memo

to Lina Smith, City of Beaverton

from Shayna Rehberg, MIG|APG

cc Raleigh Hills School Project Team

re Raleigh Hills School Rebuild
Land Use Application Final or "Perfection" Submittal – ONLINE SUBMITTAL
ADJ2022-0005 / CU2022-0012 / DR2022-0155 / LD2022-0020 / LLD2022-0008 / SDM2023-0001 / TP2022-0016

date September 1, 2023

On behalf of the Beaverton School District (BSD or "The District"), MIG|APG is submitting this application package for the rebuilding of Raleigh Hills School (RHS). This package updates the application materials filed on August 2, 2023. Updated materials include the following:

1. East/residential driveway width – The District submitted the Design Exception Request for a 9-foot driveway to Planning staff via email on August 15, 2023 and in response to staff comments at a BSD/City meeting August 8, 2023. No changes have been made to the plan set (Exhibit G), and minor changes have been made to the narrative acknowledging this Design Exception.
2. East/residential driveway surface – The driveway surface notes (Civil Sheets C4.0 and C6.3 and Landscape Sheets L2.0, L2.2, L2.4, L4.0, L4.2 and L4.4, Exhibit G) have been updated to indicate paving from the driveway apron at Scholls Ferry Road to the border of the District property and the neighbors' property instead of gravel, in response to staff comments at a BSD/City meeting August 8, 2023. Minor changes have been made to the narrative acknowledging this surface material update.
3. East/residential driveway lighting – Lighting design (Sheet ES1.2, Exhibit G) has been updated to provide the required 0.7 minimum footcandles along the driveway, in response to staff comments at a BSD/City meeting August 8, 2023.
4. On-site walkway lighting – The lighting design (Sheet ES1.2, Exhibit G) has also been updated to provide minimum 0.5 footcandles for all of the on-site walkway system, including two small areas identified by staff in email on August 9, 2023.
5. Alternate landscape plan – The plan set (Exhibit G) had included an alternate landscape plan: "Alternate #6" on Sheet L9.0. This sheet has been removed from the plan set in response to staff comments in an email sent on August 9, 2023. A minor narrative update was made to remove reference to Sheet L9.0.

6. Minor landscaping update – The fence and mowstrip near the driveway have been extended straight south versus fanning out the west as has previously been shown on Sheet L2.2 (Exhibit G). This update does not change a minimum of 5 feet of landscape buffer being provided nor compliance with any other applicable standards and guidelines.
7. Paving on central westside of school building – In response to staff comments in email sent on August 9, 2023, while identified in past plans as a plaza, the area in question is intended to be used as part of the hard surface playground as there is not a lot of usable hardscape area for play. This area is not intended to be a public plaza as the BDC defines it as it is not providing a place for pedestrians to sit or stand, and does not connect directly to adjacent sidewalks, walkways, transit stops, or buildings that are accessible to the public; the area is behind a secure, fenced perimeter. The area is planned to operate as part of the playground. The play area striping is still being finalized, but plans emailed to staff on August 17, 2023 show current striping on the asphalt for this area. Plans (Sheets L2.0, L2.1, and L2.3, Exhibit G) have been updated to show this striping and to re-label this area “Hard Surface Play.” Minor changes have been made to the narrative for consistent naming of and reference to this area.
8. Transportation Impact Analysis (TIA)/Access Management Plan (AMP) – Staff noted at a BSD/City meeting August 8, 2023 that the TIA submitted on August 2, 2023 was missing its appendix, which includes the AMP. The full document was sent to staff on August 14, 2023 and is included in this application package (Exhibit I).
9. Associated updates – The Preliminary Stormwater Report (Exhibit C) has been updated to reflect the latest plans for a paved residential driveway on the school property, stormwater connections, and landscaping.

Please contact Shayna Rehberg (srehberg@migcom.com; 503-297-1005 x2320) if you have any questions or need additional information. If Shayna is not immediately available, you can also contact Jon Pheanis (jonathanp@migcom.com; 503-297-1005 x2120).

Thank you for your time and consideration.

Beaverton School District
Raleigh Hills School Rebuild

Design Review Three
New Conditional Use
New Conditional Use (Modification of a Decision)
Major Adjustment
Tree Plan Two
Legal Lot Determination
Replat One
Sidewalk Design Modification

Prepared by MIG I APG

Submitted to City of Beaverton,
Planning Division

Original Submittal: November 23, 2022
Completeness Submittal: February 15, 2023
Resubmittal: March 29, 2023
Perfection Submittal: May 5, 2023
Submittal: August 2, 2023
Final Submittal: September 1, 2023

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Development Application Summary Information for Beaverton School District: Raleigh Hills School Rebuild

Site Address:	5225 SW Scholls Ferry Road
Tax Map and Tax Lot:	Tax Map: 1S113CA, Tax Lot: 00400
Site Size:	Approx. 9.65 acres
Current Zoning:	Residential Mixed C (RMC)
Community Plan:	n/a
Applications Submitted for:	Design Review Three New Conditional Use New Conditional Use (Modification of a Decision) Major Adjustment (Building Height) Tree Plan Two Legal Lot Determination Replat One Sidewalk Design Modification

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Section 1: General Information

Project Description

Beaverton School District (BSD or "the District") is seeking approval to replace the existing Raleigh Hills School (RHS) with a new school facility.

The existing facility accommodates:

- 539 students (K-8)
- 67 staff
- 85 parking spaces
- Approx. 59,260 SF

The proposed facility will accommodate:

- 770 students (PreK-5)
- 77 staff
- 100 vehicle parking spaces
- Approx. 97,000 SF

RHS is located at 5225 SW Scholls Ferry Road in the City of Beaverton. The roughly 10-acre site is zoned RMC. The District originally planned to renovate the existing school. However, after exploring renovation options and costs the District has decided that a full replacement of RHS is the most appropriate course of action. Funding for the full replacement of RHS was approved by District voters in May 2022.

The current RHS school facility is approximately 59,260 square feet, including portable classrooms. The replacement RHS facility will be approximately 97,000 square feet. Current permanent capacity (not including 6 portable classrooms) is 539 students and staffing at the school is 67 staff. The replacement project will accommodate 770 students and 77 administrative and teaching staff. RHS is currently a K-8 school and the replacement school will be a PreK-5 configuration.

There are 85 vehicle parking spaces currently on-site. With the site improvements, the parking count will increase to 100 vehicle parking spaces total divided between two new parking areas. This site currently accommodates 12 buses (including both standard and Special Ed buses). With the replacement project, school buses will decrease to 8 buses after the improvements are in-place. The loading area for the school buses will be located in the west parking lot and a parent loading area will be located in the east parking area. An additional parent loading (queuing) zone is also proposed along the east edge of the east parking area to provide for overflow. A 9-foot-wide access along the very east edge of the school property is proposed to be retained and paved with a separate access to SW Scholls Ferry Road for two residential neighbors to the north.

The improvements at the RHS site will include the following:

- A new 97,000 SF PreK-5 school.
- 2 new parking areas with 100 vehicle parking spaces (5 ADA-accessible spaces).
- 88 bicycle parking spaces.
- A 6-foot sidewalk and landscaped buffer along SW Scholls Ferry Road.

- Soft surface, hard surface, and covered play areas.
- Courtyards and garden area.
- New landscaping and street trees.
- Traffic signal at eastern access point and SW Montclair Drive.
- Full half-street improvement to SW Scholls Ferry Road.

Requested Land Use Review

Based on the scale and nature of the proposed development and pre-application meetings with City staff, the applicant is seeking the following land use approvals.

1. Design Review Three (Type 3)
2. New Conditional Use (Type 3)
3. New Conditional Use – Modification of a Decision (Type 3)
4. Major Adjustment (Building Height) (Type 3)
5. Tree Plan Two (Type 2)
6. Legal Lot Determination (Type 1)
7. Replat One (Type 1)
8. Sidewalk Design Modification (Type 1)

This application package addresses the following applicable Code sections:

- Chapter 20 - Land Uses
  - 20.05.15 Site Development Standards
  - 20.20.20 Land Uses
- Chapter 40 – Procedures
  - 40.10 Adjustment
  - 40.15 Conditional Use
  - 40.20 Design Review
  - 40.45 Land Division and Reconfiguration
  - 40.47 Legal Lot Determination
  - 40.58 Sidewalk Design Modification
  - 40.9 Tree Plan
- Chapter 50 – Procedures
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- Chapter 60 – Special Requirements
  - 60.05 Design Review Principles, Standards, and Guidelines
  - 60.15 Land Division Standards
  - 60.25 Off-Street Loading
  - 60.30 Off-Street Parking
  - 60.50 Special Use Regulations
  - 60.55 Transportation Facilities
  - 60.60 Trees and Facilities
  - 60.65 Utility Undergrounding

Project Site and Context

Project site and vicinity are shown in Figure 1, and zoning is shown in Figure 2. Relevant site information is summarized below:

- Tax Map and Lot: 1S113CA-00400
- Site Size: 9.65 acres
- Address: 5225 SW Scholls Ferry Road
- Zoning: Residential Mixed C (RMC)
- Comp Plan Designation: Lower Density Neighborhoods (NR-LD)
- Adjacent Land Uses:
    - North: Detached Single-Family Residential, City of Beaverton
    - East: Multi-Family Residential, Washington County
    - South: Detached Single-Family Residential, Washington County
    - West: Multi-Family Residential, Washington County
- No significant natural or historic resources are identified on the property.

Project Timeline

The land use application process is expected to run from roughly late November 2022 into September 2023. Other permitting is planned to wrap up in time for site preparation and construction activities from Summer 2024 through Summer 2026. Raleigh Hills Elementary School is scheduled to open in Fall (September) 2026.

Figure 1. Vicinity Map

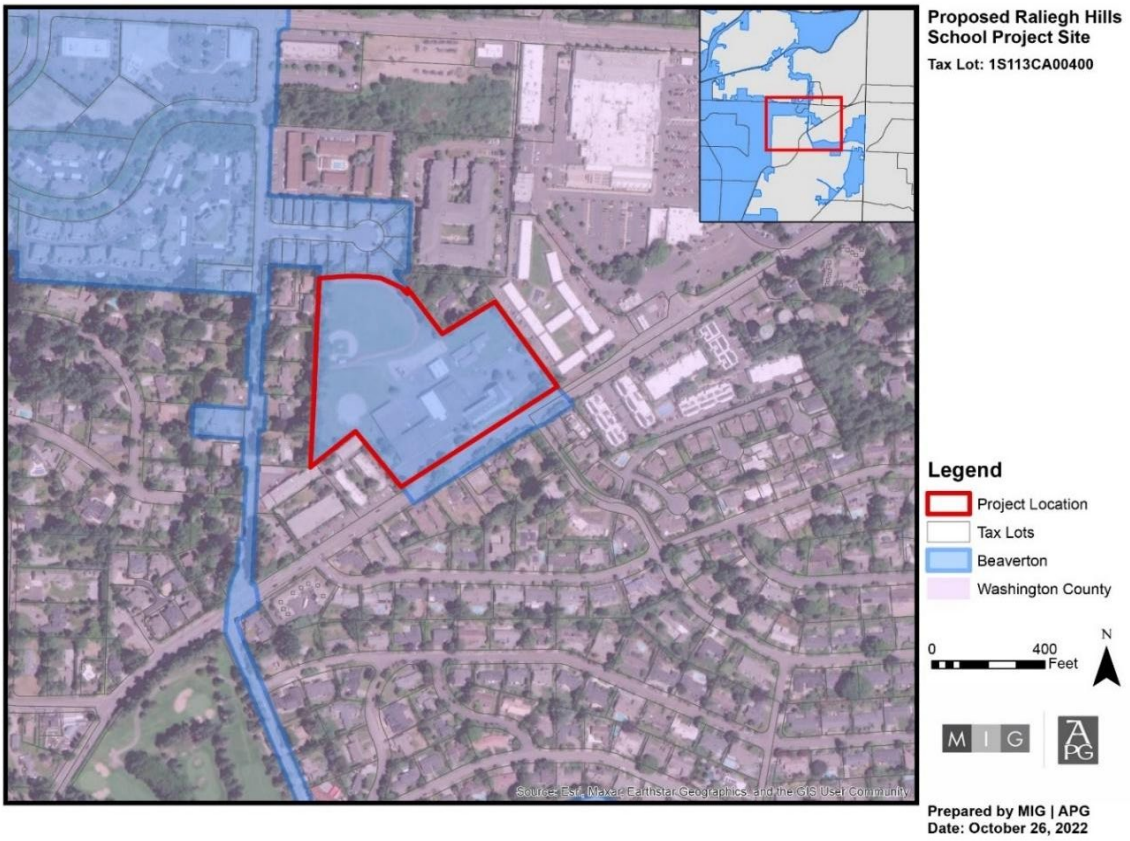
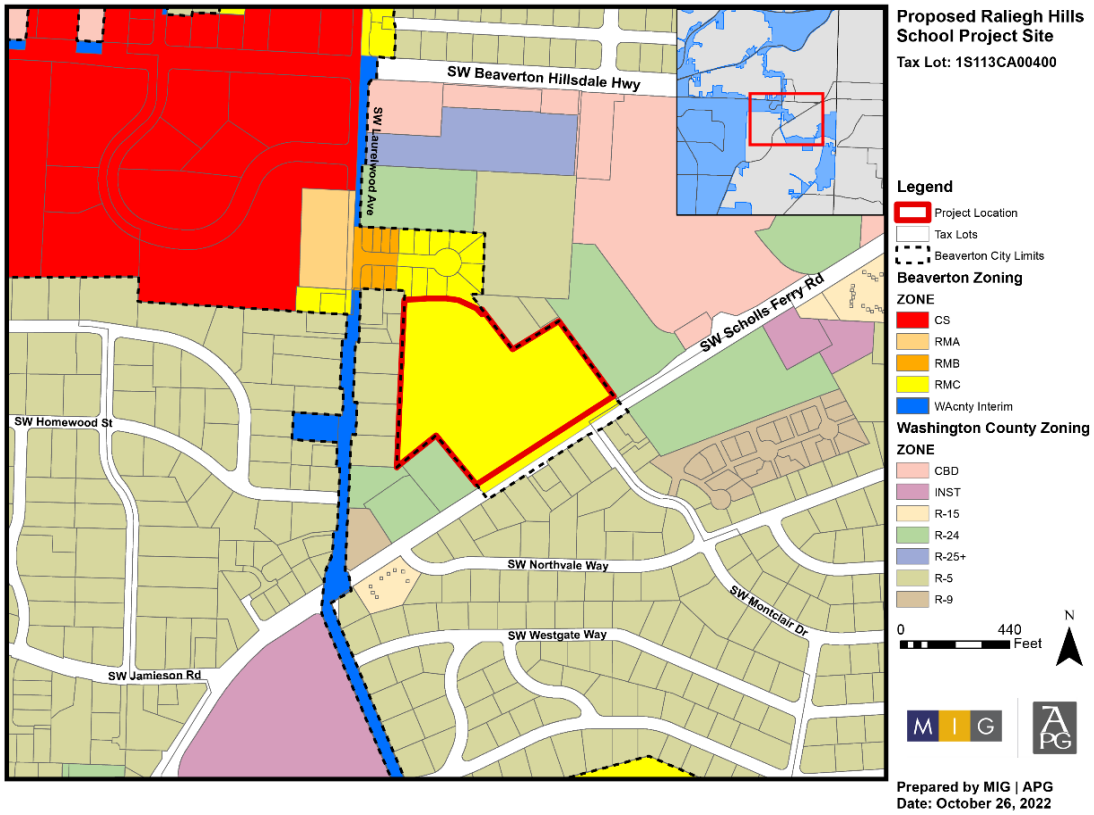


Figure 2. Zoning Map



Section 2: Conformance with the Applicable Review Criteria

This section of the application narrative presents responses that demonstrate how this development application conforms to the applicable policies and regulations of the City of Beaverton Comprehensive Plan and the Beaverton Development Code (BDC).

Beaverton Comprehensive Plan Policies

A New Conditional Use application is required because Educational Institutions uses are conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect. As a result, this proposal must demonstrate consistency with applicable goals and policies from the City of Beaverton Comprehensive Plan. City staff has reviewed the policies of the Comprehensive Plan and has found the following policies to be applicable to the proposal:

Goal 3.1.1: Encourage development and land use patterns that support a variety of transportation options.

- *Policy 3.1.1.a: Emphasize pedestrian convenience and safety in all developments and transportation facilities.*
- *Policy 3.1.1.c: Ensure that new development is designed to provide safe, comfortable, and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.*

Response: The new school facility will improve pedestrian safety and convenience by improving the public sidewalk along SW Scholls Ferry Road to a 6 foot wide concrete separated sidewalk with a landscape strip and street trees (Exhibit G, Sheets C6.1-6.3); there is currently no landscape strip to provide a buffer and green between the sidewalk and the road; any existing street trees are located behind the sidewalk. A robust internal pedestrian network also connects the public sidewalk to several key locations throughout the site including the primary and secondary entrances, courtyards, and play area. Careful attention is given to providing pedestrian connections through parking areas to minimize conflicts between pedestrians and vehicles. Bicycle parking is also provided around the site near building entrances and key locations for convenient bicycle parking.

Goal 3.8.1: Complete and livable neighborhoods.

- *Policy 3.8.1.g: Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available.*

Response: The development site's current land use is a school, and the proposed land use will remain a school. The school site is surrounded by a mix of single-family and multi-family dwellings. The site will continue to be accessed via SW Scholls Ferry Road. No other connections to the public right-of-way or adjacent neighborhoods are existing or proposed with this development due to the absence of abutting rights-of-way, the changes in grade, and school security needs.

Goal 3.8.2 Lower Density Neighborhoods: Provide residential neighborhoods that emphasize housing variety and integrate parks, schools, and other community institutions.

Response: As stated above, the proposed school is surrounded by residential land uses with a mix of housing types. The property is currently zoned Residential Mixed C (RMC), which is a low-density zoning district. The current location of the school is ideal due to its proximity to nearby residential uses and access to SW Scholls Ferry Road. Further, the site has been used as a school since 1927. Thus, the District is seeking to utilize the same location to ensure the school remains integrated into the community.

Goal 5.7.1: Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

- *Policy 5.7.1.a: The City shall encourage the School District to provide facilities that will adequately accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.*
- *Policy 5.7.1.b: Schools should locate within or adjacent to residential districts for the convenience of those the facilities serve. However, public and private school proposals should be assessed for compatibility in order to assure that the stated purposes of the residential districts are not unnecessarily eroded.*
- *Policy 5.7.1.c: The City shall encourage the District to provide for schools throughout the City in locations that are easily accessible to those they are intended to serve.*

Response: The Beaverton School District is the applicant for this request. As intended by policy 5.7.1a, the District is seeking to provide a larger school facility on land that is already developed with a smaller school. By rebuilding a larger school at the site, the District can accommodate Beaverton's population and efficiently utilize existing District property.

The rebuilt school is located in the RMC zoning district and is adjacent to other residential zoning districts. Additionally, the property is currently used as a school and has been used as a school since 1893. Therefore, a new use is not being introduced into the neighborhood. The school provides an essential urban service to the neighborhood and does not conflict with the purposes of the RMC zoning district.

The existing school is ideally located in the Raleigh Hills neighborhood and is easily accessible to residents of the community. The proposed facility will improve the access of the school via SW Scholls Ferry Road which allows for better vehicle access as well as bicycle and pedestrian access.

Goal 8.4.1: Create and protect a healthy acoustical environment within the City.

- *Policy 8.4.1.a: Noise impacts shall be considered during development review processes.*

Response: A change in use is not proposed; thus, no additional noise impacts are expected. Any potential noise will come from one of three sources: the building mechanical systems, students using outdoor areas during school hours, or traffic during drop-off and pick-up times. Noise from the school building mechanical system will be mitigated by placing mechanical units in wells on the rooftops of the gabled portions of the building. In addition, units on the flat gym roof and above the kitchen will be shielded from view from the street via parapets. See Elevations (Exhibit G, Sheet A4.1).

Some level of noise will be generated by occasional maintenance and testing of mechanical equipment, regular use of outdoor areas, and vehicle and pedestrian traffic entering and leaving the parking areas. Again, this level of noise should not be any more than current conditions as the site already operates as a school. The proposal includes landscaped areas to provide acoustic and visual buffers with surrounding uses. In addition, noise impacts from outdoor activity related to school operation will be limited to daylight hours, as is current practice. (Note: Tualatin Hills Parks and Recreation District (THPRD) affiliate sports programming will continue to use the ball fields on the site on evenings and weekends, as it currently does; thus, that represents no change in noise impacts.).)

Beaverton Development Code (BDC)

CHAPTER 20 – LAND USES

20.05. Residential Land Use Districts

20.05.15. Site Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district.

RMC Residential Mixed C

Standard:	**Response:**
A. Minimum Land Area – N/A	This standard is met.
E. Minimum Lot Width – 20 [feet]	As shown on the topographic survey (Sheet BSD-118), The lot width is 658.01 feet. Therefore, this standard is met.
F. Minimum Yard Setbacks *1. Front – 10 [feet]* *2. Side – 5 [feet]* *3. Rear – 15 [feet]* *[…]* *6. Minimum Between Buildings[12] – 6 [feet]*	See the Site Plan (Exhibit G, Sheet L2.0). The proposed site plan meets the required front, side, and rear setbacks. All accessory structures are more than 6 feet from the primary structure. Therefore, this standard is met.
G. Building Height *1. Maximum – 35 [feet] [14]*	See response to Section 40.10.15.2 Adjustments. The applicant is requesting a Major Adjustment for building height.

Standard:	Response:
	See response to Section 20.30.10 regarding Footnote 14.

[12] Minimum spacing between buildings on the same lot or in the same development. [ORD 4822; June 2022]
[14] Also subject to additional height limitations in Section 20.30. [ORD 4822; June 2022]

20.20.20. Land Uses

Table 20.05.20.A: Residential - Category and Specific Use

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 Multiple Use zoning districts. All superscript notations refer to applicable Use Restrictions Section 20.20.25.

Residential - Category and Specific Use		*MR*	*RMA*	*RMB*	*RMC*
9. Education	*A. Educational Institutions*	*C*	*C*	*C*	*C*
	B. Commercial Schools	*N*	*N*	*N*	*N*

A. Educational Institutions – Conditional

Response: This parcel is located within the RMC zoning district and the land use being requested is an educational institution as defined in Chapter 90 of the BDC. The applicant is requesting Conditional Use approval for this land use. Therefore, this standard is met.

20.30.10. Additional Height Limitations.

Buildings in the RMB and RMC districts can be built up to the maximum height in the zone (35 feet), except near the front and/or rear setback. Additional height limitations apply as follows:

[…]

B. In the RMC district, the maximum building height at both the front and rear setback lines is 25 feet.

From the applicable setback line specified in A. or B., the maximum height rises at a 45-degree angle (a rate of 1 foot vertically for every 1 foot horizontally) toward the center of the lot until it reaches a maximum of 35 feet. See Figure 20.30.10).

Response: The building edges nearest the front or rear setback line are more than 10 feet from the front or rear setback line (see the Site Plan, Exhibit G, Sheet L2.0). The 25 foot maximum height permitted at the front and rear setback line rises to the maximum of 35 feet at 10 feet back from the setback lines. Thus, the maximum height of 35 feet applies to the whole building. The front façade of the building reaches to approximately 30 feet, which is within the maximum height limit. The back side of the building reaches to almost 51.5 feet. See Section 40.10.15.2 (Major Adjustment) for the request to allow for a height of approximately 48.25 feet,

the building’s maximum height when measured from average grade plan consistent with height definitions in Chapter 90.

CHAPTER 40 – APPLICATIONS

40.03. Facilities Review Committee

1. All Conditional Use, Design Review Two, Design Review Three, Downtown Design Review Two, Downtown Design Review Three, Single-Detached and Middle Housing Design Review Two, Single-Detached and Middle Housing 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: BDC Chapter 90 defines critical facilities and services to include public water, public sanitary sewer, stormwater drainage and retention, transportation, and fire protection.

- Water, sewer, and stormwater – A Service Provider Letter (SPL) for water service (Raleigh Water District) is not required, but the applicant and project team are actively coordinating with the water district. Stormwater will be kept on-site using the stormwater facilities described in the Stormwater Report (Exhibit C). Sewer connections at the site will be provided, as shown in the Utility Plan (Exhibit G, Sheets C5.1-5.5). A SPL from Clean Water Services (CWS) is included in this application (Exhibit H).
- Transportation – See responses to Chapter 60 Transportation Facilities for compliance with applicable standards.
- Fire – A Service Provider Permit from Tualatin Valley Fire & Rescue (TVF&R) has been approved (see Exhibit H). They will continue to service the site.[1]

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

Response: BDC Chapter 90 defines essential facilities and services as including schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way. The following responses address these facilities.

- Schools. The site is located within the Beaverton School District and is being developed by the District consistent with District long-range plans and funded by the voter-approved bond. A SPL is not required.
- Transit. TriMet will continue to provide transit service to the site. The 56 bus line has a stop immediately adjacent to the site. The stop will be maintained with the proposed development. Coordination with TriMet is expected to occur during design of the new

[1] A gate on the northern end of the eastern parking lot will only serve to provide emergency access to the two houses to the north. It will have a knox box, as required per coordination with the TVF&R Fire Marshal.

signal at the proposed intersection of the new eastern school driveway and Montclair Drive. No other public transit is available at the site.

- Police. The City of Beaverton Police Department will provide service to the site. The City of Beaverton Police Department has served previous uses on the site and will continue to provide service to the site.
- Pedestrian and bicycle facilities. As shown on the Paving and Right-of-Way Improvement Plans (Exhibit G, Sheets C4.0 and C6.1-C5.3), development will include 6'-wide sidewalks along the street frontage on SW Scholls Ferry Road.[2] Pedestrian and bicycle circulation are further addressed below, in response to Chapter 60 standards.

C. The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.15 if located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of CHAPTER 20 (Land Uses) or Sections 20.25 and 70.15 if located within the Downtown Design District. [ORD 4799; January 2021]

Response: Consistency with applicable provisions of Chapter 20 is demonstrated in the previous section of this narrative. Maximum height provisions in Section 20.05.15 are proposed to be modified, which is the subject of the Major Adjustment included in this application package. Findings of consistency are provided in response to Major Adjustment application criteria in Section 40.10.15.2.

D. The proposal 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: Consistency with applicable provisions of Chapter 60 is demonstrated in the next section of this narrative.

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.

[2] The applicant and Washington County are coordinating to incorporate the County's planned sidewalk/pedestrian improvement project, which will serve the proposed school reconstruction project, the County's project, and the community overall.

Response: Beaverton School District will be responsible for overseeing development of the site. Future maintenance responsibilities of the site and buildings will be the role of the District, who is the property owner. The District will manage the steps necessary to provide continued maintenance and necessary replacement of private common facilities and areas such as drainage facilities, sidewalks, the parking area, landscaping, utility facility screening, and garbage and recycling storage areas, as it does for the school currently. Therefore, this standard is and will be met.

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

Response: Safe and efficient vehicular and pedestrian circulation will be provided within the boundaries of the development. Pedestrian facilities and circulation on-site are addressed in Section 60.55.25 and Section 60.55.30 of this narrative. Vehicular circulation on-site consists of the parking and drop-off areas on the east side and west side of the site. The proposed development will significantly improve vehicle circulation by separating parent and bus drop-off areas and providing more storage for circulating vehicles on the site to avoid back-up onto Scholls Ferry Road. The alignment of the new eastern school driveway with SW Montclair Drive and installation of a new traffic signal at the intersection will also allow for safer and more efficient vehicle access to the school. Parking and loading area standards are addressed in Sections 60.25 and 60.30.15 of this narrative.

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

Response: The development's on-site circulation system will connect to the surrounding circulation system in a safe, efficient, and direct manner. Pedestrian facilities, circulation, and connections are addressed in Subsection B of this section and in Sections 60.55.25 and 60.55.30 later in the narrative. The site abuts one road under Washington County's jurisdiction – SW Scholls Ferry Road. Access management related to Scholls Ferry Road is managed and regulated by Washington County and is subject to Washington County approval. See the Traffic Impact Analysis (TIA)/Access Management Plan (AMP) in Exhibit I.

H. Structures and public facilities and services 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: Fire facilities are addressed in Subsection A of this section. A Service Provider Permit from TVF&R has been obtained (see Exhibit H).

I. Structures and public facilities and services serving the 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: Compliance with vision clearance, lighting, and glazing standards provide protection from crime and accident conditions. Vision clearance is addressed in Section 60.30 in this narrative. Lighting is addressed in Sections 60.05.30 in this narrative and the Lighting Plan (Exhibit G, Sheet ES1.2). The ground floor of the building (north wing only) will include various large portions of glazing along the north, south and east façades. The glazing will allow visibility and "eyes" on the street. Construction documents for building and site development permitting will be reviewed to ensure protection from hazardous conditions.

J. Grading and contouring of the 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 grading of the site is designed to have surface drainage conveyed to appropriate treatment and detention facilities. No stormwater drainage will discharge onto neighboring properties and the proposed development will not increase runoff into the public storm drainage system as the post development discharge will not increase compared to the current development conditions. As noted in the Stormwater Report (Exhibit C):

> *The proposed stormwater management plan will achieve pollutant removal to the maximum extent practicable via water quality vaults designed to target pollutants... Stormwater quantity requirements will be met with the installation of stormwater detention chamber systems. These proposed private facilities satisfy the City of Beaverton and CWS water quality and water quantity requirements. As designed, this project shall not create any adverse impacts to the downstream storm system.*

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: Access and facilities for people with disabilities are incorporated into the development site and building design. All pedestrian paths will be ADA-compliant, and ADA-accessible parking facilities are provided above minimum standards. The project also provides stamped concrete detectable surfacing at all transition/departure points along circulation paths where they cross into vehicle parking areas. All pedestrian crossings within parking lots will be made of concrete to better contrast with asphalt. Major pedestrian crossing will also be striped as crosswalks. The development provides a continuous and accessible route around the site. See the Site Plan (Exhibit G, Sheet L2.0). Therefore, this standard is met.

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

Response: This application contains all applicable submittal requirements for each application as specified in the Pre-Application Summary Notes (Exhibit B).

40.10. Adjustment

40.10.15. Application.

2. Major Adjustment.

A. Threshold. An application for Major Adjustment shall be required when one or more of the following thresholds apply:

1. Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirements specified in CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District. This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4., .5., .6. and .7. [ORD 4531; April 2010] [ORD 4799; January 2021]

2. Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Development Standards for Grading specified in Section 60.15.10. (Land Division Grading Standards) of this Code. [ORD 4397; August 2006]

3. Involves an adjustment of more than 10% from the numerical requirements contained in Section 60.30. (Off-Street Parking). [ORD 4473; March 2008] [ORD 4782; April 2020]

Response: The applicant is requesting a Major Adjustment to allow for a maximum building height of approximately 48.25 feet (Exterior Elevations, Exhibit G, Sheet A4.1) from the maximum of 35 feet. The 13.25 foot difference in height constitutes a 39% adjustment to the maximum allowed building height. Therefore, this standard is met.

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Major Adjustment. The decision making authority will be the Planning Commission. [ORD 4532; April 2010]

Response: The proposed development meets the requirements for a Type 3 procedure as described in Section 50.45 and is requesting approval from the Planning Commission. Therefore, this standard is met.

C. Approval Criteria. In order to approve a Major Adjustment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Major Adjustment application.

Response: See above response to Section 40.10.15.2.A.

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

Response: All required documents and fees related to this application are being provided

concurrent with the initial application submittal. Therefore, this standard is met.

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

Response: As shown in the Exterior Elevations (Exhibit G, Sheet A4.1), this results in a maximum building height close to the maximum permitted in the RMC zone (35 feet) at the street grade – a height of a little less than 38.5 feet. The new Raleigh Hills Elementary School will be an approximately 97,000 square foot building designed to accommodate student enrollment. This represents a significantly larger school than the existing structure on the site. As a result, the design team has made extensive efforts to help retain community assets while providing a structure that fits into the surrounding residential neighborhood.

The site of the new Raleigh Hills Elementary slopes more than 18' from the Scholls Ferry Road frontage into the interior of the site, and the site has been designed to provide more than just a new school building. The existing baseball field is frequently used by community youth sport programs. This project's design preserves the on-site Little League field as an ongoing community asset. The running track that was recently built through community fundraising efforts – surrounding the ball field – will remain unchanged as well. These existing amenities occupy the northwest portion of the site. Additionally, for optimal safety and security on the site, the site's parking lot designs aim to increase vehicular circulation for students, parents, and buses. These improvements also address City and County requirements to reduce congestion and increase safety along Scholls Ferry Road by providing longer on-site vehicle queuing areas and more on-site parking. The objectives to improve the site as a whole and retain valued community assets have led to a very tight building envelope for the new school structure.

Because of the above site constraints, the new Raleigh Hills Elementary School building has been designed within a small footprint. Providing the necessary educational spaces for the Raleigh Hills community and the Beaverton School District within such a small footprint has led to the design of a three-story structure. To mitigate the building height perceived from the street, the design takes advantage of the sloping site and nestles the into the hill at the southeast corner of the site, which reduces the building's presence on Scholls Ferry Road. (See Exhibit G, Sheet AS2.0.) At the street level, the building presents itself as a two-story structure with a gable roof, reminiscent of the brick gabled structure on the site today. As the site slopes north to the interior of the site, the lowest level is revealed, providing natural light to every educational space and allowing for accessible on-grade access for multiple programs.

The 48.25 foot building height is a result of a constrained site with multiple uses that must house a significant educational program and its associated mechanical system. Rooftop mechanical units are placed on top of the roof because floor area within the building footprint is maximized for educational programming. The top of the mechanical units is what dictates the gabled roof height at its ridge. The gables are designed to screen these large mechanical units from the street, and the form of the roof pitch is derived from the traditional brick gable structure that is a prominent part of the original Raleigh Hills School. During pre-bond planning and project design community engagement, the community valued keeping this form both as an ode to the past and to integrate the new larger building into the residential community.

These gables not only screen the mechanical units and complete the form of the building aesthetically, but they provide structure on which to efficiently mount the required photovoltaic (PV) array at an optimal angle. The PV array is required as part of the State of Oregon's Administrative Rule 330-135-0010, which mandates agencies to spend at least 1.5% of the total contract price of a building on green energy technology (GET). The gabled roof forms do triple duty: they respond to the precedent form that the community values so highly; they support the State-required PV arrays; and they screen the rooftop mechanical units – all in a cohesive and efficient design.

Therefore, this standard is met.

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

Response: The special conditions are primarily the result of existing site conditions and topography. The proposed design takes advantage of the substantial grade differences between the north side and the south side of the site and does not move the school building to the north to the flatter portion of the site. This design choice will keep the building closer to Scholls Ferry Road and minimize any potential adverse impacts of the use and building on the existing, neighboring low-density residential uses.

The special conditions are also a result of situations noted in the prior response (Subsection C.3), including: arrangements with the community for recreational uses; improving traffic circulation and safety (per District, City, and County requirements); providing building design compatible with the neighborhood and original school building, as urged by the community; providing screening consistent with City requirements; and complying with State solar energy mandates.

These conditions are not the result of applicant actions and do not merely constitute financial hardship.

Therefore, this standard is met.

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

Response: The proposed adjustment is for building height only. Not only with this adjustment not result in obstructions to overall pedestrian or vehicular movement, granting the adjusted height and one- to three-story construction will allow for site design that separates bus drop-off/pick-up from parent drop-off/pick-up and overall improves the safety and efficiency of pedestrian and vehicular movement on-site and off-site adjacent to the site. Therefore, this standard is met.

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

Response: See Section 40.90 Tree Plan for responses related to city designated trees. No historic resources are present on the site. Therefore, this standard is not applicable.

7. Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved. [ORD 4782; April 2020]

Response: An adjustment to grading standards is not proposed with this application. Therefore, this standard does not apply.

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

Response: Only one adjustment is being requested. Therefore, this standard does not apply.

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

Response: Granting this adjustment accounts for the significant on-site topography and other conditions cited in response to criteria in Subsections C.3 and C.4 above.

The adjustment allows for a one- to three-story building (depending on the grade and the function of that part of the building) with gable roofs – a building design element that is vital for reasons described in response to Subsection C.3. The building footprint and number of stories as designed are critical to the site plan and are the minimum necessary for delivering the program that the District promised to community members and bond voters.

As can be seen in the Site Plan (Exhibit G, Sheet L2.0), the building footprint and stories are needed as proposed in order to accommodate the conditions on this constrained site outlined in responses above, and including the following: significant improvements in safety and on-site vehicle circulation (particularly bus and parent drop-off and pick-up areas); landscape and courtyard areas for gathering and learning spaces; a garden learning space; soft-surface and covered play areas; preservation of the existing ball field and track, which are highly valued community assets; and pedestrian circulation (walkways) to serve all of the above.

Therefore, this standard is met.

10. Either it can be demonstrated that the proposed modification equally or better meets the intent of the standard to be modified or the proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.

Response: The proposed modification accounts for the significant on-site topography and allows for development at a consistent overall height – a height approximate to the permitted height if the entire site was relatively level with street grade. See Exterior Elevations (Exhibit G,

Sheet A4.01). The proposed modification also accounts for the number of other conditions specific to this site and use, as described above in response to Subsection C.3.

One intent of a maximum height standard is to create compatibility with adjacent zones and development. Zoning in the vicinity is shown in Figure 2. Lower-density zoning (e.g., Washington County R-5) is adjacent to the school site at its back half and higher-density zoning (e.g., Washington County R-24) adjacent to the school site at its front half.

The back half of the site will generally remain as is, where the existing ball field, track, and trees will be preserved, which is highly valuable to the community. The northeast corner of the proposed building is in a similar location to existing structures including a covered play area and portable classroom. The location of the northeast corner of the proposed building is set back at least 50 feet from the property line and the adjacent R-5 zone. A thick cluster of trees is present in the southeast corner of the adjacent property (Figure 1), and a set of new trees and plantings are proposed between the northeast corner of the school building and the property line (Landscape Plan, Exhibit G, Sheet L6.4). The tree plantings proposed on the school site and along the boundary between the school site and adjacent sites will provide adequate screening and will mitigate building height impacts (Landscape Plan, Exhibit G, Sheet L6.0).

The front half of the site is adjacent to a busy arterial road and to Washington County R-24 zoning on both the east and the west. The R-24 zone permits multifamily buildings up to 50 feet tall (Washington County Community Development Code Section 306-7.2(C)). Buildings up to 50 feet tall on neighboring properties would be compatible with the range of one-story to three-story building heights proposed for Raleigh Hills Elementary School.

Therefore, this standard is met.

11. The proposal is consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal. [ORD 4799; January 2021]

Response: See responses to Chapter 20 detailed earlier in this report. All criteria are met except for the maximum building height. Therefore, this standard is met.

12. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of CHAPTER 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.

Response: See responses to Chapter 60 below.

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

Response: As stated above, the District will be responsible for periodic maintenance and upkeep of common facilities that are not subject to maintenance by the City or other public agencies. Therefore, this standard is met.

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

Response: All applications related to this development have been applied for concurrently with this Major Adjustment request. Therefore, this standard is met.

D. Submission Requirements. An application for a Major Adjustment shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Major Adjustment application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

Response: The application has been submitted on behalf of Beaverton School District, who is the legal owner of the property. All required information has been included with this application. Therefore, this standard is met.

40.15. Conditional Use

40.15.15. Application.

5. New Conditional Use – Educational Institution.

A. Threshold. An application for a New Conditional Use shall be required when the following threshold applies:

1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect. [ORD 4332; January 2005] [ORD 4473; March 2008]

2. The proposed permitted residential use is located in the floodway fringe on a lot greater than five acres in size. Planned Unit Developments, single-detached and duplex dwellings are exempt. [ORD 4782; April 2020] [ORD 4822; June 2022]

3. A proposed use located on parcel(s) designated Interim Washington County, which requires Type III approval through Washington County's Development Code where no other Type 1 or greater review is required with the proposal. [ORD 4782; April 2020]

Response: As noted in response to Section 20.20.20 above, schools are a conditionally permitted use in the RMC zoning district.

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for a New Conditional Use. The decision making authority is the Planning Commission.

Response: This request is following the Type 3 procedure as described in Section 50.45 of the BDC. The applicant is seeking approval from the Planning Commission. Therefore, this standard is met.

C. Approval Criteria. In order to approve a New Conditional Use 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 Conditional Use application.

Response: The site has been used as a school since 1893 and the oldest portion of the current building originates from 1927 which pre-dates the use of zoning in Oregon and pre-dates the property being annexed by the City of Beaverton. In developing the plan for redeveloping Raleigh Hills School, the City informed the District that no prior Conditional Use approval has been issued either by Washington County or the City of Beaverton. Therefore, the District has been required to submit the current Conditional Use application to bring the current use of the property into conformance with the Beaverton Development Code, which conditionally permits schools in the RMC zoning district.

Evidence has been submitted to the record that Washington County had approved a Special Use Permit for Raleigh Hills School in 1988. A copy of that approval (Washington County Casefile No. 88-634-SU/M, hereafter referred to as the “1988 Approval”) is included in this application as Exhibit M. The District intends the current New Conditional Use, if approved, to be a stand-alone approval for construction and operation of the school going forward. As such, this application replaces the 1988 Approval and all conditions thereto as well as any other prior school approvals. The City has required that a Modification of Decision be filed to amend the 1988 Approval. The applicant’s findings for the applicable criteria for a Modification of Decision application are summarized in the Chapter 50 section of this narrative. Even though a prior Special Use has been approved for a school on the subject site, a new Conditional Use application is required under the BDC due to the increase in the size of the school.

Therefore, this standard is met.

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

Response: All applicable City application fees have been submitted as part of this application. Therefore, this standard is met.

3. The proposal will comply with the applicable policies of the Comprehensive Plan.

Response: As demonstrated by the responses in the first part of Section 2 in this narrative, the proposal complies with all applicable policies of the Comprehensive Plan. Therefore, this standard is met.

4. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.

Response: The size of the project site is approximately 9.65 acres. Its current use is an educational facility (school), and the proposed use is also a school. Its location along an arterial street and proximity to residential neighborhoods makes this an ideal location for this land use.

The proposed rebuild of the school works ***with*** the site in terms of its existing size, configuration, and topography. It has been deemed important, through extensive public involvement in designing the project, to preserve the existing ball field and track, which comprise a large part of the site. Critical school site elements such as the school building itself, pedestrian circulation, vehicle parking and circulation, landscaping, and outdoor spaces for learning, play, and gathering must then be worked strategically into the remainder of the site. This has been done in the proposed design, with other considerations such as maximizing natural light and accounting for significant slope on the site. See the Site Plan and Renderings (Exhibit G, Sheet L2.0 and Sheet 20.1).

Therefore, this standard is met.

5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site. [ORD 4473; March 2008]

Response: The proposal is compatible with surrounding uses because the site is already a school and the proposed development is to rebuild the school and continue to use the site for a school.

As compared to the existing layout of the school, the new school building will be more centralized on the site and farther from the residential properties to the east and west. See Existing Conditions Plan and Site Plan (Exhibit G, Sheet C2.0 and Sheet L2.0).

In order to use the site efficiently and provide more building capacity for students and staff, a taller building is proposed and is addressed in responses to development standards in Sections 20.20 and 20.30 as well as in the request for a Major Adjustment (Section 40.10).

Where the northeast corner of the building is closest to neighboring properties, distance (minimum 50 feet) and screening (existing trees on the neighboring property side and trees proposed on the school side) mitigate potential impacts. See Site Plan, Landscape Plan, and Exterior Elevations (Exhibit G, Sheet L2.0, and Sheet L6.4). One major improvement in safety and livability that will be achieved through the proposed development is changes to the existing parking areas and pedestrian and vehicular circulation (Site Plan, Exhibit G, Sheet L2.0). These changes will accommodate an increased number of staff and students, separate bus and parent drop-off areas, and provide larger vehicular areas to minimize back-ups across the driveways/sidewalks and onto Scholls Ferry Road. The alignment of the eastern vehicle entrance with SW Montclair Drive and creating a signalized intersection there will also allow for safer and more efficient vehicle access to the school and the residential neighborhood south of the school. Therefore, this standard is met.

6. The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25. [ORD 4782; April 2020]

Response: The proposed use is not residential. Therefore, this standard does not apply.

7. For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code. [ORD 4782; April 2020]

Response: The parcel is not designated Interim Washington County. Therefore, this standard does not apply.

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

Response: The applicant has submitted all documents related to the Conditional Use Three application in the proper sequence. Therefore, this standard is met.

5. New Conditional Use – Modification of a Decision.

A. Threshold. An application for a New Conditional Use shall be required when the following threshold applies:

1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect. [ORD 4332; January 2005] [ORD 4473; March 2008]

2. The proposed permitted residential use is located in the floodway fringe on a lot greater than five acres in size. Planned Unit Developments, single-detached and duplex dwellings are exempt. [ORD 4782; April 2020] [ORD 4822; June 2022]

3. A proposed use located on parcel(s) designated Interim Washington County, which requires Type III approval through Washington County's Development Code where no other Type 1 or greater review is required with the proposal. [ORD 4782; April 2020]

Response: The proposed application is to remove conditions of approval from the 1988 Approval (Exhibit M). Pursuant to City staff direction, the process for amending prior conditions of approval is governed by Section 50.95 of the BDC. Specifically, Section 50.95.7 states, in part:

"In all cases, regardless of the thresholds listed in CHAPTER 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified."

The original decision making authority was the Washington County Hearings Officer. Since the City of Beaverton does not have a Hearings Officer, the Beaverton Planning Commission is the most comparable decision making authority. While the proposed modification of the 1988 Special Use conditions of approval is not listed as a threshold for a New Conditional Use, the intent of the BDC is specified in Section 50.95.7. Therefore, this standard is met.

C. Approval Criteria.

In order to approve a New Conditional Use 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 Conditional Use application.

Response: As noted above, the BDC does not list the proposed modification of prior conditions of approval as an application threshold. However, Section 50.95.7 states that modification or removal of prior conditions of approval be acted upon by the same decision making authority. The Beaverton Planning Commission is the most comparable decision making authority to the Washington County Hearings Officer process and City staff have directed the applicant that the New Conditional Use application is the appropriate land use application for the modification or removal of prior conditions.

Therefore, this standard is met.

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

Response: All applicable City application fees have been submitted as part of this application. Therefore, this standard is met.

3. The proposal will comply with the applicable policies of the Comprehensive Plan.

Response: As demonstrated by the responses in the first part of Section 2 in this narrative, the proposal complies with all applicable policies of the Comprehensive Plan. Therefore, this standard is met.

4. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.

Response: The proposal is to remove conditions of approval from the 1988 Approval land use decision. The applicant refers to the findings listed below in response to Section 50.95.7. The applicant suggests that above criterion is not applicable to the proposal and any issues which could be deemed relevant to the above criterion are addressed in the text below in response to Section 50.95.7.

5.The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site. [ORD 4473; March 2008]

Response: The proposal is to remove conditions of approval from the 1988 County land use decision. The applicant refers to and relies upon the findings listed below in response to Section 50.95.7.C. as responsive to this criterion. In relying upon the findings below, this standard is met.

6. The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25. [ORD 4782; April 2020]

Response: The proposed use is not residential. Therefore, this standard is not applicable.

7. For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code. [ORD 4782; April 2020]

Response: The parcel is not designated Interim Washington County. Therefore, this standard is not applicable.

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

Response: The applicant has submitted all documents related to the Conditional Use application in the proper sequence. Therefore, this standard is met.

40.20. Design Review

40.20.15. Application.

3. Design Review Three.

A. Threshold. An application for Design Review Three shall be required when an application is subject to applicable design standards and/or guidelines and one or more of the following thresholds describe the proposal:

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. [ORD 4410; Nov. 2006] [ORD 4462; December 2007] [ORD 4584; June 2012]

Response: Proposed development meets Threshold #2 of Design Review Three because it is a new construction of 97,000 gross square feet of non-residential floor area and is located within a Residential zoning district.

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 described above, the proposal meets Threshold #2 for Design Review Three. Therefore, this criterion is met.

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

Response: All required application fees are included with this application. Therefore, this criterion is met.

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

Response: The proposed development meets Design Review Three Threshold #2. (As clarified by City staff in email on October 13, 2022, this means meeting any of the Thresholds #1-#7, not all of them.) Therefore, this criterion is applicable and applicable provisions of Sections 60.05.35 through 60.05.50 are addressed later in this narrative.

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:

Response: The proposed development is entirely new construction. Therefore, this criterion is not applicable.

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

Response: The proposed development is consistent with the grading standards in the BDC. For more information, see the response to Section 60.15.10 in this narrative. Therefore, this criterion is 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 proposed development is not a DRBCP proposal. Therefore, this criterion does not apply.

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

Response: The proposed development does not meet Design Review Three Thresholds 8 or 9. Therefore, this criterion is not applicable.

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 proposed development does not meet Design Review Three Thresholds 8 or 9. Therefore, this criterion is not applicable.

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 are included in proper sequence. The criterion is met.

40.45. Land Division and Reconfiguration

40.45.15. Application.

2. Replat One. [ORD 4487; August 2008]

A. Threshold. An application for Replat One shall be required when any of the following thresholds apply:

2. The creation of a plat for land that has never been part of a previously recorded plat where no new lots or parcels are proposed. [ORD 4584; June 2012]

Response: The subject property has never been part of a previously recorded plat. Therefore, this standard is met.

B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Replat involving only the consolidation of lots and not triggering any of the thresholds in Section 40.45.15.3.A.1. through 40.45.15.3.A.3. The decision making authority is the Director. [ORD 4584; June 2012]

Response: This application is following the Type 1 procedure as described in Section 50.35 of the BDC. Therefore, this standard is met.

C. Approval Criteria. In order to approve a Replat One application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.

1. The application satisfies the threshold requirements for a Replat One. [ORD 4584; June 2012]

Response: As stated above, this application meets the threshold requirements for a Replat One. Therefore, this standard is met.

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

Response: Application fees were paid upon the filing of this application package. Therefore, this standard is met.

3. The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.

Response: The proposed replat does not conflict with any existing City approval. Therefore, this standard is met.

4. The application is consistent with applicable requirements of CHAPTER 20 and CHAPTER 60, 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. [ORD 4822; June 2022]

Response: See responses to Chapter 20 and Chapter 60 for consistency with applicable requirements. The proposed plat meets all applicable standards and is being submitted concurrently with Major Adjustment, Conditional Use, Design Review, Legal Lot Determination, and Tree Plan applications. Therefore, this standard is met.

5. Oversized lots or parcels ("oversized lots") resulting from the Replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. [ORD 4584; June 2012]

Response: There is no minimum lot size standard in the RMC zone by which to calculate an oversized lot per the definition in Chapter 90. Therefore, this standard does not apply.

6. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.

Response: Phasing is not requested as part of this application. Therefore, this standard is not applicable.

7. The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties. [ORD 4584; June 2012]

Response: Pedestrian, utility service, and vehicle access to the affected properties are provided and will continue to be provided. Therefore, this standard is met.

8. The proposal does not create a parcel or lot which will have more than one (1) zoning designation.

Response: The proposed lot has a single zoning designation – RMC. Therefore, this standard is met.

9. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence. [ORD 4822; June 2022]

Response: Applications and documents related to this request include a Replat application form (included in this application), a Replat Plan (See Exhibit G, Sheets RP1.0-RP1.5), and documentation from CWS (Exhibit H). This application is being submitted concurrently as part of an application package, as was specified and allowed for in the Pre-Application Summary (Exhibit B). Therefore, this standard is met.

40.47. Legal Lot Determination

40.47.15. Application.

Legal Lot Determination.

A. Threshold. An application for Legal Lot Determination shall be required when any of the following thresholds apply:

3. The Director requires a Legal Lot Determination be made as a prerequisite to, or concurrently with, the filing of a land use application.

Response: A Legal Lot Determination application has been included in this application per staff request, as documented in the Pre-application Conference Notes (Exhibit B). Threshold #3 is met.

C. Approval Criteria. In determining if the subject lot or parcel is a Legal Lot, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The application satisfies the threshold requirements for a Legal Lot Determination.

Response: As described above, the application meets Threshold #3 for a Legal Lot Determination. Therefore, this standard is met.

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

Response: The fees associated with the Legal Lot Determination are included with this application package. Therefore, this standard is met.

3. The unit of land conforms to the lot area and dimensional standards of Chapter 20 (Land Use) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District; except where a unit of land was created by sale prior to January 1, 2007 and was not lawfully established, the Director may deem the unit of land a Legal Lot upon finding:

a. The unit of land could have complied with the applicable criteria for creation of a lawful parcel or lot in effect when the unit of land was sold; or

b. The City, or County prior to annexation, approved a permit as defined in ORS 215.402 or 227.160(2) for the construction or placement of a dwelling or other structure on the unit of land after the sale, and such dwelling has all of the features listed in ORS 215.755(1)(a)-(e).

Response: The site conforms to lot area and dimensional standards, as described in the responses to Chapter 20. As shown in the Deed History (Exhibit K), the lots were legally created and deeded to the District. The County approved permits to construct the existing school and allow portable classrooms subsequently.[3] The City approved DR2015-0046, a

[3] Washington County land use casefiles available online include eight temporary use permits for portable classrooms on the Raleigh Hills School campus, from 1991 to 2007. However, earlier permits – including the original land use approval for construction of the school – are not available online.

Type 1 Design Review Compliance Letter for the construction of two classrooms under the covered play area. Therefore, this standard is met.

4. The application contains all applicable submittal materials as specified in Section 50.25.1. of the Development Code.

Response: This application package contains all applicable submittal materials including a title report and deed history for the property. Therefore, this standard is met.

5. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

Response: The application contains all applicable submittal materials as described in BDC Section 50.25.1 and the Legal Lot Determination application form. The materials are included in proper sequence. Therefore, this standard is met.

40.58 Sidewalk Design Modification

A. Threshold. An application for Sidewalk Design Modification shall be required when one of the following thresholds applies:

1. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.

2. The dimensions or locations of street tree wells specified in the Engineering Design Manual are proposed to be modified.

Response: A planter strip narrower than the 7.5 foot standard is proposed. The planter strip will be 4 feet, per an agreement between the City of Beaverton and Washington County at the Facilities Review Committee meeting on April 26, 2023. (See Sheets C6.1-C6.3 and C6.14 (Exhibit G) for typical sections, public street improvement details, and a signing and striping plan.) Therefore, Threshold 1 applies.

C. Approval Criteria. In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

Response: The proposed modification of planter strip width on the SW Scholls Ferry Road frontage of the site satisfies Threshold 1.

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

Response: The District has arranged payment of fee for this application.

3. One or more of the following criteria are satisfied:

Response: As a general introduction to addressing these application criteria, the following reasons drive this request for a planter strip that is 4 feet wide instead of the 7.5 foot EDM standard.

- The full-build out condition for Scholls Ferry Road based on Washington County standards and Transportation System Plan is a 54 foot curb-to-curb roadway section. The original design for this project's frontage improvements was to have a 27 foot roadway section from centerline to the new curb line in front of the school. The sidewalk was set back 7.5-8.0 feet from the face of curb line at that time in order to satisfy City of Beaverton EDM standards. The building, site grading, and utilities were all designed with that sidewalk location as the design location.

- As design progressed, the applicant and project team learned that Washington County would require the project to meet minimum lane width requirements for Scholls Ferry Road along the school's frontage, as well as provide a center turn lane for the bus and parent parking area entrances. This meant that either the roadway would need to be widened to the south or further to the north (on the school's frontage) by 3 feet to accommodate the minimum requirements for lane widths and left-turn storage lengths.

- Widening to the south is unfavorable to many stakeholders, as this would require removal of landscaping screening, which is within existing right-of-way, for multiple properties. It would also require the removal of multiple large, mature trees.

- Washington County and City of Beaverton revisited the right-of-way widening to the north as part of the Facilities Review Committee process (draft report issued on April 21, 2023 and meeting held on April 26, 2023). At the Facilities Review Committee meeting, the two jurisdictions agreed that the planter strip should be reduced from 5' to 4' in order to allow for a 12-13 foot center lane instead of an 11-12 foot center lane. This shift translated into a 4 foot widening of the roadway to the north.

- An additional 4 foot widening to the north along the school's frontage allows the project to meet County lane width minimum requirements while maintaining the south edge of pavement along Scholls Ferry Road.

- Widening 4 feet to the north, while maintaining the sidewalk location, reduces the planter strip from 8.0 feet to 4.0 feet. Shifting the sidewalk to the north to meet this standard would create significant grading complications to the site as the project is at maximum slopes allowable for the drive aisle across from Montclair Drive and there would be greater than the 5:1 allowable slope within the 8 foot public utility easement (PUE) on the school's frontage. Maintaining – and not exceeding – grades as currently

designed also has implications for other site-related elements such as fire access and retaining wall height (and not having to top them with guardrails).

See the Typical Sections, Public Street Improvements, and Sidewalk Sections (Exhibit G, Sheets C6.1-C6.3, and Exhibit L).

a. That there exist local topographic conditions, which would result in any of the following:

i. A sidewalk that is located above or below the top surface of a finished curb.

Response: If a 7.5 foot planter strip was provided, the proposed sidewalk would need to be below curb finish grade to accommodate a 5:1 maximum cross slope through the proposed 8' public utility easement and still meet the proposed school building at allowable grades and slopes on site. See the profile (section) view of the 7.5 foot planter strip scenario in Exhibit L.

ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.

Response: If a 7.5 foot landscape strip was provided, the proposed sidewalk would cause the school driveway across from Montclair Drive to be greater than 15% slope from sidewalk to parking area, which would violate TVF&R's maximum allowable slope for a fire access route.

b. That there exist local physical conditions such as:

i. An existing structure prevents the construction of a standard sidewalk.

ii. An existing utility device prevents the construction of a standard sidewalk.

iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.

c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.

Response: Physical and environmental conditions identified in Subsections b and c are not applicable to this site and proposed development.

d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.

Response: Adjacent properties are private properties not controlled by the applicant and of which the applicant cannot require right-of-way dedication. Washington County may acquire additional right-of-way from adjacent properties for a separate sidewalk improvement project and will coordinate with this project in connecting the improvements. However, the County project proposes to build curb-tight sidewalks along the corridor; the County is requiring a curb-

tight sidewalk at the eastern and western edges of the school frontage. The 4 foot planter strip proposed along the school's frontage is set back from what will be typical within this Scholls Ferry Road corridor.

4. The proposal complies with provisions of Section 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements) and 60.55.30 (Minimum Street Widths).

Response: The proposed modification is consistent with the development's compliance with provisions in Section 60.55.25 and Section 60.55.30, per responses to those provisions found later in this narrative. The response to Section 60.55.30.2 refers to and depends on the approval of this application.

5. Applications and documents related to the request, which will require further City approval, have been submitted to the City in the proper sequence.

Response: The application contains all applicable submittal materials as described in Section 50.25.1 and the Sidewalk Design Modification application form. The materials are included in proper sequence. Therefore, this standard is met.

6. The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

Response: While the proposed planter strip will be narrower than the EDM standard, a 4 foot planter strip can be provided, which will offer more buffer and protection for pedestrians along the school frontage than the curb-tight sidewalk that the County has planned for the rest of this corridor. A 6 foot sidewalk will be provided, which complies with EDM standards and provides safe and efficient pedestrian circulation, particularly in conjunction with a new signal at Montclair Drive and extensive on-site pedestrian circulation described in responses to criteria in Section 60.55.25.

40.90. Tree Plan

40.90.15. Application.

2. Tree Plan Two

A. Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:

1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1.

Response: As shown on the Existing Tree Schedule (Exhibit G, Sheet L1.0A), there are 75 Community Trees located on the site. The proposed development will remove 35 community trees, which exceeds 10% of the total number of community trees on the site. Therefore, this project meets the requirements for Threshold #1.

C. Approval Criteria. In order to approve a Tree Plan Two 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 Tree Plan Two application.

Response: As demonstrated above, the project meets Threshold #1 for a Tree Plan Two. Therefore, this criterion is met.

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

Response: All applicable City application fees have been submitted as part of this application package. Therefore, this criterion is met.

3. If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.

Response: No tree removals are proposed in order to observe good forestry practices. Therefore, this criterion is not applicable.

4. If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.

Response: As shown on the Overall Existing Landscape Protection and Removal Plan (Exhibit G, Sheet L1.0), Community Trees are proposed to be removed to accommodate the physical development of the site. Because of the scale of the new facility, construction activities such as grading, locating utilities, and developing the various uses (building, parking, pedestrian and activity areas, and landscaping) will require the removal of the identified trees. The Landscape Plan (Exhibit G, Sheets L6.0-L6.5) identifies how tree replacement will be achieved. Therefore, this criterion is met.

5. If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.

Response: No tree removals are proposed due to the tree becoming a nuisance. Therefore, this criterion is not applicable.

6. If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.

Response: The removal of various trees is necessary to provide sufficient buildable land for the rebuilding of the school. Trees have been preserved to the maximum extent practicable, however the removal of the identified trees is necessary to avoid significantly increasing the public costs of the project. Therefore, this criterion is met.

7. If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles.

Response: No tree removals are proposed to enhance the health of a tree or grove. Therefore, this criterion is not applicable.

8. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.

9. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.

Response: No SNRAs or Significant Groves exist on the site. Therefore, these criteria are not applicable.

10. The proposal is consistent with all applicable provisions of Section 60.60. (Trees and Vegetation) and Section 60.67. (Significant Natural Resources).

Response: Conformance with Section 60.60 is demonstrated in responses to Section 60.60 standards in this narrative. Section 60.67, Significant Natural Resources, is not applicable to this application.

11. Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

Response: As demonstrated by the Overall Mass Grading and Utility Plans (Exhibit G, Sheets C3.0 and C5.0) and Stormwater Management Report (Exhibit C), the project was designed to meet the City of Beaverton standards for grading and drainage. In keeping with City of Beaverton requirements, the project was designed to minimize adverse effects on neighboring

properties, public rights-of-way, surface drainage, water storage facilities, and the public drainage system. Therefore, this criterion is met.

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

Response: The proposed development meets all applicable application submittal requirements as specified in Section 50.25.1. Therefore, this criterion is met.

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

Response: All applications and documents related to this request have been submitted to the City as required. Therefore, this criterion is met.

CHAPTER 50 – PROCEDURES

50.30. Neighborhood Review Meeting

2. Prior to submittal of an application subject to a Type 3 procedure, the applicant shall provide an opportunity to meet with neighboring property owners, residents and businesses (hereinafter collectively referred to as "neighbors") as well as representatives from the NAC within whose boundaries the site is located or within the notice radius to review the proposal. The applicant shall not be required to hold more than one Neighborhood Review Meeting provided such meeting is held within six months prior to submitting an application for one specific site. This requirement does not apply to applications required by Design Review Three threshold number 7 (Section 40.20.15.3.A.7.) or applications for Quasi-Judicial Zoning Map Amendment (Section 40.97.15.1.), Discretionary Annexation Related Zoning Map Amendment (Section 40.97.15.4.)

[…]

4. To comply with this section, an applicant shall submit the following information with the application:

A copy of the notice sent to surrounding property owners and the NAC Representatives as described in Section 50.30.3.B.

B. A copy of the mailing list used to send out meeting notices as described in Section 50.30.3.B.

C. A written statement containing the information posted on the property as described in Section 50.30.3.C.

D. An affidavit of mailing and posting notices as described in Sections 50.30.3.A through C.

E. Copies of written materials and 8.5" x 11" size plans presented at the Neighborhood Review Meeting.

F. Notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.

G. A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC.

H. If responses to the meeting notice were not received by the applicant and no one attended the Neighborhood Review Meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

Response: The Neighborhood Review Meeting was held at the Raleigh Hills School cafeteria at 6:30 p.m. on October 20, 2022 – thus, within 6 months of submittal of this application. Meeting notice was sent to all property owners within 500 feet' of the site, and notice boards were posted along SW Scholls Ferry Road.

The project team presented an overview of the proposed development and fielded questions and discussion, as summarized in the meeting notes.

Pursuant to this standard, the following Neighborhood Meeting Documentation is included in this application as Exhibit J:

- Neighborhood meeting notice
- Mailing list for notice
- Picture of posted notice signs
- Mailing and posting signed affidavits
- Meeting materials (PowerPoint and boards)
- Meeting sign-in sheets
- Meeting summary
- Receipt of certified mailing to NAC Chairperson

Therefore, this standard is met.

50.95 Modification of a Decision

Section 50.95.7 is the applicable section for the Planning Commission to review and act upon the applicant's request to remove prior conditions of approval. Even though RHS has been at this location since 1927, the earliest known land use permit for the site is from 1967 when Washington County approved CU-9-67 which authorized a proposal to expand the existing school. The 1988 Approval (Exhibit M) completed the following:

1. Authorized Special Use recognition to the existing elementary school.
2. Authorized an expansion of the parking area and a new covered play area.
3. Reviewed conditions from the 1967 conditional use approval.

The District submitted a Type 1 land use application to complete the parking lot expansion and the addition of the new covered play area. The County approved the Type 1 application in April 1990. In approving the 1990 land use application, the District had to demonstrate compliance with the conditions of approval specified for 88-634-SU/M.

The current Modification of Decision proposal is to remove any conditions of approval from the 1988 Approval that remain applicable. The 1988 Approval and associated land use materials are included in this application as Exhibit M. There are a total of 15 conditions of approval to which the Beaverton School District was subject on the Raleigh Hills school site. Conditions listed in sections B, C, and D were met through the 1990 County land use approval. Of the conditions listed in section E (Additional Conditions), 1.a through c., 3, and 4 were also met through the 1990 approval. One condition was not met through the 1990 approval, which is as follows:

E. Additional Conditions:

2. The school's existing access points shall be consolidated, including consolidation with adjacent properties, when the site and/or adjacent properties redevelop, or when there is a project to improve this section of SW Scholls Ferry Road, whichever occurs first. The property owner shall provide the adjacent property owners with reciprocal access/maintenance easement if access is shared with adjacent properties.

The above quoted condition (the “1988 Condition”) appears not to have been addressed since the 1988 Approval, nor have the subject property, adjacent properties, or SW Scholls Ferry Road have not been improved or redeveloped. The District is proposing to redevelop the RHS site pursuant to a New Conditional Use, which would render the 1988 Approval no longer applicable to the redeveloped school. However, in an abundance of caution and because Condition 2 purports to become effective upon site redevelopment, the District proposes to remove the 1988 Condition.

Since SW Scholls Ferry Road is an Arterial roadway, it is presumed that the intent of the 1988 Condition was to improve vehicle safety on SW Scholls Ferry Road. The current proposal is responsive to a number of traffic safety issues that may be created by the school. These design solutions include, and may not be limited to, the following: larger parking lots with more vehicle stacking; separation of vehicles; consolidation of the western parking lot driveways; and a new traffic signal. Another important issue not anticipated by the 1988 Condition is site security needs for schools. The findings for the removal of the 1988 Condition specific to the RHS redevelopment are outlined in responses to the following criteria in Section 50.97:

1. An applicant or successor in interest may file with the Director an application to modify a prior decision that was the subject of a Type 1, Type 2 or Type 3 procedure. In addition to other requirements, such an application to modify a prior decision shall describe the nature of the proposed change to the original decision and the basis for that change, including the applicable facts and law, together with the fee prescribed for that application type necessary to modify the prior decision. Such an application to modify a prior decision shall be subject to the approval criteria and development regulations in effect when the Director receives a complete application for the modification.

Response: The applicant has submitted all materials describing the proposed change and the basis for that change. Application fees have been submitted and all applicable approval criteria and development regulations have been addressed. Therefore, this standard is met.

2. An application for modification is subject to pre-application conference and completeness review; provided, the Director shall only require an application for modification to contain information that is relevant or necessary to address the requested change or the facts and regulations on which it is based. An application for modification is not subject to the neighborhood review meeting requirement.

Response: The applicant has received written instructions on the submittal requirements for the proposal to modify a decision. Those materials address the requested modification and the facts upon which the request has been made. Therefore, this standard is met.

3. An application for modification does not extend the deadline for filing an appeal and does not stay appeal proceedings. An application for modification is subject to the 120 day requirement pursuant to ORS 227.178.

Response: No appeal proceedings are proposed or pending. Therefore, this standard is not applicable.

4. Only a decision that approves or conditionally approves an application can be modified. A decision denying an application cannot be modified. Refer to Section 50.99.

Response: The prior decision to be modified is a Washington County Special Use decision that was approved in April 1988. The Washington County Special Use application is substantially similar to the City of Beaverton's Conditional Use application. The applicant has submitted a New Conditional Use application to modify the 1988 Washington County approval. Therefore, this standard is met.

5. Expedited Land Divisions and Preliminary Middle Housing Land Divisions are not eligible for modification of a decision. [ORD 4822; June 2022]

Response: The prior decision to be modified in not an Expedited Land Division or Preliminary Middle Housing Land Division. Therefore, this standard is not applicable.

6. An application for modification shall be subject to a Type 1, Type 2, or Type 3 procedure as determined by the Director.

Response: The City of Beaverton has informed the applicant that a Type 3, New Conditional Use, procedure is required to remove the condition of approval. A New Conditional Use application has been submitted. Therefore, this standard is met.

7. The process type for an application to modify a decision shall be based upon the thresholds for the appropriate application listed in CHAPTER 40. In all cases, regardless of the thresholds listed in CHAPTER 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified. Modification or removal of a condition of approval shall only be granted if the decision making authority determines any one of the following: A. The applicant or owner has demonstrated that a mistake of law or fact occurred, and that the mistake was substantial enough to warrant modification or removal of the condition to correct the mistake.

Response: The applicant does not allege that a mistake of law or fact has occurred. Therefore, this standard is not applicable.

B. The condition could not be implemented for reasons beyond the control of the applicant and the modification will not require a significant modification of the original decision.

Response: The applicant cannot comply with the 1988 Condition because one access point to SW Scholls Ferry Road will create a greater adverse impact to the site and potentially vehicle safety on SW Scholls Ferry Road. A single access point would need to bring all buses, staff vehicles, and family vehicles onto the site. This would require a substantially larger parking lot, which would remove important ancillary assets of the school site such as the field and play areas. The District has found from experience that separating bus service from family parking is essential to operate efficiently and safely at school sites.

The 1988 Approval action did not provide for a future design of the site, rather it provided direction to consolidate existing access points. As a result, the impact to the original decision is negligible since the purpose of the original decision was fulfilled in 1990. No significant modification of the 1988 Approval is needed; it is proposed to be replaced by the New Conditional Use, which – upon approval – would be the operative land use permit for the school.
Therefore, this standard is met.

C. The circumstances have changed to the extent that the condition is no longer needed or warranted.

Response: The circumstances applicable to the RHS site have changed since 1988. The proposed redevelopment of the school will remove all existing features on the site, with the exception of the sports field and track. The proposed building will be larger in size and student capacity than the existing school. As noted above, the District has separated school bus and family vehicles to improve operational efficiency and overall safety of vehicles and pedestrians. This has resulted in a design that has two separated access points and parking lots. Furthermore, the experience of having non-school vehicle traffic transiting the school parking lot has resulted in unnecessary conflicts between family vehicles and neighboring property vehicles.
In addition, the applicant is proposing to install a new traffic signal in the SW Scholls Ferry Road right-of-way at the eastern parking lot access point and SW Montclair Drive. Such an improvement will greatly enhance safety of vehicular turning movement on and off the school site and for the residential neighborhood south of the school on SW Montclair Drive. Furthermore, the need for school site security has increased substantially since 1988 which is a condition not anticipated at time. The 1988 Condition includes access to SW Scholls Ferry Road for adjacent properties across the school property. The District needs the ability to completely secure the site including parking lots, which it will not be able to do if access for adjoining properties is required on the school site. The proposed design provides for unrestricted vehicular access to SW Scholls Ferry Road for the adjoining residential properties. Lastly, the jurisdiction and conditional use standards have changed since 1988. The site has been annexed and is no longer subject to County zoning. The current City conditional use standards are being applied as part of this review. Thus, the 1988 Condition and the 1988 Approval are no longer needed or warranted.
Therefore, this standard is met.

D. A new or modified condition would better accomplish the purpose of the original condition.

Response: A modified condition which removes the reference to the adjoining properties having access across District property will improve the use and security of the school site, yet it may not accomplish the presumed purpose of the original condition due to the circumstances known in 1988. The proposed redevelopment of the RHS site will reduce the number of access points to the school from three to two access points. Moreover, one access point will be controlled by a new traffic signal. This signal will make turning movements in and out of the school site, and at SW Montclair Drive, much safer than existing conditions. This signal was not assumed in the 1988 County approval and will improve safety consistent with the presumptive purpose of the 1988 Condition. Therefore, this standard has been met.

For the reasons articulated herein, the applicant recommends that the Planning Commission find that the 1988 Condition (E. 2) is no longer necessary or applicable to the proposed RHS redevelopment project. Further, the applicant requests that the Planning Commission's decision recognize that the 1988 Washington County land use approval for Casefile 88-634-SU/M is fully extinguished in all respects because: (a) circumstances have changed due to the approval of a new Conditional Use under the City of Beaverton's current development code; and (b) the 1988 Approval is no longer needed or warranted, nor is there any need or warrant for the City to be imposing conditions based on the 1988 Washington County Community Development Code.

CHAPTER 60 – SPECIAL REQUIREMENTS

60.05 Design Review Principles, Standards and Guidelines

Code Criteria	Response
60.05.35. Building Design and Orientation Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.	
1. Building articulation and variety.	
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)	See Exterior Elevations (Exhibit G, Sheet A4.1). The proposed building elevations incorporate variations in height, roof pitch, architectural features, and building materials on each elevation. The proposed structure has a gable roof and flat roofline. Architectural features include awnings/overhangs, exterior stair screens, and variation in the glazing pattern. The overall building mass is composed of a series of smaller volumes linked together to break up the mass of the building. Building materials at each elevation include a mix of brick, flat metal and fiber cement panels, and concrete (Exhibit E). Windows are featured prominently throughout the structure. Therefore, this guideline is 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)	The building elevations feature various vertical elements including slatted stair screens, standing seam metal panels (exterior building materials), tall windows, and peaked (gable) roofs. See Exterior Elevations (Exhibit G, Sheet A4.1) and the Materials Board (Exhibit E). Therefore, this guideline is met.
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) [ORD 4531; April 2010]	The proposed school building orients to people on the campus in a number of ways including: a large amount of windows and glazing on the ground floor; gable-roof buildings that look and feel more like houses; a large, sheltered front “porch” entrance, with seating built into the structure; and the building shaped around learning and community courtyards. See the Exterior Elevations, Renderings, and Site Plan (Exhibit G, Sheets A4.1, A20.1, and L2.0). Therefore, this guideline is met.
E. Building elevations visible from and within 200 feet of an adjacent street or major parking	As stated above, the proposed structure is articulated with architectural features at each elevation. See

Code Criteria	Response
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) [ORD 4542; June 2010]	Exterior Elevations (Exhibit G, Sheet A4.1). There are variations in height, volume, and modulation throughout the structure. The service yard on the southwest corner of the building is set back approximately 20 feet further from the street than in originally submitted plans – thus, setting that part of the building back a total of roughly 50 feet and creating a variation in the building's massing. In addition, there are now three layers of landscaping proposed between that corner of the building and the street as compared to a single layer in original plans. That will screen and block visibility from the street to that corner of the building. See Sheet L2.1 (Exhibit G). In terms of the relevant Design Standards that are corollaries for this Design Guideline, Section 60.05.15.1.B.1 calls for a minimum 30% of the street-facing elevation and the elevation with the primary building entrance to have variation and permanent architectural features, which is met on the south and east elevations. Section 60.05.15.1.C requires spacing between permanent architectural features on the street-facing elevation and the elevation with the primary building entrance to be a maximum of 40 feet. This is met on the south and east elevations. Therefore, this guideline is met.
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)	The proposed roof form is predominantly a gable roof. The gable roofs vary in slope to create distinction between rooflines. Pitches range between 5/12 and 11/12, which are significant pitches. One building focal point – the front entrance – is emphasized by an extended canopy. The flat roof is in contrast to the sloped roofs elsewhere on the building. A flat roof also covers the gym, which helps with building articulation by providing contrast to the gabled roof forms over the classroom wings.

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	See the Exterior Elevations and Renderings (Exhibit G, Sheet A4.1 and A20.1). Therefore, this guideline is met.
B. Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C)	The school building roof is predominantly sloped (gable roof). For sections of flat roof, the building's facade uses metal panel with variation and rhythm to create a crisp and clean volume that contrasts the more traditional brick gable forms. The parapets on the flat roof sections seamlessly integrate with the facade to create a clean volume that works to balance the gable forms. At the flat roof along the south edge of the gymnasium facing the street there is an articulated cornice parapet offset from the façade which provides visual interest. See the Exterior Elevations (Exhibit G, Sheet A4.1). Therefore, this guideline is 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)	See Exterior Elevations and Site Plan (Exhibit G, Sheet A4.1 and Sheet L2.3). The primary building entrance is designed as a prominent front porch, located under a concrete overhang. The entrance provides ample space for people to comfortably gather underneath. There is bike parking and seating as a part of and adjacent to the entrance area. Therefore, this guideline is 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)	The primary building entrance incorporates concrete pillars and overhang, fiber cement panels, metal panels, and large glass windows. There is also covered bike parking and seating adjacent to the primary entrance. See Exterior Elevations and Site Plan (Exhibit G, Sheet A4.1 and Sheet L2.3). This makes the entrance attractive and functional. Therefore, this guideline is met.

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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)	Exterior building materials will consist of a mix of fiber cement panels, brick, flat metal panels, cement masonry unit (CMU), and metal panels with a wood look finish. An exterior stair slat screen with a wood finish will also be visible. See the Exterior Elevations and Materials Board (Exhibit G, Sheet A4.1 and Exhibit E). These materials are durable and consistent with allowable building materials. Windows are proposed on all elevations that would allow views to interior activity. Therefore, this guideline is met.
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)	Brick will be used as one of the building materials. Decorative patterns are not proposed as part of using this material per se. However, visual interest and variety will be provided by the following: using bricks of two different shades; alternating façade materials between brick, metal panels, fiber cement panels, and slatted stair screens; and incorporating a large amount of glazing throughout the facades. Brick elevations on the new school have been carefully considered to provide a refined and timeless design. In order to break down the scale of the building and reinforce the “small school feel” concept that guided the design team, a warm gray color was selected for use at the park level (lower level) of the building. A transition strip provides a sophisticated detail and a continuous datum line between the warm gray base and the red brick blend above. The red brick blend was especially chosen to provide a warm, natural, and varied façade treatment, and the variation in the color helps add interest to the facades. Several window openings on each façade also break up the masonry, and additional brick detailing has been added on larger, public-facing façades to accentuate the vertical glazing patterns and reinforce the rhythm. This will also provide additional interest at the street level and on public-facing elevations. The exterior of the service yard on the southwest corner of the school building will be composed of CMU. However, that part of the building will be set

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	back roughly 50 feet from the front property line and will have three layers of landscaping between it and the street to screen it and block visibility from the street (Sheet L2.1, Exhibit G). Additionally, one of the corresponding Design Standards (Section 60.05.15.4.B) allows up to 30% of elevations that are visible from and within 200 feet of a public street/ public space or that include a primary building entrance to be composed of plain concrete block. The school building elevations do not exceed this allowance. See the Materials Board (Exhibit E) and Exterior Elevations (Exhibit G, Sheets A4.1 and A4.1B). Note: Views 4 and 5 in Sheet A4.1 – as well as in new Sheet A4.1B – show updates to the south and east elevations. View 6 has been added to Sheets A4.1 and A4.1B to help document the additional brick detailing. Therefore, this guideline is met.
5. Screening of equipment.	See Exterior Elevations (Exhibit G, Sheet A4.1). Mechanical units will be placed in wells on the rooftops of the gabled portions of the building. In addition, units on the flat gym roof and above the kitchen will be screened by parapets. All other rooftop equipment is set back far enough from roof edges as to not be visible from the ground. The service yard (including transformer) at grade on the southwest corner of the school building will be screened by a concrete (CMU) wall. No mechanical equipment will be visible from the public right-of-way or parking areas. Therefore, this guideline is met.
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	See the Overall Site Plan (Exhibit G, Sheet L2.0). The proposed development has two parking areas that take access from SW Scholls Ferry Road. There

Code Criteria	Response
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) [ORD 4531; April 2010]	will also be a dedicated vehicular access point to SW Scholls Ferry Road for the adjacent residential properties. The internal pedestrian network will connect to the public sidewalk. Therefore, this guideline is met.
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)	On-site service areas, outdoor storage areas, disposal facilities, recycling containers, etc. are located in the service yard on the southwest corner of the school building (Site Plan, Exhibit G, Sheet L2.1). The service yard is walled and screened from public view as shown on the Exterior Elevations (Exhibit G, Sheet A4.1) Therefore, this guideline is met.
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)	The primary loading area for the school will be in the bus loading zone adjacent to the southwest side of the building (Site Plan, Exhibit G, Sheet L2.1). The loading area will be designated where the southernmost bus loading space is shown, adjacent to a curb ramp.[4] This loading space will comply with standards as addressed in responses in Section 60.25. Landscaping – including street trees – and architectural partitions matching the building facade materials will screen or minimize the visual impact of these loading areas (on the south side of the building) from SW Scholls Ferry Road. See the Site Plan and Landscape Plan (Exhibit G, Sheet AL2.0 and Sheet L6.0). Therefore, this guideline is met.
C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)	The primary pedestrian entrance connects to the adjacent public sidewalk and other pedestrian destinations via the internal pedestrian network. As shown in the Overall Site Plan (Exhibit G, Sheet

[4] The gates shown in Sheet L2.1 adjacent to this curb ramp will be closer to the building than shown in the drawing. Whether open or closed, the gates will allow for a minimum of 5’ unobstructed width on the adjacent walkway, as required by the BDC.

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	L2.0), the primary entrance connects to the parking lot, courtyards, play areas, and other important pedestrian destinations throughout the site. Therefore, this guideline is met.
D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)	As shown on Overall Site Plan (Exhibit G, Sheet L2.0), there are several pedestrian walkways in both the east and west parking lots that allow pedestrians to safely cross through parking areas to primary pedestrian walkways closer to the school. These walkways, in turn, provide direct connections to sidewalks along the street. Walkways are evenly dispersed. Use of concrete in walkways visibly contrast against asphalt paving in parking areas and are a minimum 6 feet wide. Therefore, this guideline is met.
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)	As shown on the Right-of-Way Improvement Plans (Exhibit G, Sheets C6.1-C6.3), a 6 foot wide sidewalk will be provided along SW Scholls Ferry Road, an arterial street. This is consistent with City of Beaverton standards that apply behind the curb. Therefore, this guideline is 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)	As shown on the Overall Site Plan and Site Plans (Exhibit G, Sheets L2.0-L2.4), pedestrian connections to the public sidewalks and throughout the site will be constructed of concrete paving. Therefore, this guideline is met.
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)	As shown on the Overall Landscape Plan (Exhibit G, Sheet L6.0), there are two parking areas located off of SW Scholls Ferry Road. Both parking areas propose trees and landscaping to be planted along the perimeter of the parking areas. Therefore, this guideline is met.
5. Parking area landscaping. Landscape islands and a tree canopy should be provided	Landscape islands are provided throughout both parking areas, with trees and other plantings. Landscaping and trees are also provided around the perimeter of the parking areas. See the Landscape

Code Criteria	Response
to minimize the visual impact of large parking areas. (Standards 60.05.20.5.A through D)	Plan and Planting Schedule (Exhibit G, Sheets L6.0-L6.4). Parking area landscaping plants will consist of a mix of evergreen and deciduous shrubs and ferns that are low-growing (i.e., under 3.5 feet in height). Parking area landscaping trees will consist of a mix of deciduous and coniferous trees that would be considered "large canopy" (i.e., trees with a canopy greater than 20 feet in diameter). See designations noted above in the Schedule of Proposed Plant Materials shown on Planting Schedules and Lists (Exhibit G, L6.0A) Therefore, this guideline is met.
8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones. [ORD 4584; June 2012]	The eastern and western parking areas include identifiable drive aisles and will be connected to SW Scholls Ferry Road. See the Overall Site Plan (Exhibit G, Sheet L2.0). Therefore, this guideline is met.
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) [ORD 4531; April 2010]	The proposed parking areas included clear pavement markings, curbs, raised pedestrian walkways and landscaped islands with trees (Site Plan, Exhibit G, Sheets L2.0-L2.4). The layout of the parking areas will provide suitable turning space for large trucks, school buses, and fire trucks as shown on the Turning Maneuvers drawings (Exhibit G, Sheet L7.0 and L7.1). Therefore, this guideline is 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)	Long continuous parking aisles are not included in this proposal. As stated above, landscaping is provided around the perimeter of the parking areas to minimize their visual impact. See the Landscape Plan (Exhibit G, Sheets L6.0-L6.4). Therefore, this guideline is met.
60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.	

Code Criteria	Response
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)	As shown on the Landscape Plan and Renderings (Exhibit G, Sheets L6.0-L6.4 and A20.1), landscaping is proposed in the form of trees, shrubs, and other plantings throughout the site and along SW Scholls Ferry Road. Trees and plantings proposed in the planting strip along Scholls Ferry Road and in the front setback will soften the edges of the development from the view of the public street. Landscaping is also proposed along the exterior of the building and in landscape islands in the parking areas, which will break up the view of the building from different perspectives and make the building and site as a whole more attractive. Therefore, this guideline is met.
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)	Two courtyard/common areas are proposed adjacent to the new building. The “Learning Courtyard” and “Community Courtyard” on the east side of the building incorporate landscaping and seating areas with a concrete walk to a secondary entrance. The Learning Courtyard also features a decorative concrete design with trees. See the Landscape Plan (Exhibit G, Sheets L6.1-L6.4). Therefore, this guideline is 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)	Proposed plantings will be a mix of native, native analogues, and non-native ornamentals. Plants selected will be suited and adaptive to the local site climatic conditions. See the Plantings Schedules and Lists (Exhibit G, Sheet L6.0A). Therefore, this guideline is 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)	Existing trees and plants are included in the site design, as shown in the Existing Landscape Protection and Removal Plan (Exhibit G, Sheets L1.0-L1.5). Also see responses to Section 40.90 for

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	how the proposed development protects and incorporates existing trees. Therefore, this guideline is met.
E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)	As shown in the Plantings Schedules and Lists (Exhibit G, Sheet L6.0A), a diversity of tree and shrub species are proposed in required landscaping areas. Therefore, this guideline is met.
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) [ORD 4576; January 2012]	Retaining walls are proposed near the center of the building façade facing Scholls Ferry Road (Exhibit G, Sheets L2.1 and L6.1). Walls will face building mechanical and electrical service rooms – i.e., they will face north, toward the interior of the site and away from Scholls Ferry Road – and are generally not visible from public areas. The walls will also be screened by trees and plantings shown in the Landscape Plan (Exhibit G, Sheet L6.1). The walls will have a standard concrete finish with a horizontal shadow/score line. See the retaining wall detail on Sheet L2.0 (Exhibit G). Therefore, this guideline is met.
7. Fences and walls.	
A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9) [ORD 4576; January 2012]	Proposed new fencing includes black vinyl-coated chain link fence, 72 inches high along the east, west side, and rear property lines at locations shown. (Site Plan and Landscape Plan, Exhibit G, Sheets L2.1-L2.4 and Sheets L6.1-L6.4). Chain link is durable and the black coating makes it unobtrusive. Some existing chain link fencing on the west and north sides of the property will be retained (Existing Landscape Protection and Removal Plan and Site Plan, Exhibit G, Sheets L1.1, L1.3, and L1.5 and Sheets L2.1, L2.3, and L2.5). Black ornamental metal fencing with gates is also proposed at various places around the site for securing certain parts of the school. Ornamental metal fencing is proposed to be 72 inches tall. See

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	Site Plan and Landscape Plan, Exhibit G, Sheets L2.1-L2.4 and L6.1-L6.4. Therefore, this guideline is met.
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) [ORD 4576; January 2012]	Chain link fencing that is 72 inches tall is located in the front yard setback in the southwest corner of the site. The fencing is situated along the west side property line – perpendicular to SW Scholls Ferry Road – and, thus, provides the opportunity to view into the front setback. Therefore, this guideline is 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) [ORD 4576; January 2012]	As shown on the Overall Grading Plan (Exhibit G, Sheet L4.0), appropriate grading and erosion control measures are being taken. Grading near the perimeter of adjacent residential properties will not result in any conflicts in drainage, damage to tree root zones, or blocking of sunlight. Therefore, this guideline is met.
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) [ORD 4576; January 2012]	As described in the Stormwater Report (Exhibit C), the proposed stormwater management plan will achieve pollutant removal to the maximum extent practicable via stormfilter manholes designed to target pollutants expected with development. Stormwater quantity requirements will be met with the installation of stormwater detention chamber systems. These proposed private facilities satisfy the City of Beaverton and CWS water quality and water quantity requirements. As designed, this project shall not create any adverse impacts to the downstream storm system. These stormwater elements are integrated into the design of the landscaping and parking facilities. Therefore, this guideline is met.
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	No natural areas indigenous to the site are present on the property. Therefore, this guideline does not apply.

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reasonably possible into the development plan. (Standard 60.05.25.12) [ORD 4531; April 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]	
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) [ORD 4531; April 2010]	Zoning differs between the school property and neighboring properties (Figure 2). Planting beds that include evergreen screening vegetation and trees provide a buffer between the sides of the development area (limits of work) and residences to the east, west, and north. Sight-obscuring 6 foot tall fencing also provides effective screening. Distance helps buffer the development from residences to the east and west; at its closest, the school building is roughly 150 feet from the west property line and roughly 250 feet from the east property line. There is additional landscaping in that space between those property lines and the school building – parking area landscaping and landscaping around the school building. See the Landscape Plan (Exhibit G, Sheets L6.1-L6.4). Therefore, the guideline is met.
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) [ORD 4531; April 2010]	Detrimental impacts are not expected as a result of this Conditional Use, particularly because the site already operates as a school. Given limited potential conflicts, less dense and narrower landscape screens and buffers are appropriate. That said, proposed landscaping will be densely provided with a variety of plantings and trees to screen and complement the overall visual character of the site. See the Landscape Plan and Planting Schedule (Exhibit G, Sheets L6.0-L6.5). The **eastern and northeastern edge landscape buffer** (where noted on plans) will consist of the following: On the southeastern corner of the school site, a minimum 5 foot wide landscape buffer with a maximum 4 foot' high evergreen screen with groundcover is proposed on the side property line. Trees will be planted at approximately 30 feet on-

Code Criteria	Response
	center. A 6 foot tall black vinyl-coated chain link fence will be installed, with slats to make the fence sight-obscuring. North of the new school building and eastern parking lot, the side property lines will feature a minimum 10 foot wide landscape buffer with a maximum 6 foot high evergreen screen and groundcover. Trees will be planted at approximately 30 feet on-center. A 6 foot tall black vinyl-coated chain link fence will be installed, with slats to make the fence sight-obscuring. The variation of landscape buffer widths between 5 feet and 10 feet or more in these areas is within standards for side yard buffers. Furthermore, evergreen screening vegetation and 6 foot tall sight-obscuring fencing are proposed in these areas. The **north and northwestern property edges** (where noted on plans) will consist of the following: The project is not impacting the existing ballfield and the area north of it, nor proposing any improvements in these areas. There is an existing mature tree buffer in place approximately 20-24 foot wide and includes an existing chain link fence. The **western edge landscape buffer** (where noted on plans) will consist of the following: A minimum 10 foot landscape buffer with a maximum 6 foot high evergreen screen and groundcover is proposed along the west property line. Trees will be planted at approximately 30 feet on-center. A 6 foot tall black vinyl-coated chain link fence will be installed, with slats to make the fence sight-obscuring. Landscape buffer trees are proposed to be coniferous to further screen and buffer the portion of property line adjacent to the multi-family housing west of site. Constraints limiting the buffer width in this area include maintaining the District program and providing required parking, while addressing significant grade change across site; providing for bus, fire truck and delivery semi-truck turning maneuvers; preserving mature trees and understory; and accommodating irregular lot shape.

Code Criteria	Response
	Therefore, the guideline is met.
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)	Proposed plantings will be a mix of native, native analogues, and non-native ornamentals. Plants selected will be compatible with the local site climatic conditions. Proposed plants are listed in the Plantings Schedules and Lists (Exhibit G, Sheet L6.08). Therefore, the guideline is met.
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). [ORD 4531; April 2010] [ORD 4576; January 2012]	The proposed development is subject to design guidelines, not standards. The new school will provide the amount of buffer that is deemed necessary and feasible. Therefore, this guideline does not apply.
60.05.50. Lighting Design Guidelines.	
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)	See the Site Plan Lighting and Photometrics Plan (Exhibit G, Sheet ES1.2) and the corresponding Site Lighting Cut Sheets (Exhibit D). Various pole-mounted and non-pole mounted lighting sources are proposed throughout the site. Light sources are placed strategically to illuminate key destinations including the parking areas, the internal pedestrian network, primary and secondary entrances, and courtyards. Therefore, this guideline is met.
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)	As described above and shown in the Site Lighting Cut Sheets (Exhibit D) and Site Lighting Plan (Exhibit G, Sheet ES1.2), poles and pole-mounted fixtures will be of the same design (SP-1, SP-2, and SP-3) throughout the site. Wall-mounted fixtures will consist of designs that are compatible with the overall design of the facility. Wall lighting is primarily black with a minimalistic design to complement the masonry and black metal panel walls, while still providing adequate illumination for pedestrians.

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	Therefore, this guideline is met.
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)	Interior lighting is being designed to be aimed at the interior and not exterior. Thus, only ambient interior light will be seen from the outside. Direct and indirect glare from exterior lighting will be minimized through the use of shields and direction/positioning of the lighting. See Lighting Cut Sheets (Exhibit D). The performance of this lighting is addressed in the next responses. Therefore, this guideline is met.
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]	See responses below.

Table 60.05-1. TECHNICAL LIGHTING STANDARDS

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

Table 60.05-1 *Technical Lighting Standards*						
Zoning District Type	*Minimum Required Illumination (internal) in Foot-candles*		*Maximum Permitted Illumination (internal) in Foot-candles*		*Maximum Permitted Illumination at property line in Foot-candles*	*Maximum Permitted Height of Luminaires*
	>90	*<90*	*>90*	*<90*		
Residential	*1.0*	*0.7*	*None*	*None*	*0.5*	*Pole-mounted Luminaires (inclusive of above grade base and light fixture):* ● *15 feet for on-site pedestrian ways.* ● *20 feet for on-site vehicular circulation areas.* *Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas:* ● *20 feet above building finished grade.*

Response: Mounting heights are 20 feet for site lighting poles at the vehicular areas and 15 feet for the site lighting poles in pedestrian areas. Mounting heights for the wall-mounted fixtures are at all 20 feet or lower from grade as required. The bollards are only 41.5 inches tall.

Light levels are 0.5 foot-candles or less at property lines, as shown in the Photometrics Plan.

Minimum light levels are less than the minimum internal illumination required, for a number of reasons including energy conservation, neighbor impacts, and District financial resources.

- In terms of energy, implementation of the 0.7 foot-candle minimum lighting level throughout the interior of the school site far exceeds industry standard and model guidance and light levels within the surrounding neighborhood. This has significant energy and environmental impacts contrary to District sustainability policies.

- In terms of neighborhood impacts, it should be taken into account how tightly the site will be developed due to the District and community's desires to build the new school on the existing school site. Luminaires and lit areas will be located much closer to residential neighbors than existing conditions. In the project architect's experience, even with house-side shielding applied, such configurations are known to cause neighbor complaints due to glare and light trespass; this requires costly lighting modifications after construction.

- In terms of financial resources, the District is carefully spending budgeted funds. The proposed lighting eliminates more than a dozen poles from the site as opposed to what would be required for higher levels of lighting.

School operations are focused during daylight hours; however, the proposed lighting plan will still provide safe conditions for vehicle and pedestrian circulation when that is needed on a limited basis during non-daylight hours.

Evening activities at the school will be limited in occurrence and duration. All access into the school for after-hours activities will only be available through the main entry at the eastern side of the school. All parking for after-hours events will occur on the east side of the school in the parent/visitor parking lot. (Note: All field activities that are run through the school and in partnership with THPRD occur only prior to dusk as there is no lighting for the field area.)

The District maintains “Dark Campuses” at nighttime at all facilities in the district, with exterior lighting controlled by lighting control panels for all new construction. Lighting fixtures on the RHS campus will be “dark sky”-compatible fixtures. All site lighting will provide 0.5 min foot candles on on-site walkways and maintain a minimum average of 1.49 foot candles at all vehicular locations throughout the site. Minimum lighting level locations are isolated to the parking stalls. On average, drive aisles throughout the site far exceed the minimum required lighting level of 0.7 foot candles.

See Site Lighting Cut Sheets (Exhibit D) and Site Plan Lighting & Photometrics (Exhibit G, Sheet ES1.2).

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 townhouse development and multi-dwelling development. [ORD 4822; June 2022]*
    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.*

Response: No flickering, flashing or strobe lights are proposed. No light sources are proposed within required buffering. No exterior neon lights are proposed. Therefore, this standard is met.

60.15 Land Division Standards

60.15.10. Grading Standards.

1. Applicability. The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not

supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.

2. Exemptions. The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.:

A. *Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.*

B. *Storm water detention facilities subject to review and approval of the City Engineer.*

C. *On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.*

Response: It is understood that grading standards in this Section apply to land division and design review proposals as specified.

3. On-site surface contouring. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:

A. *0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]*

B. *More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]*

C. *More than 10 feet and up to and including 15 feet from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]*

D. *More than 15 feet and up to and including 20 feet from property line: Maximum of eight (8) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]*

E. *More than 20 feet and up to and including 25 feet from property line: Maximum of ten (10) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]*

F. *Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.*

G. *The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development. [ORD 4584; June 2012]*

Response: As shown on the Overall Grading Plan (Exhibit G, Sheet L4.0), grading within 5 feet of a residential property line does not exceed the maximum 2 feet of slope difference from the existing elevation. Therefore, this standard is met.

4. Significant Trees and Groves. Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:

- *A. 0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;*
- *B. More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the tree's drip line, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;*
- *C. Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.*

Response: No significant trees or groves are identified on the site, as shown in the City's Tree Inventory Map in its Comprehensive Plan. Grading within 25 feet of a significant tree or grove is not proposed. Therefore, this standard is not applicable.

60.15.15. Final Plat Standards.

1. Easements and rights-of-way. Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 130 of the Beaverton Engineering Design Manual. [ORD 4584; June 2012] [ORD 4782; April 2020]

2. Building lines. The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.

Response: Existing and proposed rights-of-way are indicated in the proposed Preliminary Replat Plan (Exhibit G, Sheet RP1.0-RP1.5). Easements and rights-of-way will be included in the Final Plat Plan. Therefore, this standard is met.

3. Dedications. Infrastructure or public improvements such as public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, sanitary sewer, storm water system, water system, traffic control devices, parks, open space, and other public rights-of-way required as needed to serve the development, shall be installed at the expense of the developer and dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes shall be approved by the jurisdiction to which the park or open space is being dedicated prior to Final Land Division approval. [ORD 4822; June 2022]

Response: A 6 foot sidewalk and 4 foot planter strip is proposed along SW Scholls Ferry Road. A 3 foot dedication of the school property is being made to Washington County to accommodate its required roadway profile, including two lanes and a center turn lane. No other dedication of land or park space is required. Therefore, this standard is met.

4. Homeowners' Associations and declarations. When a Homeowners' Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained, the document complies with BDC 10.18, and that other restrictions required by the City are included. [ORD 4822; June 2022]

Response: The proposed development is not residential, and no homeowner's associations or declarations are included in this plat.

5. Monuments and bench marks. The developer shall establish and designate monuments and bench marks on the Final Plat.

Response: Monuments will be established on the Final Plat and bench marks will be designated on site development plans.

6. Street trees. Prior to City approval of the Final Plat, street trees shall be planted along street frontages in accordance with the following:

A. *For land divisions involving single-detached dwellings and middle housing, the Developer shall pay a fee to the City. The City shall be responsible for tree purchase and planting, and maintenance for one year, consisting of pruning, disease control and watering. The fee shall be based upon a standard of one tree per thirty (30) lineal feet of street frontage. The resulting number, if not a whole number, shall be rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number. The fee to be charged and collected shall be established and from time to time amended by Resolution of the City Council.*

B. *For all other land divisions, 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 or City Engineer. [ORD 4782; April 2020]*

C. *Trees shall be planted in accordance with the City's Tree Planting and Maintenance Policy.*

Response: City-approved street trees will be provided as shown in the Landscape Plans (Exhibit G, Sheets L6.0-L6.4). Trees will be planted and maintained in accordance with the City of Beaverton Tree Planting and Maintenance Policy. Therefore, this standard is met.

60.25 Off-Street Loading

60.25.10 Loading and Berth Design.

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

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. [ORD 4224, 09/19/2002]

60.25.15 Number of Required Loading Spaces.

Table 60.25.15 Number of Required Loading Spaces.

	Use	*AGGREGATE FLOOR AREA (SQ. FT.)*	*Berths Required*	*Type*
8.	*Schools*	*over 14,000*	*1*	*B*

[ORD 4224, 09/19/2002; ORD 4584, 06/01/2012; ORD 4799, 01/08/2021]

Response: The primary loading area for the school will be in the bus loading zone adjacent to the southwest side of the building (Site Plan, Exhibit G, Sheet L2.1). The loading area will be designated where the southernmost bus loading space is shown, adjacent to a curb ramp. The area will serve delivery and service vehicles at times other than bus drop-off and pick-up times. Bus loading spaces indicated in this area of the Site Plan are shown as a minimum of 10 feet wide; however, a 12 foot wide space is available here while still providing a minimum 24 foot drive aisle as required by Section 60.30.15. This loading space can be 30 feet long or longer as needed. There are no overhead features in this area, so 14.5 foot high clearance is available.

Maneuvering area is provided in the western parking area as shown in Turning Maneuver diagrams in Exhibit G (Sheets L7.0 and L7.1).

Therefore, this standard is met.

60.25.20 Loading Facilities Location.

1. The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.

2. No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code. [ORD 4224, 09/19/2002]

Response: The primary loading area for the school will be in the bus loading zone adjacent to the southwest side of the building (Site Plan, Exhibit G, Sheet L2.1). The loading area will be designated where the southernmost bus loading space is shown, adjacent to a curb ramp. The area will serve delivery and service vehicles at times other than bus drop-off and pick-up times.

These loading areas are not located in any required front, side, or rear yard, and do not occupy area for required parking spaces.

Therefore, this standard is met.

As for additional information about the shared use of the bus loading zone as the required loading space for school:

- The District's third-party vendor food deliveries are contracted to arrive at school sites between 6:00 a.m. and 2:00 p.m. The vendor is prohibited from delivering during arrival times at any school.
- The District anticipates one full-size Class C 48 foot by 102 inch trailer with cab tractor once a week.
- Other District-owned delivery trucks will visit the site on average once a day. The delivery trucks are standard box trucks.

Thus, the loading space will be used infrequently and not at times that conflict with use of the space by buses.

60.30 Off-Street Parking

60.30.05. Off-Street Parking Requirements.

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

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

Response: Parking spaces proposed on the school site will be available only for operable vehicles and bicycles. Therefore, this standard is met.

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

Response: Vehicle parking will be provided as shown in the Site Plan (Exhibit G, Sheets L2.0-L2.4) and as required pursuant to Section 60.30.10.5. See the responses for Section 60.30.10.5 below. Therefore, this standard is met.

3. Bicycle Parking. [ORD 3965; November 1996] Bicycle parking shall be required for quadplexes, townhouses (with 4 or more units), cottage clusters, multi-dwellings, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual. [ORD 4397; August 2006] [ORD 4822; June 2022]

Response: Bicycle parking is required for elementary schools, and the number of bicycle parking spaces will be provided as required by Section 60.30.10.5. See the responses for Section 60.30.10.5 below. Bicycle parking facilities meet criteria in the Engineering Design Manual (EDM) as addressed directly below. Therefore, this standard is met.

Engineering Design Manual (EDM)
740 Bicycle Parking Standards
Bicycle parking shall meet the following standards:

740.1 Number and Location of Bicycle Parking Spaces
A. The number and location of bicycle parking spaces required in new development is specified in the Development Code.
B. Bicycle parking shall be visible and conveniently located for cyclists.
C. Bicycle parking shall offer security in the form of either a stationary rack to which the bicycle can be locked, a bicycle locker, or inside a building or lockable enclosure.
D. Bicycle parking spaces shall not obstruct walkways.
E. Bicycle parking for multiple uses may be clustered in one or several locations.
F. Short-term bicycle parking is encouraged to be located on site within 50 feet of a primary entrance. If there are site, setback, building design, or other constraints, short-term 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.
G. For buildings with multiple entrances, short-term bicycle parking spaces shall be distributed proportionately.
H. Directional signage to the bicycle parking should be provided if the parking is not directly visible and obvious from an entrance or public right-of-way.

Response: The number and location of bicycle parking spaces pursuant to the BDC are addressed in responses to Section 60.30.10.5, which follows these responses to EDM requirements. The proposed development addresses EDM Section 740.1 as follows:

- *Visible and conveniently located, distance from entrances, and directional signage* – Bicycle parking will be provided at multiple locations convenient to students arriving on campus on the east side or west side (see the Site Plan in Exhibit G, Sheets L2.0-L2.4). Given the proximity and visibility of the parking, directional signage will not be needed. Per the BDC and EDM, schools are exempt from providing cover for long-term bicycle parking.
- *Clustered in one or several locations and proportionate distribution of short-term bicycle parking spaces* – Bicycle parking will be clustered in locations near entrances on the west and east side of the school building, in proportions appropriate for the physical capacity of the locations and the expected relative use of those entrances and areas. See the Site Plan in Exhibit G, Sheets L2.0-L2.4.
- *A stationary rack, a bicycle locker, or inside a building* – Bicycle parking will consist of stationary racks. Ground-mounted racks will be provided around the site at key locations.

- *Unobstructed walkways* – At least 5 feet of unobstructed walkway is provided around proposed bicycle parking. See the Site Plan, Exhibit G, Sheets L2.1-L2.4.

Therefore, these standards are met.

740.2 Bicycle Parking Design
A. A bicycle parking space shall measure at least 18 inches wide by six (6) feet in length and shall have a vertical clearance of seven (7) feet. A width of two (2) feet is encouraged.
B. The minimum distance between rows of bicycle parking spaces shall be five (5) feet.
C. Minimum clearance between a bicycle parking space and a wall or structure shall be two (2) feet.
D. Bicycle parking spaces shall be separated from motor vehicle parking spaces by at least five (5) feet of clear space.
E. Every bicycle parking space shall be accessible without moving another bicycle.

Response: Proposed bicycle parking dimensions are consistent with these standards, as shown in typical dimensions on the Site Plan (Exhibit G, Sheets L2.2-L2.3). Therefore, these standards are met.

740.3 Covered Bicycle Parking Spaces
A. Required covered bicycle parking spaces shall be provided in a location that protects the bicycle from prolonged direct exposure to the elements. The location shall be acceptable to the City review authority. Examples include but are not limited to: inside a building or a bicycle locker, under a roof overhang or awning, within or visible from an individual's office, or in the case of multi-family residential units, within a unit.
B. Cover for required long-term bicycle parking is required. School buildings are exempt from covering long-term bicycle parking.

Response: Schools are exempt from providing cover for long-term bicycle parking. Therefore, these standards are met.

740.4 Bicycle Parking Facility Design
A. A bicycle rack shall accommodate common bicycle frame sizes and styles including bicycles without kickstands;
B. A bicycle rack shall support the bicycle frame at a minimum of two contact points; one contact point shall be the frame.
C. A rack shall allow both the frame and two wheels to be locked to the rack with the use of a cable or the frame and one wheel to be locked to the rack with a U-type lock.
D. Bicycle racks and bicycle lockers shall be securely anchored to concrete with vandal-resistant concrete mounting hardware.

Response: Proposed bicycle parking racks will accommodate common frame sizes and styles, support the frame at a minimum of two points, allow for the locking of one or two wheels depending on the lock, and will be securely anchored to the concrete. Therefore, these standards are met.

740.5 Bicycle Parking Lighting
Bicycle parking spaces shall be lighted to the standards of section 450.

Response: Bicycle parking space lighting standards established in EDM Section 450 apply to outdoor bicycle parking. Proposed outdoor bicycle parking spaces will be lit to at least 0.5 average foot-candle. See the Site Plan Lighting & Photometrics Sheet ES1.2. Therefore, this standard is met.

60.30.10. Number of Required Parking Spaces.

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

	Required Parking Spaces		*Max. Permitted Parking Spaces*	
Land Use Category	*Multi Use Zones*	*All Other Zones*	*Zone A*	*Zone B*
Educational Institutions: Middle School, Elementary School (spaces/number of FTE staff)	*1.0*	*1.0*	*1.5*	*1.5*

Response: The rebuilt school is designed to accommodate 77 staff. Per the Table 60.30.10.5.A, this development is required to provide a minimum of 77 parking spaces. A maximum of 115 spaces is permitted. As shown in the Overall Site Plan (Exhibit G, Sheet L2.0), a total of 101 parking spaces are provided. Therefore, this standard is met.

Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES

	Minimum Required Bicycle Parking Spaces	
Land Use Category	*Short Term*	*Long Term*
Educational Institutions: *Middle School, Elementary School*	*Not required*	*1 space per 9 students*

Response: The rebuilt school is designed to accommodate 770 students and 77 staff. Per the Table 60.30.10.5.B, this development is required to provide 88 bicycle parking spaces. As

shown in the Overall Site Plan (Exhibit G, Sheet L2.0), 88 bicycle parking spaces (44 racks) are distributed around the site. On the west side of campus, clusters of bicycle parking are proposed near the soft-surface, hard-surface, and covered play areas; on the east side of campus, clusters of parking are proposed around the front entrance and Community Courtyard. Therefore, this standard is met.

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 = 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

A	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*
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.)*

Response: As shown on the Site Plan (Exhibit G, Sheets L2.1-L2.4), proposed parking stalls meet the required widths and depths. Therefore, this standard is met.

60.30.20. Off-Street Parking Lot Construction.

Every parcel of land hereinafter developed for use as a parking area shall conform to the requirements of the Engineering Design Manual and Standard Drawings. [ORD 3293; November 1982] [ORD 4302; June 2004] [ORD 4332; January 2005]

Response: The proposed parking areas will conform to requirements of the Engineering Design Manual and Standard Drawings, which will be demonstrated in the project's construction drawings.

60.50 Special Use Regulations

60.50.10 Height Regulations.

The height limitations contained in this Code do not apply to normal appurtenances placed on or extending above the roof level, such as spires, belfries, cupolas, chimneys, antennas, ventilators, elevator housing, or other structures; provided, however, that no structure shall be erected which fails to comply with any applicable state or federal law or regulation. Antennas for wireless communication facilities are not exempted by this section from the applicable height regulations as specified in this Code. [ORD 3293; November 1982] [ORD 4107; May 2000] [ORD 4248; May 2003] [ORD 4498; January 2009]

Response: As stated in the responses to Section 40.10 (Adjustments), the applicant is requesting a Major Adjustment to allow for a maximum building height of approximately 51.5 feet. Rooftop equipment will be within this height limit. (A DAS antenna can also be within the 51.5 foot height limit but will be a design-build feature determined during construction.) Therefore, this standard is met.

60.50.20 Fences.

Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering Design Manual and meet the following standards: [ORD 3162; April 1980] [ORD 3287; October 1982] [ORD 4365; October 2005] [ORD 4782; April 2020]

1. Fences and walls shall not exceed the following height:

- *A. Six (6) feet in a required front yard along designated Collector and Arterial streets.*
- *B. Three (3) feet in height in a required front yard along all other street classifications.*
- *C. Four (4) feet in height in a required front yard for required above ground stormwater facilities.*
- *D. Eight (8) feet in height for all other yards.*

[ORD 3162, 04/03/1980; ORD 3287, 10/21/1982; ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4782, 04/17/2020]

Response: See response to Section 60.05.45.7 (Landscape, Open Space, and Natural Areas Design Guidelines).

60.55 Transportation Facilities

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.

2. Analysis Threshold.

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.

3. Study Area. The Traffic Impact Analysis shall evaluate the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow. The City Engineer may identify additional locations for study if existing traffic operation, safety, or performance is marginal or substandard. Prior to report preparation, the applicant shall submit the proposed scope and analysis assumptions of the Traffic Impact Analysis. The City Engineer shall determine whether the scope and analysis assumptions are adequate.

4. Contents of the Traffic Impact Analysis Report. The Traffic Impact Analysis report shall contain the following information organized in a logical format:

A. Executive Summary

B. Description of Proposed Development

C. Existing Conditions

D. Traffic Forecasts

E. Traffic Impacts

F. Mitigation Identification

G. Recommendations

Response: A TIA was deemed as needed for this application after an average of 560 vehicles per day was estimated for the proposed development. It is included in the application as Exhibit I. A certified traffic engineer with DKS Associates prepared the TIA, in coordination with City of Beaverton and Washington County transportation staff in order to establish the study area and TIA content.

The TIA indicated that a traffic signal would be needed at the driveway aligned with Montclair Drive in order to serve site access and provide a protected pedestrian crossing for students and others walking to the school site. No additional off-site traffic impacts were identified.

Therefore, this standard is met.

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: See responses to Section 60.05.40 (Circulation and Parking Design Guidelines) for details about the project's access and circulation for motor vehicles, bicycles, pedestrians, and buses.

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: Design Guideline responses in Sections 60.05.40.1 and 60.05.40.3 address bicycle, pedestrian, and vehicle facilities and connections to the surrounding transportation system, as specified by the Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6. Therefore, this standard is 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: The Transportation Element does not identify future street or bicycle and pedestrian connections at this property. Therefore, this standard does not apply.

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: Vehicle, pedestrian, and bicycle connections are available from the project site via SW Scholls Ferry Road. Closed-end transportation facilities are not needed or proposed. Therefore, this standard is 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: Additional right-of-way dedication is not necessary to accommodate future bicycle and pedestrian facilities. Therefore, this standard does not apply.

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

Response: See responses to Section 60.05.40 (Circulation and Parking Design Guidelines). As part of this project, a new signalized crossing will be provided at the school's eastern driveway, which will be aligned with Montclair Drive. Signal plans are referenced on the Public Street Improvements Plan (Exhibit G, Sheet C6.3). Therefore, this standard is 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 on-site circulation system connects directly to SW Scholls Ferry Road. The primary entrance is immediately adjacent to the public sidewalk and secondary entrances are accessible via the internal walkways. See the Overall Site Plan (Exhibit G, Sheet L2.0). Therefore, this standard is met.

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

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.

Response: The City has not identified future street or bicycle and pedestrian connections on this property, nor any special setback area. Therefore, this standard does not apply.

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. [ORD 4397; August 2006] [ORD 4697, December 2016]

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.

Response: The school site would not provide connections between streets or between a street and a destination. Thus, no accessways are required or proposed as part of this development. Therefore, this standard does not apply.

10. Pedestrian Circulation. [ORD 4487; August 2008]

B. Standards for Other Development. [ORD 4822; June 2022]

1. Walkways are required between parts of a development where the public is invited or allowed to walk.

2. 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.

3. 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, multi-

dwelling, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development. [ORD 4822; June 2022]

4. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.

5. 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. [ORD 4782; April 2020]

6. 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.

7. 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: As stated above, the proposed development provides required pedestrian connections and access requirements. The internal walkways connect directly to SW Scholls Ferry Road. The longest distance between walkways – from the walkway on the eastern edge of the west parking lot to the western of two walkways leading to the front school entrance on the east side of the school – is roughly 280 feet. The walkways provided will be concrete, at least 6 feet wide (or at least 7 feet wide when bordering parking spaces), will and provide sufficient circulation throughout the site. See the Site Plan (Exhibit G, Sheets L2.0-L2.4).

Walkways and entrances meet requirements of the ADA.

On-site walkways meet the minimum lighting requirements and do not exceed 0.5 foot-candles more than five feet beyond the property line (Site Plan Lighting & Photometrics, Exhibit G, Sheet ES1.2).

Therefore, these standards are 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: BDC Chapter 90 defines Existing Major Transit Stops as existing or planned light rail stations, park and ride lots, and transit transfer stations, and transit stops that have 20-minute service during the weekday commute peak hour. The TriMet stop adjacent to the school (Line 56) does not provide 20-minute service during peak hour. Thus, the property is not located within 200 or 300 feet of a Major Transit Stop. Therefore, this standard does not apply.

As a note, coordination with TriMet – as well as the City and County – is expected to occur during design of the new signal at the proposed intersection of the new eastern school driveway and Montclair Drive

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.

Response: No wetlands, streams, Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protections, and Significant Riparian Corridors are identified on the property. Therefore, this standard does not apply.

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. [ORD 4418; February 2007]

Response: Improvements that will be provided in front of the curb (in the street) will be provided consistent with Washington County standards and any County-approved Design

Exceptions.[5] City EDM standards do not apply curb to curb for this project. Therefore, this standard is not applicable.

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. [ORD 4418; February 2007]

Response: City standards apply behind the curb – or from the property line to the curb – for this project. A Sidewalk Design Modification is proposed to address a planter strip that is narrower than the City EDM standard of 7.5 feet. See Exhibit G, Sheets C6.1-C6.3, and responses to Section 40.58 (Sidewalk Design Modification).

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. [ORD 4782; April 2020]

Response: Street trees will generally be planted at a maximum spacing of 30 feet along Scholls Ferry Road, as shown in the Landscape Plan (Exhibit G, Sheets L6.1-L6.2). Street trees will be selected from the City Beaverton approved Street Tree List.

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.

Response: As shown on the Site Plan (Exhibit G, Sheet L2.0), the school use will have two driveways on SW Scholls Ferry Road, and a driveway on SW Scholls Ferry will be maintained on the east edge of the school property for access for two residential neighbors to the north.[6] The existing school use has three driveways, including two western driveways that will be consolidated - a notable improvement. In addition, the new eastern school driveway will be aligned with Montclair Drive and will be signalized, another significant improvement from existing conditions.

Scholls Ferry Road is an arterial and any direct private access onto an arterial does not meet Washington County's access standards. Thus, an Access Management Plan (AMP) was

[5] The applicant, Washington County Transportation, and City of Beaverton Transportation have been coordinating regarding right-of-way needs on Scholls Ferry Road and the County's pending sidewalk/pedestrian improvement project. A Memorandum of Understanding documenting the dimensions and improvements required in the right-of-way is in process.

[6] The site design for the RHS project includes a 9-foot paved driveway along the eastern border of the school property, mirroring existing conditions and allowing access for the two neighbors to the north. A Design Exception Request for the width was filed with staff on August 15, 2023.

prepared for the site to consider potential access alternatives. While meeting the facility access requirements is not feasible on this stretch of Scholls Ferry Road (even without the school access), the proposed school access points were found to operate safely and meet mobility needs. See Exhibit I.

Therefore, this standard is met.

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. [ORD 4584; June 2012]

Response: No dwelling units are proposed with this request. Therefore, this standard does not apply.

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. [ORD 4462; January 2008]

Response: As shown on the Overall Site Plan (Exhibit G, Sheet L2.0) and individual Site Plan sheets, required vision clearance areas will be provided at the driveway intersections with SW Scholls Ferry Road.

The applicant and applicant's transportation consultant have been coordinating with Washington County regarding sight distance, and have made the following findings:

- Existing features such as vegetation and utility poles currently limit sight distance at the school's existing access points.
- The two proposed school driveways will be in slightly different locations. Between that and frontage improvements that will remove existing trees, Washington County sight distance standards will be met for the proposed school driveways.
- The addition of a signal at the intersection of the school's eastern driveway and Montclair Drive will do that much more to improve safety at a public street intersection with sight distance challenges.

See the TIA/AMP in Exhibit I.

Therefore, this standard is and will be met, including with an approved Design Exception as needed.

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.

Response: As noted in the previous response, the two proposed school driveways will comply with County sight distance standards. Thus, no modifications are needed.

B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.

Response: Intersection angles meet the minimum County standards. Design Modifications will be needed from the County for intersection and driveway spacing. Granted approval of necessary County Design Modifications, this standard is met.

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: As shown on the Overall Site Plan (Exhibit G, Sheet L2.0) and individual Site Plan sheets, required vision clearance areas are established at the intersections with SW Scholls Ferry Road. Shared driveways are not proposed. New driveways for detached dwellings are not proposed; an existing driveway for residences to the north will be maintained.[7]

Therefore, applicable standards are met.

60.55.40. Transit Facilities.

[ORD 4302; June 2004] 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. [ORD 4332; January 2005] All transit shelters and sidewalk furniture shall meet the following standards.

[7] Regarding access for residential neighbors to the north, see the previous footnote.

1. *The proposal is located entirely within the existing public right-of-way, public access easement, or property owned by a public agency.*
2. *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.*
3. *The proposal is not located within eight feet (8') of a point of ingress or egress of an existing structure.*
4. *The proposal is not located within a vision clearance area for a street, driveway, or other facility where vehicles regularly travel.*
5. *The proposal is not located within twelve feet (12') of a window display area.*
6. *The proposal does not consist of solid panels other than what is required to post transit schedules.*

Response: As shown on the Public Improvements Plan (Exhibit G, Sheet C6.2), a bus stop and pad are proposed at the existing bus stop located on SW Scholls Ferry Road. The bus stop is located entirely within the public right-of-way and maintains an unobstructed path of travel of 6 feet wide. The bus stop is not located within 8 feet of a point of ingress or egress of an existing structure or within a required vision clearance area. The proposed stop is not located within 12 feet of a window display. Therefore, these standards are met.

60.60 Tree and Vegetation

60.60.15. Pruning, Removal, and Preservation Standards.

2. Removal and Preservation Standards.

A. All removal of Protected Trees shall be done in accordance with the standards set forth in this section. [ORD 4697; December 2016]

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

C. For SNRAs and Significant Groves, the following additional standards shall apply…

Response: Per Chapter 90, Protected Trees are Significant Individual Trees, Historic Trees, Trees within a Significant Natural Resource Area or Significant Grove, and Mitigation Trees. The trees on the school site are Community Trees and not Protected Trees. There are also no SNRAs or Significant Groves located on the site. Therefore, this standard is not applicable.

60.60.20. Tree Protection Standards during Development.

1. Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following:

A. *A construction fence must be placed around a tree or grove beyond the edge of the root zone. The fence shall be placed before physical development starts and remain in place until physical development is complete. The fence shall meet the following:*
    a. *The fence shall be a four foot (4') tall orange plastic or snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy 12 gauge wire*

shall be strung between each post and attached to the top and midpoint of each post. Colored tree flagging indicating that this area is a tree protection zone is to be placed every five (5) linear feet on the fence to alert construction crews of the sensitive nature of the area.

b. Other City approved protection measures that provide equal or greater protection may be permitted, and may be required as a condition of approval.

B. Within the protected root zone of each tree, the following development shall not be permitted:

1. Construction or placement of new buildings.

2. Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval.

3. New impervious surfaces.

4. Trenching for utilities, irrigation, or drainage.

5. Staging or storage of any kind.

6. Vehicle maneuvering or parking

The trees on the school site are not Protected Trees. Therefore, these standards are not applicable.

However, trees to be preserved on the site will be protected by a number of measures; these measures are noted on the Landscape Plan (Exhibit G, Sheets L6.0-L6.4) and the Existing Landscape Protection and Removal Plans (Exhibit G, Sheets L1.0-L1.4).

60.60.20. Tree Protection Standards during Development.

1. The following standards shall apply to mitigation for the removal of Significant Individual Trees or trees within Significant Groves or SNRAs...

Response: No SNRAs, Significant Groves, or Significant Individual Trees are identified on the subject property as shown in the City of Beaverton Tree Inventory Map. Therefore, these standards do not apply.

2. Mitigation for the removal of trees from Significant Groves or SNRAs shall be required as follows…

Response: No trees within Significant Groves or SNRAs are being removed. Therefore, this standard is not applicable.

3. In addition to the requirements listed in Section 60.60.25.1. Mitigation Requirements, the following mitigation requirements shall apply for the removal of trees from Significant Groves or SNRAs...

Response: No trees within Significant Groves or SNRAs are being removed. Therefore, this standard is not applicable.

7. In-Lieu fee. If the total caliper inch on-site- or off-site tree planting mitigation does not equal the DBH inch removal or if no tree planting mitigation is proposed, the remaining or total caliper inch tree planting mitigation shall be provided as a fee-in-lieu payment. The in-lieu fee shall be specified in the Community Development In-Lieu Fee schedule. Fee revenues shall be deposited in the City's Tree Mitigation Fund.

Response: The applicant proposes to provide trees instead of an in-lieu fee for tree mitigation. Therefore, this standard is not applicable.

8. In addition to the standards in Mitigation Standards 1, the following standards shall apply to mitigation for the removal of a Significant Individual Tree…

Response: No Significant Individual Trees are being removed as a result of this development. Therefore, these standards are not applicable.

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.*
- *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.*
- *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 trees proposed for removal are not Landscape Trees but Community Trees. Therefore, these standards do not apply.

Trees and other plants being preserved, removed, or planted are addressed in the Landscape Plan including Plantings Schedules and Lists (Exhibit G, Sheets L6.0-L6.4 and Sheet L6.0A) and the Existing Landscape Protection and Removal Plans (Exhibit G, Sheets L1.0-L1.4).See responses to Section 40.90 (Tree Plan) for more details about tree preservation, removal, and planting.

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. [ORD 4343; April 2005] [ORD 4363; August 2005]

Response: As shown in the Overall Utility Plan (Exhibit G, Sheet C5.0), all new utilities will be undergrounded except for two fire department connections. Two fire hydrants are proposed, one in each parking area. Electric and communications connections will be located underground per BDC requirements. Therefore, this standard is met.

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

Response: Necessary arrangements with utility companies have been and are being made. Therefore, this standard is and will be met.

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

Response: A transformer required by PGE will be located inside the walled service yard (Site Plan, Exhibit G, Sheet L2.1).

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

Response: Underground utilities will be constructed and installed prior to final street surfacing, as applicable. Therefore, this standard is 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: No stubs for future service connections are necessary with this proposal. Therefore, this standard does not apply.

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: Conversion of existing customer equipment and private utilities will be addressed if applicable.

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 the private utility service provider shall be financially responsible for installing oversized facilities.

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

Response: As shown on the Overall Existing Conditions and Demo Plan and Utility Plan (Exhibit G, Sheets C2.0-C2.5 and C5.0-C5.6), the location of all existing above ground and underground public and private utilities and existing and new easements is shown. The relocation of existing above ground utilities to underground is also shown on the Overall Utility Plans (Exhibit G, Sheets C5.0-C5.6). Therefore, this standard is met.

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. [ORD 4697; December 2016]

Response: As shown on the Overall Site Plan (Exhibit G, Sheet L2.1), which indicates the required vision clearance triangles, no above ground utilities are proposed in the vision clearance areas. Therefore, this standard is 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. [ORD 4224; August 2002]

Response: Fee-in-lieu is not proposed. Therefore, this standard is not applicable.