on an ongoing basis and will continue to be maintained. This criterion is therefore met.**

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

**RESPONSE: Chapter 50.25.1 requires a completed application, written statement, neighborhood meeting information and service provider letters. The current submittal has provided the signed completed application and this document is the written statement of all applicable code requirements. Neighborhood meeting information and service provider letters were provided with the original submittal and resubmitted with this updated application. 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 required applications and documents have been and will continue to be**

**submitted in the proper 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 request is being made by the owner of the property, Peterkort Towne Square LLC and their authorized agent, Baysinger Partners Architecture. This criterion is therefore met.**

**Chapter 60 Special Requirements**

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

**60.05.35. Building Design and Orientation Guidelines.**

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

- 1. Building articulation and variety.
  - A. Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard [60.05.15.1.A](#))

**RESPONSE: This criterion does not apply as the project does not include a residential building.**

- B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standards 60.05.15.1.A and B)

**RESPONSE: The proposed addition to the pad building includes projections, canopies, varied roof forms, changes in materials, changes in color and ample glazing. The new pad building also includes projections, canopies, varied roof heights, changes in materials, changes in color and ample glazing. All of which combine to provide visual appealing and pedestrian scale elevations. This guideline is therefore met.**

- C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)

**RESPONSE: The design of the building addition includes a pillar element on the southwest corner of the building that will be painted to accentuate it from the materials and entry next to it. The roof line includes a peaked element and a fin to separate but unite the existing building area and new building area. The new pad building balances horizontal features by providing second story building area and a rooftop patio with canopy to accentuate verticality. This guideline is met as the design**

**includes elements to emphasize the vertical, balancing the horizontal elements.**

- D. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B)

**RESPONSE:** The Starbucks building includes ample windows for views into work areas, 14 feet high canopies and pedestrian scale lighting. All provide pedestrian scale by giving pedestrians views, weather coverage and overhead enclosure and well-lit walkways and architectural interest at the pedestrian level. The new pad building includes ample windows, 10-foot-high canopies on the ground floor, and pedestrian scale lighting. The design of both buildings provides pedestrian scale by giving pedestrians views, weather coverage and overhead enclosure and well-lit walkways and architectural interest at the pedestrian level. This guideline is therefore met.

- E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D)

**RESPONSE:** The north façade of the Starbucks building, facing SW Barnes Road, includes ample window area, changes in materials, wall offsets and changes in roof design. There is one section of blank undifferentiated wall on the north façade that is part of the existing building. The proposed project does not include work on this portion of the existing building as there is numerous mechanical and electrical equipment adjacent to it. The portion of brick wall is not clearly visible from the right-of-way as it is more than 9.5 feet above the right-of-way elevation and is screened by two (2) large evergreen trees. The north elevation is approximately 3,161 square feet in area and provide approximately 968 sf or 30.6% articulation.

The south façade facing the main parking area includes ample windows, changes in materials, canopies, and changes in roof design. As does the east elevation adjacent to the new patio area and facing the new Pad Building J. The east façade abuts the drive-through and does not include pedestrian circulation. The south elevation is also 3,161 square feet in area and provides approximately 1,221 square feet (38.6%) articulation. The west and east elevations are 878 square feet in area with the west providing 814 square feet (92.7%) and east providing 318 square feet (36.2%) articulation.

The new pad building includes ample windows, changes in materials, walls offsets, changes in roof and canopy design on all elevations. The north façade is approximately 1,234 square feet in area and provides 990 square feet (78%) articulation. The south façade is also 1,234 square feet in area and provides 572 square feet (46.4%) articulation. The east elevation is approximately 995 square feet in area and provides 520 square feet (52.3%) articulation. The west elevation

**does not face the street or major parking area.**

**This guideline is met as the elevations visible from the street and major parking areas include ample articulation.**

- F. Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an Industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)

**RESPONSE: This guideline does not apply as the principle use of the building is commercial.**

2. Roof forms.

- A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized. (Standards 60.05.15.2.A and B)

**RESPONSE: The existing Starbucks building has a pitched roof that will remain. To blend the new building area with the existing but accommodate for HVAC equipment on the roof, the building addition roof will be flat but have architectural elements that mimic the slope of the existing roof, providing the illusion of a sloped roof. The existing sloped roof and the new roof-like elements have a significant pitch.**

**The new pad building does not include any pitched roof elements. This building includes variations in roof height and canopies between the ground floor and upper story to create variety and detail. The rooftop patio and canopy are very distinctive and will add significant curb appeal to the building prime corner of the site.**

**This guideline is met as both buildings provide roof forms that are harmonious with each other and that are distinctive with ample variety and detail.**

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

**RESPONSE: On the Starbucks building, while the roof over the new building area will be flat, as detailed above, there are structural elements that will provide the illusion of a sloped roof so that the addition blends with the existing sloped roof. Adding cornices only to the new building area would not blend with the design and look of the existing portion of the building. The new sloped roof structural elements provide visual interest and a cohesive building.**

**The new pad building includes flat roofs only and utilizes the roof deck canopy as a faux cornice element to add interest and dimension to the top of the second story roof line. This ties the building design together with the existing Starbucks building as well as the proposed improvements to Phase 2, Rock Gym (under separate**

application). This guideline is therefore met.

- 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:** While the roof over the new building area will be flat, as detailed above, there are structural elements that will provide the illusion of a sloped roof so that the addition blends with the existing sloped roof. This guideline is therefore met.

3. Primary building entrances.

- A. The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3)

**RESPONSE:** Both buildings include ample canopies to provide pedestrians from the elements. All main entries include a canopy in addition to significant portions of pedestrian areas and walkways. This guideline is therefore met.

- B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)

**RESPONSE:** On the Starbucks building the location of the existing eastern tenant entry will not change but will receive a new canopy to provide weather protection. The building entries of the new addition are accentuated by an overhead canopy and a brick accent wall upon which signage will be placed.

The entrances of the new pad building are located on the south and west elevations and set within ample glazing which provides views into the work area of the tenant space(s). Both entries include canopies to emphasize the entries and provide weather protection for pedestrians.

This guideline is met as all building provides entrances are attractive, functional and clearly defined.

4. Exterior building materials.

- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standards 60.05.15.4.A and B)

**RESPONSE:** The existing portion of the Starbucks building is comprised of brick and stucco with ample windows on all facades. The proposed building addition also includes ample windows and will be constructed of brick and wood accents. The whole building will be painted to provide a cohesive look. The building addition also expands the materials palette with wood siding and metal canopies.

**The new pad building includes ample glazing and will be constructed of concrete, wood and metal panel siding.**

**This guideline is met as the exterior building materials and finishes are durable, high-quality materials.**

- B. Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C)

**RESPONSE: The existing building is constructed of brick and it will be the primary material of the new addition. However, because the existing building is fairly old, we are unable to get brick that exactly matches the existing. To provide a cohesive look and the impression that it is one building constructed at the same time, we will paint the entire building. The design includes a darker base and a lighter main building body to provide interest and variation in the elevation. This guideline is therefore met.**

5. Screening of equipment. All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)

**RESPONSE: Existing equipment for the bagel store is located on the ground along the north building façade. It is currently screened by the sizable grade difference between the site and right-of-way along with existing landscaping. This equipment and landscaping will not change. New equipment for the coffee tenant will be located on the flat roof portion of the building over their tenant space. This equipment will be screened by the building parapets; refer to the included screening drawing.**

**The mechanical equipment for the new pad building will be located in the small utility pop-up on the roof and screened by the pop-up walls.**

**This criterion is met as all mechanical equipment will be adequately screened.**

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)

**RESPONSE: The primary purpose of this project was to add a drive-through user which necessitated the addition of a drive-through pick up window and queue lane. The**

site is a fully developed shopping center so locations that could accommodate the use and modifications were limited. The small building addition was located as close to the right-of-way as is possible with the existing building and site grades yet place so as not to be located right on the access drive corner. The new pad building, located at the access corner will provide ample architectural interest at this location but due to grades and ADA access requirements imposed by the code and city staff, the building could not be located within 20 feet of the right-of-way. However, the predominant design element along the right-of-way will remain architectural added by the new pad buildings two (2) story design. This guideline is therefore met.

- 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)

**RESPONSE:** While the project site is located on the Class 1 Major Pedestrian Route, the buildings associated with this project is not located at the intersection of two streets. This guideline does not apply.

- 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 existing building, receiving the drive-through addition, is located along the SW Barnes Road right-of-way and does not currently have an entry facing the street. The building is more than 9.5 feet above the right-of-way and a large retaining wall separates the building from the street. All existing entries are on the façade facing away from the right-of-way (south). That façade is currently connected to the right-of-way by a staircase on the west end of the building.

Due to the existing grades the building addition does not include an entry facing the street on the as there is no way to connect that entry to the street. To the west of the building no pedestrian connect is possible due to the drive-through lane. Additional, due to existing ground mounted HVAC equipment and a large tree, a pedestrian connect cannot be installed around the north of the building. The proposed project will relocate the existing midblock stairs west of the drive-through and provides a new stair east of the building. This stair will continue to allow the south facing main entries to connect to the street. Additionally, the project includes a new ADA compliant path from the south facade to the adjacent bank building from there to the right-of-way via the existing pedestrian walkway along the access drive and a new ADA ramp at the SW Valeria View Drive access which connections directly to the south façade pedestrian walkway.

The existing building does not currently have entries facing the street and the proposed project will not add any new entries facing the street due to topographical constraints of connecting an any to the right-of-way.

The new pad building also had topographical design constraints. The applicant team understood from meetings with City staff after the Incompleteness

determination that an ADA ramp, in close proximity to the SW Valeria View Drive, would be required. Significant grade difference between the right-of-way and the site and building necessitated a multi-leg switch back ramp which impacted the placement of the new building. Additionally, stairs in close proximity to the ramp also impacted building location.

The project will provide new and improved pedestrian connections, including a new ADA complaint connection (which does not currently exist) to the right-of-way from the main entries on the south façade. These new accessways are as reasonably direct as allowed by the location of existing development, topographical constraints and need for ADA access. This guideline is therefore met.

- 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:** The proposed project includes adding square footage and a drive-through lane to an existing pad building within a fully developed shopping center. The existing building is located along the SW Barnes Road right-of-way and does not currently have an entry facing the street. The building is more than 9.5 feet above the right-of-way and a large retaining wall separates the building from the street. All existing entries are on the façade facing away from the right-of-way. That façade is currently connected to the right-of-way by a staircase on the west of the building.

Due to the existing grades the building addition does not include an entry facing the street on the as there is no way to connect that entry to the street. To the west of the building no pedestrian connect is possible due to the drive-through lane. Additional, due to existing ground mounted HVAC equipment and a large tree, a pedestrian connect cannot be installed around the north of the building. The proposed project will relocate the existing stairs but there is not access to it from the north building façade. This stair will continue to allow the south facing main entries to connect to the street via the new cross building walkway between the project and the existing bank. Additionally, the project includes a new ADA compliant path from the south facade to the SW Valeria View Drive intersection via a new walkway and ADA ramp.

The project building does not currently have entries facing the street and the proposed project will not add any new entries facing the street due to topographical constraints of connecting them directly to the right-of-way and the existing HVAC equipment.

The finished floor elevation of the new pad building is 9.25 feet higher than the right-of-way which precludes entries on that façade and the new ADA ramp prevents entry doors on the west façade. All entries on the south and east facades are connected to the right-of-way the ADA ramp and stairs as directly allowed by grades differences between the site and adjacent right-of-way.

**The project will provide new and improved pedestrian connections, including a new ADA complaint connect (which does not currently exist) to the right-of-way from the main entries on the south façade. These new accessways are as reasonably direct as allowed by the location of the existing development of the site and topographical constraints. This guideline is therefore met.**

7. Building scale along Major Pedestrian Routes.
- A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where detached single family dwellings are permitted. (Standards 60.05.15.7.A and B)

**RESPONSE: The proposed project is for a minor increase in floor area to an existing single-story pad building adjacent to a major pedestrian route. The project is minor in nature as it is small addition and is not conducive for multi-story construction. The height difference between the right-of-way and the finished floor elevation of the building (more than 9.5 feet) gives the impression of a taller building as does the pitched roof and pitched roof elements. The new pad building is designed to with a small second story along with a second story patio with canopy. As this two-story building will be at the access intersection of SW Valeria View Drive access it will add character and quality to the street at a key intersection. This criterion is therefore met.**

- B. Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A)

**RESPONSE: The height difference between the right-of-way and the finished floor elevation of the building creates a sense of enclosure. The total height of the building is 31'-2" feet and with the grade difference the building tallest part of the building is more than 40 feet above the right-of-way. The new pad building is designed to with a small second story along with a second story patio and canopy. The height of the building from site grade is 28 feet and the right-of-way is approximately 9.25 feet lower than the site providing a total building height feel of 37.25 feet. This is considerably less than the 60 feet allowed. The total height of the building, with grades, is less than 60 feet at right-of-way; therefore, this guideline is met.**

8. Ground floor elevations on commercial and multiple use buildings.
- A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes. (Standard 60.05.15.8.A)

**RESPONSE: The north façade of the Starbucks building faces the right-of-way and includes ample windows. The existing windows between gridlines 2 and 3 in the included architectural drawings, will remain. The existing portion of the building between gridlines 3 and the demising line just beyond gridline 6 will remain as is. This portion of the building has a small amount of window that will remain; however, no**

work is being done on the existing building in this location. Between the demising line and the gridline 9, which denotes the extent of the new tenant's space, windows are provided where they will be seen from the right-of-way and not interfere with equipment placement as this is the service/work area portion of the space. The lower portion of the wall here is required for equipment placement and will not be seen from the right-of-way due to the significant grade difference between the building and right-of-way. Additional glazing is provided in the drive-through window area as well. Approximate glazing totals are as follows: approximately 56.4% for the north elevation, 113.2% on the east, 110.5% on the south and 22.4% on the west. On the west façade where glazing is low due to the drive-through ample articulation is provided at 92.7%.

The new pad building includes ample glazing on all elevation. The approximate glazing totals are as follows: approximately 49.1% for the north elevation, 44.6% on the east, 53.2% on the south and 82.5% on the west. On the north elevation where glazing is lower than the 50% required standard additional articulation at approximately 78% is provided.

**This guideline is therefore met as both buildings include ample glazing.**

- 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:** The existing building has pedestrian walkways or plaza on the east and south facades. The south façade has approximately 112.5 lineal feet of pedestrian area and provide approximately 66.75 lineal feet (59.3%) of weather protection in canopies ranging from four (4) feet to 23'-3" deep. The east façade has 40 lineal feet of pedestrian area and provides 32 lineal feet (80%) as canopy between 12 and 32 feet deep.

The new pad building has pedestrian areas on all four (4) facades. The north façade has approximately 49 lineal feet of pedestrian area and provide 100% as canopy four (4) feet deep. The south façade has approximately 49 lineal feet of pedestrian area and provide 42.5' lineal feet (86.7%) as pedestrian area a minimum of four (4) feet deep. The West façade has approximately 42.33 lineal feet of pedestrian area and provides canopies a minimum of four (4) feet deep over 100% of the façade. The east façade has approximately 42.33 lineal feet of pedestrian area and provides canopies a minimum four (4) feet deep for 26.25 lineal feet (62.1%) of the façade.

**This guideline is met as both building provide ample weather protection in all areas where pedestrian have access including main entries, walkways and plazas.**

#### **60.05.40. Circulation and Parking Design Guidelines.**

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

1. Connections to public street system. The on-site pedestrian, bicycle, and motor vehicle circulation

system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1)

**RESPONSE:** The proposed project is within a fully developed shopping center. All bike and motor vehicle connections will remain existing without change. The proposed project will improve the onsite pedestrian system linked to the project building by providing new ADA compliant connections between both project buildings, the adjacent bank pad building and right-of-way. The project will relocate the existing midblock stairs, west of the new drive-through. The project also includes a new ADA ramp and stairs along the west side of the SW Valeria View Drive access which provides direct access to the project building south facades and shared patio area. This guideline is met as the project provides ample connections to the public street systems for all modes of travel.

2. Loading area, solid waste facilities, and similar improvements.
  - A. On-Site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)
  - B. Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)

**RESPONSE:** The proposed project includes a new trash and recycling enclosure located south of the building. The enclosure will provide screening for all receptacles inside. Additionally, the pad building itself will screen the enclosure from the right-of-way. There is no existing loading area associated with the pad building in this project. The proposed work will only increase the building area slightly and neither tenant, existing bagel shop and proposed coffee drive-through, will receive shipments by large semi-trucks. Deliveries are also typically during off hours. This criterion is met as all service area are screened from the abutting public street.

3. Pedestrian circulation.
  - A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)

**RESPONSE:** The site includes an existing north-south walkway and midblock stairs. The proposed project will relocate the midblock stairs west of the proposed drive-through. It will connect to the new ADA compliant east-west walkway between the project buildings and the existing bank building. Via this east-west connection pedestrians can access the both project buildings and the existing north-south walkway to the large anchor buildings along the south property line. The project also includes a new east-west walkway from the existing north-south walkway to the future Rock Gym building (building under separate application). The project also includes a new ADA ramp and stairs east of the project buildings which provide access to the buildings south façade and patio area and main on-site connections to the existing anchor buildings. This guideline is met as the project will greatly improve pedestrian circulation within the development.

- B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)

**RESPONSE:** As mentioned in subsection 3(A) above, the project includes two (2) new ADA routes. The new ADA connection between the project buildings and the adjacent bank building will connect to the midblock signalized access. Additionally, the project includes a new ADA ramp and stairs at the SW Valeria View Drive intersection. These connections from the right-of-way provide access to the pad buildings along the right-of-way, their associated facilities (like trash enclosure and parking) and connects the existing onsite circulation system to the main anchor buildings. This guideline is met as the proposed new connections provide ADA access to streets and onsite facilities.

- C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)

**RESPONSE:** As mentioned in subsection 3(A) above, the project includes two (2) new ADA routes. The new ADA connection between the project buildings and the adjacent bank building will connect to the midblock signalized access. Additionally, the project includes a new ADA ramp and stairs at the SW Valeria View Drive intersection. These connections from the right-of-way provide access to the pad buildings along the right-of-way, their associated facilities (like trash enclosure and parking) and connects the existing onsite circulation system to the main anchor buildings. This guideline is met as the proposed new connections provide ADA access to streets and onsite facilities.

- D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)

**RESPONSE:** The proposed project does not include any new connections through parking areas that connect to the street. The existing mid-block stair will be relocated west of the drive-through making it slightly more centrally located. There will also be a new east-west connection from the main north-south walkway to the former hardware store building. This guideline is met as the existing connection will be relocated to provide midblock connection but no other walkways through the parking field to the street are proposed.

- E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through H)

**RESPONSE:** The proposed project is within a fully developed shopping center adjacent to fully developed rights-of-way that include compliant pedestrian connections. The project will not change the existing rights-of-way or their walkways. This criterion will remain met.

- F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)

**RESPONSE:** All new pedestrian areas will be constructed of concrete and designed to be ADA compliant, except for the new stair at the northeast corner of the patio. All walkways will be raised when adjacent to vehicle areas, except for drive aisle crossings. This guideline is met as all pedestrian connections provide for safe pedestrian movement and will be constructed of hard durable surfaces.

4. Street frontages and parking areas. Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)

**RESPONSE:** The project does not include any new parking area adjacent to the right-of-way. The drive-through queue lane is set back from the right-of-way by between 10.8 feet and 12.8 feet. The setback area has landscape areas at grade with the right-of-way as well as at the top of the large retaining wall within the setback. This guideline is met as all new vehicle areas adjacent to the right-of-way include both landscaping and a retaining wall as screening.

5. Parking area landscaping. Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standards 60.05.20.5.A through D)

**RESPONSE:** All new parking and the restriped parking area include planter islands with canopy trees. Refer to the included landscape plan. This guideline is therefore met.

6. Off-Street parking frontages in Multiple Use zones.  
A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)

**RESPONSE:** The project will remove existing parking areas to either side of the building that abut the right-of-way property line. All new parking will be south of the building and screened away from the right-of-way by the buildings. This guideline is therefore met.

- B. Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standard 60.05.20.6)

**RESPONSE:** The project will remove existing parking areas to either side of the building that abut the right-of-way property line. All new parking will be south of the building and screened away from the right-of-way by the buildings. This guideline is met as the project removes parking from adjacent to the right-of-way to create a pedestrian plaza and places new parking away from the right-of-way.

7. Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.  
A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)

**RESPONSE:** The project is for modifications to an existing, fully developed shopping center. The center has existing pedestrian pathways along both abutting streets. The project does not require any additional dedications or right-of-way improvements and the project will not alter the existing pedestrian pathways.

- B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)

**RESPONSE:** Both buildings include tenant entries are on their south façades and have entrances to the shared patio area between them (door on the west façade of the pad and east façade of the Starbucks building). The project includes a 10-foot sidewalk along the south façade of both buildings and the shared patio area is between 22 and 26 feet. This guideline is met as all elevations with entries have general pedestrian connection areas.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.
- A. On-Site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)

**RESPONSE:** The proposed project is within a fully developed shopping center. The project will make changes to a very limited area of the site. All improvements will provide vehicle circulation areas at are clearly marked with curbs, sidewalks and landscaping. This guideline is therefore met.

- B. Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)

**RESPONSE:** The new and restriped a parking is limited between 7 and 8 stalls before a landscape island. There is one aisle of 11 stalls where the ADA parking is located. This guideline is met as landscaping has been used to break up parking bays and long, continuous parking aisles are avoided.

9. Parking structures in Multiple Use zones. Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes. (Standard 60.05.20.9)

**RESPONSE:** This guideline does not apply as the project does not include any parking structures.

#### **60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.**

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

3. Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.
- A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)

**RESPONSE:** The proposed project includes landscaping at the corner of the new pad building facing the right-of-way as well as along the east side of the new ADA ramp. A landscape buffer is also proposed between the drive-through lane and the right-of-way. Landscaping is included at the ends of all rows of parking stalls. This guideline is met as ample landscaping is provided and has been located to soften the edges of the building and parking area, add aesthetic interest and general attractiveness to the development.

- B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)

**RESPONSE:** The project includes a new outdoor plaza area between the two (2) project buildings. The plaza includes pavers and landscaping. Refer to the included landscape plan. This guideline is therefore met.

- C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standards 60.05.25.5.A and B)

**RESPONSE:** The proposed landscape plan includes several natives including Dense Sedge, Soft Rush and Birch Leaf Spiraea. This guideline is therefore met.

- D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)

**RESPONSE:** Existing landscaping is being kept along the north façade of the existing building including the large evergreen tree. This guideline is met as the significant mature tree is being retained and incorporated into the project.

- E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)

**RESPONSE:** The proposed landscape plan includes four (4) different trees and nine (9) different shrubs. This guideline is met as the project includes a diverse mix of trees and shrubs.

6. Retaining walls. Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.8)

**RESPONSE:** The site has an existing retaining wall that is greater than six (6) feet. The project will make modifications to the existing wall. All modifications have been designed to match the exiting brick wall. The new walls for the ADA ramp and stairs will be concrete and screened in several location with landscaping. This guideline will be met as the existing and new wall will be attractive and contribute to a pleasure pedestrian experience.

7. Fences and walls.

- A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9)
- B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.9.E)

**RESPONSE:** As mentioned in subsection 6 above, the project includes an existing wall that will be modified. The wall is constructed of brick, a durable and attractive material, all modified sections will match the existing. This guideline is therefore met.

- 8. Changes to existing on-site surface contours at residential property lines. The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.10)

**RESPONSE:** This guideline does not apply as the project does not include any grade changes at a property line abutting a residential zone.

- 9. Integrate water quality, quantity, or both facilities. Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.11)

**RESPONSE:** The project is for minor work within a large fully developed shopping center. There is an existing storm water quality and quantity facility onsite; however, due to recent changes to Clean Water Services (CWS) codes the system will be improved as part of this project. Refer to the include civil drawings and storm report for detailed information. This guideline is met as a stormwater facility has been designed by registered civil engineers to address all applicable CWS and City of Beaverton codes.

- 10. Natural areas. Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12)

**RESPONSE:** The only natural feature within the work area is the two (2) large evergreen trees on the north façade of the building. These trees will be retained. This guideline is therefore met.

- 11. Landscape buffering and screening.
  - A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13)

**RESPONSE:** The project work area does not abut any residential zones or residential uses. This criterion guideline does not apply.

- B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape

screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13)

**RESPONSE: The project does not include a conditional use. This guideline does not apply.**

- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)

**RESPONSE: Landscape buffering is not required per subsections B and C above. This guideline does not apply.**

- D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E).

**RESPONSE: Landscape buffering is not required per subsections B and C above. This guideline does not apply.**

#### **60.05.50. Lighting Design Guidelines.**

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

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)
2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)
3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)
4. On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2). Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary. [ORD 4531; April 2010]

**RESPONSE: The project includes new lighting throughout the work area and have been located to ensure adequate light for both pedestrian and vehicular circulation as well as general site safety. Lighting includes a mix of new pole lights, pedestrian scale bollard lights and on-building lighting. All lighting has been designed by registered lighting engineers to ensure that glare has been minimized on abutting and adjacent properties including the right-of-way. All lighting complies with the City's Technical Lighting Standards. Refer to the included photometric plan and lighting cut sheets for detailed info. These criteria are therefore met.**

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

**RESPONSE: The proposed combination of pole lighting, pedestrian walkway lighting and on-building lighting will adequately light the new pedestrian plaza, pedestrian pathways, building entries, parking, drive-through, bike parking and trash facility areas. These criteria are therefore met.**

- 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: The proposed project includes lighting that meets the technical lighting standards. Table 60.05-1 allows for a maximum pole light height of 30 feet for parking areas. The proposed photometric plans uses both 20' and 30' poles. Refer to the include photometric plan and lighting cut sheets for detailed lighting information. These criteria are therefore met as all lighting meets the standards of Table 60.05-1**

- 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.
  2. Special Design Standard for Residential Districts. No exterior neon lights shall be permitted.
  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 lighting or flashing lighting, bare bulbs, or strobes. There are no lights in required screening or buffering areas. These criteria are therefore met.**

Zoning District Type	Minimum Req'd Illumination (internal) in Foot-candles		Max. Permitted Illuminations (internal) in Foot-candles		Max. Permitted Illumination at property line 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>

**60.07 Drive-Up Window Facilities**  
**60.07.10. Standards.**

The decision-making authority shall review proposed drive-up window facilities to determine that the following standards are addressed in the design:

1. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street.

**RESPONSE:** The drive-through queue lane is accessible only from the existing interior (onsite) drive aisle between the project building and the bank pad building and is not accessible directly from the street. This criterion is therefore met.

2. Restaurants providing drive-up window service shall have sufficient parking and seating to accommodate anticipated customer volume.

**RESPONSE:** The proposed drive-through coffee use includes a lengthy queue lane and indoor seating. The anticipated tenant is a well-established national company with very detailed information regarding queueing and seating needs that they have gathered from hundreds of locations nationwide over many years. The tenant played an integral part in designing both the building space and queuing to meet their anticipated needs. This criterion is therefore met.

3. Restaurants providing drive-up window service shall provide at least two (2) designated parking spaces immediately beyond the service window, or provide other satisfactory methods, to allow customers

requiring excessive waiting time to receive their food while parked.

**RESPONSE: The proposed tenant is not a restaurant. The proposed tenant will be a coffee use; therefore, no additional designated parking spaces are required. However, the renovations do include three (3) new parking stalls adjacent to the south façade and numerous existing parking stalls near by the service window should they be needed. This criterion is not required but will be met.**

4. Financial and other commercial establishments providing drive-up window facilities which do not provide for walk-in customer service (i.e., not allowing transactions within the structure) shall provide for safe, convenient and readily accessible exterior walk-up window service, such as an automatic teller machine, at any time during regular business hours. Additionally, at a minimum, two parking spaces shall be provided allowing convenient access to the walk-up service window.

**RESPONSE: This criterion does not apply as the coffee tenant will have walk-in service as well as the drive-through.**

5. The design of the stacking area shall allow customers' vehicles to leave the stacking line for emergency reasons.

**RESPONSE: The drive-through queue lane includes a by-pass lane. This criterion is therefore met.**

6. On-Site parking for walk-in customers shall be designed to be readily accessible to all public entrances to the building and to provide safe, convenient access.

**RESPONSE: The building includes entrances only on the south façade. The majority of parking associated with the site is south of the building. There is ample parking readily accessible to the public entrances. This criterion is therefore met.**

7. Establishments having drive-up window facilities shall have sufficient stacking area to ensure that public rights-of-way and shared access driveways are not obstructed.

**RESPONSE: The anticipated tenant is a well-established national company with very detailed information regarding queueing and seating needs that they have gathered from hundreds of locations nationwide over many years. The tenant played an integral part in designing both the building space and queuing to meet their anticipated needs. The queue lane provide will meet the tenants anticipated needs. Signage will also be placed to instruct drivers not to block the queue lane exit or main drive aisle; refer to the include architectural site plan. This criterion is therefore met.**

8. Communication's sound system shall not exceed a measurement of 55 decibels at the adjoining property line.

**RESPONSE: All communication systems will be operated within the allowed decibels. This criterion will therefore be met.**

**60.07.15 Abatement.**

Drive-up window facilities shall be a public nuisance to be abated pursuant to 5.05.115A of the Municipal Code, or its successors, if the traffic at the facility causes obstruction or interference with the right-of-way or flow of pedestrian or vehicular traffic as described in Section 5.05.115A of the Municipal Code. Abatement methods may include summary abatement, closure or redesign of the drive-up window facility. The Beaverton Police shall have the authority to issue citations to drivers of motor vehicles obstructing the public right-of-way or interfering with traffic flow.

**RESPONSE:** It is understood that if the traffic from the drive-through were to interfere or obstruct the right-of-way or flow of pedestrian or vehicular traffic the City make take steps to remedy the issue.

**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.

**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.

Table 60.25.15 Number of Required Loading Spaces.				
USE		AGGREGATE FLOOR AREA (SQ. FT.)	BERTHS REQUIRED	TYPE
4.	Department stores, <u>retail</u> establishments, funeral homes, <u>restaurants</u> , and commercial establishments not otherwise specified.	7,000 - 24,000	1	B
		24,001 - 50,000	2	B
		50,001 - 100,000	3	B
		each additional 50,000 or fraction thereof	1 additional	B

**RESPONSE:** The buildings associated with this project are each under 7,000 square feet but their combined area is 7,470 sf. The total square footage of the shopping center is 171,853 square feet. The total Type B loading berths required onsite is five (5) with one (1) at the pad buildings. The site has five (5) Type B loading berths at the Anchor buildings and the proposed project will provide two (2) loading stalls signed as temporary loading spaces. A loading determination has been requested for modification of the size of the additional spaces at the project pad building.

**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.

**RESPONSE:** The proposed loading stalls are loading in the parking along the south building facades with one (1) stall adjacent to the drive-through building and one (1) stall by the new pad building. This is on the same lot as the structures they are intended for. This criterion is therefore met.

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 proposed loading spaces are within the site and do not abut a public street. Vehicles using the proposed loading spaces will not project into any public street and are accessible from the drive aisles onsite. The loading spaces are not within a setback. This criterion is therefore met.

#### 60.25.25 Loading Determination

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

**RESPONSE:** This application includes a request for a loading determination for the modification of the size of the proposed loading area associated with the pad buildings of this application.

#### 60.30 Off-Street Parking

##### 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.

3. Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.
4. Dual parking zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center—East zoning district. In the cases in the Regional Center—East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel.
5. Regional Center Parking Districts 1 and 2. Located within the boundary of the Regional Center are two (2) parking districts. Within these two districts, the parking requirements of Section 60.30.10.5.A. do not apply. The required number of parking spaces for Regional Center Parking Zones 1 and 2 shall be governed by Section 60.30.10.6.

**RESPONSE: The proposed project site is located in Parking Zone A.**

- 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 proposed project provides bicycle parking along the south façade with two (2) long term stalls under cover of one of the building’s canopies and two (2) short term stalls near the new outdoor patio. 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 proposed project provides bicycle parking along the south façade with two (2) long term stalls under cover of one of the buildings canopies and two (2) short term stalls near the new outdoor patio. 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 long-term parking will be covered. All parking is located adjacent to the building to provide good access and for the parking to be well lit. 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 site is not in Old Town Parking Zone 1 or 2.

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
Eating, Drinking Establishments		
Other eating, drinking establishments in all other zones.	10	19.1

<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>
<b>Commercial Uses</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
Eating, Drinking Establishments	2 spaces or 1 space per 4,000 sq. ft. of floor area	2 spaces or 1 space per 4,000 sq. ft. of floor area

**RESPONSE:** The proposed project will add approximately 4,070 square feet of building area to the existing shopping center. The total square footage onsite after the project will be approximately 171,853 square feet requiring a minimum of 557 vehicular spaces and allowing a maximum of 876 vehicular spaces. The existing site has approximately 754 vehicular parking stalls and the project will eliminate 67. The project, at completion, will provide a total of 687 vehicular parking spaces.

**The pad buildings associated with the project will total approximately 7,470 sf at project completion requiring two (2) long term and two (2) short term bicycle parking stalls. The project includes two (2) long term stalls along the south façade under a building canopy and two (2) short term stalls near the outdoor patio area.**

**This criterion is met as the site and project provide vehicular parking within the minimum and maximums allowed and will provide bicycle parking to meet the minimum required.**

7. Exceeding Parking Ratios. More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.10.15.2. (Major Adjustment) of this Code. However, if surplus parking is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Major Adjustment for parking.

Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone.

**RESPONSE: The proposed project does not include parking in excess of what is allowed.**

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: The project site is a shopping center with a mix of uses that fit under the shopping center classification. The shopping center category was used for all parking calculations and the parking onsite will be shared between 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.

- B. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.
- C. In R10, R7, R5 and R4 zones parking and loading spaces may be located in side and rear yards and may be located in the front yard of each dwelling unit only if located in the driveway area leading to its garage. [ORD 4584; June 2012]
- 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: All parking is provided onsite. This criterion is therefore met.**

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 project does not include any new compact stalls with the work area. These criteria 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 [60.30.10.12.](#))

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:** All new and restriped parking are 90 degree and meet the minimum 8.5' x 18.5' size requirement. The modified drive aisles are a minimum of 24' wide. This criterion is therefore met.

**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. [ORD 4103; May 2000]
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 project is within a fully developed shopping center adjacent to fully developed rights-of-way. To the applicant's knowledge no right-of-way improvements are triggered or required as part of this project. The project does not include any right-of-way modifications.**

#### **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. [ORD 4706; May 2017]
  - 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 nearly 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 project is within a small area of a fully developed shopping center on abutting fully developed roads. The abutting roads are compliant with current requirements and provide safe and efficient circulation for vehicles, bicycles, pedestrians and transit. The project does not include any modifications to the existing roads. This criterion will remain met.**

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 project is within a small area of a fully developed shopping center on abutting fully developed roads. The abutting roads are compliant with current requirements. This criterion will remain met.**

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: This criterion does not apply as the site is already developed.**

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: The site is fully developed and all frontages abutting the parcel are fully developed. This criterion is already met.**

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: This does not apply as the streets and bicycle and pedestrian connections adjacent to and with the parcel are of adequate width.**

6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.

**RESPONSE: The proposed project will relocate the existing stair connection to the right-of-way by moving it west of the building and thereby maintaining a midblock connection to the right-of-way. The new set of stairs will be located to the east side of the building and connect the building and new outdoor plaza directly to the signaled intersection at SW Valeria View Drive. A new ADA compliant ramp will also be installed at the intersection that provides direct access from the right-of-way to the pedestrian walkway along the south building façades. The proposed project will improve pedestrian connections to the right-of-way. This criterion is therefore 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 proposed project is for minor work within an existing fully developed shopping**

**center. The center has existing bicycle and pedestrian connections that connect the onsite circulation system to the existing streets. The project will improve these connections by relocating the stairs, discussed above, and by adding a new stairs, an ADA complaint ramp and an ADA connection between the project pad building and the adjacent bank pad building and western driveway walkway. This guideline is met as bicycle connects are existing and the project includes new, improved pedestrian connections.**

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 proposed project is within a fully developed shopping center abutting fully developed and compliant rights-of-way. The project does not include any changes to the rights-of-way.**

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 is for minor changes within a fully developed shopping center. The project does not include any new accessways and the existing grade differences between the site and the right-of-way preclude new accesses. This criterion does not apply.

## 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.

**RESPONSE:** The proposed project includes a new ADA compliant walkway from the south façade of the project buildings west to the adjacent bank pad building. The walkway meets up with the existing north-south walkway along the access drive. The walkway also connects the new pedestrian patio between the project buildings to the right-of-way with new stairs. A new ADA ramp from the intersection to the south façade of the buildings is also provided. The existing mid-block stairs will be relocated west so that it is closer to true mid-block location. Criteria A and B are met as walkways connection all parts of the development, connect development to the right-of-way and the existing mid-block connection.

- 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.

**RESPONSE:** The new ADA compliant walkway from the south façade of the project buildings west to the adjacent bank pad building connects the project buildings to the adjacent bank building. This walkway also intersects with the existing north/south

**pathway connecting the project buildings (and adjacent bank building) to the main anchor buildings along the south property line. A new pedestrian pathway will also be installed from the existing north-south walkway east to the former hardware store building. The relocated mid-block stairs will be connected to the main walkway along the south building facades and the main north-south walkway. A new ADA ramp and stairs at the SW Valeria View Drive intersection will also provide access from the right-of-way to the onsite pedestrian system. All walkways onsite are a minimum of five (5) feet in width and will be constructed of concrete. Criteria C through F are therefore met.**

- 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: All walkways are lit to a minimum 0.5 foot-candles as demonstrated in the included photometrics plan. This criterion is therefore 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 project is within an existing fully developed shopping center along fully developed rights-of-way. There are existing transit stops along those rights-of-way. The proposed project does not include any new transit stops or improvements to the existing transit stops. This criterion does not apply.**

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 project site is not in a wetland, stream, Significant Natural Resource Overlay Zone or Significant Riparian Corridor.**

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: This criterion does not apply as the project does not abut any residential rear lot lines.**

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: The project includes a new ADA compliant walkway (between the project buildings, bank and mid-site signalized access), a new stair, relocated mid-block stair and new ADA ramp at the SW Valeria View Drive intersection. Configuration and design of these features was directly influenced by the existing extreme grade difference between the right-of-way and existing development onsite.**

### **60.55.30. Minimum Street Widths.**

Minimum street widths are depicted in the Engineering Design Manual.

1. Any project-specific modifications of the standards contained in the Engineering Design Manual regarding the widths of features relating to the movement of vehicles, including but not limited to rights of way, travel lanes, parking lanes, bike lanes, driveway aprons, curb radii, or other such features shall be processed in accordance with the provisions contained in the Section 145 Design Modifications of the Engineering Design Manual.
2. Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street furniture are

subject to the procedures contained in CHAPTER 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City.

3. Street trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist. Proposed tree wells shall be designed to meet standards in the City Engineering Design Manual.

**RESPONSE: All abutting streets meet the current standards for their classifications and are fully developed with amenities. The proposed project does not include any changes to the rights-of-way. This criterion will continue to be met.**

#### **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:** The project is within a fully developed shopping center that has developed access points. The proposed project does not include any new accesses, removal of any access or modifications to existing accesses. This criterion will remain met.

#### **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 is within an existing fully developed shopping center along fully developed rights-of-way. There are existing transit stops along those rights-of-way. The proposed project does not include any new transit stops or improvements to the existing transit stops. This criterion does not apply.

#### **60.60 Trees and Vegetation**

##### **60.60.10. Types of Trees and Vegetation Regulated.**

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in Section 40.90. of this Code. The City finds that the following types of trees and vegetation are worthy of special protection:

1. Significant Individual Trees.
2. Historic Tree.
3. Trees within Significant Natural Resource Areas.
4. Trees within Significant Groves.
5. Landscape Trees.
6. Community Trees.
7. Mitigation Trees.

**60.60.15. Pruning, Removal, and Preservation Standards.**

1. Pruning Standards.
  - A. It shall be unlawful for any person to remove or prune to remove a tree's canopy or disturb the root zone of any Protected Tree, except in accordance with the provisions of this Code.
  - B. All pruning of Protected Trees shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy, also known as Resolution 3391.

**RESPONSE: Any pruning will be conducted in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy. These criteria will be met.**

2. Removal and Preservation Standards.
  - A. All removal of Protected Trees shall be done in accordance with the standards set forth in this section.

**RESPONSE: The project does not have any protected trees. This criterion does not apply.**

- C. Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.

**RESPONSE: The project will remove 13 landscape trees and mitigation is provided as required by section 60.60.25. Refer to the associated narrative section for detailed information on mitigation. This criterion is therefore met.**

- C. For SNRAs and Significant Groves, the following additional standards shall apply:
        1. The minimum DBH of non-exempt surveyed trees that must be preserved on a site is as follows:
          - b) Residential, Commercial, or Industrial zoning district: Twenty five percent (25%) of the DBH of non-exempt surveyed trees found on a project site
        2. DBH to be retained shall be preserved in cohesive areas, termed Preservation Areas, when development is proposed in SNRAs or Significant Groves.
        3. Native understory vegetation and trees shall be preserved in Preservation Areas.
        4. Preservation Areas, conditioned for protection through the Development Review process, shall be preserved in clusters that are natural in appearance rather than in linear strips. Preservation Areas should connect with adjoining portions of the Significant Grove or SNRA on other sites.
        5. Preservation Areas, conditioned for protection through the Design Review process, shall be set aside in conservation easements and recorded with a deed restriction with Washington County, unless otherwise approved by the City. The deed restriction shall prohibit future development and specify the conditions for maintenance if the property is not dedicated to a public agency.
        6. Preservation Areas, conditioned for protection through the Land Division process, shall be set aside in tracts and recorded with a deed restriction with Washington County, unless otherwise approved by the City. The deed restriction shall prohibit future development and specify the conditions for maintenance if the property is not dedicated to a public agency.
        7. Within the development review process, where a person is presented with a particular decision whether to retain a native or non-native tree, the native species shall be retained provided all other considerations between the two categories of trees remain equal.

Non-native tree species may also be retained for aesthetic, unique condition, size, and wildlife habitat purposes.

8. Hazardous and dead trees within Significant Groves and SNRAs should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and must be removed from the area to protect the remaining trees.

**RESPONSE: The project is not within an SNRA and does not have any Significant Groves; these criteria do not apply.**

#### **60.60.25. Mitigation Requirements.**

9. The following standards apply to the replacement of a Landscape Tree:
  - A. A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.

**RESPONSE: The 13 trees to be removed are mix of coniferous and deciduous trees of unknown species. The project will replace those trees with comparable trees that are compatible with the other existing trees within the center. This criterion is therefore met.**

- B. If a replacement tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species.

**RESPONSE: The proposed landscape plan includes Goldspire Ginkgo, Skyline Honey Locust, Green Vase Zelkova and Acer Palmatum 'Seriya' trees. These trees match or are significantly similar to the existing trees to remain within the center.**

- C. Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement of tree on a one-to-one basis shall be as follows:
      1. Calculate the sum of the total linear DBH measurement of the tree to be removed.
      2. The total linear DBH measurement of the tree to be removed shall be replaced with tree at least 1.5 caliper inches in diameter. The total caliper inches of the replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.

**RESPONSE: The project will remove 13 trees totaling 105" in DBH. The project will provide 105" of new DBH. This criterion is therefore met.**

#### **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: The proposed project is within a fully developed shopping center adjacent to a fully developed right-of-way. The project does not propose any modifications to the right-of-way. All existing utilities along the right-of-way will remain as-is.**

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 serving private utility companies for placement of services underground. This criterion will therefore be met.**

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

**RESPONSE: It is understood the City must 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: All underground utilities will be installed prior to the final surfacing of the vehicular areas. This criterion will therefore be met.**

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: At this time, the project does not include any stubs for services at the street intersection.**

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: At this time the applicant does not believe that any existing overhead utilities need to be undergrounded as part of 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 should a private utility service provider require that extra capacity be installed it will be at the land owners expense.**

#### **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: All of the above information can be found on the included civil and survey drawings. This criterion is therefore met.**

#### **60.65.25. Optional Fee In Lieu of the Undergrounding Requirement.**

If any of the following criteria are met as determined by the City, after receiving a recommendation from the Facilities Review Committee, at the applicant's option, applicant shall either immediately place the private utilities underground or pay a fee to the City toward future undergrounding in lieu of immediately placing private utilities underground.

Criteria. An applicant may request an optional fee in-lieu of the undergrounding requirement by submitting a written request to the Director that addresses how one or more of the following criteria are met. The written request shall include the information required in Sections 60.65.20.2. and 3., shall identify the segment of the required utility undergrounding that meet the criteria below, and shall explain in narrative and graphic form how one or more of the criteria are met. [ORD 4224; August 2002]

1. Placement of private utilities underground would conflict with the current City of Beaverton Engineering Design Manual and Standard Drawings or the Clean Water Service's Design and Construction Manual, as applicable;
2. An improvement project(s), which would include placement of said private utilities underground, other than as a part of the proposed development, are funded in the City's or another public agency's current fiscal year budget, are under design, or are under construction, and the City has determined that utility undergrounding can be accomplished more efficiently as part of such other improvement project(s).
3. Excluding service connection(s) of private utility(s) to structure(s), the length of any one of the three private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 60.65.25.3. If any of the existing or proposed utilities meets the corresponding threshold, as specified in this criterion, then, at the option of the applicant, the applicant shall either pay a fee in-lieu for undergrounding all of said utilities that are not already underground or place all of said utilities underground. If any of the utilities exist and are deemed exempt from the undergrounding requirement, as specified in Section 60.65.15.1., only that exempt utility shall not be required to pay an in-lieu fee. All other existing utilities that share the location of the exempt utility shall either pay an in-lieu fee or be placed underground.

Table 60.65.25.3

	Threshold	Electric	Telephone	Cable Television
A.	500 feet	Tap lines with at least 2 poles	Class 1 (0 to 300 conductors)	Service drops
B.	600 feet	Sub-feeder with at least 3 poles	Class 2 (301 to 600 conductors)	Feeder
C.	800 feet	Feeder with at least 5 poles	Class 3 (601+ conductors or fiber optic)	Trunk or fiber optic

**RESPONSE:** The project will underground all new utilities and does not, at this time, anticipate fees in-lieu.